

MINUTES OF MEETING OF THE  
CITY COUNCIL OF THE CITY OF SANFORD  
SANFORD, NORTH CAROLINA

The City Council met at the Sanford Municipal Center, 225 E. Weatherspoon Street, on Tuesday, December 6, 2005, at 7:00 P.M. The following people were present:

Mayor Cornelia P. Olive	Council Member Linwood S. Mann, Sr.
Mayor Pro Tem Walter McNeil, Jr.	Council Member James G. Williams
Council Member Steve Brewer	Council Member Joseph E. Martin
City Manager Leonard Barefoot	City Attorney Susan C. Patterson
City Clerk Bonnie D. White	

Absent:

Council Member Philip Dusenbury

**ORGANIZATIONAL SESSION**

Clerk of Court Ann Blakely administered the Oath of Office to Mayor - Cornelia Poe Olive and Council Members Stephen M. Brewer – Ward 1; James G. Williams – Ward 3; and Joseph E. Martin – At Large. Family members joined the elected officials as they were sworn into office. Terms are for a four-year period. Oaths are on file in the City Clerk's Office.

**MEETING CALLED TO ORDER AND INVOCATION**

Mayor Olive called the meeting to order. The invocation was delivered by The Reverend Doug Hodsdon, Rector of St. Thomas Episcopal Church.

**COUNCIL APPOINTMENT OF MAYOR PRO TEM**

Mayor Olive opened the floor for nominations. Council Member Linwood Mann nominated Walter McNeil, Jr. to be appointed by acclamation. Seconded by Council Member Steve Brewer, the motion carried unanimously.

**APPROVAL OF AGENDA**

On motion of Council Member James G. Williams, seconded by Council Member Joseph Martin, the agenda was approved.

**CONSENT AGENDA**

Approval of November 15, 2005, City Council Minutes – (Filed in Minute Book 64)

The consent agenda item was approved upon motion of Council Member James Williams. Seconded by Mayor Pro Tem Walter McNeil, Jr., the motion carried unanimously.

**SPECIAL AGENDA**

Recognition of National Night Out Award Recipients

Mayor Pro Tem McNeil asked the National Night Out coordinators to come to the front of the Council Chambers. He stated that this is the 10<sup>th</sup> consecutive year the City of Sanford has won a national award for its participation in National Night Out. We had eighteen

communities to participate throughout the City. Mayor Pro Tem McNeil thanked the coordinators for all the work they did in coordinating their events and hopes that next year will be even greater. He thanked Council, City Manager, and the City Clerk for their support over the years.

### **CASE FOR PUBLIC HEARING**

#### **Public Hearing Regarding Closeout of Fiscal Year 2004 CDBG Revitalization Strategies Year 3 Project – W.B. Wicker School – (Exhibit A)**

Patt Crissman, with the Wooten Company, stated that this is the end of the third year of the five-year grant the City has in the amount of \$1.75 million. Each year the City is granted \$350,000. The majority of the grant is going to the renovation and restoration of the W. B. Wicker School. Council received a copy of the closeout report in their agenda packets for approval. A public hearing is required for the closeout. The anticipated date for completion of the project is the middle of the year in 2006.

Mayor Olive opened the public hearing. No one spoke in favor or in opposition. The public hearing was closed.

Mayor Pro Tem McNeil made the motion to approve the closeout report of Fiscal Year 2004 CDBG Revitalization Strategies Year 3 Project. Seconded by Council Member Williams, the motion carried unanimously.

### **REGULAR AGENDA**

#### **Consider Appointment of Council Member Representing Ward 2**

Mayor Olive opened the floor for nominations. Mayor Pro Tem McNeil made the motion to appoint Dan Harrington to fill the unexpired term of Mayor Olive. Council Member Linwood Mann seconded the motion. With no other nominations, Mayor Olive called for discussion.

Council Member Joseph Martin stated that Mr. Harrington is definitely a proven, strong candidate for this position. He commended *Sanford Herald* reporter Justin Story for the stories that were published in the newspaper because it has helped him tremendously. He received a number of calls from people that are either endorsing candidates that have been listed in the newspaper or possibly other candidates who are willing to serve. He felt Council was going too quickly in trying to fill the seat tonight. He would like to see the opportunity for possible candidates who are wishing to serve on the board. The paper did a forum at the Civic Center and felt the applicants for this position should undergo the same type thing. The candidates could go before Council and state their platform and what they can bring to the table. It is nothing against Mr. Harrington but Mr. Martin felt it should be given more time.

Council Member Steve Brewer stated that Mr. Harrington has been a member of the Planning Board for ten years. He has tackled some very serious issues. Mr. Harrington was with us from the inception of the Unified Development Ordinance, and this is very important to Sanford's growth. He is a Sanford business man and is very committed to Sanford. Mr. Brewer felt he is the right man for the job.

Council Member Mann stated that Mr. Harrington has gained invaluable experience on the Planning Board. That is not an easy job to fill. You have many people with different opinions that come before this board and all of them are not happy. Sometimes they are berated and take a lot of heat and he has weathered this. He has certainly made some wise decisions and the Planning Board has served the City well. It would be hard to replace the experience he has gained. He fits all the criteria that most people would want in a candidate for that seat in Ward 2. Mr. Harrington deserves that chance.

The vote was four to one to appoint Dan Harrington as Council Member to Ward 2. Council Member Joseph Martin cast the dissenting vote.

**ALL EXHIBITS CONTAINED HEREIN ARE HEREBY INCORPORATED BY REFERENCE AND MADE A PART OF THESE MINUTES.**

### **PUBLIC COMMENT**

City Manager Leonard Barefoot explained the parameters the City uses for public comment procedures. Mr. Barefoot recognized Senator Bob Atwater in the audience.

Mr. Barefoot stated that the public comment period for local governments was mandated or dictated by the General Assembly this year. It requires local governments to have a period for public comment at least one meeting each month. The City Council has long had the practice of allowing citizens to first go through the city manager's office or Law and Finance if the need be to address issues, and this method has served us very well. The Council has adopted a public comment period in compliance with the NC General Statutes which allows citizens to address the Council for a period of three minutes. There are certain issues that cannot be discussed such as personnel issues or Council Members being addressed directly and others which are in the Public Comment Policy.

Michael Humphrey signed up to speak. Mr. Humphrey stated that he lives at 503 Summitt Drive. His fight for the last year and a half has been in regard to the historic district. He said he has come before Council on a number of occasions to discuss this. He wanted to make it clear that he was present in support of the historic district. He wants to preserve the historic things in this town. Mr. Humphrey said the historic district was established in 1991 and in 1997, the Board of Aldermen adopted Ordinance 42-151 establishing the Historic Preservation Committee. His issues are many, but, in general, he believes the board has developed an adversarial relationship with the neighborhood it is trying to govern. Mr. Humphrey said it was for many reasons. He would like that direction to change. The guidelines that they have established are not being enforced, policed, or abided to by the majority of the neighborhood. Mr. Humphrey stated Certificates of Appropriateness are being granted for things that are against the guidelines. That happened three months ago with the project he was working on. Mr. Humphrey said he was granted permission for two things that were against the ordinances. It does not make it any more right that they were granted to him. Mr. Humphrey expressed that he brought it to the board's attention and there was nothing done. With reference to the no-policing issue, there are projects that are currently going on that are clearly against the ordinances and the guidelines that were established. Mr. Humphrey felt there is an issue that the Council needs to address. He noted that there are two separate boards, a Historic Board and an Appearance

Board; both were set up in 1997. They were separated into two boards. The same board members sit on both boards. He said there is an ordinance that states you cannot sit on two boards. Mr. Humphrey said there are seven seats and you have the ability to put 15 people on it. He said there is no one that sits on the board that lives in the Rosemount-McIver Historic District. Mr. Humphrey asked that appointments be made that at least someone or the majority of that board should be from the historic district. There are other issues that are outstanding but did not feel it should be brought up at this point. He asked for everyone to recognize that there are some issues that need to be addressed and hopefully, they can sit down and work the issues out.

Mayor Olive thanked Mr. Humphrey for coming and the good faith in which he presented the information. Mayor Olive asked that Mr. Humphrey's neighborhood get together and suggest two names that could be appointed to the board. Mayor Olive told Mr. Humphrey to put in question form any specific things that he would like addressed and provide it to the City Manager so they can be addressed.

**OTHER BUSINESS**

Council Members welcomed Mayor Olive to her new seat, and said they looked forward to working with her and new Council Member Steve Brewer.

City Manager Mr. Barefoot said last Wednesday that on behalf of the City employees, he thanked Mayor Hester and Council Member Clawson Ellis for the job they have done for the City. He welcomed Mayor Olive and Council Member Steve Brewer to their new positions. He announced that refreshments are still available in the lobby.

Mayor Olive thanked the audience for coming and their support for the City.

**ADJOURNMENT**

With no further business to come before the council, the meeting was adjourned on motion of Council Member Linwood Mann; seconded by Mayor Pro Tem Walter McNeil, Jr., the motion carried unanimously.

Respectfully submitted,

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CORNELIA P. OLIVE, MAYOR

ATTEST:

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BONNIE D. WHITE, CITY CLERK

