

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, May 3, 2011, at 7:00 P.M. The following people were present:

Mayor Cornelia P. Olive	Council Member Walter H. McNeil, Jr.
Council Member Sam Gaskins	Council Member James Williams
Council Member Linwood S. Mann, Sr.	Council Member Bob Brown
Council Member L. I. (Poly) Cohen	Council Member Charles Taylor
City Manager Hal Hegwer	City Attorney Susan C. Patterson
City Clerk Bonnie D. White	

Mayor Cornelia Olive called the meeting to order and delivered the invocation.

PUBLIC COMMENT

Jenks Youngblood, residing at 1509 Cotton Road, spoke on the bike race. Mr. Youngblood said that he has come before Council many times about the bike race and many of them had said that he needed to get involved earlier. Mr. Youngblood said that he is getting involved earlier. He said there was no change in the benefit to his business for the bike race this past weekend. It was still a huge loss to him, even more so because of the Pottery Festival. All of the schemes and plans did not fall into place. He stood from his store and watched what seemed to be mostly an empty park except for children playing on the inflatables. Mr. Youngblood said that at the DSI meeting this morning, it was contentious again, and he is trying to come up with a compromise so that Parker McConville and he and his business can co-exist. Many of the people at the meeting kept telling him it is only one day and why can't you let it go. Mr. Youngblood responded that Sundays are his second busiest day of the week; it is the Liberty Antique Festival every year. It is how he pays \$6,000 in property taxes to the City this year. He talked with Mr. McConville this morning. He tried to come up with a compromise and if Council will recall Mr. McConville said he could not start the bike race any earlier than 8:30 A.M. because the schedules had already gone out. Mr. Youngblood said that he told Mr. McConville that he has a year now and he can send the schedules out; he could start the race at 7 A.M. and be finished by 2 P.M. and have the streets open for his business. Mr. McConville told him that he was not going to do that because it will be too much of an inconvenience for his bike riders for them to get up that early and ride the race. Mr. Youngblood asked Mr. McConville if he could use the other side of the park from Chatham Street to Third Street. Mr. McConville replied no; he liked the route he was on. He said we cannot compromise when two people will not come to the table and compromise. It is up to Council to protect their businesses that are located in Sanford. Mr. Youngblood said that he pays sales taxes every month that come back to the City of Sanford. He said that it is a slap in his face for Mr. McConville to tell him that it is an inconvenience to his bike riders. Mr. Youngblood said that he is hoping that next year, Council will not slap him in the face.

Joe Wild, residing at 3105 Windmere Drive, expressed his thanks to Council for permitting the Fun Fest with the foot races, bike races, and the events at Depot Park that took

place this past Sunday. There were events at various places around the county but the bicycle criterion in Downtown Sanford was the one event that brought people into town and showcased Downtown Sanford. The Fun Fest and all that it encompassed is the sort of thing that Downtown Sanford needs. He thanked City Council and Parker McConville for organizing the event.

APPROVAL OF AGENDA

Mayor Olive asked for a motion to be made to amend the agenda to include a report on the State of the City. Council Member Sam Gaskins moved to amend and approve the agenda. Seconded by Linwood Mann, the motion carried unanimously.

CONSENT AGENDA

Approval of Ordinance Amending the Annual Operating Budget for Fiscal Year 2010-2011 – (Exhibit A)

Approval of Ordinance Amending the Annual Operating Budget for Fiscal Year 2010-2011 – (Exhibit B)

Approval of Ordinance Directing the Building Inspector/Code Enforcement Supervisor to Demolish the Property Herein Described as Unfit for Human Habitation and Directing that a Notice be Placed Thereon That the Same May Not be Occupied (304 Oakwood Avenue) and Award of Contract for Demolition and Cleanup to Johnson Farms and Grading in the Amount of \$7,400 – (Exhibit C)

Approval of Ordinance Establishing No-Parking Zones Along Portions of Pineland Street and Freeman Drive of the City of Sanford – (Exhibit D)

Approval of Request for Proposal for Appraiser/Review Appraiser Services for the 2009 Maple Avenue Community Revitalization CDBG Project – (Exhibit E)

Approval of Resolution Adopting the North Carolina Public Employee Deferred Compensation Plan – (Exhibit F)

ALL THE ITEMS LISTED ABOVE WERE DISCUSSED AT THE LAW AND FINANCE COMMITTEE MEETING ON APRIL 27, 2011.

Council Member Walter McNeil, Jr., made a motion to adopt the consent agenda. Seconded by Council Member James Williams, the motion carried unanimously.

CASE FOR PUBLIC HEARING

Public Hearing on Consideration of Redistricting Plan Following 2010 Decennial Census – (Exhibit G)

GIS Director Don Kovaschitz stated that this is the second public hearing on the redistricting plans. Plan 4 has a majority/minority in Ward 3 of 64.4 percent with 38.2 percent black and 35.6 percent white and Ward 4 of 60 percent with 45 percent black and 40 percent white.

City Attorney Susan Patterson said that to put it into context, following the decennial census every ten years, the City has to look at reapportioning its population for its electoral wards. This is the second time this has come before Council because our Charter requires two votes. It is not required to have two public hearings but we chose to do so because the last meeting happened in proximity of the tornado disaster and people may not have been able to attend. We advertised again in the newspaper for the public hearing. There are four different plans that have been proposed to the Council. Each plan has been discussed thoroughly at a Law and Finance Committee meeting in April. Council can choose either plan; however, at Council's April 19 meeting, Council voted for Plan 4 on the first vote. After the public hearing tonight, Council needs to consider whether to pass the resolution again on the second reading. If that is the vote, we will need a special council meeting to be held on Wednesday, May 11, 2011, at 1 P.M., in order to adopt the minutes so it can be sent to the Department of Justice in time for an attempt to have this year's municipal election to be held in November as usual. This information needs to be sent off promptly so that the Department of Justice can do its review and give a response before the opening of the filing period.

Attorney Patterson said that following the public hearing, staff is requesting a vote on Ward 4 or whichever ward Council so chooses.

Mayor Olive opened the public hearing. No one spoke in favor or in opposition. With no one requesting to speak, Mayor Olive closed the public hearing.

- Consider Adoption of Ordinance to Establish New Electoral Wards Within the City of Sanford for Election of Members of the City Council – (Exhibit H)
Council Member Linwood Mann made the motion to adopt Plan 4 and the Ordinance to Establish New Electoral Wards Within the City of Sanford for Election of Members of the City Council. Seconded by Council Member Bob Brown, the motion carried six to one with Council Member Charles Taylor casting the dissenting vote.

REGULAR AGENDA

Consider Appointment of Mayor Pro Tem

Council Member Linwood Mann nominated Sam Gaskins. Council Member Bob Brown made the motion to close the nominations and appoint Sam Gaskins by acclamation. Seconded by Council Member L.I. "Poly" Cohen, the motion carried unanimously.

State of the City – (Exhibit I)

Mayor Olive presented a powerpoint presentation of the State of the City report as shown on Exhibit I. She explained recent improvements and projects, detailing where grant funding had been leveraged to complete the projects. She stated that it was remarkable that Lee County had received a significant portion of the stimulus funding and complimented staff for their efforts.

OTHER BUSINESS

Council Member Cohen thanked everybody for their help after the tornado disaster. He said it is a pleasure to live in a town where everybody comes together to help each other out.

Mayor Pro Tem Sam Gaskins thanked Council Members for their support and confidence in him by appointing him Mayor Pro Tem.

Mr. Gaskins recognized Static Control, SpanSet, and Lowes for what they have done to lift the spirits of the people in Lee County. These companies have said that they will rebuild in Sanford.

Mayor Olive announced that Wednesday morning at 8 A.M., all the Food Lions in Sanford will be observing a reopening of the South Horner Boulevard store following the tornado.

Shanda Moncrease, who is with a service that offers a Psycho Social service in Sanford located at 214 McIver Street, will be having a ribbon cutting on Friday, at 11 A.M.

Mayor Olive thanked all the council members and staff for attending the grand opening of the Endor Iron Furnace Trail at Riverbirch.

Mayor Olive asked Council Members to let her know if they plan to attend the Small Business Banquet on Thursday. She welcomed Sam Gaskins as Mayor Pro Tem.

City Manager Hal Hegwer announced that on Wednesday, May 11, 2011, at 1 P.M., there will be a special City Council meeting to approve the minutes from the City Council meetings held on April 19, 2011, and May 3, 2011, in order to send the redistricting plan off on time so that we do not miss our deadline for submission. The Law and Finance Committee meeting will be held immediately following the special City Council meeting.

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

ADJOURNMENT

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

Respectfully submitted,

CORNELIA P. OLIVE, MAYOR

ATTEST:

BONNIE D. WHITE, CITY CLERK

