

AS AMENDED ON JANUARY 9, 2012
CITY OF SALISBURY
WORK SESSION
DECEMBER 19, 2011

Present

Council President Terry E. Cohen
Councilwoman Laura Mitchell

Council Vice President Deborah S. Campbell
Councilwoman Eugenie P. Shields*
Councilman Timothy K. Spies

*arrived 1:52 p.m.

In Attendance

City Clerk Brenda Colegrove, Mayor James Ireton, Jr., City Administrator John Pick, Assistant City Administrator Loré Chambers, City Attorney Paul Wilber, Police Chief Barbara Duncan, Fire Chief Jeff Simpson, Community Development Director Deborah Stam, Neighborhood Services and Code Compliance Director Tom Stevenson, IT Director John Wright, Zoo Director Joel Hamilton, Assistant Internal Services Director-Procurement Catrice Parsons, Clay Hall, Dale Pusey, Trish Summers, Frank McKenzie

The City Council convened in a work session at 1:40 p.m. in Conference Room 306 of the Government Office Building.

Capital Improvement Plan (CIP)

City Administrator John Pick summarized the proposed CIP for the five-year period FY13 through FY17. A copy of the preliminary CIP is attached and made a part of these minutes. A follow-up discussion on the CIP will be held in January and a resolution to adopt the CIP in February. Council members were asked to forward any questions to Administration.

Follow-up discussion on rental inspection program

City Attorney Paul Wilber, Neighborhood Services and Code Compliance Director Tom Stevenson and Mayor James Ireton, Jr. joined Council for follow-up discussion of the rental inspection program. In regards to administrative search warrants, Mr. Wilber reported that the judges were concerned that there wasn't specific State legislation. Ms. Cohen referred to the State Minimum Livability Code which gives authorization to code officials.

Mrs. Shields reiterated her concern with NSCC inspecting a rental when it had already been done by HUD. Mrs. Mitchell suggested exempting those units that were inspected by HUD; however, Mr. Stevenson advised that his department would not be able to certify as to the livability standards without firsthand knowledge.

In Mr. Stevenson's opinion, they had recommended a manageable inspection program (an inspection, once every three years, which could be accomplished by the lottery system, owner initiated, tenant initiated, complaint driven, or at tenant turnover) that meets their needs and could be accomplished with current staffing. At the end of thirty months, if an inspection had

not been done, a notice would be sent to the property owner to schedule an inspection before the end of the three-year period. The key to the program is that it has to be mandatory – require inspection as condition of registration. Mr. Wilber will prepare an ordinance for Council's consideration.

Follow-up discussion on election redistricting

Frank McKenzie (Planning and Zoning) displayed the plan options recommended by Mayor Ireton utilizing the Maptitude program. City Attorney Paul Wilber explained that if the voting districts are changed, a statistical analysis (i.e., population, voter numbers, racial make-up of voters, voting trends) is necessary to ensure compliance with the Voting Rights Act, as well as public input before going back to federal court, if the City wants to change from the current two district system. Mr. Wilber was asked to provide copies of the court cases he referenced in the discussion for Council's review. Mr. McKenzie could pull the 18 and over data if needed. Mr. Spies suggested contacting the Geography Department at Salisbury University for assistance with the statistical analysis.

Feldman's Property

Mr. Palmer Gillis, along with Mr. Brad Gillis, joined Council for discussion. A list of issues for redevelopment of the property was submitted (copy attached and made a part of these minutes) for Council to advise whether or not it will be supportive of specific points continuing in negotiation with the City. Mrs. Campbell pointed out that items 3 through 6 appeared to be points for Council discussion.

Item #3 - A resolution would come before Council if utilizing the Revolving Loan Fund. Unanimous consensus was given for item #3.

Item #4 – According to Mr. Gillis, the loss of parking spaces would be minimalistic, if any. Unanimous consensus was given for item #4.

Issue #5 – Mr. Gillis indicated that another property could be swapped or the City could have the property appraised and pay for it. Mr. Pick was not aware of any other properties that could be swapped. Mr. Pick also noted that if the property between Mill Street and the reduced size Feldman's building was not developed into a sidewalk, it could be used as pervious surfaces to help with the stormwater management issues.

There was no support from Council to swap the property by the old Firehouse. Mrs. Shields was neutral – could support the project without the land swap. Mrs. Mitchell was neutral as well; however, if it made a difference as to the project going forward she would support it.

Item #6 – Mr. Gillis noted that #6 was irrelevant if #5 did not happen.

Establishment of special assessment district for the Harbor Pointe sidewalk

City Administrator John Pick highlighted the process of establishing a special assessment district (copy of Mr. Pick's December 14, 2011 memo attached and made a part of these minutes). Public Works Director Teresa Gardner acknowledged that she needed to do a final cost estimate for the project (estimated now at \$56,600). It was the unanimous consensus of Council to move forward with the process once the final cost was determined.

General discussion/upcoming agendas

Tri-County Council – Councilwoman Mitchell will continue to serve on the Tri-County Council (unanimous consensus).

Text amendment public notice procedures – Planning and Zoning gave a favorable recommendation. The advertisement for a public hearing to be held on January 9 has been sent to the Daily Times.

Clairmont Village Lighting – letters have been sent out to property owners

801-803 and 805 W. Main Street property – tax sales are held in June

AIG – an update from Administration on this issue was requested

Publication of legal notices – City Clerk to review Charter/Code for language

Walgreens – no mechanism in place for council to hear an appeal

Request not to retain certain documents – suggestion to postpone until other higher priority issues are resolved; suggestion to scan documents before destroying; Mr. Wilber to review list of documents to determine if anything should be redacted before placing in the briefing packet

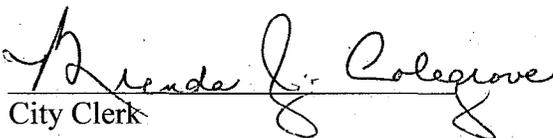
Boards and Commissions – requested updated list with description of what each Board does

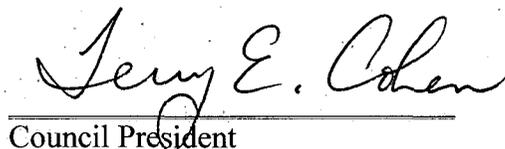
Items to be addressed early in 2012:

- Board of Zoning Appeals
- Three Strikes Ordinance
- Rental inspections
- Towing
- Election redistricting
- Enterprise Zone
- Legal billing (breakdown of hours per category)
- The Bricks invoice
- Sign permit process

Adjournment

The work session adjourned at 7:38 p.m.


City Clerk


Council President