

SPECIAL LAW AND FINANCE MEETING
Wednesday, May 23, 2012
At 10:00 A.M.
Council Chambers

The Law and Finance Committee met on Wednesday, May 23, 2012, at 10:00 A.M., in the Council Chambers at City Hall. The following people were present:

Law and Finance Committee:

Mayor Cornelia Olive	Council Member Rebecca Wyhof
Mayor Pro Tem Sam Gaskins	Council Member Walter McNeil, Jr.
Council Member L.I. (Poly) Cohen	Council Member James Williams –(arrived at 10:05A.M.)
Council Member Jimmy Haire	Council Member Charles Taylor
City Manager Hal Hegwer	City Clerk Bonnie D. White
City Attorney Susan Patterson	

Mayor Olive called the meeting to order.

Initial Presentation of the City's Proposed Annual Operating Budget for Fiscal Year 2012-2013 – (Exhibit A)

City Manager Hal Hegwer presented a powerpoint presentation of the proposed annual operating budget for FY 2012-2013. He said staff has scheduled a public hearing on the budget for June 5. Mr. Hegwer advised that a Law and Finance Committee meeting will be held on May 30 at 1 P.M. for a couple of items that need to be handled and the budget workshop will be part of that meeting.

Mr. Hegwer gave a budget overview for the General Fund, Enterprise Fund, Special Tax District and Fund Balance. The following items were included in the proposed budget for funding in 2011-2012 – Temple Theatre-\$20,000; Lee County Arts Council-\$3,000; Railroad House - \$28,000 (\$3,000 traditional funding and \$25,000 was requested for the City to install a fence around the train and paint the train for perpetuity and to install bollards so vehicular traffic cannot damage the Railroad House Museum in the future); and the Rotary Club Request Trailhead on the Endor Greenway - \$25,000. Part of the City's agreement with Depot Park is to include the maintenance of the locomotive. The fence is a separate item which can be discussed later.

Regarding the interlocal agreements with Lee County, there is an anticipated increase of \$10,878 for the Sanford/Lee County Economic Development; \$880 increase for Strategic Services, and \$5,824 increase for Animal Control. In the past, the City has had an agreement with Animal Control with the County for leash law enforcement. Last year, the County made a request for additional funding in animal control because they were going to move the animal control duties to the Lee County Sheriff's Department. The Sheriff's Department has done a good job and in the agreement that we had, we agreed we would pay additional funding for those deputies' salaries and what it would take for those deputies to enforce the leash law because they are higher paid than the normal animal control officer. There was concern he had over the capital funding (vehicles that the Sheriff's Department would have or may be other items) the County requested because we did not have an agreement to back that up so it was not included in this budget. When you sell the vehicles, you have to pay the other entity back, etc. They have

requested additional funding this year. Mr. Hegwer said we do not have an agreement in place that he feels comfortable with funding to this level. He stated that additional discussion will need to be held between the County and the City.

Mayor Pro Tem Gaskins clarified that we changed our animal control laws to match Lee County's. Mr. Hegwer replied yes. Mr. Gaskins stated the County residents that live inside the municipality have exactly the same laws as the County residents that live outside the municipality. Mr. Hegwer replied I think that is true. Mr. Gaskins said the leash law for which we were paying earlier for all intents and purposes, no longer exists; we are not asking for anything additional for the County residents inside the municipality. Mr. Hegwer replied I do not think so.

Mr. Hegwer advised that the ad valorem tax would remain at \$0.54 per \$100. He added that he is asking for a 2 percent rate increase in the water and sewer rates. This would be an increase of approximately \$1.33 per month for a residential user. He also included a cost-of-living adjustment of 2.5 percent for employees.

Mayor recessed the meeting at 11:20 A.M. for a ten-minute break. The meeting reconvened at 11:30 A.M.

Consider Ordinance Amending the Annual Operating Budget of the City FY 2011-2012 - (Exhibit B)

City Engineer Paul Weeks explained that the ordinance appropriates \$275 to reimburse Lee County for one resident that tapped onto the North Plank Road waterline. Approximately two years ago, Lee County obtained a grant from the Rural Center for the waterline extension on North Plank Road. The County handled all the funding and there was no cost to the City for the project. As part of that agreement, the residents who tapped onto the line would come to the City to pay for their tap and the money would be returned to the County. Also, within one year of the line becoming active, any customer requesting to tap onto the line would pay that same construction fee and the City would reimburse the County. Therefore, one person has tapped on and we will reimburse the County \$275.

Consider Resolution to Temporarily Close Clark Circle - (Exhibit C)

Street Superintendent Magda Holloway explained that the resolution temporarily closes Clark Circle on June 16, 2012, from 10 A.M. until 2 P.M.

Consider Discussion Regarding the Purchase of Fire Department Radios – (Exhibit D)

Fire Chief Wayne Barber explained that the Fire Department was funded for replacement radios in this year's budget and as of this time they have not procured those radios. At the budget retreat, he presented Council some information and the results of a test, which some council members felt was not a good test. Since then, he has procured radios from vendors. They had the radios for a week and he had every member of the Fire Department involved in the test. They went to their problem locations and their problem locations are different from anything in the County in that we have multi-story buildings, large industrial complexes, concrete, steel, hospital, Coty, high schools, Frontier-Spinning, etc. Once we get our firefighters inside those buildings, the construction of the building hurts the radio transmission and reception inside them. This is the current problem we are having with our radios aside from the fact that

the portable radios we have are not able to be upgraded to meet the FCC narrow-banding standards.

Chief Barber advised that as staff has been replacing their mobile radios, we have been buying radios that are upgradable so they are ready to go on that aspect. The radios the Fire Department tested were the ones that the County is looking at going to (the Kenwood radios) and the Motorola radios. We currently run Motorola radios in everything – Portables, Mobiles, Repeaters. Motorola has a reliable history; they have over 80 percent of the public safety market because of their reliability and their ability to produce products that meet public safety officer standards and needs. Chief Barber said, “We feel that these radios from Motorola, I know that they are expensive, but compare these radios to your iPads, compared to the way you used to do your agendas, it is a quality of life issue. It is the quality of life of our firefighters who go in these buildings and need that reliable ability to talk back out to the incident commander or get information from outside back in.” He added that he would like to go ahead and be able to proceed with the purchase of these radios now. The deadline is coming up in January; the longer you wait to place orders, the ship time is going to increase as well as there could be a price increase. When July comes around and we do not have radios ordered, very likely the price increase will be included in the new bid price. We would buy these off of state contract and get state contract price. If any member of the Council is not comfortable with the radio test or the results of the radio tests, he will be more than happy to procure those radios once again, take Council with them, put them in the building with the firefighters and let them see the difference in those radios.

Council Member Taylor stated he wanted to clarify something Chief Barber said. He said that when you go back to June of last year, Council had this discussion regarding radios and a proposal that was put in the budget for \$90,000 plus. At that time and in subsequent conversations, he indicated to the city manager that this was going to come up at the last minute and sure enough, we are back to where we were. He wanted to clarify something that the chief said that we are not happy with the results of the test - it is that we are concerned about how the tests were conducted. He said if you recall, Chief Barber gave a document off of a February 22 test and he had specific questions relative to this test and the equipment that was used. Mr. Taylor said he spoke to the people in Randolph County, which is where we had to borrow the radios – the high end Motorola radios – to use for the test. He continued that if you recall back into the initial conversation, Council made the request that all vendors be able to participate in this test or anybody we are looking at.

Mr. Taylor said on the February 22 test, a different radio was used than the one specced out originally when Council had the \$90,000 budget approval for radios. Mr. Taylor said, “At the same time, we had one vendor at this test; we also had a report that the employees had to sign but I had some questions regarding the integrity of how the equipment was set up. His first question to Chief Barber is how many hours did we have to test on that radio on February 22 and did we have the opportunity to use those radios in any emergency response at that time.” Mr. Barber replied, “We had approximately four hours on that afternoon to do those tests and we did compare the higher level APX because I had been discussing with the city manager of the possibility of being able to use and include dual-band radios so we could also use the 800 side of the VIPER system, which the radios that we initially priced out did not include.”

Mr. Taylor said, "The document that was presented to City Council in the March meeting demonstrated the field test and was signed by four firefighters. The interesting thing is that this was the higher priced radio that was used in the test. If we did not know any better, we are going on the information that is given to us. We have got to base our decisions on the information as is presented. It is all relative. You can put Motorola and can put Kenwood beside each other, but you have to know specific models you are talking about. In this particular test, you used a higher grade Motorola APX model and from what I understand, from people that even participated in the test, that the Nextedge was not even, and I have to ask this question to you as well, did you install P25 repeater to use for this test."

Chief Barber replied, "No sir." Mr. Taylor asked, "Why not?" Chief Barber replied, "When we go to a building and operate on our fire ground channel, we are operating on unit to unit. When we put a pack repeater in use on the truck itself, we didn't have a P25 repeater unit to put in operation nor did we have a Nextedge repeater unit to put in operation. We used unit to unit. If the unit inside can talk to the one outside, we know we can hit the pack unit on the mobile."

Mr. Taylor said, "If you recall in June of last year, we actually had a lot of emphasis and conversation on the P25 technology, but yet now we are hearing that it was not a factor in the test, which is a very big concern for me." Chief Barber said, "That is incorrect. We did use P25 digital technology in the Motorola radio because we could use it unit to unit. We did not have to go through a repeater. The same thing is applicable to the Kenwood Nextedge. We used the Nextedge technology on Simplex, or unit to unit – everything was equal." Mr. Taylor replied, "You just said that you did not install a P25 repeater." Mr. Barber stated, "You don't have to have a P25 repeater to operate on a P25 digital radio. You can go Simplex, one radio to the other radio. You don't necessarily have to go through a repeater." Mr. Taylor said, "In conjunction to that test though, did you reprogram the Kenwood radios to operate on digital channels before the test. Did you do that the way the County operates currently?" Mr. Barber replied, "Yes, we have pack units on our trucks that are tied to one of the mobile radios on it that is repeated."

Council Member Taylor asked, "Do we activate any of the noise cancelling or any of the channel announcement features on the Kenwood model?" Chief Barber replied, "The noise cancelling was activated on both of them." Mr. Taylor asked, "at the February 22 test?" Chief Barber replied, "Yes, at the February 22 test." Mr. Taylor asked, "Why did we not have any other vendors at this test?" Chief Barber replied, "I had the opportunity to get a hold of these Motorola radios and I had the Kenwood radios available. I did not necessarily need the vendor." Mr. Taylor said, "The Kenwood radios we had available were not to the spec of what the County is currently using." Chief Barber said, "They came from the County fire departments; it is what they use every day." Mr. Taylor said, "But you've got a vendor that is present at this test; you've got a document that was drafted for the firefighters to sign; we had requested due to the precarious nature of opening this up for everybody to look at; I want to make it available to the other companies like as Realm, Verizon, E.F. Johnson, Harris – none of these people were consulted during this process. I admit, I vocalized a concern to the city manager about how we had vendors present at a test. We had one vendor present at a test but we did not have the other vendors present especially after the discussion and the length of the discussion that we have had regarding this issue. Hal assured me at the time that first we were not aware of the test that took place. He assured me at the time that we would make it right and do adequate testing. The subsequent testing that was done was the primary same material that was used in the first test"

done independently and the conclusions were what?" Chief Barber replied, "The Motorola APX radio was the superior radio to give us quality of voice and transmission reception. Let me correct you with one thing. The documents that you have from that test were not drafted for them to sign. When we got through with each test with each station, I asked them to go back to the station and write up how they felt the test went. I picked them up the next day. You should have three documents - one from Station 2, one from Central, and one from Station 3. One of them is probably signed and the other two have the names typed in so we would know who was present at the test. There was not a document that was drawn up. Those are their comments; no one forced them to make any comments or sign any documents. I simply asked them to give us their feel for the way the test went so I would have some documentation. As far as when the concerns were brought up that we had the vendor there for one of the manufacturers that is why I went back and redid the test - a week long. As far as having other vendors there, being able to buy off of state contract, you don't have to worry about. You select who you want to buy just like the County did for their system. You buy it off of state contract; you don't go through a bid process.

Mr. Taylor said, "This is the very same thing that I stressed regarding even the waste contract, complete transparency, complete visibility, making it available for everybody to show what they got." I just asked for an objective view and I asked for being receptive to whatever options are on the table. From day one, I have felt like that this is brand centric. I've got a first obligation to the employees of the City to make sure they are safe and have everything that they need. The second obligation we have is to the taxpayers to ensure that we are being very prudent with their money. I will also see a key component and this is something I have vocalized to our city manager is the lack of a communications plan. Many of us will not be here in ten years but we need to have a plan going forward of what we are going to do in ten years so far as communications, rather than piecemeal. If you look at what was originally bid out and originally requested in the budget, we are in a different phase now than we were ten months ago.

Mr. Hegwer asked Chief Barber to talk about some of the things he has done with some of the other companies and products that are out there. Mr. Barber replied that he has called and talked with fire departments all over the state. He did find some other radios that were not Motorolas; Vertex was one of them and E.F. Johnson was another one. E. F. Johnson is the only one that will operate on a VIPER system currently. If they had anything other than a Motorola; they had Motorola for the 800 system. Ninety (90) percent of the people he talked with operated on an 800 system that was their own system, as well as, were VIPER partners which is what we are attempting to do with the dual-band radio to be a VIPER partner so we have it available to us for daily use, especially for air medical support. Currently, any time an air medical helicopter comes from UNC, Duke, or Wake Medical, we are dispatched within the corporate limits to set up a landing zone and we have to be able to talk to the helicopters to give them information about the landing zone and also pass along information about the patient. Currently, the standardized policy over the entire county is to use a Simplex VHF channel. It is the Lee County Fire Ground Channel. We only have the ability to talk to them once they get within a couple of miles. They can initially talk to us because they fly at about 2,500 feet but us being able to get back to them, either on a hand-hand or mobile, is very limited. That is true for the entire county. If we use the VIPER system, there is a channel set up, LZ East for Landing Zone East, three zones, east, central and west. If we make it known that we are going to operate on that channel on VIPER and we know which air medical unit is coming, we can talk with them when they leave the pad headed this way. It makes the landing zone a whole lot easier to set up and

communicate back and forth between the helicopter and our ground crew on site. Salisbury, approximately our size, just received 50 of the APX Radios at a cost of \$185,000, so we are not the only one that is buying Motorola. All of our current units are Motorola. We have had no problems other than the age of the technology in our portables at this point in time, which is time for replacement; they are fourteen years old. When you look at the cost of the radios that we are looking at to buy now and put a minimum of ten years on them, because they are able to be upgraded with what they see on the horizon now. It gives us the ability for the administration staff or officers on scene to have two radios in one and not have to try and keep up with two separate radios to be able to operate on VIPER and operate on our VHF system. When we bring in outside state resources, the Regional Response Team, that is what they operate on - VIPER, the same radios we are looking at buying – the APX Motorolas. All of the state resource teams, the Urban Search and Rescue (USR) teams for collapse or trench rescue, they operate with APX Motorolas. They do that for a reason, because they are reliable and they can depend on them. When we put our people in these buildings, we need to make sure they have the best that they can get. Chief Barber said, “I want everyone to go home the next morning when they get off shift work.”

Mr. Taylor said one thing Chief Barber mentioned regarding the VIPER technology, there are 64,000 licensed users available, currently, the state is at 63,950. He also understood back either before Eric Griffin was there or not, that we received 58 VIPER radios from the State Highway Patrol for emergency use. Have they not been dispersed between the rural and City fire departments. Chief Barber replied that we have three radios. The County departments may have one or two but the biggest cash is still in Emergency Management. Mr. Taylor said you still have them at your disposal in case of an emergency or communications inoperability. Chief Barber replied they used them during the tornado, but by the same token, we have one in the on-duty commander’s vehicle. If he is on this end of town and needs to get to the other end of town to be able to use that radio for an LZ, he is delayed. If we have them on the trucks initially with each officer, he is ready to go as soon as he gets on site.

Mr. Taylor asked what is the cost of the VIPER radios? Chief Barber replied the dual-band radios are \$6,100 each – you are basically buying two radios in one case. Mr. Taylor said we currently operate off of a VHF P25 system. Mr. Barber replied no sir; we currently operate off of VHF analog system that is wide band. It has to be narrow band. Mr. Taylor said we have to have VHF and UHF capabilities; we are maintaining extra infrastructure currently to handle the system we have set up. Mr. Barber replied that is correct; when we were applying for a fire ground repeated channel back in the 1980s, there were no VHF channels available. So, we went ahead and procured a UHF channel to give us a repeated channel to work on the fire ground with and gave us the capability to talk directly with law enforcement; the police department and sheriff’s department works on UHF. The EMS works on VHF. Having the VHF and UHF system allows them direct contact with law enforcement as well as EMS.

Mr. Taylor said the County is putting together a long-range communications plan. Everything he sees is that we are wanting to go in an entirely different direction and there are some philosophical differences and he understands we have our own reasoning and they have their own reasoning. He said if we did not learn anything from the tornado, we should learn that we need to be able to communicate with one another and have a system, not a hybrid system. Right now, he sees no local municipalities that are using a VHF P25 system besides us. Chief Barber replied most of them are using the 800 system. Mr. Taylor said if that is the case, why

are we asking for that small amount of radios. Mr. Taylor said that he hears constantly of firemen having to have their cell phones with them because they do not know if their radio is going to work with it or not. He has a serious issue with that; that becomes a safety issue with him. Chief Barber replied that is why they did the test with the P25 digital and a Nextedge digital. A Nextedge digital does not operate anywhere near as well as the P25.

Council Member Taylor said he would like to have the city manager, possibly the mayor and a couple of people to sit and he would be glad to defer it to whoever, to form a committee to look at this. He agrees with the notion that city council should not be involved in the business purchasing decisions but he does want to protect the integrity of a process where we want to know what is best for our employees but also what is best for our citizens. He feels it needs some justification, some questions and it would not hurt to have the county or the Emergency Management group to come and talk to council to understand what they are doing. We need to have total disclosure on this and he does not have the feeling that we have fully vetted and done a good job of having that disclosure.

Mayor Olive said she can and will appoint a committee and have it report back to our next meeting.

Mayor Pro Tem Sam Gaskins said that last year when this came up he had one question as to what was used on April 16 when the tornado struck and what we needed. He believes he was told none of the above; there were the three VIPER radios which Mr. Barber spoke of earlier. Chief Barber replied right. Mr. Gaskins asked if these new radios will resolve that problem by being able to communicate with the other VIPERs? Chief Barber replied yes; any of the VIPER radios can operate on a VIPER system. Mr. Gaskins asked that the new radios which you are looking to purchase would resolve that problem? Chief Barber replied yes, we would have to get the IDs on the system from the state.

Fire Chief Barber said through the test performed, they have determined that the system the County is using does not provide the Sanford Fire Department with adequate coverage for his people to be inside these large plants because there are a lot of restrictions. When you have a lot of ducting, piping, etc. inside these industrial plants, radio signals can bounce around and you do not know what is going to happen.

Mayor Olive appointed Council Members Jimmy Haire, James Williams and Charles Taylor to coordinate with the city manager and the fire chief to meet before Council's next meeting and have a discussion to further investigate this and report back at the next session.

Consider Funding the Installation of a Pedestrian Signalized Crosswalk at Main Street and Woodland Avenue

City Engineer Paul Weeks explained that as Council is aware, the City received a \$200,000 CDBG grant in conjunction with the Autumn Oaks development on Woodland Avenue and that project is finished. We were able to get about 1,500 feet of sidewalk down Woodland Avenue and actually have approximately \$17,500 left of the grant. Staff would like to put pedestrian heads at Woodland Avenue and Main Street where pedestrians can cross at four locations. The Department of Transportation will do the installation for the City and we would enter into a reimbursement agreement with DOT so they do the work and we pay them back.

This will cost approximately \$32,000. Staff is asking if Council would like to provide \$15,000 in additional funding so that we can have pedestrians heads at Woodland Street and Main Street.

Council Member Wyhof stated that there are a lot of people in Jonesboro who rely on walking in that area to get around and she is very excited at the prospect of improving that community even more to make it a more walkable and livable area.

Consider Request to Legislature for a Local Bill to Authorize Assessment of an Occupancy Tax - (Exhibit E)

City Attorney Susan Patterson advised that in 2010 Council looked at putting into place the authority from the State Legislature to enact an occupancy tax within the City limits. This would be a 3 percent tax levied on people who stay at local hotels and would be used to fund a travel and tourism development authority and infrastructure for items related to tourism. At that time, the City Council took up this matter and a draft of that proposed legislation was placed in Council's agenda today. The draft has been updated simply to change the date and who the president of the Senate and Speaker of the House are, because they have changed since 2010.

The local bill we would be seeking would be authority from the legislature to allow us to enact an occupancy tax; it would not enact the tax itself. This would be a tool so that whenever we chose to, we could put that in place. It would call for us to pass a resolution to adopt the tax and to pass a resolution to develop a Sanford Tourism Development Authority. It would follow the State model for how it would be set up. The State model requires that the membership of that to have 1/3 of the members be people affiliated with businesses that collect the tax in the City, thus, the hotels, and one-half of the members to be individuals who are currently active in promoting travel and tourism within the City. The local bill deadline for this current session is next Wednesday, May 30. This is the state model for funding which is to pass the occupancy tax. Currently, there is in place an occupancy tax throughout Lee County passed by Lee County that helps fund the Civic Center. Because this would be a separate jurisdiction passing the occupancy tax, it should not change the one developed to help fund the Civic Center.

Attorney Patterson said that if Council is interested, the proposed local bill is on the agenda for consideration. It is subject to being tweaked by the Legislature. It is up to Council as to whether they feel it is time for them to vote on this issue. It has already passed the City Council in 2010 by a vote of four to one, not everyone was in attendance. The question is whether Council wants to request this Legislation, at this time.

Mayor Olive encouraged Council to do this because hoteliers in Sanford have been meeting with others to encourage this. She felt it is appropriate that the occupancy tax support a tourism bureau and we are behind in that we don't have one existing. There is hardly any place you travel that you do not pay a significant amount in occupancy tax and this is how tourism bureaus are funded.

Since the Council will not meet to vote on the local bill before the deadline, Mayor Olive asked for a consensus from Council Members. Council Member Charles Taylor was the only council member that stated he would not vote in favor of the local bill. Mayor Olive asked Attorney Patterson to proceed with forwarding the proposed local bill.

Consider Request from Town of Broadway to be Included in the City of Sanford's Request for Proposals (RFP) for Waste and Recycling Services – (Exhibit G)

City Manager Hal Hegwer explained that Town Manager Bob Stevens sent him a letter requesting to be included in the City's bid for waste and recycling removal. We would have an interlocal agreement to include Broadway; they have worked with the same vendor the City has worked with in the past. They would like to move toward curbside recycling. They thought the economies of scale would be helpful and any time the City feels it is detrimental to our process, they will certainly pull out of the contract. We have worked with Broadway very well and have interlocal agreements where we work with them.

Council Member Cohen said he is in favor of Broadway but Broadway does not want to purchase their carts and that is a different option for us if we want to fund our carts for a lower rate. Mr. Hegwer said there will be some differences and we will have to work those issues out. Mr. Hegwer said that Refuse Superintendent Larry Craig will be at Council's next Law and Finance meeting to talk about pursuing a grant to fund those carts and if we want to try and consider putting them in place this year.

Council Member Taylor said he has no problem with Broadway participating with the City; however, it is presumptuous to think that the price may not be beneficial for Broadway to participate with the purchase of its own carts. His question is does this put any potential vendor at an advantage or disadvantage in the quoting process? Mr. Hegwer replied that we have to figure this out because he did not even want to look at this if Council did not want to go down that road. It will have to be thought through. Mr. Hegwer advised Town Manager Bob Stevens from Broadway about the grant to purchase carts.

Mayor Pro Tem Sam Gaskins commented that if Broadway is not opposed to having branded garbage cans and willing to lease them, he would have no problem with our purchasing the carts and leasing them to Broadway.

Attorney Patterson advised that she spoke with Mr. Stevens and he indicated that he did not think they wanted to be in the maintenance and repair of the cart business. They do not have the personnel or the time to take on that effort.

Mr. Hegwer asked Council if they were comfortable with pursuing this issue. Mr. Taylor said he wants to be fair to all vendors and see that they all have an equal shot at this business.

Consider Permits Issued and Development Reports – (Exhibit G)

Community Development Director Bob Bridwell gave a summary of new development and reports issued for the month of April 2012 as listed on Exhibit G.

Other Business

Council Member McNeil questioned whether or not there has to be an unanimous decision made on the occupancy tax because in the past, we had to have a unanimous decision and it was not unanimous. He wondered if this will happen this time. Mayor Olive said there is a real possibility there will be a complication but this is something that is needed so much. We need a tourism bureau and this is a way to fund it.

Council Member Taylor said to clarify, local bills do not require a unanimous decision. The unanimous decision stipulation was placed on that by Representative Jimmy Love at the time. He asked counsel to correct him if he was wrong, there is no unanimous decision needed for a local bill to be heard in the Legislature.

Attorney Patterson replied that it is stated in a different way. They are supposed to be non-controversial. There is a requirement of a non-controversial local bill to be introduced. It is the legislator's choice whether to introduce a request for a local bill or not. Mr. Taylor stated that is correct.

Mayor Pro Tem Gaskins added at that time, the legislature, for short session, was specifically saying they wanted to see a unanimous decision coming from the local board so they would put it on a fast track. This Legislature has indicated quite differently; they are not concerned about that at all. There is a difference in the attitude of the Legislature at this time.

Council Member Taylor said that in the manner making things political, he saw no indication that the leadership in the Legislature, back when it was first introduced, required a unanimous decision. It is kind of contrary to what he has seen even when he was a lobbyist in the North Carolina Legislature.

Mayor Olive said we need to put politics aside and look at what is best for our community and move on with it. This is her preference and urgency as far as bringing this to the Legislature at this time.

Council Member Taylor thanked staff for responding Saturday to clean up. We had a clean-up day at the Art Center and all the debris was picked up as there was an event held there that night.

City Attorney Susan Patterson informed Council that requests for local bills often come through the Council for things that are necessary for Council's action. They also come to her by staff. There has been some interest in having a local bill passed that would allow the City to sell real property under one of the methods that is allowed by statute and it would be a change in how it is allowed. It would allow us to sell real property by private negotiation and sale. It is designed for parcels which may be considered Brownfields or contaminated properties, so that we could have authority to work with the redeveloper and put conditions on the land and enter into a process where somebody with a plan could purchase a piece of property through private negotiation and sale, as opposed to the offer and advertisement and upset bid or the public auction method. The methods that exist currently make it more difficult for people who have redevelopment processes to go after a piece of property in order to clean it up and put a useful site back on the tax books. We currently have authority to do private negotiation and sale or to go through the Economic Development Incentive Act but this would allow a certain method for the transfer of property. Local bills are quite often used for specific pieces of property in this way. We would be looking at a generalized bill that would allow us to tackle a couple of pieces of property we have that could have issues with. We have had some interest for some of our property. For instance, the Whitin-Roberts site, when we went to the tax sale on it, there were no bidders. Some of that is due to the fact that it is going to need some work. This might be a method that would allow the City to transfer properties in a way that would be more profitable

and taxable. The bill would have to be introduced by a legislator and they would have to be interested in doing this for us.

Mayor Olive thanked Mr. Taylor for the clean up that was done at the Arts Center this weekend. It looks very nice.

Mayor Olive reported that the Youth Council 5K Race was an overwhelming success. It was a huge success and was on the greenway. The Youth Council organized it, set it up, and got sponsors for the event.

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

ADJOURNMENT

Having no further business to come before the Law & Finance Committee, the meeting was adjourned upon the motion of Council Member James Williams, seconded by Mayor Pro Tem Gaskins, the motion passed unanimously.

Respectfully submitted,

Cornelia P. Olive, Mayor

ATTEST:

Bonnie D. White, City Clerk