

Salisbury, North Carolina  
September 20, 2016

## **REGULAR MEETING**

**PRESENT:** Mayor Karen Kirks Alexander, Presiding; Mayor Pro Tem Maggie A. Blackwell; Council Members Kenneth Hardin, and David Post; City Manager W. Lane Bailey; Deputy City Clerk Kelly Baker, and City Attorney F. Rivers Lawther, Jr.

**ABSENT:** Council Member William Brian Miller and City Clerk Myra B. Heard.

Salisbury City Council met in Council Chambers in City Hall located at 217 South Main Street. The invocation was given by Mayor Alexander. 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.

## **PROCLAMATION**

Mayor Alexander proclaimed the following observances:

CONSTITUTION WEEK	September 17-23, 2016
EVERY DAY IS MEDICATION TAKE-BACK DAY IN THE CITY OF SALISBURY	September 20, 2016
NATIONAL MUSEUM OF AFRICAN AMERICAN HISTORY AND CULTURE DAY	September 24, 2016
NATIONAL SUICIDE PREVENTION MONTH	September 2016
MILITARY AND VETERAN CAREGIVER CITY	September 2016

## **PRESENTATION OF LIVESAVING AWARDS**

Police Chief Jerry Stokes addressed Council regarding Lifesaving Awards for Sergeant Corey Brooks, Corporal Matt Benjamin, Officer Mike Dishman, Officer Anthony Mason, Officer Mark McDaniel, and Officer Rita Rule for their heroic actions.

Chief Stokes explained on March 16, 2016, Sergeant Brooks and Officer Rule performed CPR on a citizen who was unresponsive. He noted the citizen made it to the hospital where she received the care she needed. He added Sergeant Brooks and Officer Rule were nominated by their supervisor Lieutenant Joe Miller. He presented the Lifesaving Award to Sergeant Brooks and Officer Rule.

Chief Stokes stated on August 30, 2014, Officer Dishman performed CPR on a female victim in respiratory distress. He noted the victim was resuscitated and transported to the hospital for further medical assistance. He commented Officer Dishman was nominated for the award by Captain Melonie Thompson, and he presented the Lifesaving Award to Officer Dishman.

Chief Stokes noted on July 12, 2016, Officer Mason assisted the Fire Department with a call regarding a person who had passed out. He indicated Officer Mason performed CPR, and continued lifesaving efforts until the Fire Department and medics arrived. He commented Officer Mason was nominated by Lieutenant Wilkerson, and he presented the Lifesaving Award to Officer Mason.

Chief Stokes indicated on March 15, 2016, Officer McDaniel and Corporal Benjamin responded to a call where a citizen went into cardiac arrest in their presence. He noted the officers called for medical assistance and began CPR. He explained the victim was later transported to the hospital. He presented the Lifesaving Award to Officer McDaniel and Corporal Benjamin.

Mayor Alexander thanked the police officers for all they do to keep citizens safe.

## CONSENT AGENDA

### (a) Budget Ordinance Amendment – Fibrant Refinance

Adopt a Budget Ordinance amendment to the FY2016-2017 budget in the amount of \$906,413 to the General Fund and \$32,099,327 to the Fibrant Communications Fund to appropriate funds from the refinancing of Certificates of Participation debt.

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

(The above Ordinance is recorded in full in Ordinance Book No. 25 at Page No. 53, and is known as Ordinance 2016-30.)

### (b) Appointments – Salisbury Tourism and Cultural Development Commission

Approve the appointment of Krista Osterweil as Chairman and Mark Lewis as Vice-Chairman for the Salisbury Tourism and Cultural Development Commission.

Thereupon, Mr. Hardin made a **motion** to adopt the Consent Agenda as presented. Ms. Blackwell seconded the motion. Messrs. Hardin and Post, and Meses. Alexander and Blackwell voted AYE. (4-0)

## SALISBURY POLICE DEPARTMENT GREAT CAMP

Master Police Officer Ann Cooper addressed Council regarding the Gang Resistance Education and Training (GREAT) Program offered through the Salisbury Police Department. She noted the Elementary School Curriculum consisted of students from Isenberg, Overton, North Hills Christian, and Sacred Heart Schools. She added the Middle School Curriculum consisted of students from Knox Middle School. She pointed out the Summer Camp Program serves incoming sixth graders at Knox Middle School, and the GREAT Families Program was available by request.

Officer Cooper explained the Summer Camp Program builds on the Middle School Curriculum by providing students with an opportunity to enhance their life and social skills. She commented the Summer Camp Program increases awareness of alternatives to gang involvement and allows students to interact with police officers in a fun environment. She stated the camp is provided at no cost to the student's family. She indicated past camps were funded by the Robertson Foundation and the City. She commented participants are rising 6<sup>th</sup> graders at Knox Middle School

Officer Cooper explained 80 students have completed the program, 40 students in 2015 and 40 students in 2016. She noted the camp includes two one-week sessions for 20 students. She pointed out the camps cost \$5,873.69, and she indicated \$150 per student is needed to fund the camp.

Mayor Alexander thanked Officer Cooper and the Police Officers who make the camp a success. She noted she attended a day of camp, and she enjoyed watching the students interact with the Police Officers and each other. She encouraged the public to support the Summer Camp Program.

## **FY201--2016 CONSOLIDATED ANNUAL PLANNING AND EVALUATION REPORT (CAPER)**

Community Planning Services Director Janet Gapen and Planner Catherine Garner addressed Council regarding the FY2015-2016 Consolidated Annual Planning and Evaluation Report (CAPER). Ms. Garner stated the CAPER is a performance report for Community Development Block Grant (CDBG) and HOME program funds the City receives from the United States Department of Housing and Urban Development (HUD) for housing and neighborhood revitalization.

Ms. Garner pointed out in FY2015-2016 the City received over \$406,000, including \$286,468 in CDBG funding and \$90,352 in HOME program funds. She added funds come back into the program through homes that are purchased, rehabilitated, and sold. She indicated in FY2015-2016 there was an estimated income of \$30,000.

Ms. Garner stated one emergency rehabilitation of an owner-occupied home and five substantial home rehabilitation projects were completed. She noted the Housing Advocacy Commission (HAC) hosted a Fair Housing Workshop on April 28, 2016 that addressed the responsibilities of landlord and tenants. She added the funds also support the Community Development Corporation (CDC) which counseled 29 participants regarding homebuyer education. She commented 108 people participated in one-on-one sessions that addressed reverse mortgages and foreclosure prevention sponsored by the CDC. She indicated funds were also used for Phase I and Phase II of Brenner Crossing Apartments.

Ms. Gapen reviewed FY2015-2016 accomplishments, and she pointed out 34 citizens participated in the Homeownership Education Program. She explained 15% of the funds are allocated for CDBG public services activities for Rowan Helping Ministries, Family Crisis Council, Community Care Clinic, and Salisbury Youth Employment Program. She commented 3,001 people were served through the allocation of CDBG funding.

Mayor Pro Tem Blackwell stated she is pleased the funds were used to rehabilitate a house in the Green Hills neighborhood. Ms. Gapen pointed out home rehabilitation funding is available to any low to moderate income homeowner. She added staff works with the CDC to determine homeowner income eligibility and to coordinate the projects.

Mayor Alexander clarified the funds are available for homeowners and not rentals. Ms. Gapen explained the home must be owner-occupied, and the homeowner must have low to moderate income. She added the home can be located anywhere in the City.

Councilmember Hardin asked if people are using the program. Ms. Gapen explained the CDC has a waiting list of projects to be addressed.

(b) Mayor Alexander convened a public hearing, after due notice thereof, to receive comments regarding the FY2015-2016 Consolidated Annual Planning and Evaluation Report (CAPER) for Community Development Block Grant and HOME programs.

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

Ms. Gapen explained CDBG funds are allocated annually. She added the City is classified as an entitlement community based upon the poverty level and other factors. She commented HUD uses a formula to determine the amount of funding the City receives. She noted the City participates in a consortium of counties and cities that receive HOME program funds, and then distributes the funds within the consortium.

### **LAND DEVELOPMENT DISTRICT MAP AMENDMENT – Z -02-2016**

Development and Code Services Manager Preston Mitchell stated staff initiated the rezoning request before Council. He explained staff was approached by Novant Health who determined zoning at its daycare facility was inconsistent with the development. He commented staff reviewed the neighborhood zoning and found several inconsistencies.

Mr. Mitchell reviewed the zoning map, and he pointed out the daycare is located on Best Street. He added the current zoning is Urban Residential (UR-8) which does not allow a daycare facility. He explained it is a legal nonconforming use, but Novant requested the zoning be corrected.

Mr. Mitchell noted the second property proposed for rezoning was a parcel added to Jersey City Park. He pointed out the added parcel is zoned differently than the park, and staff recommends expanding the Open Space Preservation (OSP) zoning to include the additional piece of property.

Mr. Mitchell pointed out the third parcel, owned by Freirich Foods, is a split-zoned parcel. He indicated the parcel is fully developed and should be zoned Heavy Industrial (HI).

Mr. Mitchell explained the request before Council would rezone the daycare from UR-8 to Neighborhood Mixed-Use (NMX), which allows a commercial daycare facility. He indicated the proposal for Jersey City Park is to rezone from UR-8 to OSP, which would give the park consistent zoning. He noted the proposal for Freirich Foods would expand the HI zoning to the make the property consistent. He added the Planning Board recommended unanimous approval, and the request is not inconsistent with the Vision 2020 Comprehensive Plan.

(b) Mayor Alexander convened a public hearing, after due notice thereof, to receive comments regarding Land Development District Map Amendment Z-02-2016.

Ms. Dee Dee Wright, asked who owns the daycare. Mr. Mitchell stated he was unaware if ownership of the daycare had changed.

Mr. Rodney Queen, 101 Ferncliffe Drive, stated he supports the proposed rezoning.

Ms. Pamela Soeth, 227 West Monroe Street, indicated she is glad the area next to the park will be rezoned.

There being no one else to address Council, Mayor Alexander closed the public hearing.

Mr. Hardin stated the City Council hereby finds and determines that adoption of an Ordinance to rezone the property as described herein, as requested, is reasonable, in the public interest, and not inconsistent with the goals, objectives, and policies of the Vision 2020 Comprehensive Plan because this petition corrects found inconsistencies in the City zoning map without controverting adopted goals and polices. Therefore, Mr. Hardin made a **motion** to adopt an Ordinance amending the Land Development District Map of the City of Salisbury, North Carolina, by rezoning three parcels in the Jersey City Neighborhood: 725 West Kerr Street from Urban Residential-8 District to Open Space Preserve District, 519 Best Street from Urban Residential-8 District to Neighborhood Mixed-Use District, and 815 West Kerr Street by correctly split-zoning to Heavy Industrial. Mr. Post seconded the motion. Messrs. Hardin and Post, and Mses. Alexander and Blackwell voted AYE. (4-0)

**ORDINANCE AMENDING THE LAND DEVELOPMENT DISTRICT MAP OF THE CITY OF SALISBURY, NORTH CAROLINA, BY REZONING THREE PARCELS IN THE JERSEY CITY NEIGHBORHOOD: 725 WEST KERR STREET FROM URBAN RESIDENTIAL-8 DISTRICT TO OPEN SPACE PRESERVE DISTRICT, 519 BEST STREET FROM URBAN RESIDENTIAL-8 DISTRICT TO NEIGHBORHOOD MIXED-USE DISTRICT, AND 815 WEST KERR STREET BY CORRECTLY SPLIT-ZONING TO HEAVY INDUSTRIAL.**

(The above Ordinance is recorded in full in Ordinance Book No. 25 at Page No. 54, and is known as Ordinance 2016-31.)

### **CITY CODE AMENDMENT – CHAPTER 14 NUISANCES**

Development and Code Services Manager Preston Mitchell explained the proposal before Council would allow the City to abate nuisances when a property is dangerous to public health or safety. He noted the proposal would also allow Code Enforcement to immediately abate situations where ownership or control of property cannot be determined.

Mr. Mitchell noted there are situations in the City where final control of a property is unknown, and there is no interest to maintain the property. He added in some situations the property owners are deceased and no heirs have come forward to claim the property, or properties are in probate and foreclosure, and Code Enforcement needs to abate the property. He added the property must be dangerous or a detriment to public health or safety to warrant an abatement.

Mr. Mitchell explained when debris is removed from a property, the property owner or tenant could consider the debris to be valuable. He commented an appliance in the back yard is in violation of the Nuisance Ordinance, but it may not pose a danger to public health. He clarified Code Enforcement would have the authority to go on vacant property under unknown control and move the appliance to an obscure place while staff searches for the property owner. He added if the property is overgrown and presents a danger to public health because of snakes, infestation, or vagrants, Code Enforcement could abate the property.

Mr. Mitchell indicated the second part of the proposed Ordinance is in response to Councilmember Post's request for better a definition regarding natural areas. He stated Section 14-2 of the proposed Ordinance better defines undeveloped areas. He pointed out the section also defines "improved lots" to include all lots not remaining in their natural state. He clarified "improved lots with structures" and "improved lots without structures" are also defined.

Mayor Pro Tem Blackwell noted during Council's last Code Enforcement discussion Mr. Mitchell mentioned properties where control was unknown. She asked how many of these properties are in the City, and how many abatements are completed in one year. Mr. Mitchell indicated he does not have the information, but it could be brought back to Council at a future meeting. Ms. Blackwell commented a boarded-up house is a safety issue that may not have a known owner. Mr. Mitchell explained boarded-up housing would fall under the Housing Ordinance, and the proposal before Council considers nuisance abatement.

Ms. Blackwell asked if the City would absorb the cost of abatements. Mr. Mitchell explained a lien would be placed on the property that would carry over to any subsequent buyer. Ms. Blackwell pointed out some properties have so many liens they are not feasible to purchase. She noted the City would absorb the cost of abatement until the property is purchased

Mr. Mitchell asked City Attorney Rivers Lawther which liens would be paid first if a property has multiple liens. Mr. Lawther explained the tax office would foreclose on the property, and the taxes would be paid first. He commented any remaining funds would be dispersed to existing liens. He pointed out if the foreclosed property is not purchased, the City or County would assume ownership of the property. Ms. Blackwell reiterated the City would absorb the cost of the abatement until the property is purchased.

Ms. Blackwell suggested tabling the proposed Ordinance until properties are quantified and potential abatements are calculated to determine the cost to the City. She commented she would like to see the potential cost to the City before a vote is taken.

Thereupon, Ms. Blackwell made a **motion** to table the proposed Ordinance until properties are quantified and potential abatements are calculated to determine the cost to the City.

Councilmember Hardin asked if the proposed amendment would affect expediency and compliance. Mr. Mitchell noted the proposal is not about expediency, but about gaining access to uncontrolled property. He added the proposed Ordinance would give the City authority to abate a property and keep it abated until control of the property is determined.

Mayor Alexander noted if the property owner does not pay the abatement fines, the City must absorb the cost. Mr. Mitchell stated North Carolina General Statutes require municipalities to invoice abatements. He commented many property owners pay for the abatement, and if the debt remains unpaid a lien is filed against the property.

Mayor Alexander pointed out if homeowners do not pay the liens the costs accumulate until the property is sold, and the City can be reimbursed. She clarified the City is incurring costs that may not be reimbursed in the current fiscal year. Mr. Hardin asked if the City gets paid when it invoices an abatement. Mr. Mitchell explained the lien will be processed through the County, and in some cases the City will not be paid until the tax assessor's offices determines ownership of the property.

Ms. Blackwell pointed out mowing a property costs \$50 to \$60 dollars, but over a summer the costs could add up \$300. She commented if 60 properties were mowed over the summer the City would incur approximately \$18,000 in cost. She asked how many properties in the City were chronic violators that had to be abated for the whole summer. She added she would like an answer before Council votes on the proposed Ordinance.

Mayor Alexander asked if Council could also get information regarding abatement costs that are not being paid.

City Manager Lane Bailey noted staff is considering more aggressive fee collection alternatives and options to foreclose at a cheaper rate. He pointed out if no action is taken, it will delay mowing and create issues for neighborhoods. He added there is a cost associated with abatement, but doing nothing may also cost the community.

Councilmember Post asked if abatement liens are recorded so the City can recover its costs if a property goes into foreclosure. Mr. Mitchell agreed. Mr. Post then asked how many properties in the City have property liens, but no tax lien. Mr. Mitchell noted the tax assessor would have that information.

Mr. Post reviewed the language for the proposed Ordinance. He asked if the language came from the Institute of Government. Mr. Mitchell stated the language came from the General Statutes. Mr. Post recommend changes to the wording to use "or" instead of "and," and to change "include" to "shall include but not limited to."

Mayor Alexander pointed out there is a motion on the floor to table the proposed Ordinance. Mr. Post stated he would vote against tabling the proposed Ordinance because the information could be provided after the Ordinance is approved. He commented the proposed Ordinance would give additional options to a short-staffed Code Enforcement Department that handles 2,000 cases annually.

Ms. Blackwell stated she supports the proposed Ordinance, but would like to quantify the cost before a vote is taken.

Mr. Hardin asked Ms. Blackwell to restate the motion.

Thereupon, Ms. Blackwell made a **motion** to table the proposed Ordinance until cost to the City can be quantified.

Mr. Hardin commented Mr. Bailey indicated not voting could have a negative financial impact. Mr. Bailey clarified there is a cost to the neighborhood if properties are not abated, but not necessarily a financial cost to the City. He pointed out there is a delay when the City recovers its expense on many abatements. He added neighbors get frustrated when situations are not abated.

Mr. Hardin seconded the motion. Ms. Blackwell voted AYE. Messrs. Hardin and Post, and Ms. Alexander voted NAY. (1-3) the motion was denied.

Mr. Post pointed out if a nuisance condition is dangerous to public health then, according to the proposed Ordinance, the Code Services Manager may initiate the nuisance abatement process. He pointed out Code Enforcement should have the authority to abate a property if the property owners ignore the problem.

Thereupon, Mr. Post made a **motion** that in Section 14-3C the word “and” between unoccupied and controlled be changed to “or” to make sure if any of the conditions exist Code Enforcement can abate the property.

Ms. Blackwell noted if the word is changed to “or” and any of the conditions standing alone are true, it would empower Code Enforcement Officers to take action. She added if the property is unoccupied and the City knows who owns the property, the City could abate the property without giving any notice to the property owner. She added she thinks this is inappropriate. She clarified she would not want the City abating property without notification. Mr. Post pointed out due process entitles the property owner to notification. Ms. Blackwell commented the proposed Ordinance states staff can mail the notification and proceed with abatement without giving the property owner an opportunity to first abate the property. She added she does not believe that is the intent of the proposed Ordinance.

Mr. Post suggested changing the wording to “mailed notice.” Mr. Hardin indicated he would feel more comfortable taking the lead from Mr. Mitchell or Mr. Lawther. He stated he would rather defer the proposed Ordinance until Council has additional information from Mr. Mitchell and Mr. Lawther.

Mr. Lawther explained the item before Council is enabling legislation. He suggested Council change the wording later if a situation is found where there is confusion. Mr. Post asked if the wording of the proposed Ordinance is the exact wording of the State Statue. Mr. Lawther noted that is what Mr. Mitchell indicated to him. Mr. Post withdrew his motion.

Thereupon, Mr. Post made a **motion** to amend the language to change “include” in the second sentence with “unknown control” and then to define the word. He indicated Section 14-3C should read “shall include but shall not be not limited to” so the list can be expanded if necessary. Mr. Mitchell suggested “may include, but not be limited to,” and Mr. Post agreed to the change.

Mr. Hardin seconded the motion. Messrs. Hardin and Post, and Ms. Alexander voted AYE. Ms. Blackwell voted NAY (3-1)

Mr. Bailey noted staff will have the information Ms. Blackwell requested regarding property numbers at the next Council meeting, and staff will also present ways to become more aggressive regarding abatement fine collections.

Ms. Blackwell reminded staff that fiscal notes need to be completed for Agenda items.

*\* Action to adopt this Ordinance was taken later in the meeting and is shown on Page 12.*

## **PUBLIC COMMENT**

Mayor Alexander opened the floor to receive public comment.

Mr. Greg Alcorn noted September 20, 2016 would have been Mr. Ralph Ketner's 96<sup>th</sup> birthday. He added Mr. Ketner would suggest the City implement an outstanding sales and marketing plan that is ambitious and aggressive. He pointed out the City should consider Fibrant's market share, and covering Fibrant debt through Fibrant operations. He added 35% of the market share would allow Fibrant to break even. He indicated it can be done, but it will require aggressive action.

Mr. Jerry Shelby, Morlan Park Neighborhood, noted he has addressed Council several times regarding the intersection of Morlan Park Road and Jake Alexander Boulevard. He stated the neighbors cut down trees and bushes, and painted turn lanes when the City and State refused. He pointed out the grass near the intersection is in violation of City Code. He pointed out detour signs in the area block motorists' view. He commented school has started and traffic at the intersection has increased. He referenced safety issues in the area, and he noted help is needed in the east end of the City.

Mr. Andrew Davis stated there has been a rash of murders and shootings in the City. He pointed out the City has a bad gang environment. He commented some of these kids have been affiliated with gangs, and they do not see a way out. He asked if the City or County could offer a secret refuge for the kids and their families to help the kids escape gang life.

Councilmember Hardin noted the issue is real, and he requested someone pick up the initiative and discussions.

Ms. Sue McHugh, 910 North Main Street, indicated the repeat crime ordinance was first mentioned several years ago. She commented she received a lot of feedback after she spoke at the last Council meeting. She added people on the Housing Advocacy Commission (HAC) said they were not allowed to work on the proposed ordinance. She stated a meeting was held with certain members of the HAC. She indicated conducting clandestine meetings or becoming defensive will hinder the process. She asked Council to take aggressive action and make the ordinance happen.

Mr. Dillon Ellerbee, 429 Park Avenue, stated he moved his family to the City two months ago knowing their Park Avenue neighborhood had crime and safety issues. He pointed out for a City to succeed the neighborhoods surrounding downtown should be safe and walkable. He indicated Council is considering amending its Ordinances to address problems at vacant properties, but the proposed Ordinance will not address occupied properties that have repeat criminal violators. He urged Council to adopt a chronic nuisance ordinance so more people will want to move to the City.

Mayor Pro Tem Blackwell explained the HAC was unable to address this issue for some time. She added a called meeting will be held Wednesday, September 21, 2016 to address the proposed Ordinance. She commented staff wanted to meet with her and the HAC Chair to plan the meeting, but the Chair was out of town so the Co-Chairs met with staff. She clarified the meeting was not clandestine.

Mayor Alexander noted she, Ms. Blackwell, City Manager Lane Bailey, and staff had an additional meeting with the HAC. She noted Council supports a chronic nuisance ordinance, but it must work through the legislative issues. She asked citizens to be patient, and she noted crime is a top priority for Council. She thanked Ms. Blackwell for her tireless work with the HAC.

Ms. Dee Dee Wright commented she supports the community in Morlan Park and Mr. Shelby's efforts. Mayor Alexander noted the street Mr. Shelby is referring to is under the jurisdiction of the North Carolina Department of Transportation (NCDOT).

Councilmember Post asked if the City can speak to NCDOT on behalf of the community. City Manager Lane Bailey explained traffic lights can create more accidents than they prevent, and he pointed out the intersection is close to the railroad track which creates additional traffic concerns. Mr. Post noted Mr. Shelby's issue today was high grass in the area. Mr. Bailey pointed out NCDOT mows and maintains the street, and the City supplements the mowing. He noted staff will contact NCDOT regarding the detour signs and the mowing schedule.

Mr. Rodney Queen, 101 Ferncliffe Drive, noted when he served on HAC it focused on boarded-up houses and made a presentation to Council. He pointed out it is disrespectful to ignore citizens who live next to a boarded-up property. He added boarded-up properties in the City must be addressed because they harbor crime. He encouraged Council to do all it can to reduce the number of boarded-up properties in the City.

Mr. Post ask Mr. Queen how many boarded-up houses are in the City. Mr. Queen noted there are approximately 800 boarded-up houses in the City. He added there are boarded-up houses in the City where the taxes are current but little else is done to the property. He commented a program is needed to force people to fix their properties and not leave them boarded-up for extended periods. He added boarded-up properties decrease neighboring property values. Mr. Post clarified there is a significant number of people who pay the property taxes but do not maintain the property. Mr. Queen noted there are boarded-up houses that could easily be repaired and others that should be demolished. He indicated an inventory is needed to determine which properties can be repaired and which ones should be demolished.

Mr. Greg Rappe, Brooklyn South Square Neighborhood, pointed out the chronic nuisance abatement program seems to be gaining momentum. He indicated it would be a mistake to include landlords in the process, because they are part of the problem. He noted chronic nuisance properties bring down the entire neighborhood. He asked Council to approve a chronic nuisance abatement ordinance.

Ms. Carolyn Logan indicated crime problems continue and something must be done regarding drugs and violence. She stated the community must find a way to reach its youth. She pointed out citizens deserve to feel safe in their community.

Ms. Pamela Soeth, 227 West Monroe Street, indicated the City buses no longer serve the area near her home. She commented she has to walk one mile to catch a bus. She pointed out the transit service is not helpful because the buses travel in a limited area.

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

### **CITY CODE AMENDMENT – CHAPTER 14 NUISANCES**

Mayor Alexander pointed out Council must adopt the amendment to the Nuisance Ordinance discussed prior to public comment.

Thereupon, Mr. Post made a **motion** to adopt an Ordinance amending the City Code of the City of Salisbury, North Carolina, specifically Chapter 14 (Nuisances), as amended by the earlier vote as related to nuisances and nuisance abatement. Mr. Hardin seconded the motion. Messrs. Hardin and Post, and Meses. Alexander and Blackwell voted AYE. (4-0)

ORDINANCE AMENDING THE CITY CODE OF THE CITY OF SALISBURY, NORTH CAROLINA, SPECIFICALLY CHAPTER 14 (NUISANCES), RELATED TO NUISANCES AND NUISANCE ABATEMENT.

(The above Ordinance is recorded in full in Ordinance Book No. 25 at Page No. 55-57, and is known as Ordinance 2016-32.)

### **ECONOMIC DEVELOPMENT STRATEGIES**

Councilmember Hardin stated he reached out to Council and City Manager Lane Bailey to request Salisbury-Rowan Economic Development Commission (EDC) Executive Director Robert Van Geons and Downtown Salisbury, Inc. (DSI) Executive Director Paula Bohland to provide information regarding the economic development strategies for their organizations. He indicated he is concerned some areas of the City are being neglected.

Mr. Van Geons noted the EDC's economic development strategy includes economic development, business development, and business recruitment throughout the City. He pointed out the jurisdiction for DSI and the EDC overlap in the downtown. He explained the EDC covers all of Rowan County. He pointed out Salisbury is the largest City covered, and the EDC also serves a portion of Kannapolis. He indicated the EDC works to create jobs and increase the tax base. Mr. Van Geons noted the EDC provides proactive business support to promote existing industry, marketing outreach, business recruitment, community assistance, grant identification, legislative engagement, work force development, civic engagement, new business development, site identification, site development, fiscal impact modeling, and community demographic information and research.

Mr. Van Geons reviewed the EDC's marketing and promotion program. He noted the EDC advertises the community digitally and through traditional print. He pointed out the top five selling points of the community are workforce, drive time radius, water-sewer capacity, Fibrant, and 24-hour building inspections.

Mr. Van Geons indicated the best way to sell the community is to promote existing businesses, and he pointed out manufacturing jobs revolve around technology. He stated the EDC works with existing industry to connect employers with potential employees. He added the EDC worked with the Community Job Fair which partners with the Rowan-Salisbury School System, Jobs for Life, Rowan County Chamber of Commerce, the City, Rowan-Cabarrus Community College (RCCC), Centralina Work Force, and North Carolina Works to connect employers with potential employees.

Mr. Hardin asked Mr. Van Geons how many people are getting jobs as a result of the events. Mr. Van Geons noted approximately 3,000 people have attended events over the last year, with some people attending multiple events. He referenced the North Carolina Manufacturing Institute, and he pointed out all but two of the participants have been employed. He stated 120 people participated in the eight-week course and 118 have full-time employment that has lasted beyond 90 days.

Mr. Hardin stated that is anecdotal information and not hard data. Mr. Van Geons noted the North Carolina Manufacturing Institute information is hard data. He explained it is difficult to get hard data from job fairs where multiple employers are involved, because they do not always acknowledge an employee was hired from a job fair. He added the EDC reaches out to people, but many times when a person finds a job they are satisfied and do not respond to EDC inquiries. He pointed out the Community Job Fair is relatively new, but an aggressive effort is being made to capture follow-up data. He explained if a person attended the workshops held in connection with the second Community Job Fair, they were given preferred entry. He added the workshops identify issues in a participant's past that could hinder employment. He pointed out some employers will overlook past mistakes, but the employer and the potential employee must be connected.

Mr. Hardin noted there is no mechanism to measure success. Mr. Van Geons stated each event is different. He pointed out the EDC asks the questions, but if people are unwilling to share their information the data cannot be tracked. He added the EDC, DSI, and the Rowan County

Chamber of Commerce are involved in the Minority Business Council and are working to grow local and diverse businesses. He noted the North Carolina Manufacturing Institute can all but guarantee a student a job if they complete the program. He added over 96% of participants are employed over 90 days. Mr. Hardin asked how many people have completed the program. Mr. Van Geons commented approximately 200 people have attended the one-year old program. He stated it can be difficult to get people to attend the classes, and he pointed out the jobs are available for program graduates. He explained the program includes Rowan, Iredell, and Cabarrus Counties, and it proves to other companies that the community can deliver on its workforce commitment. He indicated the goal is to fill local jobs with local people.

Councilmember Post asked about the size of the City's workforce. Mr. Van Geons noted the workforce is approximately 17,000 countywide. He added Salisbury imports more workers more than it exports, and the county exports more workers than it imports. He explained the county exports approximately 22,000 jobs while importing 17,000 jobs.

Mr. Post stated when people drop out of the workforce it affects the unemployment rate. Mr. Van Geons noted the EDC tracks the number of people that are employed. Mr. Post asked about City employment numbers. Mr. Van Geons explained it is difficult to find city-level data because information is collected countywide. Mr. Post asked how many jobs are unfilled in Rowan County. Mr. Van Geons indicated 300 jobs were posted at the first job fair. He commented local employers are hiring.

Mr. Hardin indicated he keeps hearing the City does not have qualified people. He asked what is being done to get citizens qualified for the jobs. Mr. Van Geons explained the North Carolina Manufacturing Institute is the bridge that trains people for jobs. He suggested classes could be held in the City, and he noted if a potential employee does not have a GED the program can help them obtain it. He added the EDC will continue to work with the North Carolina Manufacturing Institute as long as people will attend the classes and employers are looking to hire. He added there are 30 potential employers signed on to hire program graduates.

Mr. Post asked for clarification regarding how the City can help. Mr. Van Geons explained RCCC must be engaged, and he indicated the program would need a location, access to technology, and a way to convince people to participate.

Mayor Alexander noted the classes are held at RCCC. Mr. Van Geons commented the classes are based at RCCC, but the goal is to expand the program to other locations. Mayor Alexander stated the City could advertise the program on its website and mention it at Council meetings.

Mr. Van Geons explained the program is funded by grants, scholarships, and companies that pay \$1,000 for each worker who is employed for 90 days.

Mr. Van Geons reviewed product inventory and site development. He noted there are 87 available sites in Rowan County with 3,325 acres. He pointed out the smallest site is .33 acres and the largest site is 380 acres. He noted the City has 19 sites listed, but only six sites are over 10 acres. He reviewed the first 66 project leads the EDC received this year, and he noted 47 were

seeking available buildings. He pointed out since July 2015, the EDC has been unable to respond to 29 requests due to lack of product. He indicated the EDC is working with the private sector to get the buildings constructed. He added everything that is post 1990 construction is occupied. He commented there is 1.5 million square feet of available industrial space that includes Cone Mill and other older properties.

Mr. Van Geons noted in the last year the EDC responded to 84 projects. He added there have been 21 visits with the total potential of \$916 million that would potentially result in 6,674 jobs. He cautioned not all of the projects will materialize. He noted in 2015, 17 projects were completed that resulted in 296 jobs and \$53 million in investment. He indicated in Rowan County since 2013 there have been 36 projects, 1.6 million square feet of vacant space occupied, and 1.4 million square feet of new space built. He reviewed the projects that were inside the City limits, and he noted eight received the Industrial Building Reuse Grant, four received a City Incentive Tax Grant, one received a Community Development Block Grant (CDBG) Building Reuse Grant, and the City provided a match for one site-development project. He indicated five companies received no incentives, but were supported by the EDC in other ways.

Mr. Van Geons reviewed the Building Reuse Grant which has a maximum payment of \$25,000, or 25% of the eligible costs. He explained the grant was created because the City was not originally eligible for CDBG Building Reuse and Restoration Grants causing it to lose companies to the county and other cities. He added the grants range from \$10,000 to \$25,000. He noted the Industrial Building Reuse Grants require the company create jobs before payment is received. He explained a base line is established, the company must create the jobs, and provide the paid tax bill before they receive a portion of the new bill. He commented the grants limit the risk to the City, and he noted if the company does not meet its obligation the grant is reduced or eliminated. He added the grants are recalculated each year to consider depreciation. He indicated if the company makes an additional investment the grant can increase.

Mr. Van Geons pointed out 21 projects have been completed in the City since 2010. He noted 16 of the projects went into vacant buildings, four expanded into existing buildings, and one required a new building. He added all the employers that received the large grants have met or exceeded their job creation goal.

Mr. Van Geons indicated the EDC recently adopted a strategic plan that focuses on advanced manufacturing and office technology. He commented the EDC is benchmarking its results and activities against its peers. He added Council will receive information and be invited to participate in an Organizational 360 to provide feedback to the EDC. He thanked Council for its support of the EDC.

Mr. Hardin thanked Mr. Van Geons for his presentation. He commented more needs to be done to prepare people for jobs. He noted there are several re-entry programs for inmates who are being released from prison. He stated criticizing people who do not participate in the program makes people not want to participate.

Mr. Hardin pointed out the information presented focused on marketing. He asked where the EDC gets its funding. Mr. Van Geons explained the EDC is funded by a tax-based formula

for Rowan County and each municipality. He stated Rowan County is largest funder, followed by Salisbury, and then other communities pay on a smaller scale. Mr. Hardin asked if the EDC receives funding from other counties. Mr. Van Geons added the EDC only receives funding from Rowan County.

Mr. Hardin asked if the EDC has a specific target location for businesses. Mr. Van Geons noted the business locations are driven by zoning. He added the EDC pushes every property it can, but some property owners refuse to lease or sell their vacant property.

Mr. Hardin requested a ratio of industry located in the City verses other areas of Rowan County. Mr. Van Geons stated the EDC has completed projects in every community except Faith and Spencer. He added the focus is on interstates, and he pointed out there are parts of the community the EDC is not equipped to serve such as the Long Street Corridor.

Mr. Hardin asked how the incentive grants that businesses receive trickle down to people in the community. He added people have to be shown that getting involved will benefit them. Mr. Van Geons noted the new marketing strategy will focus on feedback and comments from people who completed the North Carolina Manufacturing Institute Program.

Mr. Van Geons commented a large EDC project would not be located in a neighborhood. Mr. Hardin agreed, and he added he keeps hearing that people are benefiting from the incentive grants, but the people he talks to do not feel it. He commented the EDC needs to present actual information that is not overstated. He added he needs proof the programs are benefiting all of the citizens. Mr. Van Geons pointed out he is looking for ways to make sure the information is given to the people that need it the most. He noted he can provide more information on the projects with direct grants funds, including where the people live. Mr. Hardin commented that was the information he requested, so he can let the people in the community know who is benefiting from the incentive grants.

Mayor Alexander referenced a slide showing \$133 million of new investment in the community. She stated the new investment would correlate into increased property taxes that could reduce the cost of City services. She commented the service cost for all citizens is reduced each time there is an investment that requires companies to pay additional taxes. Mr. Van Geons agreed, and he noted the additional tax dollars pay for police officers and city parks. He commented projects anywhere in the county benefit Rowan County citizens and help pay for education and county services.

Mr. Post pointed out when the textile mills closed it was detrimental to the community, and getting the jobs back has taken time. He stated the best program for economic development is a job. Mr. Van Geons agreed, and he added the EDC can work to create jobs, but it is important to fill the jobs locally.

Mayor Alexander asked Ms. Bohland to postpone her presentation until Council's next meeting.

## **APPOINTMENTS – COMPREHENSIVE PLAN STEERING COMMITTEE**

Mayor Alexander noted staff received several applications for the Comprehensive Plan Steering Committee. She explained there were two openings, but she would like to appoint six committee members:

- Ms. Bridget Henderson
- Ms. Dee Dee Wright
- Mr. Marcus Fairley
- Mr. Chris Sharpe
- Ms. Diane Hooper
- Mr. Edward Norvell

Thereupon, Mr. Post made a **motion** to appoint Ms. Bridget Henderson, Ms. Dee Dee Wright, Mr. Marcus Fairley, Mr. Chris Sharpe, Ms. Diane Hooper, and Mr. Edward Norvell to the Comprehensive Plan Steering Committee. Ms. Blackwell seconded the motion. Messrs. Hardin and Post, and Meses. Alexander and Blackwell voted AYE. (4-0)

Mayor Alexander noted the Comprehensive Plan Steering Committee will meet Thursday, September 29, 2016 at 5:00 p.m. at 1 Water Street in the Salisbury-Rowan (SRU) Administration Building.

## **BOARDS AND COMMISSIONS**

### **Tree Board**

Upon a motion by Ms. Blackwell, seconded by Mr. Post, and with Mr. Hardin and Ms. Alexander voting AYE, the following appointment was made to the Tree Board to fill an unexpired term:

Ms. Judy McDaniel

Term Expires 03/31/17

## **CITY MANAGER'S COMMENTS**

### (a) **Fire Truck Purchase**

City Manager Lane Bailey noted Council approved the purchase of two fire apparatus, a ladder truck and a pumper truck, in the current budget. He explained the City had an opportunity to trade in the ladder truck for \$45,000, but it allowed the Town of Spencer to purchase the truck for \$29,999. He added the City will be slightly over budget by not trading in the truck, but it provided a neighboring jurisdiction equipment that could be used to respond to a call in Salisbury. He pointed out the purchase will be \$5,881 over the budgeted amount, and the money could be found in the coming year's budget when the truck is delivered. He asked Council to consider approving the purchase of the fire trucks.

Thereupon, Ms. Blackwell made a **motion** to award the purchase of two fire trucks totaling \$2,164,793 from Ferrara Fire Apparatus. Mr. seconded the motion. Messrs. Hardin and Post, and Mses. Alexander and Blackwell voted AYE. (4-0)

### **COUNCIL'S COMMENTS**

(a) Employee Recognition

Councilmember Hardin thanked Development and Code Services Manager Preston Mitchell for helping with code issues that came up over the weekend. He pointed out the issues were handled within 24 hours, and the neighborhood was very pleased.

Mr. Hardin also recognized Street Division Manager Craig Powers for his follow-up regarding issues on Grove Street. He noted the situation was resolved within two hours.

Mr. Hardin thanked Customer Service Manager Carol Lewis for working with an angry customer to resolve an issue.

(b) Utility Billing Issues

Councilmember Post sated he received several calls regarding how funds for utility bills are posted to Fibrant before water/sewer service. He added Rowan Helping Ministries has limited resources, and when someone is facing water disconnection Rowan Helping Ministries uses its limited resources to pay Fibrant bills. He pointed out there are situations where a citizen has the money for the water bill, but not the Fibrant bill. He noted the strategy needs to be considered.

City Manager Lane Bailey commented he is meeting with Carol Lewis and Rowan Helping Ministries Director Kyna Grubb Wednesday, September 21, 2016.

### **MAYOR 'S ANNOUNCEMENTS**

(a) "Music at the Mural"

Mayor Alexander announced Salisbury Parks and Recreation will host "Music at the Mural" Saturday, September 24, 2016 at 8:00 p.m. on West Fisher Street. The concert will feature live entertainment from Big Break. Bring a chair and enjoy music in the heart of Downtown Salisbury. This event is free and open to the public.

(b) "Meet with the Manager"

Mayor Alexander announced the "Meet with the Manager" meetings have been moved to the first Monday of the month and the next meeting will be held Monday, October 3 from 9:00 a.m. until 10:00 a.m. in the first floor conference room at City Hall, 217 South Main Street. This is an open office hour for citizens to share their ideas or concerns regarding City services with the City Manager.

(c) 2016-20117 Historic Preservation Incentive Grants

Mayor Alexander announced applications for the 2016-2017 Historic Preservation Incentive Grants are now available. These matching grants are available on a competitive basis for exterior projects on owner-occupied houses in the four residential local historic districts: North Main Street, Brooklyn South Square, West Square and Ellis Street Graded School. Applications are due by October 14, 2016. To receive an application or inquire about eligibility, please call 704-638-5324.

(d) Salisbury Neighborhood Action Group (SNAG) Meetings

Mayor Alexander announced the Police Department, in collaboration with the Salisbury Housing Authority, has changed the meeting schedule for the Salisbury Neighborhood Action Group (SNAG) in an effort to develop greater input and information sharing with the community. The meetings will rotate between the Police Department at 10:00 a.m. and Brenner Crossing Apartments Community Room at 6:00 p.m. The October meeting will be held at the Police Department at 10:00 a.m., and the November meeting will be held at Brenner Crossing Apartments at 6:00 p.m. Meetings will continue to alternate between the two locations and times.

(e) Minority Business Council

Mayor Alexander announced the Minority Business Council will host a meet and greet on September 29, 2016 at Livingstone College Hospitality and Event Center. She encouraged any minority business owner to attend the event.

**ADJOURNMENT**

Motion to adjourn the meeting was made by Mr. Hardin seconded by Mr. Post. All council members in attendance agreed unanimously to adjourn. The meeting was adjourned at 8:36 p.m.

  
Karen Kirks Alexander, Mayor

  
Myra B. Heard, City Clerk