

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, September 22, 2015, at 7 P.M., in the Council Chambers. The following people were present:

Mayor T. Chet Mann  
Council Member Byron Buckels  
Council Member Jimmy Haire  
Council Member Charles Taylor  
City Attorney Susan Patterson  
City Clerk Bonnie Davis  
City Manager Hal Hegwer

Mayor Pro Tem James Williams  
Council Member Sam Gaskins  
Council Member Norman Charles Post, III  
Council Member Rebecca Wyhof

Mayor Mann called the meeting to order. Council Member Buckels delivered the invocation. The Pledge of Allegiance was recited.

**PUBLIC COMMENT**

No citizens signed up to speak.

**APPROVAL OF AGENDA**

Council Member Gaskins made the motion to approve the agenda. Seconded by Council Member Post, the motion carried unanimously.

**CONSENT AGENDA**

Approval of Minutes of Joint Interlocal Committee Meeting of June 22, 2015 – (Filed in Minute Book 84)

Council Member Gaskins made the motion to approve the consent agenda. Seconded by Council Member Buckels, the motion carried unanimously.

**CASES FOR PUBLIC HEARINGS: held jointly with Planning Board):**

Amendment to the Unified Development Ordinance to add a new land use category for “Mining and Quarries, Oil and Gas Extraction” and to revise/update the existing land use category for “Mining and Quarries”. The following sections of the Ordinance is being proposed to be amended: (1) Amendment to Article 4, Table 4.6-1 Permitted Use Matrix to add a new land use category “Mining and Quarries, Oil and Gas Extraction” and further indicate that the use shall be permitted as a Special Use with development regulations in the RA and LI zoning districts and permitted by right with development regulations in the HI zoning district, (2) Amendment to Article 5, Supplemental Development Regulations, to create a new Section 5.41 in order to add supplemental design standards for the land use “Mining & Quarries, Oil & Gas Extraction”, and (3) Amendment to Article 4, Table 4.6-1 Permitted Use Matrix - to revise/update the existing land use category for “Mining and Quarries” to “Mining and Quarries, *except Oil and Gas*” and restrict the land use category, as being allowed as a Special Use in the RR, R-20, R-14, R-12SF, R-12, R-10, R-6, MF-

12, NC, HC, C-1, C-2, O&I, and CBD districts', and further indicate that the use shall be permitted as a Special Use with development regulations in the RA and LI zoning districts; and as a permitted use by right with development regulations in the HI zoning district - (Exhibit A).

Mayor Mann noted that Council Member Taylor (as a member of the NC Mining and Energy Commission), asked to be recused for a conflict of interest. Council Member Post made the motion to recuse Mr. Taylor. Seconded by Council Member Buckels, the motion carried unanimously.

Community Development Director Marshall Downey explained that this public hearing is regarding three potential proposed changes to the Unified Development Ordinance, which specifically relates to mining and quarries, and more specifically as it relates to oil and gas extraction. He said there was a need for these changes and updates as based on recent changes in State Law, as well as the follow-up work by the Mining and Energy Commission, which is highlighted in Exhibit A. State Law 2014-4, the *Energy Modernization Act* is the enabling authority to establish for the oil and gas commission, as well as, setting the key features in moving forward with allowing oil and gas extraction in our state. Staff has been monitoring this process, over the last couple of years, in anticipation of what we might need to do locally in terms of how we regulate this land use in our community. Staff looked at various rule-making authority as set forth by the Mining and Energy Commission and worked with some of the experts who were following that process also. Staff prepared some draft rules that were taken to the Joint Planning Commission. At that time, staff wanted to look at two key points. One was to look at where oil and gas extraction would be allowed and what additional rules might be put in place that would help regulate that industry in a fair manner. Mr. Downey presented a powerpoint showing where the current zoning allowances are for Mining and Quarries, including oil and gas extraction and what is being proposed, which is in the Heavy Industrial Zoning District (allowed by right/with staff approval) and Light Industrial (allowed as a Special Use Permit approved by the Board of Adjustment). One of the key points is that it affects the City; however, it affects the County more in terms of the area impacted (Triassic Shale Basin—is located mainly in the County).

Based on the interaction with the Joint Planning Commission (JPC) and under the direction of Chairman Charles Taylor of the JPC, they directed staff to send the proposed rules to the UNC School of Government (SOG) regarding the legal standing of the proposed amendment in comparison to the State rules. Staff received positive feedback and the SOG upheld the draft language. Mr. Downey read a statement from the SOG that states, "The ordinance changes appear to us not to be preempted or otherwise barred by the Oil and Gas Act, as amended. Limiting a use, even when defined specifically to be oil and gas extraction, to particular zoning districts is a standard zoning practice and seems to meet the requirements of being generally applicable." Having specified standards for all oil and gas extraction to be generally applicable is a standard zoning practice (standards addressing the particular impact of a particular use.)" After taking this information to the Joint Planning Commission, they made a recommendation to move forward with the draft rules.

This amendment was taken to the Lee County Board of Commissioners first because it affects the County more so than the City. However, when it was presented at the July Commissioner's meeting, there were quite a number of people who attended and asked a lot of

questions about the new rules. The Commissioners directed staff to conduct a public information meeting. The meeting was held in August at the Gordon Wicker Room and there were about 30 to 40 people in attendance. Staff presented a detailed power point presentation and discussed why the need for the changes and explained what is being proposed. Staff has created web links with the City and County's page to keep the citizens up to date on the process and the information available on the subject.

There are two UDO amendments which include (1) Article 4 - Permitted Use Matrix and (2) Article 5 –add a new section to address supplemental standards for Oil and Gas Ming.

Mr. Downey explained that currently, the UDO allows mining and quarrying in all zoning districts subject to the issuance of a Special Use Permit (as reviewed and approved by the respective Board of Adjustment). Staff recommends that with the creation of a new category to address oil and gas extraction, that the existing mining and quarries category be updated to reflect a similar set of standards. Both categories are recommended to be limited to the RA and LI zoning districts as a Special Use Permit and Permitted by right (staff approval) in the HI district. This approach revises and greatly reduces the land use districts that allow existing mining and quarries as a Special Use Permit, while creating the new oil and gas category that mirrors the same districts.

Changes to Article 5 adds additional regulations that are specific to oil and gas extraction. This new set of rules will make a distinction from the existing supplemental regulation for traditional mining and quarries as found in UDO Section 5.23.

Mr. Downey referred to the additional standards for the mining and quarries, oil and extraction as listed under Article 5 in the exhibit.

The Lee County Board of Commissioners reopened the public hearing at its meeting on Monday night and at the end of the meeting, the commissioners tabled action on this set of rules to explore a possible moratorium on this issue. This does not necessarily ban the use permanently, but it allows you to study the issue. They used Chatham County's model; it would be a two-year window to study this issue and try to come back with some type of recommendation from that process as to how they would move forward. The County Commissioners had more concern about the impact on the residents in the unincorporated areas and more rural areas as opposed to the City because it is more urban and has smaller lots. We are limiting the mining and quarries, oil and extraction to the LI and HI Districts.

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

The Planning Board retired to the West End Conference Room.

### **REGULAR AGENDA**

Approval of Ordinance Amending Annual Operating Budget of the City of Sanford FY 2015-2016 (Depot Park Improvements; Expenses Related to Yixing Travel) – (Exhibit B)

Financial Services Director Beth Kelly informed Council that this ordinance amends the annual operating budget to appropriate \$26,100 from Contingency to Public Building in the

amount of \$14,100 for Depot Building repairs and upgrades to the crawl space and \$12,000 to Governing Body to budget funds for travel related expenses for the Sister City Project (two council members and two members of the delegation).

Council Member Taylor requested to split these two issues into two separate ordinances to be voted upon. Mr. Taylor made the motion to allocate \$14,100 from Contingency Fund to Public Building budget to repairs to the Depot Park building. Seconded by Council Member Post, the motion carried unanimously.

Council Member Williams made the motion to transfer \$12,000 from Contingency to Governing Body for the Sister City project. Seconded by Council Member Gaskins, the motion carried in favor six to one with Council Member Taylor casting the dissenting vote.

Approval of Ordinance Amending Annual Operating Budget of the City of Sanford FY 2015-2016 (Decorating Train at Depot Park) – (Exhibit C)

Financial Services Director Beth Kelly informed Council that this ordinance amends the annual operating budget to appropriate \$12,500 from the Central Business District's fund balance to the Central Business Tax District to purchase decorations for the train located at Depot Park.

Downtown Executive Director Jennifer St. Clair advised that the DSI Board has approved the purchase of lights to decorate the train at Depot Park. They have approval from the Railroad House Historical Association Board for the proposed plan. The lights will make the train look as if it is moving and a conductor waving from it. They hope it will draw people to Downtown for this lighting event, and will go up every year at Christmas. The company will build this custom decoration on steel frames. The lights last for about 150,000 hours and they will be reused.

Council Member Wyhof made the motion to adopt the Ordinance Amending Annual Operating Budget of the City of Sanford FY 2015-2016 (Decorating Train at Depot Park). Seconded by Council Member Taylor, the motion carried unanimously.

Consider Entering into Agreement with eCivis for Grant Search and Management Services – (Exhibit D)

Community Development Manager Karen Kennedy explained City Manager Hal Hegwer approached several staff members who work with grants at the City, about a possible contract with eCivis, which is a web-based grant management assistance service. Mr. Hegwer spoke with representatives of the agency about their partnership and their services. It is an on-line tool that would help a team of staff assembled at City Hall to research grants of all kinds. Grant funding is decreasing and a lot of projects are being affected. We have not had a lot of success getting to the foundations and corporations and smaller grants that we do not have knowledge of. This resource will help staff research everything available. She advised that we have staff from Public Works, Police, Fire, Historic Preservation, and Public Information. We would be considered a user of this service who will be trained in how to use the on-line tools, and we would research a project that we would need, etc. We would put a project in and it would search out this project throughout this web service for grants that would be available for it. It would help with writing of the grants, researching the grants, basically every piece of the puzzle to pre-award to award. The City has elected to do the service as research and pre-award. There is a post-award

management system but we want to wait to see if this is beneficial to the City. When the City did it fifteen years ago, it did not work well for the City. She advised that the entire service is supposed to be revamped and is more user friendly

Mrs. Kennedy stated that should Council decide to enter into this agreement, there will be several webinars and service agreements put in place for the users. The day staff had its first meeting with the eCivis representative, she pulled up some things on the screen that were excellent for two of our local non-profits. It will help us get this type of information to disseminate to other agencies across the community hoping it helps. Attorney Patterson and Lauren Powell with eCivis went over in detail to make sure it benefitted us as a local government. Charlotte, Mecklenburg County, Boiling Springs, and Hendersonville are using this service.

Mrs. Kennedy advised that staff is asking for a one-year subscription to this service and re-evaluate in one year. The group can do reports to Council to inform them how the grant research is going.

Attorney Patterson clarified that it is a subscription period of two years, but you are only obligated to pay one year at a time. There is a 30-day out-clause at the end of the subscription term and we also have a non-appropriation clause. It is a two-year term with the ability to get out of the subscription. The cost is \$5,200 per year.

City Manager Hegwer advised that Goldsboro is a user. Goldsboro received a \$10 million Tiger Grant, which is a federal grant which passes through the state government, for their Downtown Revitalization. The grant writer for Goldsboro did get help from eCivis in writing the grant, which they received.

Council Member Gaskins made the motion to approve entering into the contract with eCivis for grant search and management services. Seconded by Council Member Post, the motion carried unanimously.

Consider Entering into Agreement with North Carolina 811, Inc. – (Exhibit E)

City Engineer Paul Weeks explained that when someone wants to dig, one of the first things they need to do is to find their underground utilities and that someone could be anyone from the homeowner putting in a fence, fence post, or your general contractor running a waterline. In the past, the way those individuals would find out if they have underground utilities, is to contact the utility to let them know what they are getting ready to do. They would contact the utility company directly. In 2013, a law was passed that required that all utilities/all providers that have underground utilities to become part of a one-call center – that is NC 811. As part of that law, the implementation has been staged. In 2014, the larger municipalities had to become part of it, and October 2015, the next set of municipalities have to become part of it, and Sanford is in that set. The purpose is to consolidate where someone would have to call to find out if they have utilities in the area where they are going to dig. He pointed out that NC 811 is not a locating service; they are a notification service. Someone will call NC 811 and they will send tickets out to all the utilities in the area. Then it will be the individual utility's responsibility to mark.

Mr. Weeks explained that this agreement is for the City to become part of NC 811.

Council Member Wyhof made the motion to enter agreement with North Carolina 811. Council Member Taylor seconded the motion.

The cost is based upon the number of locate tickets. If we get one locate ticket, we might pay \$1; if we get 6,000 tickets, we might pay \$6,000. The way they determine the cost per locate ticket is for the first year it is an estimated cost. Staff has estimated that at \$6,000. After the first year, they have collected enough data to find out how many tickets they are distributing and then they determine their overall cost per ticket and that will be the cost.

The vote was unanimous to enter into an agreement with North Carolina 811, Inc.

Consider Resolution for Street Closure for East Sanford Baptist Church – (Exhibit F)

Street Supervisor Sedric Dalrymple advised this resolution temporarily closes North Avenue from Third Street to Fourth Street for the purpose of a Family Fun Day at East Sanford Baptist Church, on October 17, between the hours of 2 PM and 6 PM. Staff has received all the proper paperwork for this event.

Council Member Taylor made the motion to adopt the Resolution for Temporary Street Closure for East Sanford Baptist Church. Seconded by Council Member Buckels, the motion carried unanimously.

Consider Discussion to Fund a Site Analysis for Proposed Sports Park

Public Works Director Victor Czar stated that this item is to consider the funding of a site analysis for the proposed sports park that the City is considering with some of its bond funding. We have been approached with a possible donation of land so staff called Brailsford and Dunlavey and asked what is the next step to undertake the project. Another member of their team is Woolpert. Brailsford and Dunlavey responded that Woolpert needs to be engaged so they can test the site with the programming, evaluate the site to see if there are any wetlands, archaeological, or endangered species, etc., which might raise some concerns that would need to be addressed. Staff felt that there could be more than one site that needs to be addressed. This is just one site that has been proposed to be a donation; we have had another individual mention the possibility of donating land. We are not sure that the O.T. Sloan is big enough to be viable for the park.

Wulpert has provided a proposal where they will look at up to four sites. They would carry possibly two sites all the way through to conceptual design with cost estimates for the specific sites. The numbers you have seen up until now are generic numbers for a sports facilities, meaning fields, lights, bleachers, etc; it does not include grading, utilities to the site and some other things that may be unique to the site. For a price of \$30,000, Woolpert would look at four sites but they would only get to the conceptual level with two sites. We could do the project as an hourly rate not to exceed, because we do not know exactly how many sites we would like to look at or to what level each site would be looked at. You may look at one site and it may fall out of contention very soon due to topography or endangered species, etc. You may find a site you want to carry through to conceptual design because it is a very good site for a number of reasons and the thing you are missing is a display of some type so you can undertake fund raising for construction, or just to make sure it is a good site in your minds for placement in the City/County. We know we need to do some more analysis and keep the momentum going. We need to pursue some things

to get us actual numbers to make sure things fit on certain pieces of property. The County considered this issue last night and they will fund one-half of the site analysis (\$15,000). Staff recommends the City funding the other half of \$15,000. We may not spend all of it but we may want to look at six sites and staff may come back asking for more money. A budget amendment follows in the amount of \$30,000 if Council so chooses to fund a site analysis.

Mayor Mann added that we have to have a product/something to take to individuals to seek a donation or funding. Mr. Czar informed Council that it will show the layout and how much money needs to be raised.

Approval of Ordinance Amending Annual Operating Budget of the City of Sanford FY 2015-2016 (Site Analysis for Proposed Sports Park) – (Exhibit G)

Financial Services Director Beth Kelly explained the appropriation of funds for the sports complex site analysis. City Attorney Patterson indicated that she does not remember the contract details specifically, but normally they have an additional services as required or requested in their attachments of fees/costs. She said that if Council is looking at approving this budget amendment, you can take a vote on it and authorize the extension of the contract to include a figure not to exceed \$30,000 for the purpose of a site selection.

Council Member Post made the motion to approve the ordinance amending the annual budget and authorize the extension of the existing contracts to Brailsford and Dunlavey to include up to \$30,000 for site analysis of the sports park. Seconded by Council Member Gaskins, the motion carried unanimously.

Consider Brick Capital Funding Request – (Exhibit H)

City Manager Hal Hegwer explained that this item was requested to be put on the agenda to discuss funding for Brick Capital. Brick Capital submitted, and Council received by email, an executive summary and contract for services, which would provide services to the City. The services are for community development and to provide affordable housing. The contract has been reviewed by staff and there are some concerns in the wording of the contract.

Mayor Mann added that Brick Capital has come to Council in recent times with their plan looking for support. He opened the floor for discussion.

Council Member Gaskins stated that the Makepeace Building will continue to make a drain on Brick Capital's funds until this issue is addressed. This is something that Council needs to review again.

Council Member Buckels expressed support for Brick Capital in their efforts of providing a better quality-of-life for citizens through affordable housing, which they have invested over \$17 million in the community over the years. They were able to provide this through grants, which are no longer available. They have done an outstanding job and continue to contribute to the City through the tax base. They have provided 51 homes in this community. Brick Capital has done nothing wrong. We do not want to hold Brick Capital back from doing what they do best. His recommendation is to look closely at what they are asking for and consider what they have done

and what they could still be doing provided that they have the opportunity financially to keep them afloat.

Council Member Taylor said that Council received the contract for services at 2:11 PM yesterday afternoon. He reviewed it and saw a lot of things that were inherently wrong with what was being asked. He pointed out the document states that history tells us that contractors and financial institutions will not initiate the building of homes at the \$100,000 to \$150,000 price point; there are \$150,000 homes being built in Ward 2 but that does not mean they are going to sell. There are a lot of erroneous statements in the contract. One thing that was not covered in the document was there were four foreclosures out of the 51 properties. Since 2008, there were no homes built. He noted other discrepancies in the contract. He indicated that not one person from Brick Capital is present tonight and they are asking for \$100,000; and no one was at the County meeting last night. When you look at the overall picture, you need to look at what has been done in the last five to ten years. This document states that they plan to build three homes in the last nine months left in the calendar year and they just returned property to the City. He said 71 percent of their budget (\$267,000) is payroll related, which is \$190,000. He thought there were some pay cuts. There are some facts in this document; however, there are also some misrepresentation of facts. Mr. Taylor added that there have been some people who have benefitted off the Brick Capital relationship over the years. When a property is bought for \$57,000 and sold for \$77,000 85 days later, there is an issue. He felt Council needs to think about how they are spending money and what the dividend is. There are a lot of people who do low-income housing, and have done very well in Sanford. The mayor is aware of first-time home buyer programs.

Council Member Gaskins stated that Brick Capital has been outstanding in what they are doing for the City (affordable housing) for which the City has responsibility. His concern is that we need repair it, to the point where Brick Capital is sustainable.

Council Member Wyhof expressed that these issues of affordable housing are necessary and are vital things that our City needs to be doing. Brick Capital has been taking care of this function for the City as a community partner. She felt it was more efficient and a better use of taxpayer money to have people who are already set up to do this to perform this function. She would like to see in a future edition of this contract, as it gets sorted out, a quarterly update of the measurable outcomes. She felt that this should be a one-time contract for services and it would not be an annual line item, hoping this would help Brick Capital to move forward and become sustainable.

Council Member Williams gave a brief history of how Brick Capital was formed and the good job they did with redevelopment, with 51 homes being built and the W. B. Wicker School being renovated. Council needs to decide if they want to keep Brick Capital because there is an on-going need for housing rehab or affordable housing. He realizes grants are not available and it has hurt Brick Capital with their funding. The contract for services needs to be tweaked. He felt that the City should help them in some manner, either with a contract for services or something tangible.

Council Member Haire praised Brick Capital for the work they have done with housing rehab. He echoed Council Member Wyhof's comments regarding Brick Capital's staff being trained in the field and that maybe it is time for Council to step up to the plate.

Mayor Mann stated that he did not know if the marketplace would necessarily fix their housing because there is not a sweet spot profitable for builders to come in and build the low-rent housing and supportive housing. Mayor Mann mentioned that Kate Rumely and he have worked several times together with her clients. Ms. Rumely has counseled and coached clients for six to seven months, with his help at times, and they would take a person who could not get a loan six months to a year ago, to somebody who can through Brick Capital's counseling programs. Often they would go into one of the houses in the neighborhood they could buy.

Council Member Post questioned Attorney Patterson how long would it take her to tweak the proposed contract for services. She replied probably by Council's next meeting. The difficulty is what the measurables would be. The proposed contract is structured right now where there would be a payment up front and with the passage of time, another payment, etc. Brick Capital Community Development Corporation has programs for affordable housing and affordable housing is a public purpose for the City. She explained that she would need more details as to how much money Council wants to give; what the services would be in exchange for the money; and how we determine if the measurables have been met.

Council Member Gaskins expressed that he would like for Council to meet in closed session to review real estate considerations.

Council Member Taylor mentioned that Council needs to be consistent with whatever pattern it does regarding the negotiations of purchase of property or acquisition of property.

Council Member Buckels presented a powerpoint presentation of the work (homes that have been built, renovation of W. B. Wicker School and HAVEN) that Brick Capital has done in Sanford. He said we need to support Brick Capital the way they have supported the City.

Attorney Patterson advised that the transfer of the lots from Brick Capital to the City is not finished.

Council discussed the issue at length. Council Member Buckels made the motion for the City to enter into a contract with Brick Capital for contract for services in the amount of \$100,000 with oversight and a quarterly review every three to six months to meet benchmarks.

Council Member Post asked Mr. Buckels is he would amend his motion to consider the contract contingent upon the contract being written to the satisfaction of the City's attorney. Mr. Buckels agreed to amend his motion. Council Member Post seconded the motion.

Council Member Wyhof wanted to move forward with the issue but she was concerned about whether the measurable and outcomes still need to be worked out. She felt that Council needs to agree to what the terms are before they agree to the contract.

Council Member Gaskins made the motion to table the matter until after Council can have those items clarified and hammered out, as well as, to give Council time to have a closed session to discuss real estate consideration.

Council Member Wyhof seconded the motion and asked that the contract be prepared in a form that meets Council's expectations. Attorney Patterson asked for the detail to put into the contract. She asked if the payment to be made would be in a lump sum, over time, or to be made monthly, etc.; what are the payment amounts; and the scope of work. The present contract does not state what they will perform by what time.

Council Member Taylor called the question on the original motion. Attorney Patterson stated that the motion to table takes precedence.

Council Member Taylor called the question on the motion on the table. Council Members Taylor, Williams, Gaskins, Haire and Wyhof voted in favor to table the matter as previously presented by Council Member Gaskins. Council Members Post and Buckels cast the dissenting votes.

#### **OTHER BUSINESS**

Council Member Taylor noted that he is glad to see the lighting project for the train at the Depot and suggested having it decorated early to allow people to have their photos made for their Christmas cards. He asked the city manager to give a quick update on the lighting of the roundabouts on Hawkins Avenue. He commended staff for working so diligently with S. T. Wooten and Duke Energy.

City Manager Hal Hegwer stated that Council committed about \$150,000 to the roundabout project which included landscaping and street lighting. The lighting should be installed by the first of November. He explained the process as to how staff worked out the issue to get the lighting installed between the contractor, Duke Energy and the Department of Transportation.

Council Member Haire questioned Mr. Hegwer about the people who are working to secure the easements for the installation of sidewalk. Citizens are being told they are working for Telics. Mr. Hegwer replied that the NC Department of Transportation (NCDOT) uses that contractor for right-of-way acquisition on many of their projects. Most of the sidewalk we are installing are on the NCDOT rights-of-way. Telics is experienced in obtaining, securing, and purchasing the right-of-way, so we are utilizing this company for that purpose.

Mr. Haire stated that the 5 x 5 templates appear to be going into place on Carthage Street with a big hole in the middle where the tree will grow. He asked if there will be trees or shrubs planted. Mr. Hegwer replied that it will be trees; they are not the kind of trees that will cause an impairment to the business. The trees are outlined in a manner that will provide certain visual appeal to the whole project. City Engineer Paul Weeks explained that there are four different varieties that will be planted in the Downtown area. They are all urban street trees, which were chosen because the root balls will be small and the trees will go straight up. During the growth seasons, you will see some limbs cropping out at the lower levels; staff will be trimming that back and forcing the tree up so the top of the canopy will be over the canopies you see in the stores.

Mr. Haire stated that a mural is being proposed on the wall across from the Temple Theatre in the parking lot area that Ruth Gurtis used to own. It was the location of the former San-lee Theatre. Ms. Gurtis and her sister has each donated a \$1,000. The mural is going to cost \$10,000. Lacy Oldham, Jr. (Butch Oldham) has taken it upon himself to try and convince 40 members of the Class of 1968 to contribute \$200 each for the mural; they would be considered an honorary member if they contribute \$200 each.

Council Member Wyhof stated that the proposed murals will be a huge asset to the City. She said that some people are concerned about people who are not taking their garbage and recycling carts from the street to their home after the carts are emptied. She mentioned it to the public because it causes some visibility problems and appearance concerns.

Council Member Post stated that he did not think there was a Council Member who does not want to help Brick Capital. The contract that was submitted to staff needs some work on it. We would be doing a disservice to our citizens and taxpayers if we would approve this contract. Time is of the essence for Brick Capital and we need to help them. Brick Capital is a very important part of our community. He asked staff to work on the contract and bring it back to Council.

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

**ADJOURNMENT**

Council Member Gaskins made the motion to adjourn the meeting; seconded by Council Member Wyhof, the motion carried unanimously.

Respectfully Submitted,

  
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T. CHET MANN, MAYOR

ATTEST:

  
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BONNIE DAVIS, CITY CLERK