

**LAW AND FINANCE MEETING**  
**August 13, 2008**

The Law and Finance Committee met on Wednesday, August 13, 2008, 1:00 P.M., in the Council Chambers at City Hall. The following people were present:

Present:

Law and Finance Committee:

|                                  |                                      |
|----------------------------------|--------------------------------------|
| Mayor Cornelia P. Olive          | Council Member Mike Stone            |
| Mayor Pro Tem Joseph E. Martin   | Council Member James G. Williams     |
| Council Member Charles Taylor    | Council Member Walter H. McNeil, Jr. |
| Council Member Steve Brewer      | Council Member Linwood S. Mann, Sr.  |
| City Manager Hal Hegwer          | City Clerk Bonnie D. White           |
| City Attorney Susan C. Patterson | City Staff                           |

Mayor Olive called the meeting to order.

Consider Resolution Authorizing the City Council to Enter Into a Ten-Year Lease with Central Carolina Jaycees – (Exhibit A)

Operations Manager Tim Shaw explained that the resolution authorizes the city to enter into a ten-year lease with the Central Carolina Jaycees for the building located at 809 Tryon Street known as the “Jaycee Hut” for \$1 per year. It was advertised in the *Sanford Herald* as a public notice on August 7, 2008, describing the lease and property along with the annual rental agreement. The tenants will pay for all the utilities, such as power, gas, and water. There will be an occasion that the City of Sanford will use the building and the Lee County Board of Elections may use it as a polling place for the conduct of regular and special general and primary elections under its jurisdiction, without charge from the Tenant.

Mr. Shaw stated that Dana Hoffman, with the Central Carolina Jaycees, has said she will let the city know after they review the facility what their plans are regarding repairs to the building. The Central Carolina Jaycees are responsible for providing all types of insurance such as fire, casualty, and general liability for the facility.

Council Member Brewer asked if the lease requires the Jaycees to have utilities to the building at all times. Attorney Patterson replied that it says that any utilities that are provided will be paid for by the Lessee (Central Carolina Jaycees). It does not require them to have utilities on at all times, but is implied. Mr. Brewer expressed concern about the power going off in the winter time and the pipes bursting. Attorney Patterson stated that our current requirement is that the Lessee be responsible for the utilities and there is a responsibility that goes beyond just making sure you paid your bill.

Mayor Pro Tem Martin asked if the city can inspect the building at any time. Attorney Patterson replied that the City has the ability to make reasonable inspections of the property with proper notice.

Consider Resolution Authorizing the City Council to Enter Into a Ten-Year Lease with Sanford Lions Club - (Exhibit B)

Operations Manager Tim Shaw advised that the Sanford Lions Club has requested to enter into a ten-year lease for a portion of a city-owned lot located on Fifth Street at the outside fenced-in area of the fairgrounds. The lot is approximately 150 x 230 feet and is an open area. Public notice has been run in the *Sanford Herald* describing the property, the lease, and the annual payment of \$1 per year. This area will be used by the Lions Club in conjunction with their activities – more so for parking. It could also be used by the Sanford Area Soccer League, which is leasing or renting property from the Lions Club. The city is under no obligation to make improvements or perform maintenance on this property while they are leasing it. The Sanford Lions Club will keep it in clean, sanitary condition and will provide insurance to cover this area including the City of Sanford. Attorney Patterson advised that the Lions Club has had a change in its president and she will correct the copy to be executed.

Consider Modification of Restrictive Covenants for Brick Capital Lots – (Exhibit C)

Planner II Karen Kennedy advised that Executive Director of Brick Capital CDC Kate Rumely has requested to change the restrictive covenants on three lots – Block G, Lot 16 on Crestview Street and Block Q, Lots 10 and 11 on Washington Avenue, to change the terminology that states the lots will be for “single-family owner-occupied” to include rental terminology. With the down turn in the economy, Brick Capital is facing some issues where houses that have been built are sitting there vacant. She would like to rent the houses on these three lots.

Council Member Stone said that Brick Capital does a lot of good in the community and building first-time homeowner homes is what he likes to see; however, he would like to see the rental houses sold before more construction is done. Ms. Rumely said the intent for these houses is to be rental homes. They will probably remain rental houses for a couple of reasons but not because they want to be in rental business. Once these houses become occupied, they are no longer eligible for the \$20,000 down-payment assistance available from the North Carolina Housing Finance Agency. As soon as a family moves in, they are used homes. If they have three rental houses, it is difficult to sell those houses before they could sell another house that they would build specifically for a family. Most of the houses Brick Capital builds, are built specifically for a family. Typically, those families are involved in the process which is the whole idea of their home ownership program. The family picks out their colors and the materials that are used. The homes are built as energy-efficient as possible. Two of these houses were built as spec homes in partnership in some ways with the North Carolina Initiative Community Development. They were built because they had not done steel-framing in single-family houses. Brick Capital had not done this particular plan which is a two-story house. Given this issue and the market, the houses have not sold.

Council Member Stone asked how many homes does Brick Capital have under construction. Ms. Rumely replied none. They have not sold a house this year nor have they started construction on a house this year because it is so difficult for people to get their credit in shape to acquire a loan. The market has tightened up so much that people have to have a credit score of over 700 when it used to be 600 for most people. Banks are also requiring 20 percent down payment. Brick Capital is paying the interest on those homes, and that is draining their

savings set aside for other things they would like to do. Ms. Rumely explained that the people renting these houses will be homeowners; they will build another house for them. They will wait until the economy is better and Brick Capital's plan is that these renters will be the first ones to go into new homes in the near future.

Mayor Pro Tem Martin asked if any of her homes have gone through foreclosure. Ms. Rumely replied yes and no. None of their houses have gone into foreclosure, because none of them have been foreclosed upon, but they have four families that have lost their jobs and are having some difficulty. Brick Capital is working with those families and the particular institutions where the mortgages are held. Three of them have been solved. They have gotten new jobs and are making their mortgages; however, they cannot pay the amount that is in default. Brick Capital has worked a deal with the bank so that they can tack on to the end of their original mortgage the amount of months they are in default.

Council Member Williams asked if there is a maintenance program in place for the rental homes. Mrs. Rumely replied that Brick Capital owns the land and they will be responsible for the property. Brick Capital will write a lease with these individuals and work out an agreement to make sure they do not go into disrepair. Ms. Rumely said they have twelve rental apartments now for the disabled and Brick Capital keeps them up.

Council Member Mann expressed concern about building spec houses.

Consider Modification of Restrictive Covenants for New Bethel Free Will Baptist Church – (Exhibit D)

Planner II Karen Kennedy advised that the city sold Lula McLean two lots in the Redevelopment area on Washington Avenue in 2000. Ms. McLean never built on the lots. Ms. McLean has passed, and in her estate she left the two lots to New Bethel Free Will Baptist Church. Wilson & Reives, representing the church, is requesting the requirement of building a single-family residential home on it to be waived and allow a church building to be built on it.

Consider Resolution in Support of the Temporary Closure of a Portion of Church Street for the Purpose of a Church-Sponsored Outdoor Event – (Exhibit E)

Operations Manager Tim Shaw stated that the city received a request from St. Mark United Church of God to close Church Street between Boykin Avenue and Oddfellow Street on Sunday, September 28, from 9 A.M. until 4 P.M. They have provided a certificate of insurance and the police department has issued a permit. They have talked with the neighbors that would be affected and they were okay with the temporary street closing.

Consider Status Update on Administrative Rezonings – (Exhibit F)

Assistant Community Development Director Marshall Downey explained that this is a brief status update on administrative rezonings. Mr. Downey reminded Council of an issue that arose in spring about a group home locating in a residential neighborhood. As an outcome of that issue, staff was directed to look into other situations throughout the city where there could be some land use conflicts based on the city's current zoning pattern and what the surrounding patterns were. Staff also looked at amendments to group homes and this will come back for consideration in the future.

Mr. Downey reminded Council of the PowerPoint presentation staff made several months back, showing thirteen areas across the City which staff would target. Staff sent out 124 certified letters to the thirteen different areas; 43 recipients of the letters responded by contacting staff. Of those who responded: 16 were undecided, 17 expressed opposition to the rezoning, and 10 indicated that they were okay with the rezoning of their property as proposed. Staff needs direction from Council to move forward with the rezoning starting with the areas unopposed to the rezoning. Mr. Downey added that land-use relationships along the corridors have been talked about also. This will be something that can be tied in as well, because there may be some incompatible zoning areas based upon what may be occurring along the corridor. Mr. Downey said that administrative zonings have not been done in the past, which is when you rezone properties based on city-staff initiative versus initiation by the property owner.

Mayor Olive stated that maybe staff could proceed with the ten (not all at once) properties that the owners were okay with the rezoning. Mr. Downey commented that if it was the consensus of council, staff could start moving forward with the rezoning process of the properties and public hearings would be held. Council Member Williams stated that he would like to know who the ten property owners are and the address of the properties. Mr. Downey replied that most of these properties are located in residential neighborhoods. City Manager Hegwer asked Mr. Downey if the UDO was amended to include the changes for the group homes and different levels. Mr. Downey replied it has not been amended yet; it has gone through the Joint Planning Commission; however, it has not been brought before Council. The Joint Planning Commission wanted the three attorneys from the three jurisdictions to review it from a legal standpoint and they have done that. It is just a matter of bringing it back before Council and a public hearing will be held.

Council Member Brewer said when this was started, Council asked staff to review all the parcels throughout the city that may possibly be zoned incorrectly or things have changed around them, or the city has grown a certain way where they are the "odd man out" so to speak. They need to be changed to residential or neighborhood commercial. Council knew it was not going to be a popular decision. Mr. Brewer felt Council should move forward and do a few parcels at a time. Mayor Pro Tem Martin added that the one thing that helps make it more understandable or appealing to the property owners is that now we have the conditional use where they can tell Council what they want to do with the property. Council Member Stone stated that a concern from one gentleman was that changing the rezoning would change the value. Mr. Stone said if a standard is set, he wants to make sure that same standard is for everyone. Mr. Brewer felt we should rely on staff's judgment, because that is what Council directed them to do. Council Member Taylor asked if it would be advisable to go through the presentation again and see these particular properties on a display and then have some further discussion at a later Law and Finance Committee meeting. Mr. Downey replied that staff can do that at the pleasure of the board and could proceed with that request.

Consider Resolution Exempting the City of Sanford from the Mini Brooks Act for the Renovation of a Portion of City Hall and Addition to Fire Station #2 – (Exhibit G)

Public Works Administrative Assistant Laura Spivey explained that the city has two projects that require architectural services. The two projects include the renovations of a portion of City Hall and approximately 704 sq. ft. addition to City Fire Station #2 on Woodland Avenue.

The law allows that when you have a professional fee that is less than \$30,000, the City can exempt itself from the Mini Brooks Act and not have to go through the process of receiving additional qualifications from additional firms. The law allows you to negotiate directly with one firm. The resolution allows the city to negotiate directly with Mullins & Sherman Architects to perform these professional services for these two projects. The city has worked with Mullins & Sherman in the past on several different projects, and they actually know the architectural design of this building and Fire Station #2. City Manager Hegwer stated that we will have two contracts on Tuesday night's agenda for Council's approval.

Consider Local Historic Landmark Designation Application – (Exhibit H)

Executive Director of Downtown Sanford, Inc., David Montgomery stated that this is a draft application submitted by the Historic Preservation Commission (HPC). The Commission is requesting feedback from Council before they finalize the application and pursue this designation. He informed Council that the Commission has been approached by a group seeking local landmark status for their building. North Carolina General Statute 160A-400.5 gives governing boards the ability to adopt an ordinance designating one or more landmarks. Historic landmarks are individual properties such as a building, structure, site, area, sign or other object, that has been designated by the governing board because the property has a special character, historic or aesthetic interest, or value. Staff is only aware of one landmark which is the Wilrik Hotel which was designated in 1998.

Mr. Montgomery explained that the Historic Preservation Commission wants to have a formal application because they could not find an application on file for the Wilrik Hotel so that there is a standard application that everyone will use so everybody is treated fairly. Mr. Montgomery advised that the application was drafted based upon other municipalities and comments made by the Historic Preservation Commission and it is seeking Council's comments. Mr. Montgomery stated that the Commission is recommending a fee of 50 percent of one year's property tax. The reason was three fold; one is staff time involved in reviewing the application; second is the Commission felt that they only wanted serious applicants; and third, take out the sting of the result of someone getting landmark status. One of the great benefits of landmark status is the applicant or person receiving the landmark status can apply to the county tax office for a 50 percent deferral on their taxes annually in perpetuity. They can get the 50 percent deferral annually as long as the building maintains its historic integrity. Mr. Montgomery explained that the property has to meet certain HPC criteria, and any changes to the building would be under the same review as properties located within a local historic district. Any exterior improvements or changes made to a building would have to go through the Certificate of Appropriateness review. If the building is not maintained, the tax deferral can be removed.

Mr. Montgomery explained that once the application has been reviewed by staff, it is forwarded to the NC State Historic Preservation Office for its review. They review it on a statewide basis and will come back with a recommendation to the Historic Preservation Commission. The HPC could hold a joint public hearing with Council or a separate public hearing could be held. The HPC would make a recommendation to Council, and it would be to Council's discretion whether to adopt or not adopt giving a building landmark status.

Mayor Olive asked if Mr. Montgomery has inquired to see how much the taxes are on the building that is being paid now. Mr. Montgomery referred the question to Executive Director Kate Rumely. Mayor Pro Tem Martin asked if the application is turned down, what happens to the fee. Mr. Montgomery replied that the commission discussed this issue and the fee or a certain percentage of the fee could be given back to the owner.

Council Member Taylor said he had some similar concerns that the mayor just expressed. For example, W. B. Wicker School is a great candidate for a historical landmark. They have some profit tenants as well. How would you assess the application fee in that situation where there are non-profit and profit tenants? Mr. Montgomery replied that it would go to the property owner of the building, not to the tenant. Brick Capital has several partners in this school.

Executive Director Kate Rumely of Brick Capital addressed Council. She said the taxes on the W. B. Wicker School are just under \$20,000; so that would be a \$10,000 fee. Ms. Rumely said the W. B. Wicker School is a LLC, a Limited Liability Partnership. It is considered for profit even though it is owned by two non-profits, who will actually take ownership of that building after a period of seven years from the equity investor – Bank of America. Bank of America put in \$1.77 million into the school; the City of Sanford put in \$1.1 million; and the non-profits (LLC) borrowed \$2.5 million. Ms. Rumely stated that she has just read the document regarding the fee, and she is very disappointed because the fee is so high. The fee is one issue and the other issue is because it took a long time. She applied for the landmark designation and it has gone on a year and one-half for it to get to council. Ms. Rumely added that it is difficult to read and hear that it is a prohibited fee. She felt it should be a flat fee and should not be relative to the taxes. Ms. Rumely advised that she was going to have to pay this year's taxes because of the time frame it took.

Mr. Montgomery explained that Ms. Rumely approached the commission last October and the committee was working on their guideline reviews and this took precedence over the application. Ms. Rumely was already nine months into last year's taxes. This issue never materialized and he advised Ms. Rumely he was going to put something on the board for review. He felt they could get it done this year and did not feel it would be an issue with this year's taxes. Council makes the final decision on the ordinance and the commission is only a recommending body. A dual public hearing could be held to save time.

Mayor Pro Tem Martin felt the fee of \$10,000 (half of the taxes) was very excessive. Mr. Montgomery stated that Council is going to make deferment of 50 percent in perpetuity of this building; that is a considerable amount of money over a period of time. Mr. Martin said for example if the railroad house wanted to apply, how do we look at it as far as staff's time for sending the application off; would it be the same amount as Ms. Rumely is having to do on the W. B. Wicker project, or is it a lot less because it is dealing with one frame structure. Mr. Montgomery replied that each application would be written on its significance.

Council Member Stone commented that you want serious inquiries only because other than that you are wasting staff's time. Mr. Stone said that once this is approved, they will save \$10,000 each year as long as they are in business.

Mayor Pro Tem Martin suggested getting a representative from the North Carolina Preservation Commission to talk about this kind of issue and see what is going on across the state. Mr. Martin said that precedence is being set with this and when he votes for this, he wants to feel good about it, because there are a lot of parameters involved. Council Member Brewer said he would like to see how other cities have brought this in; how it has impacted them; do people use this; or is it something insignificant, etc. Council Members discussed this issue at length. Mr. Montgomery said he will try to get a representative from the North Carolina Preservation Commission to come and speak to Council.

Consider Authorizing the Execution of Municipal Agreement for 2008 Pedestrian Planning Grant – (Exhibit I)

Executive Director of Downtown Sanford, Inc., David Montgomery explained that the City of Sanford was awarded a Pedestrian Transportation Planning Grant from the North Carolina Department of Transportation. This grant came out of a desire for alternative transportation systems in particular, more bikeable and walkable communities. The grant is \$40,000, which is 70 percent with a 30 percent match. The City would be responsible for \$12,000 of the \$40,000 grant. Staff would have twelve months to complete the plan starting with the Notice to Proceed. He is asking authorization for the mayor to execute the municipal agreement for the grant.

Consider Naming of Pineland Street/Martin Street Neighborhood Park - (Exhibit J)

Operations Manager Tim Shaw informed council that the two parks are completed at Third Street and Pineland Street/Martin Street. The residents at Pineland and Martin Streets submitted a petition at National Night Out to name the park Walter H. McNeil, Jr. Neighborhood Park. Some signs have been created out of materials that our employees can make at the Public Works Facility to post with the name of the park and some rules for enforcement such as no trespassing, weapons, etc.

Mayor Pro Tem Martin felt it was great that the neighborhood residents came up with the naming of this park. It is great to see the families at the parks.

Council Member Charles Taylor said this was his first year as an elected official participating in National Night Out, and he values what Mr. McNeil has brought to the table. He said that this is no slight to anybody on this council, but one thing that concerns him the most is getting parks named after elected officials that are currently in service. There are many individuals in our past history that have done so much for our community, and Mr. McNeil ranks among those. He referred to Dr. James Simmons, a family doctor who was a very popular doctor in his day; James Hampton, a minister in this community, and people like Link Boykin, who was a contractor in this community. He looked at the policies a lot of cities have and most have a policy that only allows for property to be named in honor of deceased individuals only in organizations who have made significant contributions to the quality of life in the community through their achievements, leadership service, civic, or financial donations. He said he is very concerned about the dangerous precedence this could be setting to name parks or individual things after individuals who are currently serving on our City Council or any form of government. Mayor Pro Tem Martin said this came from the residents of that neighborhood. Council Member Brewer said we wanted this neighborhood to get involved, and this

neighborhood is going in the right direction; Mr. McNeil has been on the Council for 20 plus years. Mr. Brewer felt it would be bad not to respect these neighbors' wishes. Council Member Stone asked what is the City's current policy on naming things after individuals. City Manager Hegwer said we have not been in the parks and recreation business. Attorney Patterson answered a question from Mr. Martin on the County's policy. She stated that they have a policy they use for naming schools; she was not aware of any other policies. Council Member Mann said each council member has lived in Sanford long enough to know the name O. T. Sloan Park – the biggest public park is named after Mr. Sloan. He felt it was a very appropriate thing to do for Mr. McNeil because he has spent many hours not just working for his neighborhood, but for everyone.

Council Member Stone said as this Council moves forward and we are in the park business, you have to come up with some type of policy. Council Member Williams said there is the Dennis A. Wicker Civic Center that was named after someone still living; there is Boykin Avenue named after Link Boykin, but this is not something that Council came up with. There was a lot of crime going on in this neighborhood, and Mr. McNeil has responded with the Police Chief to try and get order in the neighborhood. Mr. Williams said this park is like the end result and these residents in the neighborhood are very grateful. These residents have asked the Council to name this park after Mr. McNeil. Mr. Williams did not feel like a precedent was being set. He said a policy could be set, but a lot of times when people come to Council and ask for something and it is humanly possible, we have always tried to grant what the people in the neighborhood want.

Council Member Stone that one thing he has preached since he has been on this Council is consistency. He added that now you are telling him that twenty-one people are going to change your mind when 5,000 signed a petition and you voted in favor of a privilege tax. Mr. Stone added that he wants to be consistent so the public will know what Council is going to do; he said there are no rules in this.

Council Member Brewer felt naming this park needed to be put on the regular agenda for a vote. Mr. Shaw stated that we will need to put signs at the park with rules on them. He wanted Council to be thinking of what kind of sign they would like to be put up such as a brass plaque attached to the fence; a brick sign with concrete or granite engraved with a plaque, etc. Staff needs direction to obtain pricing and information. Mr. Shaw said he has several pictures he has taken at different locations for an example. Mayor Olive said it was the consensus of Council to take this up at the next meeting.

### **Other Business**

Normalea Lutterloh spoke about an animal control issue that occurred last week. A church member called her to see what could be done about a dog that was hit in front of her house and the vehicle did not stop. Her friend said that the dog's legs were broken and was having difficulty breathing and might not make it. She did not want the dog to suffer. Her friend tried to call animal control and got the answering machine. She called the Police Department and was told there was nothing they could do. She called the Lee County Board of Commissioners Chairman Bob Brown about the incident and he said there was nothing he could do. There had been incidents of this type in the past and unless a dog is threatening a person,

animal control would not come out. The neighbor contacted the dog's veterinarian, since the dog had a collar on it with a rabies tag. She was told to bring the dog in before 6 P.M., and it could be euthanized. This lady did not own a car. The veterinarian said that the owner of the dog would have to give permission for the dog to be treated and the owner denied ownership of the dog and said the dog had been gone for months.

Normalea Lutterloh's husband, Assistant Fire Chief Hayden Lutterloh, called Lee County Manager John Crumpton about the situation and Mr. Crumpton did not have Mr. Iceman's phone number at the moment, but would try to locate it and call him back. Mr. Crumpton called Hayden Lutterloh back with the phone number. Mr. Lutterloh called Mr. Iceman and received no help. Mrs. Lutterloh asked that the City enforce the leash law and require that pets be vaccinated for rabies and wear their tags at all times. She would like to see, if possible, to determine what the ordinances are regarding pets, enforce them, and add any other ordinances that would benefit the citizens of Sanford. She would like for the citizens to be educated on these ordinances through the media, television, etc., and the importance of having their pets spayed or neutered. She would like a committee appointed to look into these matters, hopefully with input from animal advocates from Sanford.

Several council members stated that they had received complaints about animals running loose, and about no response from animal control. Residents have called animal control and no one would answer the phone.

Council Member Brewer stated that he went to a county commissioner's meeting approximately a year ago, and the commissioners appointed him to the Lee County Board of Health. Animal control was a problem then, and they started addressing issues and changing the ordinances. It has been a long process and the changes are presently waiting for Lee County Attorney Dick Hoyle to review so they can be enacted as an ordinance. At the same time, the State changed different criteria and the Board of Health had to change the way they took care of animals. At that same time, the current health director really did not see animal control being a problem. This director is gone now, and the Lee County Board of Health does consider animal control a problem. They have lost 80 percent of their staffing for animal control. There are only two people employed with that department now. They are underfunded; the City has paid \$50,000 to enforce the leash law and you cannot enforce this law for \$50,000. The City has been paying the same amount of money for twelve to thirteen years. It would cost the City \$200,000 to do animal control. Mr. Brewer said it cost \$320,000 for the County to do it right now. There needs to be a policy in place for the public to call and someone to answer the call. He assured Mr. and Mrs. Lutterloh it is not falling on deaf ears, and if in ninety days it is not any better, then the City will need to take it over.

Maria Moffa, one of the founders of Carolina Animal Rescue and Adoption (CARA), stated that she receives calls daily from her neighbors about dogs running loose. It is definitely a health problem to have dogs running around without collars. She was personally physically threatened by someone whose dog wandered into her yard which she was trying to capture so it would not attack her dogs. The City has an obligation to enforce the laws that are created. She has personally worked with others to create and draft ordinances that were proposed to the Board of Health. She did not have a lot of faith that this is going to come to fruition soon. There is no

recourse as residents when she gets phone calls daily asking for assistance. She asked that the City pass some kind of ordinance that would apply to the City at least.

City Attorney Susan Patterson advised that the city has ordinances dealing with animal control. They have been enacted for quite a while. The city contracts with the county for enforcement of the ordinances, and they provide the enforcement mechanism for the city. They routinely write tickets for failing to wear rabies tags; for violating the leash law, and nuisance animals. The city collects the monies if they are not paid within a certain time as a debt owed to the city. We have been successful in court, and we work out payment plans for people to make those payments. At the same time, there has been an issue with animal control's level of service and with their ability to satisfy people with the enforcement procedures put forth. One of the issues is that they tend to write tickets rather than confiscating animals and taking them to the shelter. One issue with the city taking over animal control is not only would it be expensive to hire the officers, but, the city does not have a shelter. We would have to contract or pay for shelter space in order to have a place for animals to be housed and eventually euthanized. The county animal control shelter is provided by all city residents paying their county taxes as well. The ordinance that Mrs. Moffa speaks of, which was presented to the county recently, had difficulties because it was written in such a way that it mimics state law. It is not acceptable to have an ordinance that basically restates state law, because we are pre-empted by the state law, so the drafting had to be redone. Mrs. Patterson explained that Mr. Hoyle is looking into this and she has been in contact with him. Until it is changed so that it does not restate laws, it cannot be passed. Mrs. Patterson thought that it is in process for the Board of Health to consider. She wanted the public to know that tickets are written; people are cited for violations; animals at large are supposed to be picked up if they do not have rabies tags or collars, and if they are off the property.

Council Member Brewer said that the County has been looking for people to work in animal control and they have some serious challenges. They have a new health director that will be coming on board and Mr. Brewer felt that he will rectify this problem.

Ray Covington gave an update of what is going on in Jonesboro. For the last two years, he has been trying to work on some clean-up projects in the historic Jonesboro area. He started with his own property at the 200 block of Jonesboro. He was concerned about the traffic patterns in historic Jonesboro and made some contacts with the NC Department of Transportation as well as with the City staff. Mr. Covington complimented the city staff in helping him throughout the process. City staff has rendered some streetscape drawings for Jonesboro. He said we need to move forward with getting an engineer in place. He met with the D.O.T. and they have agreed to support them with some streetscape plantings and there is a timeline with the D.O.T.'s assistance. He looks forward to working with the City staff in the future.

Council Member Taylor complimented staff on how quickly they reacted when the storm hit Sunday to remove debris.

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

Law and Finance Committee Meeting  
August 13, 2008

Adjournment

Having no further business to come before the Law and Finance Committee, the meeting was adjourned upon the motion of Council Member Linwood Mann; seconded by Council Member Steve Brewer, the motion carried unanimously.

Respectfully submitted,

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Cornelia P. Olive, Mayor

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Bonnie D. White, City Clerk