

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 2, 2008, at 7:00 P.M. The following people were present:

Mayor Cornelia P. Olive	Council Member Linwood S. Mann, Sr.
Mayor Pro Tem Joseph Martin	Council Member James G. Williams
Council Member Charles Taylor	Council Member Walter H. McNeil, Jr.
Council Member Mike Stone	Council Member Steve Brewer
City Manager Hal Hegwer	City Attorney Susan C. Patterson
Deputy City Clerk Janice Cox	

Absent: City Clerk Bonnie White

Mayor Cornelia Olive called the meeting to order. Council Member Charles Taylor delivered the invocation.

**PUBLIC COMMENT – (Exhibit A)**

Carol Carlson of 1814 Holiday Road in Sanford thanked Mayor Olive and council members for the trash cans that are downtown. She said it gives a wonderful statement about our downtown and what we expect.

**APPROVAL OF AGENDA**

City Manager Hegwer requested to add a closed session to the agenda under confidential information. This will be Item 11 under Regular Agenda.

On motion of Council Member Steve Brewer, seconded by Council Member Walter McNeil, the amended agenda was unanimously approved.

**CONSENT AGENDA**

Approval of November 4, 2008 City Council Minutes – (Exhibit B)

Approval of November 18, 2008 City Council Minutes – (Exhibit C)

Upon motion of Council Member Mike Stone and seconded by Council Member James Williams, the November 4, 2008 and November 18, 2008 City Council Minutes were unanimously approved.

**SPECIAL AGENDA**

Employer Support of the Guard and Reserve (ESGR) – Presentation of Award and Signing Statement of Support – (Exhibit D)

Frank Blalock of 73 Hilltop Road in Sanford spoke as a volunteer with the Employer Support of the Guard and Reserve, an agency with the Defense Department. In North Carolina

the membership is at about 120 volunteers who come from all walks of life. Their mission areas include informing members of the reserve components (army, navy, air force reserves, and National Guard) of their employment and re-employment rights; working with employers explaining what their obligations are under federal law; recognizing employers for outstanding support; and offering mediation services trying to prevent causes of action from entering the legal system.

Mr. Blalock introduced David Cortez who is a sergeant in the Army National Guard in an Arms' Battalion and is a police officer for the City of Sanford. Sgt. Cortez feels that his supervisors give him the support he needs to have a dual career—a true citizen soldier. Sgt. Cortez presented a certificate of recognition to Police Chief Ronnie Yarborough and a lapel pin. Chief Yarborough complimented Sgt. Cortez's work. Sgt. Cortez is being deployed soon, possibly to Iraq.

There was a consensus from the Council to approve the statement of support of the Guard and Reserve. Mayor Olive signed the pledge of support and council members shook hands with Sgt. Cortez. Mayor Olive complimented the Guard on the Deployment Ceremony today and thanked Mr. Blalock for what they are doing now. Council Member Taylor thanked Mr. Blalock and his wife for their support of the troops. Mayor Olive also expressed appreciation for Jonesboro Baptist Church in their support of the troops and their families.

Council Member McNeil expressed that he thought council had signed this agreement years ago. Mr. Blalock said that he had not been able to find it in the files and that parts of the agreement have changed.

### **DECISIONS ON PUBLIC HEARINGS**

#### **Consider Adoption of an Amendment to the Unified Development Ordinance (UDO) to Exempt Certain Government-Owned Public Safety Telecommunications Towers from the Requirements for a Performance Bond as Set Forth in Section 5.33 – (Exhibit E)**

Assistant Community Development Director Marshall Downey explained that this item has gone through the Joint Planning Commission. It is basically a corrective amendment relating to towers put up for public purposes for communications or emergency services. During the process of taking this amendment through the three jurisdictions for review by the planning boards, it was recommended that it be narrowed so that the exemption that was proposed not be for all the tower requirements; it would simply be exemption from the bonding process for basically removing the tower.

Council Member Stone questioned the part of the ordinance that stated, “exempt certain government-owned public safety telecommunications’ towers.” He asked if those privately owned would be exempt. Mr. Downey said that they would not. He said this referred only to those government owned for the purposes of public safety telecommunications.

- **Approval of Ordinance Amending the City of Sanford Unified Development Ordinance- (Exhibit F)**

Upon motion of Council Member Linwood Mann and seconded by Council Member Steve Brewer, the ordinance passed by a six to one vote with Council Member Mike

Stone casting the dissenting vote. Mr. Stone explained that he did not think the rule maker should ever be exempt from the process. He said he thought that government should go through the same process as private citizens.

Adoption of an Amendment to the Unified Development Ordinance (UDO) Regarding Allowances for the Indoor and Outdoor Sales of Motorized Scooters, Motorcycles, and ATV's in Designated Zoning Districts – (Exhibit G)

Assistant Community Development Director Marshall Downey explained that this item is based on a concern expressed by a downtown merchant. When this was brought before the Joint Planning Commission, the intent was to allow for new standards in the ordinance basically to allow for the indoor sale of ATV's, motorcycles, and scooters in the CBD zoning districts and the C-1 (light commercial district). There was a recognized need several months ago to do this, as the current ordinance does not allow for those sales in the CBD or C-1 zonings. The only sales currently in the ordinance are basically outdoor sales or sales generally in the more traditional Highway Commercial/Retail Commercial districts.

- Approval of Ordinance Amending the City of Sanford Unified Development Ordinance – (Exhibit H)

Council Member Mike Stone requested to be excused from voting because he currently sells these scooters. Council Member Steve Brewer made the motion to excuse Council Member Stone from the vote; seconded by Council Member Walter McNeil, the motion passed unanimously with Council Member Stone abstaining from the vote.

Council Member James Williams made the motion to adopt the amendment to the UDO regarding allowing for the indoor and outdoor sales of motorized scooters, motorcycles, and ATV's in designated zoning districts; seconded by Mayor Pro Tem Joe Martin, the motion passed unanimously with Council Member Stone abstaining from the vote.

**REGULAR AGENDA**

Consider Ordinance Amending the Annual Operating Budget of the City of Sanford FY 2008-2009 - (Exhibit I)

Director of Financial Services Melissa Cardinali reminded council that last fiscal year, this council approved a loan to the Airport Authority for the purpose of constructing hangars. That money was not transferred to the airport during the prior fiscal year, so this amendment is just re-appropriating those funds.

Council Member Mike Stone said a problem he had with this is that the interest rate on this loan is 5.25 percent, while the loans to our citizens for sewer extensions is 8.5 percent—the highest we could charge. He remarked that our taxpayers are paying this, year end and year out, and the airport is a government agency. He said he wants to be fair to our citizens and to the governmental agency. Mrs. Cardinali said that we can charge up to 8 percent interest, but it is up to the council to set the rate. City Attorney Susan Patterson interjected that the legal rate of interest in North Carolina is 8 percent and that is what the statute calls for in the assessment process. We have it at 8 percent so that it is consistent for everybody in the assessment process. That is different from loaning money to the Airport Authority. Whether council wants it to be

consistent, that is their choice, but this is just re-appropriating the money like you had it before. That is the action before you on this item. Attorney Patterson clarified that the rate is 8 percent, not 8.5 percent. That is what we have traditionally charged under the assessment process so that all the assessments are categorized the same and collected the same.

Council Member Stone said just to make the record straight, this item particular we are loaning the money to the airport at 5.25 percent—correct? Mrs. Cardinal reiterated that the decision to make that loan had already been made. This is simply re-appropriating the money that went into fund balance at the end of the fiscal year. Mr. Stone continued, “We’re loaning money at 5.25 percent and we’re charging our citizens 8 percent.” City Manager Hegwer said that one distinction, just to clear up, is General Fund versus Enterprise Fund. Mr. Stone said the Enterprise Fund is for the airport which is funded by itself, but in normal situations those revenues would come back to the General Fund ---correct? Mr. Hegwer said that the airport is out of the General Fund and the water and sewer assessments are out of the Enterprise Fund. Mr. Hegwer said if the rate is something Council wants to look at, they can. He said this rate has been in place a very long time. Mayor Pro Tem Martin said his concern in looking at rates is that he would be hesitant to give a 4 percent rate for ten years.

Council Member Stone gave an example of the city loaning the airport \$500,000 and a senior citizen on a fixed income trying to pay back \$9,000; it is a little different. Mayor Pro Tem Martin said taxes generated by the airport help offset some of our taxes; that’s a plus. The airport gets only fire and police services from the city. Mr. Stone said that not one dime of the tax revenue in this community comes back to the citizens from the airport. He says he respects that, but in other communities the tax revenue comes back and helps lower the burden. He said that all the money generated by the airport stays at the airport. Mr. Brewer and Mr. Martin said that the tax money does not stay at the airport.

City Manager Hegwer said it is a loan, but it is an investment because it is money in the General Fund that there are only certain investments that we can take advantage of. Part of this is an investment strategy out of the General Fund which is revenue received from sales taxes and ad valorem property taxes and personal property—that revenue stream. The revenue stream in the utility side of things is water rate generated—a completely different revenue stream. We look at this as an investment using idle funds with a good rate of return into something positive at the airport. Mr. Hegwer said that tax revenue generated from property at the airport goes into a fund which is used to operate the airport, but is also part of the Special Revenue Fund that does accrue over time. There are some provisions set so that money could be used by the city and the county on a joint type project. Mr. Stone said that not one dime has been used—the money is still sitting in that fund. Mr. Stone says he is not opposed to the loan, but it is hard to take the citizens’ money at 8 percent interest and loan it at 5.25 percent. Mr. Hegwer pointed out that residents outside the city are served by the Utility Fund. Mr. Brewer said that is not what we are voting on tonight. Mr. Stone requested that Mr. Hegwer put it on the next agenda. Mr. Williams said that the way he looks at it, the airport is there for the benefit of the masses—Do you want the airport? Will it benefit Sanford and Lee County in the future? He believes the answer is yes. Will assessing the lady on a fixed income for running sewer to her house benefit the masses, the City of Sanford, or Lee County? No. We do things for the health and well being of our citizens

that sometimes may seem unfair, but in order to move the city forward, we need certain things in place—water, sewer, airport, and the like.

Mayor Pro Tem Martin made the motion to approve the ordinance amending the annual operating budget of the City of Sanford FY 2008-2009. Seconded by Council Member Steve Brewer, the motion passed six to one, with Council Member Mike Stone casting the dissenting vote.

City Manager Hegwer announced that the city's finance department received an award from the Governmental Finance Officers Association of the United States and Canada for our budget document. There are 548 cities in the State of North Carolina and we are tied for recognition on the award with Cary. We have received this award for twenty-three straight years. Mr. Hegwer recognized Ms. Cardinali who also credited Cindy O'Quinn and Beth Kelly and other staff members for their contributions.

Consider Award of Bid for Harkey Road Booster Pump Station – (Exhibit J)

Public Works Director Vic Czar said that the Engineering Department had a bid opening on November 18 for the construction of a water booster pump station on Harkey Road with some associated water line to the tank. This project will help provide redundancy and capacity needed in the high pressure zone from the low pressure zone that we have. Currently, we have one booster pump station pumping into that pressure zone, and if it is to go down, we don't have a lot of time to repair before we start losing pressure in that Jonesboro pressure zone. This project is half paid for through a grant that is made available because Coty was expanding and adding jobs. Coty would not be able to expand if this job were not constructed; they want the redundancy that this booster pump station helps to bring to that second pressure zone. The low bid on the project was Water and Waste Systems, Inc. (out of the Raleigh area) for \$841,300. The city has worked with this company in the past and references have been checked. He recommends award of this bid to Water and Waste Systems.

Mayor Pro Tem Martin noted that eight bids were received. Council Member Stone noted that through the bid process, the city saved \$92,000.

Council Member Walter McNeil made the motion to award the bid for Harkey Road Booster Pump Station to Water and Waste Systems, Inc for \$841,300. Seconded by Council Member Charles Taylor, the motion passed unanimously.

Consider Waiver of Restrictive Covenants – (Exhibit K)

City Attorney Susan Patterson explained that this item is a request from Brick Capital Community Development Corporation. At 333 Saunders Street, there was a house where a family was relocated in one of our rehab programs; Brick Capital bought that lot from the city in order to put up supportive housing for the mentally disabled and people who need assistance from Haven. They intend to construct a six-unit housing building there. They are receiving financing from the State Housing Finance Agency, and their attorneys had requested that a restrictive covenant that was placed in the deed be modified. One of the provisions in that covenant said that if there was any transfer of the property, then it might trigger the right of the city to re-enter and take that property back. Their concern is that in order to finance the

construction of those buildings, that, in essence, the deed of trust, might be a transfer of interest in the property. They are requesting that council waive just that portion of 7D in the restrictive covenants, so there is not a restriction on the transfer property.

Council Member James Williams made the motion to approve the waiver of a restrictive covenant; seconded by Council Member Steve Brewer, the motion passed unanimously.

#### Presentation of the National League of Cities Annual Conference

Council Member Steve Brewer gave a Power Point presentation about attendance at the National League of Cities annual conference in Orlando, Florida recently. He reported that there were 2,000 attendees registered and that thirty-seven cities from across the nation were chosen out of 100 to represent and to show successful, new ideas from their cities. Some of the ideas included a manager's fitness challenge, blight boot camp, ending homelessness, solar street lighting program, traffic education program, green residential program, cultural arts center, and revitalizing downtown. In addition, there were business meetings, off-site visits of interest, vendors showing new products, corporate sponsors, and seminars on numerous topics such as gang intervention. One of the most interesting aspects of the conference was visiting the displays of the cities showing their successful ideas and meeting their representatives. Mr. Brewer thought it would be a good idea if our city could show off its National Night Out program at next year's meeting in San Antonio. Mr. Brewer said he believed our NNO program is second to none, and no one at this meeting had anything along that line that they were sharing. Some cities sent clerks and other staff members and there was a youth council in attendance. Mr. Brewer said he thought the most important thing about attending these conferences is that every one on this council has a different view, a different perspective, a different opinion of what they see, but the goals are the same—to make this city a better place. He invited all members to attend these meetings when they can to continue their education about how to make the city a better place. It gets him reinvigorated. He suggested that council could discuss any of these ideas at a Law & Finance meeting.

Council Member James Williams, who also attended the conference, said he was impressed by the tour of Orlando's large, old downtown area that they are trying to bring back. He said he had never been a fan of people living downtown, but he was about to change his mind on that. He said that Orlando had redone a lot of old buildings that now looked brand new, and in most of the downtown there are people living upstairs above the businesses. He said the downtown area that had been redone was very robust.

#### Consider Recommendation on the Adoption of New City Logo and Tag-line Per Second Century Including Portal Signage on 421 Bypass Interchange on U. S. Highway 1—(Exhibit L)

Community Development Director Bob Bridwell made a Power Point presentation regarding the adoption of new city logo and tag-line. Mr. Bridwell reminded council about their participation in the presentation by Second Century and some opportunities have come up on the logo and motto that was presented to council recently. The logo is "Sanford Well Centered." Council needs to authorize utilizing this material officially as part of the city's signage. The city has also received the color coding and all the design criteria for these logos. They are ready to proceed with it once council has approved. Mr. Bridwell showed examples of signs and banners with the color coding. North Carolina DOT is now ready to proceed with the completion of the

interchange at US 1 and 421 Bypass. They have approved the signage design; now we have to proceed with putting the actual design of the sign on the monument that they have approved. Council needs to approve the actual logo to go on there.

Referencing Mr. Bridwell's experience in marketing, Mayor Olive asked how effective the signs were that had a black field. She found it hard to distinguish the lettering from the background on some of those signs. Mr. Bridwell said that black is a difficult kind of signage to use except in very specific kinds of spots. Generally speaking, there has to be a good back light to make a black sign effective. He said he would not be recommending that for a lot of places. Council Member Mike Stone asked if we had written approval from Second Century to use the logo. Mr. Bridwell said he knows they want us to use it. Mayor Pro Tem Martin said Second Century is encouraging everyone to use it, and that they were excited to learn that we were planning to use it. Mr. Stone said it needed to be in writing for us to use it because that board could change. Mr. Bridwell said it takes a long time to receive a copyright, but he will work on this. Council Member Charles Taylor asked Mr. Bridwell if the new Christmas banners hung in Jonesboro recently incorporated the new logo. Mr. Bridwell responded no.

Mayor Olive asked what the texture of the Sanford lettering would be on the sign on the highway. Mr. Bridwell responded that he thinks it will be brick, but they will come back to council with the actual look as soon as they get that from DOT. Mr. Bridwell suggested that the Appearance Commission along with the council needed to be involved. Mayor Pro Tem Martin said the sign makers need to be involved now because we need to hear from them what is needed to make the sign readable from distances. Mayor Olive said it would be nice if we could use the same lettering on the sign for US 1 South. Council Member Williams felt that the logo needed to stick out more on the highway monument. Mr. Hegwer said we would look at getting a professional to do this. Mayor Olive says that DOT knows what is needed and they are free. Mr. Williams said he did too. Council Member Linwood Mann pointed out the importance of maintaining the signs and the durability of the materials.

Council Member Steve Brewer made the motion to adopt the new city logo and tag-line per Attorney Patterson getting copyright approval from Second Century. Seconded by Council Member Mike Stone, the motion passed unanimously. Mr. Stone asked Mrs. Patterson if that would give us unconditional use of the new city logo upon getting feedback from the Second Century group. Attorney Patterson said we would ask them for what we can have.

Consider Staff Recommendations on Joint Selection of Downtown Streetscape Master Plan and Comprehensive Pedestrian Plan -- (Exhibit M)

Community Development Director Bob Bridwell explained that during the last ninety days, Community Development has been advertising and distributing requests for qualifications based on North Carolina requirements on these two major projects -- the Downtown Streetscape Master Plan which was budgeted for this fiscal year and the Comprehensive Pedestrian Plan which was the grant that was recently approved. There was a lot of interest on both plans. We received eight for the Downtown plan and eleven for the Pedestrian plan. A number of consultants submitted proposals for both. Eventually, that led to a selection team consisting of Downtown Director David Montgomery, Public Works Director Vic Czar, and Community Development Director Bob Bridwell. The Downtown plan is \$50,000 and the Pedestrian plan is

\$40,000. The bidding was based on that budgeted amount. The work was on qualifications and end products. The plans have set criteria by DOT. Council Member Stone inquired if there was a set hourly rate as part of the criteria. Mr. Bridwell said that on the successful proposal, they went back and got their hourly rate and concluded that is was in competitive range. Mr. Bridwell reported that \$28,000 is the DOT grant part of the \$40,000.

Council Member Charles Taylor asked Mr. Bridwell what the qualifications were that separated McGill from the other seven bidders. Mr. Bridwell explained that all the proposals were really excellent. The qualifications looked for were the ability to give us what we really want on the Downtown plan and that is some design work that we needed to know the cost of specific designs. On the Pedestrian plan, they were looking at engineering for sidewalks mainly. They looked at qualifications of team members. They thought they could get good synergy with using the same consultant on both projects. Council Member Stone verified that all eight bidders were qualified to do the job, but the criteria was not based on bottom-line money, but on who we thought was most professional. Mr. Bridwell agreed that was correct.

Mayor Olive asked what will be different about this Downtown master plan from what has been previously done. Mr. Bridwell said they are looking at very specific kinds of information of what it is going to look like and how much it is going to cost. Mayor Olive confirmed that we are looking at alleys and parking decks and how large they need to be based on traffic studies. Mr. Bridwell replied that we wanted very specific things that the city could act on. Mayor Pro Tem Martin said it was important to get this master plan in place so that we can continue to work on it regardless of board changes. Mr. Bridwell said we wanted a plan for a specific amount of money. Mayor Olive confirmed that this is like a blueprint for us that we can take and then act on it. Council Member Brewer said it was cost-specific enough that it could be put forth in a bond and do it all, if that was what the people wanted. City Manager Hegwer noted that the plan does include Jonesboro, too. Mr. Brewer says this is our dream sheet and then we have to let the public decide if they want to pay for it.

McGill & Associates out of Pinehurst is the firm recommended. Mayor Olive noted that former County Manager Bill Cowan is working for this firm now. Council Member Williams asked if they had done any work for us before or for somebody nearby. Mr. Bridwell said that they had not done work for us, but a lot of work for cities nearby. He has a list of projects they have worked on. Referencing Bill Cowan working for McGill & Associates, Council Member Mike Stone asked if there were any other conflicts of interest that council needed to know about before they proceed. Council Member Brewer asked how that was conflict of interest. Mr. Stone said that if there was a lot of political pressure, the board needed to know. Mayor Olive said that she would not consider that conflict of interest. Mr. Bridwell assured council there was no political pressure at all. Mr. Brewer said he agreed that we need to let people know he works for them, but he didn't see a conflict. Mr. Stone replied that it had not come up until the mayor brought it up, and he thought it should have come up prior.

- Downtown Master Plan Consulting Firm

Council Member Steve Brewer made the motion to approve consulting contract with McGill & Associates for the Downtown Master Plan; seconded by Council Member

Walter McNeil, the motion carried six to one with Council Member Mike Stone casting the dissenting vote.

- Pedestrian Plan Consulting Firm

Council Member Walter McNeill made the motion to approve consulting contract with McGill & Associates for the Pedestrian Plan; seconded by Council Member Linwood Mann, the motion carried six to one with Council Member Mike Stone casting the dissenting vote.

Report on Status of Historic Landmark Designation for W. B. Wicker School

Community Development Director Bob Bridwell explained that at the last meeting of the Historic Preservation Commission, they reviewed the Landmark Designation report submitted by W. B. Wicker School and held a joint public hearing. At the conclusion of the public hearing, the commission made a recommendation on an ordinance for the council to consider. The commission would like to schedule a joint public hearing with the city council at its next available meeting to consider this ordinance. The commission has also approved an application process for future landmark designation contingent upon council's approval for a fee of \$250 to cover the cost of advertising for the public hearing. They will want feedback from council on the \$250. Mayor Pro Tem Martin asked if it was appropriate to have another public hearing. Mr. Bridwell said he thought it is required.

City Attorney Patterson said that it is required to have a public hearing on the proposed ordinance. The ordinance was not brought to us last time; it was just about the project. We will have the ordinance scheduled, a public hearing, and a request for a vote on whether to adopt it or not. Regarding the \$250 proposed for the application process, there is not currently an application fee in place. There was one proposed to council before that the application fee was going to be half tax value, but it was not approved. Council Member Charles Taylor said the \$250 fee is what Raleigh has and that was the rationale behind the \$250 fee versus half the tax value. Mr. Bridwell confirmed that the Historic Preservation Commission will be meeting with the council during the public hearing.

Consider Authorization to Execute Contract with the Rural Economic Development Center for the Wal-Mart Sewer Improvement Project- (Exhibit N)

Public Works Administrator Laura Spivey explained that this is the final contract for the Wal-Mart sewer improvements. It is a contract between the City of Sanford and the North Carolina Rural Center basically setting up the expectations of this \$500,000 grant. You will also see the performance agreement which was previously signed in 2007 and a memorandum of understanding. The project estimated budget is still \$1,025,000. The money has been budgeted; however, at the next meeting, council will see a capital ordinance to put the money in place for this project.

Council Member Linwood Mann said he had been sort of in the dark on this. He said he didn't know they needed any improvements and asked what this entails. Mrs. Spivey explained that Wal-Mart stated in the Points agreement that they were going to add fifty jobs. We needed some sewer rehabilitation in the south Jonesboro area/Gaster's Creek drainage basin. Wal-Mart could not increase their flow without these improvements on the sewer line. Council Member

Steve Brewer asked if they had tied this to another company. Mrs. Spivey said that in the beginning it was System Plast, but they moved out of the project scope area. Wal-Mart became the next beneficiary in line. Mr. Mann asked what the major problem was. Mrs. Spivey explained that the Gaster's Creek Lift Station needed a new generator. We are increasing the size of the wet well at Gaster's Creek Lift Station and about 15,000 linear feet of line in that area is receiving cured-in-place pipe liners. Mr. Stone asked how much money we are getting from the Rural Center. Mrs. Spivey responded \$500,000 at \$10,000 per job and Wal-Mart agreed to fifty jobs. Mr. Stone said this is excellent that once again Wal-Mart saves the day. He said that a lot of people don't realize without them there, we would not be getting that half a million dollars that's going to help expand our sewer infrastructure on the Jonesboro side and help out further down the road for all the new developments coming out that way. Mr. Stone said that Wal-Mart's sales tax that comes back to the city is about \$20,000 a week; over a million dollars a year comes back to our community just in the \$.02 sales tax. Ms. Spivey wanted the Rural Center remembered. Mr. Brewer mentioned that Coty and other industries help us out, too. Mr. Hegwer says this money helps mitigate the infrastructure demand when new companies come in.

Council Member Mann asked if we knew this going in or if it had been hidden and we found it. Public Works Director Vic Czar explained that the project is to expand the wet well at the Gaster's Creek Lift Station and do some repair work on the collection system in that drainage basin. Because Wal-Mart has moved in and they are creating the jobs, it gave us the opportunity to get the half a million dollar grant to go do work that we were going to have to do anyway. Mr. Mann said that answered his question. Mr. Czar said it is needed for Wal-Mart because with repairs that we are going to do, the sewer system can handle more capacity.

Council Member James Williams inquired about the Carr Creek Lift Station. He said it looks larger and he was curious where we got the money to do the work. Mr. Czar said he thought this particular one was strictly Utility Fund funded through the budget. The new highway will not encroach on the Carr Creek lift station, but there will be work needed on the waterlines and sewer lines. Council Member Mike Stone reiterated that Wal-Mart did not push for the expansion, but that we were able to get the grant money because Wal-Mart was in the vicinity of where we wanted to expand our water/sewer lines. Mr. Czar agreed.

Council Member Steve Brewer made the motion to execute the contract with the Rural Economic Development Center for the Wal-Mart sewer improvements project. Seconded by Council Member Mike Stone, the motion passed unanimously.

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

### **OTHER BUSINESS**

Council Member Walter McNeil asked Public Works Director Vic Czar if he had heard anything on the Washington Avenue and Fields Drive stop light. A pedestrian was recently killed down there. Mr. Czar said he had not heard anything, but he would be glad to touch that base again, but it might not hurt to have a letter from council. Mayor Olive said they had talked about a four-way stop. Mr. Czar said he would try to find out. Mayor Pro Tem Martin reported that the four-way stop on Harkey Road has made a big difference. Council Member Linwood

Mann said it was the solution. Mr. Brewer said it fixed the problem on Winterlocken at the school.

Council Member Mike Stone asked about designation of the ABC stores grant money. He would like that on the next agenda.

Council Member Williams reported that work was being done on the Carr Creek area park, with Tim Shaw talking to the man who owns the property. Mr. Williams thanked Waste Management for the donation of the trash cans in downtown and Jonesboro.

Council Member Charles Taylor noted that the Town of Cary is doing a grease collection program now. He says we have had a lot of problems with sewer because of grease. He would like to have a discussion at the next Law & Finance meeting or further down the road. Cary partnered with a company in eastern North Carolina that will take the grease and process it. He says he has looked at Steele Street and Vance and Summitt interchanges and talked with Mr. Czar. Mr. Taylor says that some action needs to be taken now. There is good consensus of citizens on both interchanges. We need to do the same thing for Vance and Summit and Steele Street and Chisholm as we did for Gulf and Summitt. Mr. Taylor also said that we needed consistency in our parades with policies on street closing.

Mayor Olive invited everyone to the Lee County Community Orchestra Christmas concerts to be held Saturday at 4:00 P.M. and 8:00 P.M. at the Lee County Arts Center.

City Manager Hegwer commented on a recent newspaper article concerning perceived disparities within street closings. That article mentioned the Americans for Prosperity events. The one held at City Hall did require a permit, but not a street closing, so no council action was required. The one at the Depot Park did not require a permit and no street closings required, so no action was required by council. The other event referred to was the bike race held downtown. That street closing not only closed the streets off, but also the parking spaces. That was unique because of the number of people being disturbed, and it came before council. In the upcoming budget year, Mr. Hegwer said that all those events would be looked at and decisions made about which ones to budget if extra police duty is required.

### **CLOSED SESSION**

City Attorney Susan Patterson read the motion needed to go into closed session in accordance with North Carolina General Statutes 143.318.11a(1) to prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes. Council Member Steve Brewer made the motion to go into closed session; seconded by Council Member Mike Stone, the motion passed unanimously.

**RETURN TO REGULAR SESSION AND ADJOURNMENT**

Following the closed session and with no further business to come before the council, the meeting was adjourned on motion of Council Member Linwood Mann; seconded by Council Member Walter McNeil, the motion carried unanimously.

Respectfully submitted,

---

CORNELIA P. OLIVE, MAYOR

ATTEST:

---

JANICE COX, DEPUTY CITY CLERK