

CITY OF OXFORD
BOARD OF COMMISSIONERS' REGULAR MONTHLY MEETING
Tuesday, February 10, 2015 - 7:00 p.m.
Commissioners' Board Room

Mayor Pro Tem Howard G. Herring, Sr.
Commissioner James (Danny) Currin
Commissioner Robert Williford, Sr.

Randy Hemann, City Manager
Barbara Rote, City Clerk



Jackie Sergent, Mayor

Commissioner Calvin (CJ) Harris, Jr.
Commissioner Frank Strickland
Commissioner S. Quon Bridges
Commissioner Patricia T. Fields

J. Thomas Burnette, City Attorney

MISSION

The mission of the City of Oxford is to serve and improve our community by providing high quality, affordable services, sound planning for growth and development, and offering the highest possible quality of life - while maintaining the public's trust through open communication and ethical standards at all times.

VISION

The City of Oxford will partner with the community to build upon the charm and character of our historic, vibrant, and walkable city to create an extraordinary quality of life for all.

Core Values - ETHICORE

The elected officials, staff, and volunteers of the City of Oxford value and commit to model the following:

EQUAL TREATMENT for everyone with **DIGNITY**, **COURTESY**, and **RESPECT**

TEAMWORK within our organization and our community

HONESTY in all of our dealings with citizens, fellow workers, and other organizations

INTEGRITY in every action and service

COST-EFFECTIVE and **QUALITY** services for our community

OPEN and **TRANSPARENT COMMUNICATION** with all parties

RESPONSIBILITY for our decisions and actions

EXCELLENCE in every deed

****The mnemonic ETHICORE was adopted as a helpful tool to remind us of our core values****

[CALL TO ORDER]

[Please be reminded to turn off or mute all cell phones and/or electronic devices]

[MISSION, VISION, VALUES]

1. Prayer by Andrew Lyda, BS Troop 629
2. Pledge of Allegiance led by Mayor Pro Tem Howard Herring
3. Consider adjustments to and approval of the Agenda:
Add item 11: Consider Fit After 50 Program

4. Opening Remarks by Mayor Sergeant

In order to provide for the highest standards of behavior and transparency in governance, the Board of Commissioners has approved a Code of Ethics to establish guidelines for ethical standards for Board Members and to provide guidance in determining appropriate conduct. Among those: Board members should avoid impropriety in the exercise of their official duties and should conduct the affairs of the board in an open and public manner. The Mayor now inquires whether any Board Member knows of any conflict of interest, or appearance of conflict, with respect to matters before the Board. If any Board Member knows of a conflict of interest, or appearance of a conflict, please state so at this time.

[DELEGATIONS]

5. Proclamation honoring Ella Schmit for many years of service as a Downtown business owner
6. Proclamation of Life in memory of former City Commissioner Walter Cantley

[PUBLIC COMMENT ON AGENDA and NON-AGENDA ITEMS]

Citizens may speak on Agenda as well as Non-Agenda items at this time. Citizens wishing to address the Board must sign in on the form located with the City Clerk prior to the beginning of the meeting. When recognized by the Mayor, come forward to the podium, state your name, address, if you are a City resident, and identify the subject about which you wish speak. Please review the Public Comment Guidelines that are provided alongside the sign in form.

[PUBLIC HEARINGS]

Citizens may only speak on public hearing items at this time. Citizens do not need to sign up in order to speak at a public hearing. When recognized by the Mayor, come forward to the podium, state your name, address, and if you are a City resident. Please review the Citizen Comment Guidelines that are provided at the end of this Agenda.

No Public Hearings

[OLD BUSINESS]

No Old Business

[NEW BUSINESS]

7. Consider calling for a public hearing in conjunction with the March 10, 2015 Regular Session to amend the Oxford Zoning Ordinance for signs under section 408 (obsolete/abandoned signs) to include an option to receive a Certificate of Appropriateness from the Historic Preservation Commission (HPC) if a sign is over 40 years old.

The Planning Dept. was asked to address the issue of abandoned/obsolete signs throughout the City. Owners of such signs were notified of section 408 (obsolete/abandoned sign), that states signs should be removed within 90 days of closing a business. The owners of 2 of the properties identified (Orpheum Theatre sign & Yancey Chevrolet) asked if they could keep the sign due to historical significance. Planning Board and HPC recommend that signs 40 years or older be allowed to request a Certificate of Appropriateness from the HPC Committee. (Attachment 7)

Recommended action: Call for a public hearing in conjunction with the March 10, 2015 Regular Session to amend the Oxford Zoning Ordinance for signs under section 408 (obsolete/abandoned signs), to include an option to receive a Certificate of Appropriateness from the Historic Preservation Commission (HPC) if a sign is over 40 years old.

8. Consider appointing Dr. John B. Hardy to the Zoning Board of Adjustment for a full 3-year term expiring February 2018.

Dr. Hardy was appointed in 2014 to fill a vacant seat on the Zoning Board of Adjustment that expires in February 2015. He has expressed interest, and completed an application to serve a full term. No other applications were submitted for the Board opening. (Attachment 8)

Recommended action: Staff recommends appointing Dr. John B. Hardy to the Zoning Board for a 3-year term expiring February 2018.

9. Consider adopting a resolution in support of the NC Historic Preservation Tax Credit Programs.

North Carolina has let the tax credit for historic preservation programs sunset. A coalition of organizations is asking for the tax credit to continue to be available as a tool to spur economic recovery in traditionally blighted or underutilized areas of our communities. The League of Municipalities also supports this tax credit. This credit is important to Oxford because of the many historical homes and businesses that could qualify. (Attachment 9)

Recommended action: Staff recommends adopting a resolution in support of the NC Historic Preservation Tax Credit.

10. Consider approving the purchase of fitness equipment from low bidder, Fitness Concepts, and approving a budget amendment in the amount of \$10,250, payable from the General Fund to purchase the fitness equipment and an access control center for the fitness room at Hix Gym.

In order to obtain budgetary estimates for the fitness room Hix Gym, a fitness professional from Raleigh conducted an inspection. It was immediately confirmed that the current equipment was antiquated and definitely dangerous to any users. The center was shut down and the equipment removed.

Three quotes were received for replacement equipment for the space. This is light commercial equipment with warranty and should be appropriate for the level of use the equipment routinely gets. In addition, staff recommends adding an access control system to the workout center and limit access to only those permitted to use the space. This will assist in prolonging the life of the equipment and allow us to better monitor use and obtain waivers for liability purposes. In order to purchase the equipment from the low bidder, Fitness Concepts, and the access card system, a budget amendment is required of \$10,250.00, \$564 for the access card center and \$9,686 for the equipment. (Attachment 10)

Recommended action: Staff recommends approving the purchase of fitness equipment from low bidder, Fitness Concepts, and approve a budget amendment in the amount of \$10,250, payable from the General Fund to purchase the fitness equipment and an access control center for the fitness room at Hix Gym.

11. Consider creating a Fit after 50 program for use of the Hix Gym fitness room that establishes program fees in accordance with the March 2014 Board approved Parks and Recreation Revenue and Pricing Policy, and authorizing the Recreation Director to create operating procedures and rules for access and use of equipment.

The Director of Recreation has worked to develop new standard operating procedures for the reestablishment of the workout room in Hix Gymnasium. This will allow the City to operate the center in a safe manner providing accountability and safety for its users. Users of the space will now be considered “members” and will fill out registration paperwork and waivers of liability similar to other City provided programs. It will also establish access to the workout room. The space will be designated as the “Fit After 50 Workout Center. (Attachment 11)

Recommended action: Staff and the Recreation, Parks, and the Environment Committee recommend creating a Fit after 50 program for use of the Hix Gym fitness room that establishes program fees in accordance with the March 2014 Board approved Parks and Recreation Revenue and Pricing Policy, and authorizing the Recreation Director to create operating procedures and rules for access and use of equipment.

[REPORTS]

12. January Financial Report - City Manager Randy Hemann
13. City Update - City Manager Hemann
14. DOEDC Update – Commissioner Currin
15. Kerr-Tar COG – Commissioner Williford
16. 200th Anniversary Committee – Commissioners Strickland & Williford
17. County Board Meeting Update – Commissioner Strickland

[CONSENT AGENDA]

18. Accept the January Financial Report by City Manager Randy Hemann
19. Approve the following 2014 meeting minutes:
 - * January 5, Agenda Session
 - * January 13, Regular Session
 - * January 27-28, Board Planning Retreat

[BOARD COMMENTS]

[ADJOURNMENT]

REMINDERS:

If you need additional information about the following items, please see the City Clerk.

- February 23: Diversity Reception and Awards Program - 6 p.m., Expo & Convention Center

CITY OF OXFORD
PUBLIC COMMENT GUIDELINES:

The Mayor and Board welcome and encourage citizens to attend City Board Meetings and to offer comments on matters of concern to them. Citizens are requested to review the following public comment guidelines prior to addressing the Board:

- a) Citizens are requested to limit their comments to five minutes. However, the Mayor, at his or her discretion, may limit comments to three minutes should there appear to be a large number of people wishing to address the Board.
- b) Comments should be presented in a civil manner and be non-personal in nature, fact-based, and issue oriented. Except for the public hearing comment period, citizens must speak for themselves during the public comment periods.
- c) Citizens may not yield their time to another person.
- d) Topics requiring further investigation will be referred to the appropriate City official, Board Committee or agency, and may, if in order, be scheduled for a future meeting Agenda.
- e) Individual personnel issues are confidential by law and will not be discussed. Complaints relative to specific individuals are to be directed to the City Manager.
- f) Comments involving matters related to an on-going police investigative matter and/or the court system will not be permitted.
- g) Citizens should not expect specific Board action, deliberation, and/or comment on subject matter brought up during the public comment section unless and until it has been scheduled as a business item on a future meeting Agenda.



CITY OF OXFORD
STAFF REPORT

TO: Mayor Sergent and the Board of Commissioners

VIA: Randy Hemann, City Manager

FROM: Cheryl Hart, Planning Director

DATE: 01-27-2015

SUBJECT: Consider calling for a public hearing for request to amend the sign ordinance under section 408 (obsolete/abandoned sign).

SUMMARY STATEMENT

Owners of the Yancey Chevrolet and Orpheum theatre signs are asking that they be waived of the obsolete/abandoned sign criteria due to the historical significance of their signs.

REVIEW

The Planning Dept. was asked to address the issue of abandoned/obsolete signs throughout the city. Owners of such signs were notified of section 408 (obsolete/abandoned sign), that after 90 days of a business closing, the signs needing to be removed. The owners of 2 of the properties identified (Orpheum theatre sign & Yancey Chevrolet) asked if they could keep the sign due to historical significance. I am including how other municipalities handle historical signs.

RECOMMENDATION

Planning Board and HPC recommend that signs 40 years or older be allowed to request a certificate of appropriateness from the HPC Committee.

Attachments: y



How obsolete signage is handled in various municipalities

- Mooresville - **Abandoned Signs**- Prohibited **Exempt Signs**- Signs more than 40 years old
Historical Signs –Integral decorative or architectural features of buildings or works of art, provided such features or works do not contain letters, trademarks, moving parts or lights. (wall –mounted or decorative post mounted sign not to exceed 6 sq ft).
- Wake Forest- Abandoned Signs (signs that advertise an activity or business no longer conducted on the property are prohibited)
- City of Concord- **Abandoned Signs** Prohibited **Historical Signs**- attached signs are allowed when documentation indicates that such a sign was used on the building when originally constructed and occupied. (COA is required)
- Apex – Abandoned Signs Prohibited **Historical Signs**- Property owners shall make application to the Town Council for such designation of special or historic signs
- Salisbury - Abandoned/Obsolete Signs- Prohibited **Historic Signs**-(subject to design review and issuance of a COA by HPC. Special Use permit for signs exceeding 50 sq ft.



Pamela E. Glover
Code Enforcement Officer

City of Oxford
 P.O. Box 1307 / 300 Williamsboro Street
 Oxford, NC 27565
 Tel: (919) 603-1116 Fax: (919)603-1107
www.pglover@oxfordnc.org

To: Cheryl Hart, Planning Director
From: Pamela Glover, Code Enforcement Officer
Date: November 5, 2014
RE: **Obsolete business signs**

Cheryl,

Please see list below of obsolete business signs:

LOCATION	SIGN TYPE/VERBAGE
Hill Top Village – William St.	H & R Tax sign @ entrance – on pole(Yancey properties-PO Box 627)
Dog Pound (across from Granville Corners Shopping Center)	Large sign – on pole-(City of Oxford)
Oxford Star Gas Station – Industry Dr.	Various signs-(Jukis properties-9429 collingdale way Raleigh NC 27617)
Corner McClanahan St & Broad St., near Timothy Darling Church	Yancey Chevrolet, Buick Opel Kadett sign – on pole(Yancey properties-PO Box 627)
Broad St. (Cake Lady) – Broad St.	Business signs – closed business closed(Karen & Robert Haire-PO Box 1293 Oxford)
New Opthomalogy	Granville County
Tempstar Heating & Cooling Products	(Donald Thaxton-PO Box 1256 Oxford)
Orpheum Movie theater – William St.	Signs – business closed(John Pike-PO Box 1165 Oxford)

Emails to and from this email address may be subject to the North Carolina public records laws and if so, may be subject to disclosure



ATTACHMENT 8

City of Oxford
300 Williamsboro Street, Oxford, North Carolina

DEC 18 2014

APPLICATION FOR BOARD APPOINTMENT

CITY OF OXFORD
1 FILE
1 COPIES TO

Return completed form to
Oxford City Clerk, 300 Williamsboro Street, P.O. Box 1307, Oxford, NC 27565

Date 12-17-14

Name and email DR JOHN B HARDY jhardy@centurylink.net

Home address 157 PINE CONE DR / PO BOX 494 Phone 919-691-4591 cell
919-693-6390 HOME

Present occupation Retired Dentist

Educational background BS - from NCSU / DDS - from UNC Chapel Hill

Number of years a resident of Granville County 49

Do you live inside the City limits? YES If so, for how long? 49 YRS

Indicate below the Board/Committee/Commission for which you are applying at this time:

- | | |
|---|---|
| <input type="checkbox"/> City Board of Commissioners | <input type="checkbox"/> Recreation Advisory Committee |
| <input checked="" type="checkbox"/> Zoning Board of Adjustment | <input type="checkbox"/> Community Appearance Commission |
| <input type="checkbox"/> Planning Board | <input type="checkbox"/> Historic Preservation Commission |
| <input type="checkbox"/> 200 th Anniversary Planning Committee | <input type="checkbox"/> Fireman's Relief Fund |
| <input type="checkbox"/> Oxford Parking Authority | <input type="checkbox"/> Other |

List all Boards/Committees/Commissions on which you have previously served or are currently serving.

ZONING BOARD OF ADJUSTMENT

Provide a brief statement as to why you wish to serve on the Board/Committee/Commission you have indicated above. Attach additional sheets/use other side, if needed.

It would like to serve the community in which I
have enjoyed since moving to Oxford in 1965 - I want
to give something back

Signature John B. Hardy Jr



**RESOLUTION
SUPPORTING
NORTH CAROLINA'S
HISTORIC
PRESERVATION
TAX CREDIT PROGRAMS**

WHEREAS, the City of Oxford along with other local and regional partners is working to revitalize our downtown area and historic neighborhoods to establish them as vital economic sectors of the City for the community's benefit; and

WHEREAS, the City of Oxford realizes that a healthy, vibrant downtown and surrounding historic neighborhoods make all other economic development initiatives in the community easier to achieve; and

WHEREAS, the City of Oxford's uniqueness as a community along with its identity and attractiveness is tied to our historic structures and the preservation thereof; and

WHEREAS, the City of Oxford, as well as many private investors, has significantly advanced improvements in our downtown and area neighborhoods through strategic planning and reinvestment; and

WHEREAS, the City of Oxford understands that it is fortunate to contain a wealth of historic commercial and residential structures that offer unique opportunities to differentiate our community from others and, as such, we wish to preserve them when appropriate for future use and re-investment; and

WHEREAS, the City of Oxford recognizes that the highest concentration of our historic structures is in the downtown area and surrounding neighborhoods, and that this area provides more tax base value per acre than any other segment of the community; and

WHEREAS, the City of Oxford recognizes that these buildings offer opportunities for small business development, job creation, and desirable living spaces in an existing built environment with previously invested infrastructure; and

WHEREAS, the City of Oxford would like to build upon these established investments to strengthen our tax base, thereby decreasing the potential for our residents and stakeholders to incur future tax increases to maintain existing levels of service throughout the community; and

WHEREAS, the historic residential and commercial structures play a vital role in our capability to entice re-investment and create our market niche; and

WHEREAS, the rehabilitation of historic structures is challenging in terms of acquiring needed bank financing, meeting building code regulations, overcoming the general risks of unknown conditions, and securing private investment in blighted or transitional neighborhoods; and

WHEREAS, the City of Oxford has experienced success with meeting such historic rehabilitation challenges due to the availability of the North Carolina Historic Preservation Tax Credit (HPTC) programs, which have resulted in positive private investment projects that support our local economy; and

WHEREAS, the City of Oxford recognizes that these programs offer an often necessary financial tool that levels the private investment risks and opportunities when competing for sites outside the built area, and also provides the leverage needed to meet financial gaps experienced with traditional lending institutions; and

WHEREAS, a number of residential properties in the City of Oxford have been restored using State Historic Rehabilitation Tax Credits, and the Historic Downtown is filled with buildings that would benefit from redevelopment using such tax credits; and

WHEREAS, the City of Oxford believes that more of this type of reinvestment can occur with continuing the availability of the Historic Preservation Tax Credits and believes the tax credit programs are a worthy leveraging tool to stimulate a specific, challenged area of our economy that will in turn support the entire community; and

WHEREAS, the North Carolina Downtown Development Association has adopted a position paper titled: "*Position Paper of Support for North Carolina's Historic Preservation Tax Credit Programs*" and the City of Oxford has reviewed this document and agrees that the HPTC programs are a necessary economic development tool and thus, generally agrees with the NCDDA Position Paper and will use it to advocate for the continuation of the HPTC programs; and

WHEREAS, developers with an interest in adaptive reuse of historic structures will choose to work in states where these credits are available, and states surrounding North Carolina have Historic Tax Credits; and

WHEREAS, the loss of these tax credits has put North Carolina at a competitive disadvantage compared to its neighbors; and,

WHEREAS, North Carolina benefitted from \$1.5 billion in investment from HTPC when the Tax credits were available;

NOW, THEREFORE, BE IT RESOLVED, that we, *Mayor Jacqueline vdH Sergent and the Board of Commissioners for the City of Oxford*, on behalf of the employees, stakeholders, and residents of this City, do hereby support North Carolina's Historic Preservation Tax Credit Programs and their continued availability as a tool to spur economic recovery in our cherished City and throughout the state.

BE IT KNOWN that the Board of Commissioners for the City of Oxford were present on this day of February 10, 2015 and the foregoing Resolution was duly adopted by the unanimous vote of all members, and that said Resolution has been duly recorded in the Board minutes and is in full force and effect.

Mayor Jacqueline vdH Sergent

Attest:

City Clerk Barbara J. Rote

Position Paper of Support for Extension of North Carolina's Historic Preservation Tax Credit Programs

The decision before the NC Legislature is whether to support the availability of the NC Historic Preservation Tax Credit (HPTC) programs or to allow them to sunset out of existence effective Jan. 1, 2015 along with other tax incentive programs.

Of the 41 states across the US that have income tax, 29 recognize historic preservation tax credits as an invaluable tool to spur private sector reinvestment in projects and areas where reinvestment is unlikely to occur otherwise. North Carolina has proudly and successfully been one of those states, pioneering a program in 1980 that was re-affirmed and strengthened in 1998, a program that many states have mimicked in hopes to create and retain similar positive outcomes - why change now?

Generally, opponents to tax credits feel that they are carve-outs for a favored few which benefit one sector of the economy by shifting the burden to another. These opponents would prefer that the State's General Fund collect the taxes saved by this program.

However, annually, the Historic Tax Credit Program represents a (initial) loss to the State's General Fund of a mere \$14.2M which, when compared to overall benefits, is but a small proportion. These tax credits have fostered investments of greater than \$1.6B in private investment, supported an average of \$124.5M in State Gross Domestic Product and created/retained almost 2,200 jobs *per year* impacting *all* 100 counties of North Carolina.

- HPTC programs are a smart investment. Take NC's annual \$14.2M investment. Multiply it by 16, the longevity of the program; totaling an approximate investment of \$227.22M. The return on investment from the direct private investment alone is 516%. A return realized through household incomes across the State, regardless of a direct connection to the project, or not.
- The HPTC is an income tax credit to those that spend the money. The credit is created by people spending money and a percentage of what they spend becomes the credit.
- The greatest percentage of the HPTC projects occur within exiting built or urban areas. Thus, the State's support of the HPTCs saves the State the economic burden of new investments that fringe development creates by avoiding additional infrastructure and service costs. This act is consistent with the State's interest to lessen impacts to farmland and greenspace and provides greater and more distinct choices for investors and residents as to their locational preferences.
- HPTCs provide more options for private sector investment choices. Many downtowns have older buildings that have been neglected for long periods of time. Banks will generally loan only 80% of a building's current value. Costs to rehab these buildings exceed the amount of the building value affecting the effectiveness of a loan. The HPTC can be the change agent that provides this financial gap and makes the projects feasible for private investment.
- Historic buildings provide the locational affordability for small business start-ups. Small businesses provide more jobs in NC than any other sector. A dollar invested by the State in downtown is a more potent jobs producer as these jobs use less state infrastructure resulting in greater density of income tax, thus a job in downtown produces a net higher income per job than a suburban sector job.
- Historic preservation is more labor intensive than new construction and provides better paying jobs.
- Rehabbed commercial buildings prove to be incubators for small business developments and entrepreneurial type jobs. NC has one of the highest unemployment rates in the United State, ranking 35 out of 50. The HPTC programs are a proven job creator.
- Americans want to live, work, and visit authentic communities that reflect the area's unique history and character. That has been North Carolina's foundation behind the state's promotional niche to attract residents, tourism and investment. The HPTC program support and reinforce these statewide values by incentivizing private sector interests to restore and reutilize these assets.
- The NC Main Street Center gathered data from various Main Street communities across the State, including: Hamlet, Henderson, Hendersonville, Hertford, Hickory, Kinston, Lenoir, Lincolnton, Marion, Mocksville, Monroe, Mooresville, Morganton, Mt. Airy, Mt. Gilead, Murfreesboro, New Bern, North Wilkesboro, and Goldsboro. Of these 19 communities, 150 HPTC projects were realized with investment costs totaling \$100M. Two of these communities recorded "before" and "after" building value experiences for 27 projects. Collectively, the before building value was \$3.2M while the after value was \$15M. That is a 368% return on investment, creating an estimated 617 jobs and returning \$12M to local household incomes.

Developers, economic development professionals and downtown supporters statewide strongly believe the economic and quality-of-life effects from the loss of the historic preservation tax credits could be devastating.

NCDDA contends that the implications of the HPTCs absence will negatively affect economic conditions across the state and our ability to grow small business, spur reinvestment and transition blighted neighborhoods for the good of all. Furthermore, we refute the belief that they are carve-outs for a favored few, benefitting only those who take advantage of the credits. The numbers and the experiences prove otherwise. State Historic Preservation Tax Credit programs are an exemplary equal-opportunity program and serve a diversified population with no regard as to ethnicity, socio-economic status or geographic residence and thus do not favor a minor few.

For a brief description of the individual historic tax credit programs threatened, please see reverse side.

NORTH CAROLINA HISTORIC PRESERVATION TAX CREDIT PROGRAMS:

There are currently three State historic preservation tax credit programs: income producing, non-income producing and mill projects. Each has purpose and can positively effect three key community economic challenges.

- **Non-Income Producing Program:** The non-income producing credits offer opportunities to revitalize distressed historic neighborhoods. Allowing historic homes the opportunity to be vital contributors to the community through reinvestment and re-use.

Currently the State offers a 30% credit against eligible project costs. No federal non-income producing program exists.

- **Income Producing Program:** The income producing program offers an integral financing mechanism to restore historic commercial buildings, often found in downtowns, that need repurposed. The increasing building code requirements exasperates costs for these projects and can render them impossible without this tool. Reinvestments in these buildings generate new small businesses and jobs. Healthy downtowns, regardless of size, provide incentive for industry recruitment and commercial and residential development throughout a community.

Currently the State offers a 20% credit to these projects piggybacking on the federal program of a 20% credit, providing investors with a combined 40% credit against eligible project costs.

- **Mill Credit Program:** The Historic Mill Tax Credit program allows communities to reinvent abandoned mill buildings, often large buildings with no hope, where manufacturing, textiles and other lost industries once flourished.

Currently the State offers a scaled credit program depending on your County's Economic Tier. Tier 1 and 2 counties receive a 40% credit while Tier 3 county projects are eligible for a 30% credit. The State credits piggyback the federal program of 20%, thus possibly enabling up to a 60% credit on eligible project costs.

ABOUT NCDDA:

The North Carolina Downtown Development Association is the collaborative leader working at the creative intersection of the public and private sectors to enhance downtowns as cultural and economic centers throughout the state.

NCDDA is a 501(c)(3) nonprofit organization comprised of a 21-member volunteer board of directors. Members include downtown development managers, coordinators and Main Street managers; economic developers; town planners; town managers; architects; landscape architects; developers; and other professions related to the development of North Carolina's downtowns with representation from 116 towns and cities across the State.



CITY OF OXFORD
STAFF REPORT

TO: Mayor Sergent and the Board of Commissioners
VIA: Randy Hemann, City Manager
FROM: Christine Usry, Parks & Recreation Director
DATE: January 28, 2015
SUBJECT: Approving FY 2015 Budget Amendment

SUMMARY STATEMENT

Approve the FY 2015 budget amendment to cover the expense of replacing the fitness center equipment at Hix Gymnasium.

REVIEW

In order to obtain budgetary estimates for the fitness center Hix Gym, an inspection was conducted by a fitness professional from Raleigh. It was immediately confirmed that the equipment that was present was antiquated and definitely dangerous to any users. He noted several pieces that were in disrepair and others that would cause the users to injure themselves. All of this equipment was donated by residents. I immediately notified management and Commissioners and the center was shut down and the equipment disposed of.

Subsequently I contacted 2 other vendors and received a total of 3 quotes for replacement equipment for the space. This is light commercial equipment with warranty and should be appropriate for the level of use the equipment routinely gets. In addition, staff recommends an access control system be added to control the access to the workout center and limit access to only those permitted to use the space. This will assist in prolonging the life of the equipment and allow us to better monitor use and obtain waivers for liability purposes. In order to purchase the equipment from the low bidder, Fitness Concepts, and the access card system, a budget amendment is required of \$10,250.00, \$564 for the access card center and \$9,686 for the equipment.

RECOMMENDATION

Staff recommends Board approval of the budget amendment for \$10, 250.00 for the fitness equipment and the access control system.

Fitness Concepts, Inc.
 2121 Atlantic Ave.
 Suite 110
 Raleigh, NC 27604



INVOICE

Phone: 919-878-9880
 Fax: 919-878-9881

Quality Exercise Equipment
 Sales - Service - Installation
 Commercial - Residential -
 Institutional

Date 1/30/2015
 Invoice # 33062
 Account #

Bill To	Ship To
Hix Recreation Center 313 Spring Street Oxford, NC 27565	Hix Recreation Center 313 Spring Street Oxford, NC 27565

Date	P.O. No.	Terms	Ordered By	Ship Via	Sales Person	Item
1/30/2015		Net 30 Days	BRBK 1/30/15	FC Truck	SFK	

Quantity	Item	Description	Price Each	Amount
1	LK T8	BH LK T8 Treadmill	2,779.00	2,779.00T
1	LK 500X	BH Fitness LK 500X Elliptical Trainer	3,079.00	3,079.00T
1	LK 500U	BH Fitness LK500U Upright Bike	1,479.00	1,479.00T
1	R8	Refurbished BH R8 Recumbent Bike (90 day warranty)	600.00	600.00T
1	Xpress Pro	Xpress one-stack gym	2,739.00	2,739.00T
1	GFB350	Flat Bench	235.00	235.00T
1	GDR44	2-Tier Vertical Dumbbell Rack	140.00	140.00T
1	SD-R 003	Rubber Encased Dumbbells 5,8,10,15,20 and 25 lbs 1 pr each	322.00	322.00T
1	Freight In	Freight	575.00	575.00T
1	Install	Delivery and Installation	550.00	550.00T
	Com'l Discount	New Customer Discount	-3,400.00	-3,400.00

	Subtotal	\$9,098.00
Return Policy: No returns or exchanges on serialized items after delivery. All other items must be returned within 7 days of purchase in original packaging, unopened and with receipt. No returns on special orders	Sales Tax	\$587.09
Remit to Address: Fitness Concepts P.O. Box 41205 Raleigh, NC 27629-1205	Total	\$9,685.09
	Balance Due	\$9,685.09

**CITY OF OXFORD****STAFF REPORT**

TO: Mayor Sergent and Board of Commissioners

VIA: Randy Hemann, City Manager

FROM: Christine Usry, Director, Parks & Recreation

DATE: 2/4/15

SUBJECT: **Fit After 50 Membership**

SUMMARY STATEMENT

The Director of Recreation has worked to develop new standard operating procedures for the reestablishment of the workout room in Hix Gymnasium. This will allow the City to operate the center in a safe manner providing accountability and safety for its users. Users of the space will now be considered "members" and will fill out registration paperwork and waivers of liability similar to other City provided programs. It will also establish access to the workout room. The space will be designated as the "Fit After 50 Workout Center".

REVIEW

The Parks & Recreation Department Director met on February 3, 2015 with the Recreation, Parks, and the Environment Committee and proposes the following adjustments be made to the current operation of the fitness room effective February 16, 2015: 1) Create a Fit After 50 program for use of the Hix Gym fitness room that establishes program fees in accordance with the May 2014 Board approved Parks and Recreation Revenue and Pricing Policy, and 2) authorize the Recreation Director to create operating procedures and rules for access and use of equipment.

RECOMMENDATION

Staff and the Recreation, Parks, and the Environment Committee recommend approval of the above operational items in the establishment of the Fit After 50 Workout Program.

TALKING PAPER

ON

FIT AFTER 50 WORKOUT CENTER

Background: The Recreation Department would like reestablish the fitness center at Hix Gym as a FIT AFTER 50 Workout Center.

Objectives:

- To provide a small exercise center in Hix Gym for residents ages 50 and older to exercise independently.
- Additional use by City employees will also be offered as part of our staff wellness initiative.

Program Specifics:

- To ensure the equipment is both well maintained, not abused and available to the older population, the facility would be restricted access – 50 and over and City employees (if approved).
- The FIT AFTER 50 Workout Club would require members age 50-64 to pay annual dues of \$35 or \$5.00 per month. Non-residents will be \$70/year or \$8/month. This covers the cost of access cards, instructional guides, and the TV service.
- FIT AFTER 50 Workout Club would be available at no charge to those members age 65 or older. This will require annual paperwork to be completed and a card to be issued.
- City Employees would pay a \$5.00 fee to cover the cost of the access card only.
- Estimated annual revenue for 100 members to offset expense of equipment maintenance, access cards, and TV service is \$5500.00.
- Monthly dues entitle the member to access during approved hours of operation.
- Weekly Workout Club training times will be established for orientation of new members or assistance with workout activities. These will be directed by Recreation Staff.

Justification of Proposal:

- The establishment of a club environment is one I found to be popular among public recreation directed facilities. It allows for membership agreements, waivers and access controls to be put in place. None of which we have had in the past.
- The senior population cannot afford the membership rates at local clubs so this will be more affordable and still provide quality light commercial equipment.

Hours of Operation:

- Monday – Friday 5am – 8am (volunteer supervision or at own risk)
 8am – 5pm (FT staff monitored)
 5pm – 8pm (staff use only - unmonitored)
- Saturday/Sunday 9am – 1pm (PT staff monitored)

Equipment Recommendation: See attached quote. Three bid requests were sent out. The low bid and recommended vendor is Fitness Concepts of Raleigh at a cost of \$9722.79. The estimated cost of the access system is \$1500.00 through Fast Access Security Corp.

Final Version 2.4.15



Oxford Parks & Recreation Department

Fit After 50 Workout Center

Standard Operating Procedures

Created: February 3, 2015

Approved:

The Fit After 50 (FA50) Workout Center Regulations have been established to make it possible for you to use the facility and equipment in a comfortable, fun, and safe environment.

Eligibility:

- 1) Residents who are age 50 and older are eligible for membership. Both City and non-City residents are eligible, with a small adjustment in fees for use.
- 2) As a benefit to full-time City employees, and in support of the City's Employee Wellness Initiatives, they are eligible for membership to the FA50 Workout Center following approved guidelines in the department's Revenue & Pricing Policy. Age restriction does not apply to City employees.

Membership:

- 1) Membership is offered on a monthly or annual cycle. No refunds are given for partial periods.
- 2) Membership will entitle the member to full access of the space during operating hours and a 10% discount on all other fitness programs offered by the department. This does not include athletic programs.
- 3) Members will receive an access card upon registration. Replacement cards may be obtained for \$5.00.
- 4) Cost of membership:
 - a. Age 50-65 years old
 - i. Resident Monthly - \$5.00
 - ii. Non-Resident Monthly - \$8.00
 - iii. Resident Annual - \$35.00
 - iv. Non-resident Annual - \$70.00
 - b. Age 65 and older
 - i. No charge but must be renewed annually
 - c. City Employees
 - i. \$5.00 access card charge only

- 5) It is the responsibility of all members to hold others accountable and do not allow unauthorized users into the Workout Center.

Hours of Operation:

- Monday – Friday 5am – 8am (volunteer supervision or at own risk)
 8am – 5pm (FT staff monitored)
 5pm – 8pm (City staff use only - unmonitored)
- Saturday/Sunday 9am – 1pm (PT staff monitored)
- FA50 Workout Center will be closed on all holidays.

Supervision:

- 1) During the FA50 Workout Center assigned hours of operation, the department staff and volunteers will monitor the center regularly. However, this space will not have a designated attendant and members should be aware that they are using the space with limited supervision and in an independent manner.
- 2) Members work out at their own risk and explicitly accept the provisions of the Release and Waiver of Liability which was signed upon membership.



Oxford Parks & Recreation Department

Fit After 50 Workout Center Rules:

- 1) All members must sign up for membership, complete all required paperwork and attend an orientation session with staff prior to using the FA50 Workout Center.
- 2) Appropriate attire is required during workouts. Tennis or athletic shoes are required. NO OPEN TOE SHOES ARE PERMITTED. Sweats or loose clothing is encouraged. Please bring a towel to wipe perspiration.
- 3) Every member must sign in and out when they visit the Workout Center. This information will allow us to track data for usage that will enable us to monitor equipment use for maintenance requirements. This is vital to the continued functionality of the Workout Center.
- 4) Do not use any equipment that you have questions about or are unsure of how to operate it safely.
- 5) Do not use any equipment that has been marked "Under Maintenance – Do Not Use".
- 6) No food or drink is allowed except water.
- 7) Members are asked to wipe down equipment after use with provided supplies.
- 8) All equipment is limited to 20 minutes when others are waiting.
- 9) FA50 Workout Center is not responsible for lost, damaged, or stolen personal property.
- 10) As a courtesy to other guests, we ask you please turn off all cell phones while in the Workout Center.
- 11) To adjust the television channel, please locate a staff or volunteer.



Oxford Parks & Recreation Department

Fit After 50 Workout Center Membership Agreement

Name: _____ **Birthdate** _____

Address: _____

Home Phone _____ **Cell Phone** _____

Membership Type: **Monthly** ____ **Annual** ____ **Resident** ____ **Non** ____

- 1) **Representation of Health Condition:** Member hereby represents that he/she has the necessary current medical approval to utilize the facilities, equipment and/or participate in related fitness exercise programming. The FA50 Workout Center is relying on this representation.
- 2) **Rules of the Fitness Center:** Member understands that the Workout Center must establish and maintain rules for use to make it possible for all Members to exercise safely and comfortably. Member hereby represents he/she has reviewed and agrees to the FA50 Workout Center Rules and any additions or changes that may be posted at a later time in the center.
- 3) **Fitness Center Orientation:** Member agrees to be oriented and trained on the use of the equipment at the Workout Center before he/she uses the equipment.
- 4) **Waiver:** Full "Release and Waiver of Liability" is attached and must be signed by the Member in addition to this Agreement.

- 5) **Enforcement:** If any legal action is required to enforce the terms of this Agreement, the prevailing party shall be entitled to reasonable attorney's fees in addition to any other relief to which he or she may be entitled.
- 6) **Severability:** If any part, portion, or provision of this agreement shall be held invalid, void or inoperative, that part, portion or provision shall be deemed excluded from this contract and the remainder of the contract shall remain in full force and effect.
- 7) **Entire Agreement:** Member and City of Oxford acknowledge that this Agreement, including any rule either included with this document or posted, constitutes the entire understanding of the parties, and the City of Oxford has made no implied warranties or representations other than those set forth herein to induce Member to enter this contract. No modification is valid unless signed by both parties. Any discussions, agreements, and/or understandings not stated in this document are not part of the Agreement herein.

I have read and understood the terms and conditions for membership as stated in this Agreement and hereby agree to comply with all of the above. I am aware that this Agreement contains a release of liability. I understand this is a contract and I sign it of my own free will. My signature on this contract, as well as my use of the facilities, further acknowledges my acceptance of the statements within this contract.

Printed Name _____

Signature _____ Date _____

OXFORD PARKS & RECREATION

RELEASE AND WAIVER OF LIABILITY

Physical Activity

As a participant in an Adult Fitness Program located at the Hix Gymnasium, I hereby understand that it is my responsibility to get proper medical approval from a certified physician before using any of the fitness room equipment or participating in any of the exercise programs. I hereby affirm that I am in good physical condition, and do not suffer from any disability that would limit or prevent my using any of the fitness room equipment.

I, _____ hereby waive and agree to hold harmless the City of Oxford against any and all claims, demands and causes of action that I might have or assert against the City of Oxford, its employees, agents, representatives, including volunteers, arising from my use of the fitness room equipment. I assume all risks involved in using the equipment, and I acknowledge and recognize the risks involved and the possibility that I may injure myself as a result of using the equipment. As a participant, I agree to take full responsibility and liability for any temporary or permanent bodily injury/damage that may happen to me while using the fitness room now and in the future including but not limited to, heart attacks, muscle strains, pulls or tears, broken bones or soreness caused during and after using the fitness room equipment. In consideration of the acceptance of this form, I hereby agree to release and forever hold harmless the City of Oxford, its employees, agents, representatives, including volunteers, from any and all liability due to injury that may result from my participation in an Adult Fitness Program.

I certify that I am at least **18 years of age** and that I have read and understand the above.

Participant's Signature

Date

Emergency contact information: (PLEASE PRINT CLEARLY)

Name: _____

Phone: _____

Please note that this waiver is valid for a period of 1 year and will need to be renewed at the end of that time.

For Staff Use Only:

Expires: _____ Staff Initials: _____