

LAW AND FINANCE MEETING
Wednesday, October 31, 2012
1:00 P.M. in Council Chambers

The Law and Finance Committee met on Wednesday, October 31, 2012 at 1:00 P.M. in the Council Chambers at City Hall. The following people were present:

Law and Finance Committee:

Mayor Pro Tem Sam Gaskins	Council Member James Williams
Council Member Jimmy Haire	Council Member L.I. (Poly) Cohen
Council Member Walther H. McNeil, Jr.	Council Member Rebecca Wyhof
City Manager Hal Hegwer	Deputy City Clerk Janice Cox
City Attorney Susan Patterson	

Absent:

Mayor Cornelia Olive
Council Member Charles Taylor
City Clerk Bonnie White

Mayor Pro Tem Sam Gaskins called the meeting to order.

Consider Closed Session

City Attorney Susan Patterson stated Council needed a motion to go into closed session in accordance with N.C.G.S. 143-318.11(a)(4) and (5) to discuss matters relating to the location or expansion of industry or other business in the area served by the public body and to instruct the public body staff regarding the position to be taken on behalf of the public body in negotiating the price or the material term of a contract or a proposed contract for the acquisition of real property.

Council Member Rebecca Wyhof made the motion to go into closed session; seconded by Council Member Poly Cohen, the motion passed unanimously.

Mayor Pro Tem Gaskins informed the audience that the closed session should last no longer than fifteen minutes. Council went into closed session.

Return to Open Session

Mayor Pro Tem Sam Gaskins called the resumed council meeting to order.

Consider Discussion of Additional Funds for City's Computer Purchase Program

City Manager Hal Hegwer stated that the City had initially budgeted \$50,000 for the employee computer purchase program, but another \$15,000 is being requested. As of yesterday, there was not enough budgeted. A budget amendment will be available for Council approval at the next meeting. The purchase is made out of the Finance Department. Council was in agreement for putting the budget amendment on the next council consent agenda.

Consider Ordinance Establishing No-Parking Zones Along a Portion of Saunders Street of the City of Sanford – (Exhibit A)

Street Superintendent Magda Holloway stated that this is a request from Brick Capital Executive Director Kate Rumely for not parking along the W. B. Wicker business campus. This portion of Saunders Street does not have curbing and there is a complaint that cars are pulling off the road and parking on the grassy area which they are trying to maintain between their two driveways.

Consider Resolution Authorizing an Application for EPA Brownfield Assessment Funds – (Exhibit B)

Community Development Director Bob Bridwell explained that they are about to file an application for their next round of funding on the EPA Brownfield program. In the past, they had a program of some \$400,000 for two kinds of grants. One was a petroleum grant which dealt with old gas stations. The other was a general community assessment. Both grants were completed about a year and a half ago. Mr. Bridwell stated they were only applying for a community assessment grant this time of \$200,000. This grant will be directed primarily toward the downtown area, most specifically the sites around the Koury Building and the areas around Singer Manufacturing, Father George Manufacturing facilities and some other general areas. With authorization to submit the application, there will be a resolution for Council's next meeting.

Consider the Selection of an Architectural Firm to Perform City's Space Needs Study – (Exhibit C)

Public Works Director Vic Czar noted that at the retreat, there had been a discussion of how this building (City Hall) was occupied in the early 1980s and the intent, in time, was to have a one stop shop for all City services. He stated that some of the Planning Department is no longer located here and the same is true for Inspections, Code Enforcement, and others. Mr. Czar felt it was time for a needs study to determine how we fit for the square footage we have and what we may need going forward. In the budget process, \$35,000 was appropriated to form this study. They have advertised their intent for architecture firms to perform the study. Twenty-nine firms responded. A committee was formed consisting of Mr. Czar, General Services Director Tim Shaw, Assistant Director of Community Development Marshall Downey, and Revenue Manager Karen Atkinson. The committee narrowed the field from twenty-nine to five. They interviewed firms and selected the one thought to best fit City's needs based on their relevant experience, project understanding, location of the firm (some were far away), project approach, adequate staffing, and overall impression of the firm. They selected ADW Architects out of Charlotte. A contract for services had been negotiated with them. The amount of the contract is \$30,402 to perform the space needs study. People here were interviewed about where we are and where we think we are going. Some benchmarking was performed to determine if we are realistic in our expectation and options were explored on where we may go in the future in terms of how we solve our needs. Mr. Czar recommended that City engage ADW Architects for a fee not to exceed \$30,402 to perform the space needs study for the City of Sanford.

Council Member Williams asked if we had worked with this firm before. Mr. Czar said that we had not, but their references had been checked and they come very highly recommended.

Consider Discussion on a Grant for Self-Contained Breathing Apparatus (SCBA) – (Exhibit D)

Fire Department Captain Lonnie Kiker thanked Council for the opportunity to replace their self-contained breathing apparatus. He explained that they had applied for and were awarded a federal grant for \$260,778, including the city match of 10 percent. All four of the packs have been tested on all three shifts. Every member of the Fire Department was exposed to these packs. The committee met over 200 hours to determine which pack would be best for the Sanford Fire Department. Based on their evaluation and research, they request that Council consider awarding the bid to the second lowest bidder, Scott Safety. Their reason for choosing the second lowest bidder was based on information obtained from other SCABA users which included, in the area of performance, low air alarm and integrative pass device problems such as going off prematurely. In the quality area, problems were found with the carbon backpack plate causing packs to be sent back for repairs. In the service area, there had been longer down time for repairs and some returned with the existing problem continuing.

Captain Kiker recognized the other members of the committee: Captain Wally Stone, Captain Larry Kelly (not present), Firefighter III Josh Jones, Driver/Operator Todd McNeil; and Firefighter Auburn Griffin.

City Attorney Susan Patterson asked if Captain Kiker would say how much the bid he wants awarded is. He replied that Scott Safety's bid is \$257,464.52. City Manager Hegwer stated that would increase City's match. The other part of the funding is federal funding. City has received verbal approval from the grant providers that the bid could be awarded to the second lowest bidder. A follow-up written notice is expected. Council would have to agree to the 10 percent of the difference between the lowest bid at \$211,024.00 and the second lowest bid at \$257,464.52 for City's contribution. Mayor Pro Tem Gaskins noted that it was still well within the \$260,778 federal grant amount.

Consider Award of Request for Proposals for Playground Installation for Neighborhood Park at Maple Avenue and Fourth Street for the FY 2009 Maple Avenue Community Development Block Grant Community Revitalization Project – (Exhibit E)

Community Development Manager Karen Kennedy stated that she is excited to bring to Council a park proposal they received to install on Maple Avenue. One of the parts of the CDBG project that they received innovative points for was to install a neighborhood park. They went through the process of putting out a request for proposals. They mailed ten requests for proposals; placed an ad in the Sanford Herald; and put it on the state's interactive purchasing system. They received many inquiries and the seven respondents are listed on Exhibit E. They evaluated the seven proposals based on a point system that was placed in the request for proposal and. Community Development Director Bob Bridwell, General Services Manager Tim Shaw, and Wooten Company representative, Warren Wooten worked with Mrs. Kennedy on this, and they were able to narrow the seven respondents down to two. Both of the remaining two firms were contacted and were asked for park sites that could be visited in close proximity to Sanford. Mr. Shaw and Mrs. Kennedy visited several sites and were able to talk to people at the park sites who were playing and view everything the two remaining respondents had placed in their proposals. They were very impressed with the park in Fayetteville at Smith Lake and it solidified what they wanted in the proposed park in Sanford. They met with the firm responsible for that park, Carolina Parks and Play, and discussed the site on Maple Avenue. They picked the

playground equipment and the poured in place material. She showed an example of the finished product that is planned for Maple Avenue. Mrs. Kennedy called attention to the “Well Centered” logo in the middle; the poured in place material with color variations; a concrete border around the poured in place material. It will look different from the other neighborhood parks. It will have no fencing and no wood mulch, but will have lots of implements for the children to play on.

Staff recommends Council award this project to Carolina Parks and Play of Cary, North Carolina. The owners and representatives of this firm are present in the audience—Mr. Curt McDuffie and Mr. Todd McDuffie.

City Manager Hegwer asked Mrs. Kennedy to describe what was on the site selected for the park. She stated that there were two mobile homes on the site that the City purchased and removed. The total cost was \$91,237.50. The grant will pay for all of that. Council Member Williams asked about leveling the property. Mrs. Kennedy said they would have to do some grading and once the equipment and poured in place are completed, there will be some landscaping, which will also be covered by the grant.

Consider Depot Park Update – Train

General Services Manager Tim Shaw stated that the City had filed for a Certificate of Appropriateness through the Historic Commission and received it. They will begin some sanding and cleaning in preparation to repaint the entire train. They will order a fence to surround the area of the train which will be a little more substantial than the present one, which will be taken down. It was coordinated through Attorney Woody Seymour with the Railroad House Association. He is aware that he may receive some public comment as the train which has been open forever will now be enclosed in a fence. Access will only be available when volunteers are on site to let people in to look at the train.

OTHER BUSINESS

Council Member Williams mentioned that last week he attended the North Carolina League of Municipalities’ convention in Charlotte. He stated he was proud to be a voting delegate for the City of Sanford. It was brought up at the convention that fees would be increasing. They are trying to cut back by eliminating some positions and have eliminated fifteen staff positions. One is Charles Archer who has retired and will not be replaced. It was brought up that the county commissioners had lost their insurance program and the City League had been approached by some of the county entities to be able to join the Leagues’ insurance. Mr. Williams stated he was not happy with the way it was presented because representatives received the agenda just when they started in the door to do the voting, at which time it passed.

Mr. Williams read the League’s explanation: “Only League members are eligible to participate in the League insurance program. A proposed amendment to the constitution would create a new limited category of membership that would allow for North Carolina counties and certain county-related entities to participate in the Health Insurance Trust and related health programs only. It is believed that the counties’ participation in the health program will assist that program in remaining a strong and stable provider of medical insurance for League’s membership. The addition of properly underwritten risk can benefit the program by allowing

more spread risk and more growth of net assets. Broadening the eligibility for the health program will also help position it to weather any impact from individual health care mandate that was recently upheld by the Supreme Court.”

Mr. Williams thought that Council Members needed to know this information.

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

ADJOURNMENT

Having no further business to come before Council, Council Member Walter McNeil made the motion to adjourn; seconded by Council Member Rebecca Wyhof, the motion passed unanimously.

Respectfully submitted,

Sam Gaskins, Mayor Pro Tem

ATTEST:

Janice Cox, Deputy City Clerk