

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, January 6, 2009, 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	City Attorney Susan C. Patterson
City Manager Hal Hegwer	
City Clerk Bonnie D. White	

Absent:

Council Member Steve Brewer

Mayor Olive called the meeting to order. Mayor Pro Tem Joseph Martin delivered the invocation.

PUBLIC COMMENT

No individuals signed up to speak.

APPROVAL OF AGENDA

On motion of Council Member Walter H. McNeil, Jr., seconded by Council Member Mike Stone, the agenda was approved.

CONSENT AGENDA

Approval of October 7, 2008, Closed Session City Council Minutes - (Filed in Minute Book 70)

The consent agenda items were approved upon motion of Council Member Linwood Mann. Seconded by Council Member Walter H. McNeil, Jr., the motion carried unanimously.

CASES FOR PUBLIC HEARING

Public Hearing on Closeout of CDBG 2003 Urban Redevelopment Grant (03-U-1163) - (Exhibit A)

Downtown Executive Director David Montgomery explained that the public hearing is for the closeout of the CDBG 2003 Urban Redevelopment Grant. This is a standard requirement of all CDBG grants before the grant is closed. It gives the public the opportunity to comment on the project and the success or failure of the project. He said the project has exceeded his expectation and has become a model for Downtown Sanford and Jonesboro.

Mr. Montgomery gave a brief summary of the grant. In early 2004, the City received \$900,000 in urban redevelopment funds from the North Carolina Department of Commerce, Division of Community Assistance. Since 2004, the CDBG grant funds have been used to fund

pedestrian improvements on Chatham Street and Charlotte Avenue in the amount of \$310,000; this included brick-banded sidewalks, underground utilities, period lighting and urban friendly trees. We were also able to provide low interest loans to Progressive Development of over \$450,000 in a public-private partnership for the historic preservation and commercial rehabilitation of three buildings, - the Sanford Buggy Factory, 121 Chatham Street, and the Montessori School. We also acquired and removed two vacant, dilapidated buildings at 131 and 133 McIver Street for nearly \$125,000. The overall result has been approximately \$2.5 million in public and private investment in this area since 2003, which included the opening of a new restaurant and general office space. It has been a catalyst for other pedestrian improvements funded primarily through the North Carolina Department of Transportation Enhancement Program along Carthage Street in front of Depot Park. Mr. Montgomery stated that it has allowed the City to expand its parking capacity, as well as further its eventual goal of making Little Buffalo Creek Greenway a reality. He thanked the City Council and past Councils for their support on this project. He noted that everything in the application was completed except for the removal of one building which we switched from one building to the two buildings on McIver Street.

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

- Consider Authorization for Mayor to Sign the Closeout Documents
Council Member Mike Stone made the motion to authorize the mayor to sign the closeout documents. Seconded by Council Member James Williams, the motion carried unanimously.

DECISIONS ON PUBLIC HEARINGS

REGULAR AGENDA

Consider Ordinance to Erect Stop Signs Within the City of Sanford Chapter 36, Traffic Code of Ordinances – (Exhibit B)

General Services Director Tim Shaw explained that the ordinance erects a stop sign on Glendale Circle in the Glendale Estates Subdivision located on Lemon Springs Road. Council Member James Williams made the motion to adopt the Ordinance to Erect Stop Signs Within the City of Sanford Chapter 36, Traffic Code of Ordinances. Seconded by Mayor Pro Tem Joseph Martin, the motion carried unanimously.

Consider Resolution Authorizing the Donation of a 1969 American LaFrance Fire Pumper to the Central Carolina Community College Foundation for Use at the Emergency Services Training Center – (Exhibit D)

Fire Chief Wayne Barber presented Council Members with an article (Exhibit C) written by Fire Fighter Steve Cox that was printed in the *North Carolina Fire and Rescue Journal* on the Mitchell Store fire in 1980.

Fire Chief Wayne Barber stated that with the delivery of the City's newest fire pumper, we have run out of space, plus the truck that we are wanting to donate to the community college to be used at the training center is a 2969 American LaFrance Pumper. It has outlived its

usefulness to the City as far as running calls on a regular basis. The community college can use it at the training center when they get the burn building and training tower released to the college from the contractor to train future fire fighters. With the training center being located within the City limits and when we get another fire rating, we will be able to use that as points in our training schedule as far as our insurance rating goes. If the training center is self-sufficient, it helps us to accomplish a better insurance rating by being able to use the truck at the center. Council Member Williams asked when would be the next fire rating examination. Fire Chief Barber said it has been approximately five years since our last examination; it is normally eight to ten years from the last examination before they perform another one. Chief Barber said the City's fire rating is currently a four and he hopes we maintain that rating because of the growth that has occurred and no other stations have been established. To get the rate lower, you have to invest money in stations, people, and apparatus.

Council Member Taylor stated that he did some research today and that he understood the difficulty in selling used pumpers anywhere on-line or through different means; however, he found on line four very similar units to the 1969 American LaFrance Pumper. He said a 1979 (same pumper) unit sold for \$15,000 in the last year and a 1961 sold for \$8,000. Mr. Taylor referred to Chief Barber's memo to City Manager Hegwer that similar units to the City's 1969 Pumper on Govdeals.com and other sources is normally valued around \$700 to \$1,000 dollars. Mr. Taylor said he did not want to undermine the community college's system and the importance of in-kind donations, and asked Chief Barber if he felt the \$700 to \$1,000 is a conservative estimate. Chief Barber replied that it is a conservative estimate. Staff researched Govdeals.com to see how the American LaFrance fire trucks have sold in the last year and they have sold from \$700 to \$3,500 for a 1983 model and there have been 240 plus trucks sold on Govdeals.com. Chief Barber stated that the City's 1969 American LaFrance pumper falls on the lower edge of that scale, not at the bottom but no where near the top figure. Chief Barber stated that the community college will not be running this pumper on emergency calls; they would be using it at the Burn Center in a stationary position. The pumper is not a truck that is ready to be rehabbed; to bring it up to the current standards that we would need to have it to - to even get it to count for insurance points so we could run it in a safe and efficient manner to answer calls day in day out. Council Member Stone asked if the 1980 truck is up to current standards. Chief Barber replied no. Council Member Stone said nothing towards Central Carolina Community College because it is a wonderful thing that we try to help them when we can. Mr. Stone asked Chief Barber if his budget was fine; if he is adequately funded in his budget and if he has any supplies he needs. Chief Barber replied at this point in time, yes other than manpower, stations, and other apparatus. Mr. Stone said you could put this pumper up to sale with a limit; if you do not get your \$8,000 to \$15,000, you can pull it. No one complains about a community college tax, but you raise the taxes in the City, everybody complains. Mr. Stone said he wanted to help everybody when we can, but it is hard times right now and if we need the money in our current departments, we need to be thinking outside the box and how we can put it up with a limit to sell. If it does not sell, then pull it back. Mr. Stone asked if we have put it up for sale. Chief Barber replied no and we have not even surplused it at this point in time so that it could be put up for sale. Chief Barber did not want Council Members to leave thinking they could get \$15,000 for that particular apparatus.

Chief Barber reiterated that staff looked at the American LaFrance trucks sold in the year 2008 and the low range was \$700 and the high range was \$3,500. One of those was an articulating platform such as we had donated to the college in 2000 when we got our new ladder truck. Most of them ran between \$1,500 to \$1,700 and then you have to pay 7.5 percent of that for auction fee.

Mayor Pro Tem Martin said with the amount of money being talked about here, he felt the use at the community college is a win-win for everybody. A tremendous amount of people will be coming to Sanford for training.

Mayor Olive noted that the improvement in our fire rating will also mean money savings to our citizens. Chief Barber commented that it will help in our points we generate to maintain our rating; anything we do as far as insurance ratings to lower that or at least keep it to where it is now, is a savings to our citizens. This will help both the private homeowner as well as the industrial and commercial owners because their insurance ratings are affected even more so than the homeowners when you leave a Class 6. Council Member Stone clarified that if CCCC purchases any fire pumper, it will save our insurance rating. Chief Barber replied yes. Council Member Stone said he is fighting for the City's tax dollars.

City Manager Hal Hegwer clarified that the Fire Training Center is not up and running at this point. Chief Barber replied yes; they are waiting to get the contractor to finish the punch list. Mr. Hegwer said that we want this facility to be successful because it will generate incoming traffic with people coming from out-of-town for training. Chief Barber added that normally the community college would hold weekend regional classes; it could draw 200 to 400 people for training, bringing their families with them. Council Member Williams asked Chief Barber once the Training Tower and Burn Center is up and running, will our fire fighters have to go to Fayetteville Technical College for training. Chief Barber replied that we would be able to run our own academy here on a scheduled basis and they would not have to go to Fayetteville.

Council Member Taylor said he would like to throw out maybe the possibility of setting a set amount to try and see if we can get \$7,500 out of it or \$6,000. He said there are fire fighters that put their lives on the line everyday and he knows there are needs in the Fire Department. There are needs of equipment, personnel, and both the community college and fire department play very valuable roles in the community. He said he would like to throw out the possibility of looking at bidding the equipment because we could be surprised especially with the cost of metal and steel at this time. Council Member Taylor said he would like to throw that out or maybe make it in the form of a motion that we set a certain amount of \$7,500 and if we get it, we get it, but if we don't, we donate it.

Council Member McNeil stated that he felt we should donate the fire pumper to Central Carolina Community College because it would benefit us more than selling it at \$7,000, because it will help our fire fighters here plus all the citizens if the tax rating goes down on their insurance. Mr. McNeil said it is just a drop in the bucket to give the Fire Department \$7,000 to buy equipment.

Council Member Walter McNeil made the motion to donate the fire pumper to Central Carolina Community College.

Council Member Charles Taylor made the motion that we spend no more than thirty days of advertising the 1969 American LaFrance fire pumper for sale for a minimum price of \$7,500 and after thirty days it is not sold, then donate it to the community college with the stipulation that it cannot be resold or to be used only in the training facility. Council Member Mike Stone seconded the motion. The motion failed to pass with Council Members Charles Taylor and Mike Stone voting in favor of the motion; Council Members Walter McNeil, Jr., Joseph Martin, Linwood Mann and James Williams voted against the motion.

Council Member Walter McNeil made the motion to donate the fire pumper to Central Carolina Community College. Council Member Linwood Mann seconded the motion. City Attorney Susan Patterson pointed out that this resolution declares the fire pumper as surplus, which is the first step before you can donate or give away property; then it goes on to make the proper donation under the General Statutes to the community college. The resolution passed with a four to two vote in favor to surplus the fire pumper and donate it to Central Carolina Community College. Council Members Charles Taylor and Mike Stone cast the dissenting votes.

Discussion Regarding Letter Received from Preservation North Carolina – (Exhibit E)

Community Development Director Bob Bridwell explained that staff continues to work with the Preservation North Carolina in their attempts to have the home located at 304 Oakwood Avenue purchased and renovated. Mr. Bridwell stated that he has spoken with Code Enforcement Officer Carl Anglin and he did not feel that it would jeopardize our situation if we give them a 90-day extension and give them another opportunity to find a buyer for this property so it can be restored.

- Consider Motion to Take from the Table Discussion Regarding Home Located at 304 Oakwood Avenue
Council Member Walter McNeil, Jr., made the motion to take from the table discussion regarding the home located at 304 Oakwood Avenue. Seconded by Council Member Linwood Mann, the motion carried unanimously.
- Consider Motion to Grant a Ninety-Day Extension of Time
Mayor Pro Tem Joseph Martin made the motion to grant the ninety day extension to Preservation North Carolina. Seconded by Council Member James Williams, the motion carried unanimously.

City Manager Hal Hegwer asked Mr. Bridwell to notify the Historic Commission about the home and maybe they can offer assistance and guidance.

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

OTHER BUSINESS

Council Member Walter McNeil, Jr., referred to the drawings (Exhibit F) of the proposed layout of the Martin Luther King Park. The committee likes the layout and wanted to go with the rendered drawings of the park.

Mr. McNeil, Jr., mentioned that in the newspaper this morning he saw where the Temple Theatre is in need of funding. He asked if there was any way the City could help with the problem they are having. Mayor Olive stated that at an emergency meeting of the Temple Board that was held last night, the artistic director said it would be a great advantage to have it but at this point, they do not feel they can do without it in their next fiscal year. If they decide to come to us, they can ask us in the next couple of weeks. Mayor Pro Tem Martin clarified that the Temple Board would rather have the funding for next year instead of receiving it early. Mayor Olive said they appreciated the opportunity to get more and perhaps, maybe we could have a consensus vote on giving it to them immediately or partially. She said the way she left it with the Temple Board, was that we need to check the status of our budget to see if we had up to \$20,000 that we could give them on an ad lib basis. The assumption she drew from what was said was that they would need that money next year. They are going to try and raise it in other ways. City Manager Hegwer added that we would have to have a budget amendment to cover that amount of money; we did not budget for it. We could come back to a Law and Finance meeting and discuss this. Mayor Pro Tem Martin felt it would be appropriate to bring it back to Law and Finance and maybe the mayor or city manager call Peggy to see if this is something we need to turn on and get it in a meeting phase so we can discuss it. Mayor Olive stated that she spoke with the chairman of their board today and there was less urgency today than there was yesterday.

Council Member McNeil added that they said they needed \$500,000 to continue and we need to know if they are going to be able to raise what they need before we put the City's money into and not get it back. City Manager Hegwer said it would be good to sit down with them and get a feel of their needs and maybe come up with a plan and bring it back to Council at a Law and Finance meeting. Assistant Financial Services Director Beth Kelly added that a budget amendment would need to be done to pull the money out of contingency in the General Fund. Mrs. Kelly said there is \$67,308 left in the General Fund Contingency; we originally budgeted \$150,000 at the beginning of the year.

Mayor Olive said that we need to consider the Pottery Festival too; we have talked around that for a long time but if we are going to support the Temple Theatre.... She said if we don't give them a grant, it might be a good idea to provide them in-kind services that they would not have to pay for. She added that we should consider that at the same time.

Mayor Olive brought up the design of the Martin Luther King Park memorial. Mr. McNeil said the committee agreed on the proposed layout presented to Council. General Services Director Tim Shaw advised that a committee was formed to review this design and raise public funds. The drawings are subject to change and after talking with an engineering firm, there are a couple of changes the committee would like to change or tweak about it. The committee does like it and it is for public input. An engineering firm is working on the drawings; the site has been cleared; we got permission from the adjoining property owner to

finish cleaning the undergrowth; we have cut down dead trees and prepared an area for the groundbreaking ceremony because there is a lot of brownstone on it. The ceremony is set for Monday, January 19, at 10:30 A.M. Margaret Murchison is working on all the plans and organization of that. Fair Promise A.M.E. Zion Church parking lot at Oddfellow and Washington is set aside for parking for people who will attend the ceremony. The committee has talked with a few people about contributions. Alley, Williams, Carmen and King is donating their time and effort with the design work and all engineering for this project at no cost for the project. Mr. Shaw said he was talking with an artisan about doing the profile and it could be done in granite. Mr. Shaw has spoken with Ready Mixed Concrete. Council Member McNeil and Bill Wilson have spoken with Central Carolina Community College about maybe some benches. Don Perry with Lee Brick will donate the brick and this brick and the way it is cut would be something special as far as the monument itself if we go with this. It will take some time to get this done. If we do the profile in brick, we would not be able to fire that until May of this year.

Council Member McNeil added that rather than doing the profile in brick, do it in granite because water running down the brick starts it to deteriorate; it would look better in granite. Mr. Shaw added that he did not think it would be difficult to do; we had all the granite markers made at Depot Park. We need to get a good portrait that we approve and send it out and have it generated and they will send it back. Mayor Olive suggested that the Appearance Commission should review the final drawing of the park. Mr. McNeil did not see where the Appearance Commission has anything to do with this park. Mayor Olive said if it is any City money, it is a City Commission, and they have looked at every other monument that has gone up and we are looking at some proposed ones now. She said she did not know of any changes that have been made and it seems appropriate since everything else is going before them including the 421 Bypass entrance signs. City Manager Hegwer said we would look into it.

Mr. Shaw said that Bob Bridwell is preparing a press release about it; Margaret Murchison will be working with the *Sanford Herald* to get this project in the paper. Mr. Shaw restated that the ceremony will be Monday, January 19, at 10:30 A.M. Mrs. Murchison will be sending invitations out to Council Members, Dan Cape, Kenny Cole, Don Perry, and others. There is an event planned at the Civic Center that day and Mrs. Murchison is planning some type of donation at that event.

Council Member Linwood Mann praised and thanked Downtown Executive Director David Montgomery for the work he has done with the 2003 CDBG Grant.

Council Member Charles Taylor mentioned that Dee Freeman, who was the Executive Director of the Triangle J Council of Governments, was appointed as Secretary of Department of Environmental and Natural Resources.

Mayor Olive asked Mr. Hegwer about the wish list prepared for the economic stimulus package. Mr. Hegwer presented Council Members with a handout of the projects staff felt would qualify for the stimulus program. Mr. Hegwer said it does not have every project. Staff wanted to get in the Congress's mind what things are important to the City. We could come up with numerous other projects that would probably qualify. We do not know the rules yet. We

want to plant a seed in their minds to show them what is important to us and what are some major projects we are focusing on. He wanted Council Members to review the handout and advised that we plan to submit this to our congressional members this week. Mr. Hegwer said he will ask our congressional members to keep us updated on the rules with the stimulus package. He said that on the state level they are looking at a potential of 20 years with 0 percent financing for projects which would line up with our wastewater treatment plant. Mr. Hegwer advised that we plan to have a lobbyist at our next Law and Finance Committee meeting to come and speak.

Mayor Olive stated that something everybody can do to help the Temple Theatre this week is to buy tickets to the Hamlet production. She said we need support from the Sanford residents and Council Members.

Council Member McNeil, Jr., reminded everyone that the North Carolina League of Municipalities is hosting a meeting on January 21, at 10 A.M., in Pinehurst, North Carolina, regarding legislative updates. Our legislators will be present and we will be able to ask them questions. He invited Council Members and staff to attend.

ADJOURNMENT

With no further business to come before the council, the meeting was adjourned on motion of Council Member Charles Taylor; seconded by Council Member James Williams, the motion carried unanimously.

Respectfully submitted,

CORNELIA P. OLIVE, MAYOR

ATTEST:

BONNIE D. WHITE, CITY CLERK