

Salisbury, North Carolina
July 19, 2016

REGULAR MEETING

PRESENT: Mayor Karen Kirks Alexander, Presiding; Mayor Pro Tem Maggie A. Blackwell; Council Members Kenneth Hardin, William Brian Miller, and David Post; City Manager W. Lane Bailey; City Clerk Myra B. Heard, and City Attorney F. Rivers Lawther, Jr.

ABSENT: None.

Salisbury City Council met in Council Chambers in City Hall located at 217 South Main Street. The invocation was given by Councilmember Miller. The meeting was called to order by Mayor Alexander at 5:00 p.m.

PLEDGE OF ALLEGIANCE

Mayor Alexander led those present in the Pledge of Allegiance to the United States flag.

RECOGNITION OF VISITORS

Mayor Alexander welcomed all visitors present.

CHANGES TO THE AGENDA

Mayor Alexander noted the following changes to the Agenda:

Omit Item 9 – Council to consider adopting a Resolution supporting the designation of a portion of Interstate 85, within the City limits, to John Ray “Curly” Seckler.

Add 16a – Council to go into a closed session regarding a personnel matter as allowed by NCGS 143-318.11(a)(6).

PROCLAMATIONS

Mayor Alexander proclaimed the following observances:

CHICKWEED – CELEBRATING INDESTRUCTIBLE WOMEN WEEK	July 17-23, 2016
100 TH ANNIVERSARY OF THE SALISBURY-ROWAN CHAPTER OF THE RED CROSS	July 21, 2016

CONSENT AGENDA

(a) Approval of Minutes

Approve Minutes of the Regular Meeting of June 21, 2016.

(b) Budget Ordinance Amendment – Engineering

Adopt a Budget Ordinance amendment to the FY2016-2017 budget in the amount of \$11,683 to appropriate insurance proceeds.

ORDINANCE AMENDING THE 2016-2017 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA TO APPROPRIATE INSURANCE PROCEEDS.

(The above Ordinance is recorded in full in Ordinance Book No. 25 at Page No. 50, and is known as Ordinance 2016-27.)

(c) Modifications to City Code

Approve modifications to Section 11-24(27) of the Salisbury City Code regarding cable or pipelines.

Thereupon, Mr. Miller made a **motion** to adopt the Consent Agenda as presented. Mr. Post seconded the motion. Messrs. Hardin, Miller, and Post, and Mses. Alexander and Blackwell voted AYE. (5-0)

INDUSTRIAL BUILDING REVITALIZATION GRANT – SOUTHMARK LIMITED III, LLC.

Mr. Scott Shelton, Salisbury-Rowan Economic Development Commission (EDC), presented a request for an Industrial Building Revitalization grant in the amount of \$25,000 from Southmark Limited III, LLC. He reviewed program eligibility and explained the minimum amount for improvements is \$20,000. He pointed out the proposed improvements will be in excess of \$100,000.

Mr. Shelton explained the operation must employ one person for every \$5,000 approved. He added the grant would pay up to 25%, or \$25,000, whichever is less, for building improvements.

Mr. Shelton indicated Southmark Limited III, LLC. owns the property and leases it to Royce Apparel who began leasing space at 408 Long Meadow Drive in August 2015. He noted the company decided to move its corporate headquarters to the location which will bring 30 new positions to Rowan County. He asked Council to consider an Industrial Building Revitalization grant for Southmark Limited III, LLC.

Mayor Pro Tem Blackwell asked about a time-frame for the 30 new positions. Mr. Shelton noted the company will be fully staffed within one year, and he pointed out many of the positions are already filled.

Councilmember Miller questioned if Industrial Building Revitalization grants have been awarded in the past when the tenant is leasing the property. Mr. Shelton noted a grant was awarded to Bonded Logistics who leases its property.

(b) Mayor Alexander convened a public hearing, after due notice thereof, to receive comments regarding an Industrial Building Revitalization Grant for Southmark Limited III, LLC.

There being no one to speak, Mayor Alexander closed the public hearing.

Thereupon, Ms. Blackwell made a **motion** to approve an Industrial Revitalizations Building Grant in the amount of \$25,000 for Southmark Limited III, LLC. Mr. Miller seconded the motion.

Mr. Miller noted the policy states buildings eligible for grant funding must be constructed before 1990. He suggested an amendment to the motion to request staff to review the policy regarding building construction dates. He suggested buildings 15 years old or older be considered for the grant. Ms. Blackwell agreed to the amendment.

Mr. Shelton explained the program was created in 2010 and agreed staff should review the grant process.

Councilmember Post asked if the Industrial Revitalization Building grants have provisions in place should the company not meet its requirements. Mr. Shelton stated the applicant submits an invoice once the work is complete. He added he is not aware of a specific fallback plan. City Manager Lane Bailey asked if the jobs are based on two consecutive Employment Security Commission quarterly reports. Mr. Shelton noted the jobs are based on one quarterly report. He added the paperwork is submitted after the renovation is complete and the jobs are created.

Mr. Post stated the goal of the Industrial Revitalization Building grant is to create jobs, and he noted the applicant has to show the employees for only one quarter before payment is received. Mr. Post asked if the jobs are full-time jobs. Mr. Shelton noted the 30 jobs are full-time, and he pointed out additional part-time jobs may be created.

Mr. Post commented the grant funds are not included in the City Budget, and he asked about the impact to the City. Mr. Bailey explained the grants cannot be anticipated, and he noted staff will find the funds to cover the grant. Mr. Post added it would benefit Council to understand how many new jobs will be created in the City. Mr. Miller suggested staff review the process and provide additional information to Council.

Mr. Miller stated the company is already in the building and will use the funding to up-fit additional office space. He pointed out the jobs are already here. Mr. Post questioned if the incentives benefit the taxpayers since the jobs are already in the City.

Mayor Alexander clarified the grant and the transition are happening at the same time. She added the company has moved its business from Kannapolis, hired additional employees, and plan to hire more as the company expands. Mr. Shelton explained the original plan used the building for distribution, and he added the company decided to move its entire operation to the City which required additional expansion.

Councilmember Hardin requested the motion be restated to include the amendment.

Thereupon, Mr. Miller made a **motion** to approve an Industrial Revitalizations Building Grant in the amount of \$25,000 for Southmark Limited III, LLC. and to include and acknowledge that the age of the building, built in 2000, is 16 years old. He noted the policy states buildings constructed prior to 1990, and he added Council agrees to the exception. Ms. Blackwell seconded the motion. Messrs. Hardin, Miller and Post, and Mses. Alexander and Blackwell voted AYE. (5-0)

UPDATE – DSI DOWNTOWN IMPROVEMENTS

Downtown Salisbury, Inc. (DSI) Executive Director Paula Bohland and Mr. Jim Prosser, Centralina Council of Government, presented results of an open house regarding downtown improvements.

Mr. Prosser first recognized the City for winning the Region of Excellence Award. He explained the award recognizes recipients who leverage resources to improve the quality of life, and he added the City was acknowledged for its annual Sculpture Show. He presented the award to Mayor Alexander. Mayor Alexander acknowledged Ms. Lynn Raker and Ms. Barbara Perry and explained the award was the result of the work of the Public Art Committee.

Ms. Bohland explained the Downtown Master Plan was approved in 2010 and guides DSI in its decision making. She reviewed the public engagement process for downtown improvements.

Mr. Prosser noted downtowns provide the central point of reference for a community and typically have higher tax values per square foot. He explained DSI requested Centralina Council of Governments participate in an effort to provide Council with additional information by listening to downtown businesses, visitors, residents and stakeholders.

Mr. Prosser indicated the process includes three steps. He noted the first open house addressed what downtown improvements businesses, visitors, residents, and stakeholders would like to see, and what evaluation criteria is important to them. He stated the second open house will address possible options and request feedback from residents. He noted the third open house will present options based on feedback received at the second open house.

Mr. Prosser pointed out the first open house was held June 23, 2016. He noted 75 people attended and responses were received from over 60 participants who requested:

- Parks and greenspace that are walkable and bicycle friendly
- Additional retail and dining
- Slower traffic and additional parking
- Redevelopment, construction, no vacant storefronts, and additional housing
- Cultural diversity and diverse events to attract people downtown

Mayor Alexander asked about the date for the second open house. Ms. Bohland stated the second open house will be held October 27, 2016.

Councilmember Hardin noted citizens expressed concerns that ample notice was not given to attend the open house. He asked about the methodology used to record the 62 responses that were received. Mr. Prosser noted feedback forms that could be filled out or entered electronically were provided. Mr. Hardin questioned if 62 responses were enough to warrant changes. Mr. Prosser noted it is a way for the community to provide input, and it is up to Council to decide if the input is adequate. Mr. Hardin asked if demographic information is being collected. Mr. Prosser noted participants are asked to voluntarily provide demographic information. Mr. Hardin requested an example of culturally diverse aesthetics in the downtown. Mr. Prosser explained as investments are selected, groups that are typically underrepresented are asked to provide feedback. He recommend Council receive information from all three open houses before decisions are made.

Mayor Alexander noted an online survey was included in the process. She asked how the survey could be publicized. Ms. Bohland explained there is a link to the survey on DSI's website that was publicized in the *Salisbury Post* and on Facebook. Mayor Alexander suggested the City also publicize the survey.

INTERSTATE 85 DESIGNATION

This item was omitted.

SPEED LIMIT – SHERWOOD AND ROSEMONT STREETS AND A PORTION OF D AVENUE

Traffic Engineering Coordinator Vickie Eddleman indicated staff received a petition to reduce the posted speed limit on Sherwood and Rosemont Streets and along the 600 block of D Avenue from 35 mph to 25 mph.

Ms. Eddleman explained the petition is signed by 64 % of the area property owners along Sherwood Street, 55 % of the area property owners along Rosemont Street, and 71 % of property owners along the 600 block of D Avenue. She added staff recommends Council adopt an Ordinance amending Section 13-336 of the City Code, related to speed limits.

Mayor Pro Tem Blackwell asked if the Police Department would immediately enforce the speed reduction. Ms. Eddleman noted police offices typically issue warnings before a ticket is written. She added staff could use orange flags to alert drivers to the posted speed change.

Mayor Alexander invited neighborhood representative Franklin White to address Council.

Mr. Franklin White, 1975 Sherwood Street, stated he is the petitioner for the request. He noted drivers speed through the residential area where pedestrians walk and children play and ride their bikes. He commented most people who live in the neighborhood support the request.

Councilmember Hardin asked if staff considered other traffic control options for the area. Ms. Eddleman explained the neighborhood has not been evaluated for additional speed control.

Mayor Alexander asked if posting reduced speed signs is the first step in speed reduction. City Engineer Wendy Brindle explained when staff receives a petition requesting a speed reduction, it can reduce the speed quickly and inexpensively. She explained once the speed is reduced, if the neighborhood is still not satisfied, a traffic study would be conducted to evaluate and rank the neighborhood regarding traffic speed, traffic volume, the number of accidents, and if the area has sidewalks. She stated as funding becomes available the need would be addressed according to the neighborhood ranking. Mr. Hardin asked about the ranking process. Ms. Brindle noted some streets have been on the list for many years because funding is not available. She added data collection takes approximately one month.

Councilmember Post commented he was surprised to learn the area posted speed is 35 mph. Salisbury Police Captain Brian Stallings pointed out State law mandates a speed of 35 mph unless otherwise posted.

Thereupon, Mr. Miller made a **motion** to adopt an Ordinance amending Section 13-336, Article X, Chapter 13 of the Code of the City of Salisbury, relating to speed limits – generally. Ms. Blackwell seconded the motion. Messrs. Hardin, Miller and Post, and Mses. Alexander and Blackwell voted AYE. (5-0)

ORDINANCE AMENDING SECTION 13-336, ARTICLE X, CHAPTER 13 OF THE CODE OF THE CITY OF SALISBURY, RELATING TO SPEED LIMITS – GENERALLY.

(The above Ordinance is recorded in full in Ordinance Book No. 25 at Page No. 51, and is known as Ordinance 2016-28)

ADDITIONAL PAYMENT – FLOWAY-3 STAGE BOWL ASSEMBLY

Salisbury-Rowan Utilities (SRU) Director Jim Behmer explained a Floway-3 Stage Bowl Assembly was approved by Council at its October 6, 2015 meeting as a contract not to exceed a certain amount. He noted during installation it was discovered that additional work was needed. He asked Council to approve the additional payment for the work that is needed to put the pump back into service.

Thereupon, Mr. Miller made a **motion** to adopt a Resolution authorizing additional payment in the amount of \$24,909.41 to Charles R. Underwood, Inc. to complete installation of a Floway-3 stage bowl assembly for Salisbury-Rowan Utilities. Mr. Post seconded the motion. Messrs. Hardin, Miller and Post, and Mses. Alexander and Blackwell voted AYE. (5-0)

RESOLUTION AUTHORIZING ADDITIONAL PAYMENT IN THE AMOUNT OF \$24,909.41 TO CHARLES R. UNDERWOOD, INC. TO COMPLETE INSTALLATION OF A FLOWAY-3 STAGE BOWL ASSEMBLY FOR SALISBURY-ROWAN UTILITIES.

(The above Resolution is recorded in full in Resolution Book No. 15 at Page No. 15, and is known as Resolution 2016-14.)

PUBLIC COMMENT

Mayor Alexander opened the floor to receive public comment.

There being no one to address Council, Mayor Alexander closed the public comment session.

BOARDS AND COMMISSIONS

Community Appearance Commission

Upon a motion by Mr. Miller, seconded by Mr. Post, and with Mr. Hardin and Mses. Alexander and Blackwell voting AYE, the following appointment was made to the Community Appearance Commission:

Ms. Laurie Klaus

Term Expires 3/31/19

CITY MANAGER'S COMMENTS

(a) Refinance – Fibrant Debt

City Manager Lane Bailey stated the Finance Department has worked since late spring to refinance Fibrant debt. He added the City's financial advisor, Public Financial Management, sent out a Request for Proposals on the City's behalf and received one proposal. He noted the 2.06 % fixed rate loan would eliminate over \$3 million of debt service, and he commented the loan would include a prepayment penalty. He pointed out the final maturity date would be March 2029. He noted staff will bring additional information to Council at its August 2, 2016 meeting. He explained refinancing would save the City approximately \$400,000 each year that could be used to repay the loan to the Salisbury-Rowan Utility Fund.

COUNCIL COMMENTS

(a) The Mural

Councilmember Post referred to the Mural and explained in the past it had a preservation board, but the board is down to one member, Ms. Janie Allen. He pointed out the Mural was repaired several years ago, and he noted there is a \$7,000 repair bill that remains unpaid. He commented the Mural needs repairs, but there is no funding. He suggested the City take over maintenance of the Mural and ensure the past due bill is paid.

Councilmember Miller commented the Mural belongs to everyone and no one, and he agreed with Mr. Post's suggestion.

Mayor Pro Tem Blackwell suggested the Public Art Committee would be a good fit to oversee the Mural. Mayor Alexander agreed and noted it can receive grant funding. She recommended Mr. Post attend a meeting of the Public Art Committee to discuss fundraising efforts.

Ms. Blackwell noted the annual cost for repainting the Mural averages around \$12,000 and does not include repairs.

By Consensus, Council agreed for the City to take over maintenance of the Mural.

CAPITAL IMPROVEMENT PLAN WORK SESSION

City Manager Lane Bailey noted Council discussed quarterly work sessions and left the Capital Improvement Plan (CIP) incomplete. He suggested Council meet prior to its August 2, 2016 meeting at 4:00 p.m. to look at the CIP. Council agreed to meet at 4:00 p.m. on Tuesday, August 2, 2016 to review the CIP.

MAYOR 'S ANNOUNCEMENTS

(a) 2016 Salisbury Citizen's Academy

Mayor Alexander announced applications are now being accepted for the 2016 Salisbury Citizen's Academy. The academy is a 10-week program that meets each Thursday evening from 5:30 p.m. until 8:30 p.m. beginning September 8 and ending with graduation November 10, 2016. Participants will meet at various city facilities and have an inside view of City operations. Applications are available online or by calling the City Clerk's office at 704-638-5224. All applications must be received by July 22, 2016.

(b) "Movies in the Park"

Mayor Alexander announced Salisbury Parks and Recreation will host Movies in the Park Friday, July 22, 2016 at City Park. Pre-movie entertainment will begin at 8:00 p.m. and the movie "The Good Dinosaur" will begin at 9:00 p.m. Concessions will be available for purchase. This event is free and open to the public. For more information please call 704-216-PLAY.

(c) Carolina Brotherhood Ride

Mayor Alexander announced the fifth annual Carolina Brotherhood Ride will make an overnight stop in Salisbury Wednesday, July 27, 2016. The Carolina Brotherhood is an annual cycling event of firefighters and police officers from the Carolinas and includes Salisbury Fire Department Battalion Chief Jay Baker. The annual ride raises money to support families of firefighters, law enforcement personnel, and emergency responders who have lost their lives in the line of duty. Cyclist will travel from Columbia, South Carolina to Raleigh, North Carolina, covering 463 miles in five days, and will arrive at the Firefighters' Memorial at Fire Station 5 Wednesday, July 27, 2016 at approximately 4:30 p.m. Please join us in welcoming the Carolina Brotherhood Ride to Salisbury.

(d) "Music at the Mural"

Mayor Alexander announced Parks and Recreation will host the Music at the Mural Concert Series Saturday, July 30, 2016 at 8:00 p.m. on West Fisher Street. Live entertainment will be provided by The Trongone Band. Bring a chair and enjoy music in the heart of downtown Salisbury. This event is free and open to the public.

CLOSED SESSION

Mayor Alexander requested Council go into a closed session concerning an economic development matter as allowed by NCGS 143-318.11(a)(4) and a personnel matter as allowed by NCGS 143-318.11(a)(6).

Thereupon, Mr. Miller made a **motion** to go into closed session concerning an economic development matter as allowed by NCGS 143-318.11(a)(4) and a personnel matter as allowed by NCGS 143-318.11(a)(6).

Ms. Blackwell seconded the motion. Messrs. Hardin, Miller and Post, and Meses. Alexander and Blackwell voted AYE. (5-0)

RETURN TO OPEN SESSION

Thereupon, Ms. Blackwell made a **motion** for Council to return to open session. Mr. Miller seconded the motion. Messrs. Hardin, Miller and Post, and Meses. Alexander and Blackwell voted AYE. (5-0)

Mayor Alexander announced no action was taken in closed session.

ADJOURNMENT

Motion to adjourn the meeting was made by Ms. Blackwell seconded by Mr. Miller. All council members in attendance agreed unanimously to adjourn. The meeting was adjourned at 8:58 p.m.


Karen Kirks Alexander, Mayor


Myra B. Heard, City Clerk