

Salisbury, North Carolina  
April 3, 2012

## **REGULAR MEETING**

**PRESENT:** Mayor Paul B. Woodson Jr., Presiding; Mayor Pro Tem Susan W. Kluttz, Council Members Maggie A. Blackwell, William (Pete) Kennedy, and, William Brian Miller; City Manager Doug Paris; 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 meeting was called to order by Mayor Woodson at 4:00 p.m. The invocation was given by Councilmember Kennedy.

## **PLEDGE OF ALLEGIANCE**

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

## **RECOGNITION OF VISITORS**

Mayor Woodson welcomed all visitors present.

Mayor Woodson acknowledged the loss of Mr. James Hurley. He stated the Hurley family has been a tremendous asset to the City of Salisbury. He noted Mr. Hurley has been a symbol of excellence for the community, and he will be missed.

**RECOGNITION OF RECREATION COORDINATOR JEFF HOLSHOUSER AND MAINTENANCE MANAGER STEPHEN BROWN**

Parks and Recreation Director Gail Elder White informed Council that Recreation Coordinator Jeff Holshouser and Maintenance Manager Stephen Brown graduated from the National Recreation and Park Association's Revenue Development and Management School at the National Training Center in Wheeling, West Virginia. She noted the program consisted of two annual one-week programs that covered a broad range of topics. She indicated the program is extensive and rigorous, and she noted the Parks and Recreation Department is very proud of Mr. Holshouser and Mr. Brown and all of their accomplishments.

Mayor Woodson congratulated Mr. Holshouser and Mr. Brown and thanked them for all they do for the City.

**PROCLAMATIONS**

Mayor proclaimed the following observances:

VIOLINS OF HOPE DAY  
ARBOR DAY

April 7, 2012  
April 15, 2012

Mayor Woodson recognized Ms. Linda Jones and Mr. Tom Wolpert from the Salisbury Symphony Guild to address Council regarding the Violins of Hope concert.

Mr. Wolpert stated Salisbury is the smallest City in the nation to host the Violins of Hope Concert and one of only two places in North and South America. He explained in 1996, Israeli master luthier Amon Weinstein began to locate and restore violins from the Holocaust. He indicated the violins are precious artifacts from one of the greatest tragedies in human history. He noted some of the violins were played by Jewish prisoners in Nazi concentration camps and others were from the musical culture of the era that was all but lost.

Mr. Wolpert stated the 18 violins will be exhibited in Charlotte, North Carolina. He noted one of the violins will be brought to Salisbury, Saturday, April 7, 2012 and played at a concert at Catawba College's Omwake-Dearborn Chapel. He explained Mr. Weinstein will speak at the concert and Mr. David Russell, the Anne R. Belk Distinguished Professor of Music at the University of North Carolina at Charlotte, will play the Violin of Hope with music from the movie *Schindler's List*. He indicated the concert is free and open to the public.

Ms. Jones thanked Mr. Wolpert and Ms. Karen Alexander for their work to allow Salisbury to be included and to participate in this special event.

Mayor Woodson read the Violins of Hope Day Proclamation and presented it to Ms. Jones and Mr. Wolpert. He recognized Ms. Karen Alexander from the audience, for her work regarding the Violins of Hope concert.

## CONSENT AGENDA

(a) Approval of Minutes

Approve Minutes of the Regular Meeting of March 20, 2012, and the Special Meeting of March 27, 2012.

(b) “Touch a Truck” Event

Close the 100 block of South Church Street Saturday, April 21, 2012 from 10:00 a.m. until 1:00 p.m. for the Salisbury Parks and Recreation “Touch a Truck” event.

(c) Charity Yard Sale

Designate Emerald Street as a one-way street beginning at 12:00 noon Friday, May 25, 2012 noon until 4:00 p.m. Saturday, May 26, 2012 and at 12:00 noon Friday, October 5, 2012 until 4:00 p.m. Saturday, October 6, 2012 for a charity yard sale.

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

## LAND DEVELOPMENT DISTRICT MAP AMENDMENT CD-02-2012 ROWAN HELPING MINISTRIES HOMELESS SHELTER

(a) Senior Planner Trey Cleaton addressed Council regarding rezoning approximately three acres and establishing a new conditional district overlay to permit the development of a 31,507 square foot homeless shelter for Rowan Helping Ministries.

Mr. Cleaton displayed a site map and noted the proposed location for the new homeless shelter in the 200 block of North Long Street. He explained the location is approximately three acres and includes 17 parcels. He reviewed a site plan and pointed out the location is across the street from the existing homeless shelter.

Mr. Cleaton indicated the current base zoning consists of:

- Neighborhood Mixed-Use (NMX)
- Urban Residential (UR8)
- General Development – A District (GD-A Overlay District)

Mr. Cleaton explained NMX is intended for neighborhood scale mixed-use areas in existing neighborhoods, and UR8 is an urban residential zoning class that allows up to eight units per acre, and a variety of housing types. He noted the proposed Conditional District (CD) Overlay area is in a GD-A Overlay District.

Mr. Cleaton explained there are two parts to the petition:

- Base District Rezoning - NMX and UR8 to be rezoned
  - To Corridor Mixed-Use (CMX) and Residential Mixed-Use (RMX)
  - Staff is requesting removing the GD-A Overlay from the CD boundary
- To establish a new CD Overlay to allow for a 31,507 square feet homeless shelter

Mr. Cleaton displayed the overall site plan. He noted the CMX district will allow for a group care facility and due to the commercial building type, CMX works best for the parking location and flexibility in building design. He stated the RMX district will allow Rowan Helping Ministries to build residential type structures not permitted in the CMX district. He stated Rowan Helping Ministries intends to keep the single-family homes and residential lots and use the homes as transitional housing. He pointed out the landscape buffer between RMX and CMX accommodated the proposed site plan.

Mr. Cleaton reviewed the CMX/RMX-CD Uses:

- Proposed Permitted Uses:
  - Single-Family and Multi-Family dwellings up to four units per building, Home Occupation Business (RMX, CMX)
  - Group Care Facility (more than 6 residents), or Medical Clinic (CMX)
- Proposed Prohibited Uses:
  - All other Permitted Uses (Permitted (P), Permitted with Standards (PS), Special Use Permit (SUP)/CD)
  - If adopted, a CD Amendment would be required to change the list of permitted uses

Mr. Cleaton reviewed the Conditional District Overlays:

- Floating Overlay District that exempts specific Ordinance provisions
  - Encourages innovative site and building design
  - Petition and Master Plan
- Conditions that may be added
  - Recommended by Planning Board
  - Adopted by City Council
  - Must be agreed-upon by petitioner

Mr. Cleaton noted the chapters of the Land Developments Ordinances that refer to alternative design methods for the proposed homeless shelter. He stated an alternative design has been submitted for the building design standards and parking standards. He explained the alternative design for the building design standards raises the window heights along North Long Street to allow for privacy in the women's dormitory. He noted the current parking standard requires 63 parking spaces based on the square footage of the finished floor area. He pointed out to better serve Shelter residents an alternate design has been submitted that reduces the number of parking spaces to 53 taking into consideration that most Shelter residents do not own automobiles.

Mr. Cleaton reviewed the Alternate Design Available to CD:

- Industrial Standards of Chapter 2
- Building Orientation to Street/Recreation Open Space
- Building Materials
- Building Design Standards
- Building Dimensional Standards
- Street Cross Sections
- Street Connectivity and Stub Standards
- Parking
- Private Lighting

Mr. Cleaton reviewed the Vision 2020 Comprehensive Plan in regards to the proposed Homeless Shelter:

- Policy C-3: New development in or adjoining an older commercial area should be compatible with existing desirable development within its vicinity. Compatibility criteria shall include size, scale, massing, fenestration, rhythm, setback, materials, context and landscaping

Mr. Cleaton noted the proposed site borders the Park Avenue Neighborhood which has a Strategic Redevelopment Plan:

- Study District 2-Long Street Corridor: Comprises a group of commercial and light industrial buildings, as well as some older houses
  - Recommends streetscape and traffic calming improvements (specifically at Long Street and Council Street)
  - Recommends renovation of existing homes along North Long Street into professional offices
  - Staff does not find this development proposal to be inconsistent with the plan

Mr. Cleaton referenced the Planning Board recommendation from March 13, 2012:

- Unanimously recommend that the petition is consistent with the Vision 2020 Plan and not inconsistent with the Park Avenue Neighborhood Plan. Recommended approval of base rezoning and amending the Conditional District Overlay to permit the development (9-0)

(b) Mayor Woodson convened a public hearing, after due notice thereof, to receive comments regarding Land Development District Map Amendment CD-02-2012.

Mr. Chris Bradshaw, Chairman of Shelter Ministries, and Mr. Pete Bogle, Architect with Ramsey, Burgin, Smith, addressed Council regarding the proposed homeless shelter. Mr. Bradshaw indicated he is in favor of rezoning for the new homeless shelter.

Mr. Bogle noted the new homeless shelter is a very exciting project. He explained the building is designed to be highly sustainable and will incorporate many earth friendly amenities making it a Leadership in Energy and Environmental Design (LEED) certified building. He noted the new homeless shelter will be an anchor to the community. He pointed out the CD requests a 40 percent transparency requirement along the front of the building. He requested the transparency be reduced to 20 percent since the living quarters are in the front of the building. He noted the window height of thirty inches above the floor will need to be altered to meet privacy needs, and he pointed out Rowan Helping Ministries will not need display windows. He explained the Shelter will provide excess bicycle parking that will be useful to residents. He stated all other LDO requirements are being met.

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

Councilmember Kennedy stated he is very excited, and he supports the project. He noted it will clean up the area and help the homeless population.

Mayor Woodson agreed with Councilmember Kennedy and added it will be a nice asset to the community.

Councilmember Blackwell noted the new homeless shelter is needed, and she supports the project.

Councilmember Miller stated he looks forward to seeing the new facility.

Ms. Blackwell stated the City Council hereby finds and determines that adoption of an Ordinance to rezone the property as described herein and to establish a Conditional District Overlay is consistent with the goals, objectives, and policies of the Vision 2020 Comprehensive Plan, is not inconsistent with the Park Avenue Neighborhood Strategic Redevelopment Plan, and that adoption of the Ordinance is reasonable and in the public interest. Thereupon, Ms. Blackwell made a **motion** to adopt an Ordinance amending the Land Development Ordinance and the Land Development District Map of the City of Salisbury, North Carolina, by rezoning 17 parcels that total approximately three acres from Neighborhood Mixed-Use (NMX) and Urban Residential (UR8) base districts to Corridor Mixed-Use (CMX) and Residential Mixed-Use (RMX), to remove a portion of the General Development-A overlay from the petition area boundary, and to establish a conditional district overlay to permit the development of a 31,507 square foot Homeless Shelter; identifying the development documents; identifying permitted uses; providing an effective date; and for other purposes. Ms. Kluttz seconded the motion. Messrs. Kennedy, Miller, and Woodson, and Meses. Blackwell and Kluttz voted AYE. (5-0)

AN ORDINANCE AMENDING THE LAND DEVELOPMENT ORDINANCE AND THE LAND DEVELOPMENT DISTRICT MAP OF THE CITY OF SALISBURY, NORTH CAROLINA, BY REZONING 17 PARCELS THAT TOTAL APPROXIMATELY THREE ACRES FROM NEIGHBORHOOD MIXED-USE (NMX) AND URBAN RESIDENTIAL (UR8) BASE DISTRICTS TO CORRIDOR MIXED-USE (CMX) AND RESIDENTIAL MIXED-USE (RMX), TO REMOVE A PORTION OF THE GENERAL DEVELOPMENT-A OVERLAY FROM THE PETITION AREA BOUNDARY, AND TO ESTABLISH A CONDITIONAL DISTRICT OVERLAY TO PERMIT THE DEVELOPMENT OF A 31,507-SQUARE FOOT HOMELESS SHELTER; IDENTIFYING THE DEVELOPMENT DOCUMENTS; IDENTIFYING PERMITTED USES; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

(The above Ordinance is recorded in full in Ordinance Book No. 23 at Pages No. 12-15, and is known as Ordinance 2012-11.)

Mayor Woodson thanked all the citizens and City staff for their work on the project.

### **SALISBURY-ROWAN ECONOMIC DEVELOPMENT COMMISSION 2012-2013 CITY BUDGET REQUESTS**

Mr. Robert Van Geons, Executive Director of the Salisbury-Rowan Economic Development Commission (EDC), and Mr. Pete Teague, Treasurer, addressed Council regarding the EDC's 2012-2013 City budget request. Mr. Van Geons reviewed the unemployment rate and the number of employed citizens in Rowan County. He noted the current number of people employed January 2012 is 62,086, the highest since April 2009. He indicated since July 1, 2011, 47 projects have been added:

- Manufacturing – 31
- Other Services – 6
- Food Processing - 4
- Transportation/Warehousing – 4
- Utilities – 1
- Research and Development – 1

Mr. Van Geons reviewed the Salisbury specific projects:

- Since July 1 – proposed a Salisbury building or site to 22 projects
- This resulted in visits by 10 different projects
- Total number of potential jobs – 1,249 to 1,746
- Potential Capital Investment – \$512 to \$526 million

Mr. Van Geons reviewed grant funding of over \$1.7 million in external grants for site development, infrastructure improvement, building redevelopment, job creation and training. He noted the Proposed Expanded Services for the EDC:

- Expanded marketing and recruitment efforts to pursue retail, service and hospitality related businesses
- Enhanced, expanded and potentially consolidated promotion of available buildings and sites
- Promote the advanced infrastructure of Fibrant, targeting high probability audiences with the goal of recruiting innovative, technology driven businesses
- Support for entrepreneurial development
- Facilitate redevelopment and expedited development of existing parcels

Mr. Van Geons explained how the EDC works to attract retail, service and hospitality businesses:

- Currently, Rowan Works continues its efforts to develop sites that are suitable for this type of development and provides detailed responses to brokers and company representatives as we receive them
- Utilizing external funding sources, we plan to add additional capacity to increase, expand and specifically pursue these sectors
- Moving beyond existing broker and developer relationships, diversify activities, materials and networks to effectively present opportunities for this type of development in our community

Mr. Van Geons noted the expanded real estate resources:

- Rowan Works currently has 109 properties in its database
- 46 listings within the City of Salisbury
- Sizes ranging from office space of 376 square feet to industrial buildings as large as 311,000 square feet
- Rowan Works is working with its partners including Costar, North Carolina Department of Commerce (NCDOC), Charlotte Regional Partnership (CRP), Charlotte Region Commercial Board of Realtors (CBCRE), Community Block Grant (CBG) and the Salisbury Association of Realtors, to expand coverage in order to ensure that every available property receives the greatest visibility and widest distribution feasible

Mr. Van Geons stated Rowan Works is striving to promote and leverage Fibrant and to support innovative entrepreneurial businesses:

- Dedicate resources toward the recruitment of new, technologically innovative businesses.
- Work with City and Fibrant leadership to promote the advanced infrastructure of Fibrant, targeting high probability audiences
- Identify resources that could lead to the establishment of a small business/entrepreneur incubator.

Mr. Van Geons reviewed important areas of focus for the City of Salisbury and surrounding municipalities:

- Identify and package underutilized properties for redevelopment
- Maximize existing infrastructure
- Provide expedited development opportunities for vacant sites

Mr. Van Geons demonstrated a new computer software program the EDC is hoping to purchase, and he reviewed the EDC's FY2012-2013 funding request:

- Since 2004, the City of Salisbury's tax base has grown 22 percent
- Rowan Works respectfully request \$67,856 to support its FY 2012-2013 Budget
  - Would restore \$5,308 of the 10 percent reduction requested last year
  - If approved, funding would remain 2.4 percent less than FY 2010-2011 Budget
- Additional efforts will be supported by non-municipal funding which equates to 26 percent of the proposed operating budget.

Mr. Pete Teague stated the EDC carefully reviewed its budget and history. He noted the EDC is grateful for the yearly funding provided by the City of Salisbury and its focus on economic development. He pointed out the City of Salisbury is the second largest supporter of the EDC. He stated the EDC strives to conduct its business in a way that is fair to Rowan County and its municipalities.

Mayor Woodson thanked Mr. Van Geons and Mr. Teague for the EDC budget presentation.

### **SPECIAL COMMUNITY EFFORTS GROUPS**

Mayor Woodson opened the floor to receive presentations from special community efforts groups.

Mr. Rick Eldridge, Executive Director of Ruffy-Holmes Senior Center, 1120 South Martin Luther King, Jr. Avenue addressed Council regarding funding for the Ruffy-Holmes Senior Center. He asked Council to maintain the current level of funding for the center. He

explained the Rufty-Holmes Senior Center will observe its 25th anniversary in January 2013, and he invited the City to participate in the celebration. He thanked Council for its long-term support, and he pointed out the center is nationally accredited. He noted as baby boomers retire, there will be more senior citizens in the community and a need for additional resources.

Mayor Woodson thanked Mr. Eldridge for his presentation.

Ms. Judy Newman, North Carolina Transportation Museum Foundation Board, requested Council assist the Board with marketing funds for the next fiscal year. She introduced Transportation Museum Executive Director Sam Wegner to Council. Mr. Wegner stated the Transportation Museum is in the midst of unprecedented times. He explained the Museum lost its State funding for the upcoming fiscal year, and it will be a self-sustaining agency. He noted the Foundation and the Museum staff are working together to create a new business model. He stated the Museum is open six days per week, and it plans to continue the education programs and operate the trains. He noted the Museum is working to generate income and to create an aggressive educational program in an effort to attract new visitors. He thanked Council for its support of the North Carolina Transportation Museum.

Mayor Woodson thanked Ms. Newman and Mr. Wegner for their presentation. He welcomed Mr. Wegner to Rowan County.

Mr. James Meacham, Executive Director of the Rowan County Convention and Visitors Bureau, addressed Council on behalf of the Rowan Arts Council. He explained the restructuring of the Arts Council is complete, freeing up overhead and operational funding. He noted the funds from Council will be distributed directly to arts organizations in the community. He thanked Council for its support of the arts during the current economy, and he asked that Council maintain the funding request at the same level as last year. He thanked Council for its leadership and support.

Councilmember Blackwell thanked Mr. Meacham for assuming administration of the Rowan Arts Council, which has allowed money to go directly to the arts community. Mr. Meacham stated the restructuring took approximately six-months, and he thanked Council for supporting the restructuring. He pointed out the changes were well received by the State Arts Council.

Mr. David Post noted the loss of Mr. James Hurley and the difference he made in the community. He asked citizens to remember the family in prayer. He stated Former Mayor Paul Bernhardt is very ill and he asked that citizens remember Mr. Bernhardt and his family in prayer as well.

Mayor Woodson thanked Mr. Post for his comments.

There being no one else to address Council, Mayor Woodson closed the floor for comment.

## **GENERAL OBLIGATION AND COMBINED ENTERPRISE SYSTEM REVENUE BONDS**

(a) Assistant City Manager John Sofley addressed Council regarding a refunding of General Obligation and Combined Enterprise System Revenue Bonds. Mr. Sofley noted on March 6, 2012 staff presented to Council the opportunity to refund two General Obligation Bonds and a Refunding Bond that will save the City approximately \$900,000. He explained the Local Government Commission approved refunding of the General Obligation Bonds and the Refunding Bond. He asked Council to consider a Resolution for the issuance and sale of the City of Salisbury, North Carolina, General Obligation Bonds, Series 2012.

Mr. Sofley explained the Resolution before Council provides the basis for staff to issue the General Obligation Refunding Bonds. He indicated the Resolution makes a number of findings:

- It sets the actual amount of Bonds to be issued
- Establishes the maturities and interest rates
- Establishes the form of the Bonds and who can sign them
- Establishes the use of a Bond Registrar and their duties
- Establishes who can sign the closing documents and any other related documents on behalf of the City

Mr. Sofley explained the approval of this Resolution is the last official action required by City Council to complete the refunding of the General Obligation Bonds.

Mr. Sofley noted Council's Agenda packet includes an Order for the issuance and sale of Combined Enterprise System Revenue Refunding Bonds and authorizes the execution and delivery of certain documents in connection therewith. He indicated one of the items referenced is a Seventh Supplemental Agreement that provides the basis to move forward with the issuance.

Mr. Sofley explained he is required to share the contents of the Order and the Seventh Supplemental Agreement with Council. He noted the Order is required to make certain findings:

- That a Seventh Supplemental Agreement has been presented to Council
- That the issuance and sale of this issue is in the best interest of the City
- There is no conflict between words and terms in the Order and the Seventh Supplemental Trust Agreement or Trust Agreement

Mr. Sofley indicated the Order establishes:

- The amount of the Bonds to be issued
- That they are issued on a parity basis
- Directs the Local Government Commission to sell the Bonds
- Approves the forms, terms, and provisions of the Seventh Supplemental Agreement
- Designates the City Officials authorized to sign all documents related to the refinancing
- Approves the issuance and sale of the Series 2012 Bond

Councilmember Kennedy asked Mr. Sofley to repeat how much money will be saved by refinancing the bonds. Mr. Sofley stated there will be a savings of \$43,200 in the General Fund and \$851,000 in the Utility Fund.

(b) Thereupon, Mr. Kennedy made a **motion** to adopt a Resolution providing for the issuance and sale of a City of Salisbury, North Carolina General Obligation Refunding Bond, Series 2012. Mr. Miller seconded the motion. Messrs. Kennedy, Miller, Woodson, and Mses. Blackwell and Kluttz voted AYE. (5-0)

RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF A CITY OF SALISBURY, NORTH CAROLINA GENERAL OBLIGATION REFUNDING BOND, SERIES 2012.

(The above Resolution is recorded in full in Resolution Book No. 14 at Page No. 10-19, and is known as Resolution 2012-06.)

(c) Thereupon, Mr. Kennedy made a **motion** to adopt an Order authorizing the issuance and sale of Combined Enterprise System Revenue Refunding Bond and authorizing the execution and delivery of certain documents in connection therewith. Mr. Miller seconded the motion. Messrs. Kennedy, Miller, Woodson, and Mses. Blackwell and Kluttz voted AYE. (5-0)

Mr. Sofley stated staff anticipates closing within the next two weeks.

Mayor Woodson thanked Mr. Sofley and staff for its work on the project, and he noted the savings is incredible.

### **TEMPORARY USE APPROVAL FOR A CARNIVAL TO OPERATE AT THE J.C. PRICE LEGION POST**

Zoning Administrator David Phillips stated staff has received a request from the J.C. Price Legion Post for a permit for its annual Memorial Week Celebration. He noted the celebration has taken place for over 50 years and is scheduled for May 30, 2012 until June 3, 2012. He noted the Land Development Ordinance (LDO) requires carnival or circus events to obtain a temporary use permit from City Council, provided the use does not exceed 21 days.

Mr. Phillips indicated conditions have been placed on the permit in the past, and the Legion Post is aware of the conditions and does not object to them. He stated staff recommends the temporary use permit be approved with the conditions.

Councilmember Kennedy stated the celebration has been going on for over 50 years, and he noted there were no problems last year.

Thereupon, Mr. Kennedy made a **motion** to approve the temporary use approval for a carnival to operate at the J.C. Price Legion Post, 1433 Old Wilkesboro Road for its annual Memorial Week Celebration with the following conditions:

1. All alcohol must be kept inside the Post facility; No alcohol to be allowed in the carnival area.
2. The Salisbury Police Chief, or his designee upon consultation with the Chief of Police, is authorized by City Council to close the event due to any problems that may arise.
3. There shall be 11 police officers on duty (10 officers and 1 Supervisor) at all times.

Ms. Kluttz seconded the motion. Messrs. Kennedy, Miller, Woodson, and Mses. Blackwell and Kluttz voted AYE. (5-0)

## **HOUSING ADVOCACY COMMISSION**

Community Planning Services Director Joe Morris addressed Council regarding an Ordinance related to establishing a Housing Advocacy Commission. He noted based on an increase in the number of citizens interested in the Housing Advocacy Commission, staff recommends increasing the size of the Committee from nine to eleven members.

Mr. Morris reviewed the Ordinance with Council and noted the following changes:

- Section 1.01 will increase the number of Housing Advocacy Commission members from nine to eleven
- Section 1.02 will redistribute the staggered terms for the 11 members
- Section 1.03 indicates a quorum consists of 6 members
- Section 3.04 changes the language regarding receipt and expenditure of funds
- Section 3.05 the Agency Fund will be eliminated

Mayor Woodson noted the increase in commission members from nine to eleven and stated the number of members can be adjusted in the future if necessary. Mr. Morris indicated that was correct, and he pointed out greater involvement from the community will result in a stronger initial effort for Housing Advocacy.

Councilmember Miller asked if the Chair and Vice-Chair of the Housing Advocacy Commission had been appointed. Mr. Morris noted the new Board will draft by-laws and make the selection of Chair and Vice-Chair.

Thereupon, Mr. Miller made a **motion** to adopt an Ordinance amending the Code of Ordinances of the City of Salisbury, North Carolina, specifically Appendix D (Boards, Committees, Commissions etc.), related to establishing a Housing Advocacy Commission. Ms. Blackwell seconded the motion. Messrs. Kennedy, Miller, and Woodson, and Meses. Blackwell and Kluttz voted AYE. (5-0)

ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SALISBURY, NORTH CAROLINA, SPECIFICALLY APPENDIX D, (BOARDS, COMMITTEES AND COMMISSIONS, ETC.) RELATED TO ESTABLISHING A HOUSING ADVOCACY COMMISSION.

(The above Ordinance is recorded in full in Ordinance Book No. 23 at Page No. 16-18, and is known as Ordinance 2012-12.)

## **BOARDS AND COMMISSIONS**

### **Housing Advocacy Commission**

Upon a **motion** by Ms. Kluttz, seconded by Mr. Kennedy, and with Messrs. Kennedy, Miller and Woodson and Meses. Blackwell and Kluttz voting AYE, the following appointments were made to the Housing Advocacy Commission:

Mr. George (Jeff) Wilson	Term Expires 3/31/13
Ms. Catherine Warren	Term Expires 3/31/13
Mr. Calvin Turner	Term Expires 3/31/13
Mr. Rodney Queen	Term Expires 3/31/13
Ms. Barbara Perry	Term Expires 3/31/14
Mr. William Peoples	Term Expires 3/31/14
Ms. Ann Lyles	Term Expires 3/31/14
Mr. Eddie Hampton	Term Expires 3/31/14
Ms. Joann Diggs	Term Expires 3/31/15
Ms. Greta Conner	Term Expires 3/31/15
Ms. Nathan Chambers	Term Expires 3/31/15

Mayor Pro Tem Kluttz recommended Councilmember Blackwell serve as Council liaison. By consensus, Council agreed to the appointment.

Councilmember Miller commended Mayor Pro Tem Kluttz on the selection of the members of the Housing Advocacy Commission. He noted the selection represents the diversity and different perspectives of the City of Salisbury.

### Historic Preservation Commission

Upon a **motion** by Ms. Kluttz, seconded by Mr. Miller, and with Messrs. Kennedy, Miller and Woodson and Mses. Blackwell and Kluttz voting AYE, the following appointments were made to the Historic Preservation Commission:

Mr. James C. Carli  
Mr. Acey Worthy

Term Expires 3/31/13  
Term Expires 3/31/14

### Parks and Recreation Advisory Board

Upon a **motion** by Mr. Kennedy, seconded by Mr. Woodson, and with Messrs. Kennedy, Miller and Woodson and Mses. Blackwell and Kluttz voting AYE, the following appointment was made to the Parks and Recreation Advisory Board:

Rev. Troy Russell

Term Expires 3/31/15

Mayor Woodson asked City Manager Doug Paris to work with staff to fill the ETJ seats on the Planning Board and the Zoning Board Adjustment.

### CITY MANAGER'S COMMENTS

#### (a) 2012-2013 Council's Goals and Outcomes

City Manager Doug Paris noted Council challenged staff to revise its 2012-2013 Goals and Outcomes. He explained the first draft was presented to Council at its last meeting. He stated staff is willing to make any necessary revisions, and he asked if Council was ready to approve the 2012-2013 Outcomes and Goals.

Councilmember Miller indicated he likes the format with the broader goal areas. He stated it is much easier to convey, and he pointed out Council supports better neighborhoods, economic development, physical sustainability and accountability.

Mayor Woodson stated the revised Goals and Outcomes are much easier to read, and he commended staff for their work.

Mr. Paris stated upon approval of the Goals and Outcomes, staff will appoint red team leaders and may request input from Council. He noted staff will begin working on the Goals and Outcomes immediately.

Thereupon, Mr. Miller made a **motion** to adopt the 2012-2013 Council Goals and Outcomes as presented and discussed. Mr. Kennedy seconded the motion. Messrs. Kennedy, Miller, Woodson, and Mses. Blackwell and Kluttz voted AYE. (5-0)

(b) Placement of Political Signs

Code Services Division Manager Chris Branham addressed Council regarding the placement of political signs. He explained effective October 1, 2011 a new State law was passed to allow political signs to be placed in state right-of-ways. He reviewed the new State law:

- 136-32. Regulation of signs.  
(b)Compliant Political Signs Permitted. – During the period beginning on the 30th day before the beginning date of "one stop" early voting under G.S. 163-227.2 and ending on the 10th day after the primary or election day, persons may place political signs in the right-of-way of the State highway system as provided in this section. Signs must be placed in compliance with subsection (d) of this section and must be removed by the end of the period prescribed in this subsection.

Mr. Branham reviewed the State Highway Roads within the City Limits:

- Airport Road
- Bendix Drive
- Bringle Ferry Road
- Camp Road
- Cedar Springs Road
- Circle M Drive
- Faith Road
- Harrison Road
- Innes Street (East and West)
- Jake Alexander Boulevard
- Klumac Road
- Long Street (North and South)
- Main Street (North and South)
- Majolica Road
- Mocksville Avenue (beginning at Mahaley Avenue)
- Monroe Street (East and West)
- Mooresville Road
- National Guard Road
- Old Concord Road
- Red Acres Road
- Rowan Mill Road
- Rowan Tech Road
- Statesville Boulevard
- Stokes Ferry Road

Mr. Branham stated the new law addresses sign placement. He noted the signs can be placed in the right-of-way with the permission of the property owner. He reviewed the new State regulation:

- 136-32. Regulation of signs.

(d) Sign Placement- The permittee must obtain the permission of any property owner of a residence, business, or religious institution fronting the right of way where a sign would be erected. Signs must be placed in accordance with the following:

1. No sign shall be permitted in the right of way access highway
2. No sign shall be closer than three feet from the edge of the pavement of the road.
3. No sign shall obscure motorist visibility at an intersection
4. No sign shall be higher than 42 inches above the edge of the pavement of the road
5. No sign shall be larger than 864 square inches. (6 square feet)
6. No sign shall obscure or replace another sign

Mr. Branham stated no sign can be larger than six square feet in the State Right-of-Way and it must be three-feet from the edge of the pavement. He noted the signs can be no larger than five-feet in City maintained roads. He displayed a photograph of a Right-of-Way measured from curb to sidewalk, and curb to street.

Mr. Branham then reviewed the City Code regarding political signs:

#### 12.9 Special Sign Provisions

H. Political Signs: Political signs may be allowed provided that all of the following conditions are met. Signs removed due to a violation of any of the provisions below will not be returned:

1. Maximum Size: Five (5) square feet
2. The sign be placed on private property only. No sign shall be placed on public property, on any right-of-way, or attached in any manner to a pole, tree, fence, rock, another sign, etc.
3. The sign be erected no more than four (4) weeks preceding the election
4. The sign be removed no more than ten (10) days following the election
5. Signs removed due to a violation of any of the above provisions will not be returned

Mr. Branham reviewed the key dates for Political Sign placement:

- Early One Stop voting begins April 19, 2012, therefore political signs can be placed in the right-of-way on State Highway system roads beginning March 20, 2012
- Election Day is May 8, 2012 therefore political signs can be placed on private property beginning April 10, 2012
- All signs should be removed by May 18, 2012

Mr. Branham pointed out the contact information regarding the placement of political signs:

- North Carolina Department of Transportation (NCDOT) office (704) 639-7560
- City of Salisbury Code Enforcement (704) 216-7559
- Rowan County Board of Elections (704) 216-8140

Mayor Woodson stated there is confusion regarding the political signs that have been placed within the City limits for the current election. He explained due to the confusion he did not think the signs should be removed. He noted some large signs will need to be taken down, and he asked Mr. Branham if the large signs have been addressed. Mr. Branham stated he has made phone calls regarding the signs he is aware of.

City Manager Doug Paris asked Community Planning Services Director Joe Morris to address Council regarding the legislative standpoint. Mr. Morris noted the City's Ordinance was straight forward until the State imposed a different level of regulation that is enforced by the NCDOT. He noted NCDOT is responding on a complaint basis. He pointed out the signs will be legal in six days, and unless the signs are obstructing views, he did not think the City should be aggressive. He indicated Mr. Branham will share information from NCDOT if complaints are received.

Councilman Kennedy thanked Mr. Branham for the update. He stated the State and City Code should be similar regarding political signs. He requested staff update Council before the November elections.

Councilmember Miller noted some roads are maintained by both the State and the City, adding to the confusion. He asked if the situation could be improved.

Mr. Morris stated amendments to the Sign Ordinance come through the Planning Board and the Community Appearance Commission (CAC). He recommended committees from the Planning Board and the CAC collaborate on this. He noted the City Code is more restrictive due to the higher aesthetic quality in the City.

Councilmember Miller asked if the City must enforce State Ordinances over City Ordinances for state-maintained roads within the municipal boundary. Mr. Morris stated that is correct.

Councilmember Blackwell noted before City elections, all candidates are invited to a meeting with detailed information regarding the City. She added candidates are educated regarding the Sign Ordinance and given the Ordinance in writing, with illustrations and detailed information. She asked if Rowan County provides this type of training to County candidates.

Mr. Morris noted he did not think the training is done in the same format, but instructions are provided at the Board of Elections. He indicated the City needs to do a better job communicating with the Board of Elections, and he suggested providing documentation and photo illustrations of the City Sign Ordinance to the Board of Elections.

(c) Rowan County United Way Report

City Manager Doug Paris noted last week he and Police Chief Rory Collins were presented with the 2011-2012 Most Employee Spirit Award from the Rowan County United Way. He thanked employees for being generous with their time and resources.

Mayor Woodson thanked the City employees for their spirit and hard work.

(d) Fibrant General Manager Mike Jury

City Manager Doug Paris introduced Fibrant General Manager Mike Jury to Council. He stated Mr. Jury began his career in the cable industry working at Adelphia and Residential Communications Network (RCN). He stated Mr. Jury was most recently the General Manager and CEO of a 9,000 subscriber system in Georgia, Media Stream.

Mr. Jury thanked Council for the opportunity to lead Fibrant. He noted he is excited about the future, and he explained Fibrant will be an asset in attracting new businesses. He noted following his 30-day evaluation, he hopes to reveal a 100-day plan that demonstrates his plan for Fibrant.

Mayor Woodson welcomed Mr. Jury to the City. He stated he is excited to see Mr. Jury lead Fibrant to the next level.

Councilmember Miller stated he is pleased to meet Mr. Jury. He stated communication will be the key to his success. He encouraged Mr. Jury to communicate often with Council and the community. Mr. Jury stated he believes in communication, both good news and bad. He noted he has stressed with his staff that communication is key, and information must be shared with the public.

## **MAYOR'S ANNOUNCEMENTS**

(a) Mr. James Hurley and Former Mayor Paul Bernhardt

Mayor Woodson thanked Mr. David Post for his comments regarding Mr. Hurley and Former Mayor Bernhardt. He noted both men have done a great deal for the City and the County. He indicated both men have played an important role in area history and have done great things for the City of Salisbury. He noted Council's thoughts are with Mr. Bernhardt and the Hurley family.

(b) 6<sup>th</sup> Annual Mother and Son Dance

Mayor Woodson announced the Salisbury Parks and Recreation Department will host the 6<sup>th</sup> Annual Mother and Son Dance at the Civic Center, 315 South Martin Luther King Jr. Avenue, Saturday, April 28, 2012 from 6:00 p.m. until 9:00 p.m. Tickets are available by calling the Civic Center at (704) 638-5275.

(c) Hurley Park Spring Celebration

Mayor Woodson announced the Hurley Park Spring Celebration will be held Sunday, April 15, 2012 from 2:00 p.m. until 4:00 pm at Hurley Park, Lake Drive and Annandale Avenue.

(d) Arbor Day Celebration

Mayor Woodson announced the Arbor Day celebration will be held in conjunction with the Hurley Park Spring Celebration, Sunday, April 15, 2012. The Arbor Day Tree Planting Ceremony will be held at 3:00 p.m. in the Hurley Park Annex.

(e) Boards and Commissions

Mayor Woodson announced the City of Salisbury is seeking citizens who have an interest in serving on one of the City's Boards and Commissions. Information regarding the Boards and Commissions and applications are available online at [www.salisburync.gov](http://www.salisburync.gov) under the Boards and Commissions tab. Applications are also available at the City Clerk's Office located at 217 South Main Street, or by calling 704-638-5224.

(f) Corridor Study

Councilmember Blackwell noted at a recent meeting Council discussed requesting the Cabarrus-Rowan Metropolitan Planning Organization (MPO) to fund 80 percent of a corridor study that includes East Innes Street and South Long Street, with the remaining 20 percent to be divided equally between the City and the State. She announced the MPO approved funding the corridor study at 80 percent.

**CLOSED SESSION**

Council to go into closed session to consult with an attorney as allowed by NCGS 143-318.11 (a)(3).

Thereupon, Ms. Kluttz made a **motion** to go into closed session to consult with an attorney as allowed by NCGS 143-318.11(a)(3). Ms. Blackwell seconded the motion. Messrs. Kennedy, Miller, Woodson, and Mses. Blackwell and Kluttz voted AYE. (5-0)

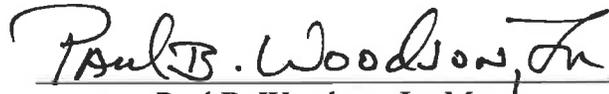
**RETURN TO OPEN SESSION**

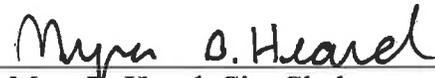
Thereupon, Mr. Kennedy made a **motion** to return to open session. Ms. Blackwell seconded the motion. Messrs. Kennedy, Miller, Woodson, and Mses. Blackwell and Kluttz voted AYE. (5-0)

Mayor Woodson announced no action was taken in Closed Session.

**ADJOURNMENT**

Motion to adjourn the meeting was made by Ms. Klutz, seconded by Ms. Blackwell. All council members in attendance agreed unanimously to adjourn. The meeting was adjourned at 6:15 p.m.

  
Paul B. Woodson, Jr., Mayor

  
Myra B. Heard, City Clerk