

**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, March 17, 2020, at 6 p.m., in Council Chambers. The following people were present:

Mayor T. Chet Mann
Council Member Sam Gaskins
Council Member Charles Taylor
Council Member Rebecca Wyhof Salmon
City Manager Hal Hegwer
Deputy City Clerk Vicki Cannady

Mayor Pro Tem Byron Buckels
Council Member Jimmy Haire
Council Member Norman Charles Post, III
Council Member James Williams
City Attorney Susan Patterson

Absent:
City Clerk Bonnie Davis

CALL TO ORDER

Mayor Mann called the meeting to order. Council Member Taylor led the invocation and the Pledge of Allegiance was recited. Mayor Mann noted that some major changes related to the coronavirus COVID-19 will be addressed, including the postponement of public hearings previously scheduled for this meeting.

PUBLIC COMMENT

There were no requests for public comment.

APPROVAL OF AGENDA

Mayor Pro Tem Buckels made the motion to approve the agenda as amended. Seconded by Council Member Gaskins, the motion carried unanimously.

CONSENT AGENDA

There were no items on the consent agenda.

SPECIAL AGENDA

Bleeding Disorders Awareness Month (Exhibit A)

Mayor Mann read the proclamation and presented it to Betty Judd who is trying to increase public awareness of bleeding disorders.

CASES FOR PUBLIC HEARING

Due to concerns regarding coronavirus COVID-19, the following public hearings were cancelled and will be re-scheduled for a later date:

Application by Beacon Management Corporation for property owned by Winding Brook Limited Partnership, to rezone one 8.63 +/- acre tract of land addressed as 2107 Woodland Avenue from the current zoning of Winding Brook Apartments Conditional Zoning District (Revision #1) to Winding Brook Apartments Conditional Zoning District (Revision #2), with the intent being to revise the design for a site plan specific conditional zoning district. The subject property was formerly developed with several structures addressed as 2111, 2113, and 2201 Woodland Avenue and is depicted on Lee County Tax Maps 9652.18 and 9652.14 as Tax Parcel 9652-32-3205-00 Lee County Land Records.

Application by Esplanade Communities of Florida, LLC to rezone two vacant tracts of land totaling 29.04 ± acres with frontage/access off of Fire Tower Road (SR 1152) from Residential-Mixed Conditional Zoning District (R-6-C) to Residential-Mixed Conditional Zoning District (R-6-C) (Revision #1), with the intent being to revise the subdivision design associated with this specific conditional zoning district. The subject property is identified as Tax Parcels 9641-55-0952-00 and 9641-45-5299-00 as depicted on Lee County Tax Maps 9641.01 and 9641.02. The subject property is illustrated as a 27.9 acre tract of land and an adjoining lot owned by Donnie Ray Pettus on a 2019 plat labeled Boundary Survey for Esplanade Communities of Florida, LLC created by Timmons Group and recorded at Plat Cabinet 2019, Slide 60 of the Lee County Register of Deeds Office.

DECISIONS ON PUBLIC HEARINGS

There were no decisions on public hearings.

REGULAR AGENDA

There were no items on the regular agenda.

NEW BUSINESS

Resolution in Support of Temporary Closure of Portions of Several Streets for the Purpose of Christian Faith Ministries March for Christ (Exhibit B)

Management Analyst Holly Marosites explained that this closure relates to an event currently scheduled for April 10 from 11 a.m. through 2 p.m. It differs from typical closure requests because the group will be primarily on sidewalks and the police will assist pedestrians crossing the streets; the street will not be closed the entire three hours. City Manager Hal Hegwer confirmed there are no issues with Horner Boulevard (a state-maintained street) since the closure is a short duration. Mr. Gaskins questioned using Depot Park as an assembly point. Mr. Hegwer explained that the Depot Building will not be used, only the park. Kelli Laudate, Downtown Sanford, Inc. Director, confirmed that she spoke with the event organizer and informed him that the park could serve only as a meeting space, not a long-term gathering space. since no policy has been finalized on park rentals (an advisory committee is being formed for the park system). Mr. Hegwer pointed out that this event, along with many others, may be affected by developments with COVID-19. Mayor Mann noted that approving the street closure does not guarantee that the event will be held.

Council Member Taylor made a motion to approve the Resolution in Support of the Temporary Closure of Portions of Several Streets for the Purpose of Christian Faith Ministries March for Christ. Seconded by Council Member Gaskins, the motion carried unanimously.

Ordinance Delegating Authority to the City Manager to Determine Whether and When to Terminate Water Services and Waive Late Fees (Exhibit C)

City Manager Hal Hegwer explained that with the outbreak of the COVID-19 pandemic, it has become evident that it is necessary to take preventive precautions to eliminate hazards when possible to ensure public safety and according to the CDC, hand-washing is one of the best preventative strategies to combat spreading the virus. This ordinance would allow him, as City Manager, to waive late fees and penalties on utility accounts and relieve citizens of financial considerations during this time and allow access to water. The City has experienced similar situations before with natural disasters (hurricanes, tornadoes, etc.) and this authority would allow him to act as necessary. He confirmed that the Sanford Cares program would remain intact to assist during this time. He also encouraged utility customers to pay online, if possible, rather than coming into the Municipal Center. Although access has not been

prohibited at this time, it has been considered. Council Member Salmon questioned whether the ordinance should include an expiration date since it is tied to the COVID-19 outbreak, unless the goal is to extend authority during any state of emergency situation. City Attorney Susan Patterson explained that the ordinance was written to follow the declaration of any state of emergency. Mr. Hegwer stated that this policy has been conveyed to the Revenue Department and will apply to current bills. Mayor Mann agreed that ensuring access to water without fear of being disconnected is a role the City can play during this crisis and suggested that the cost of a water bill is minor compared to the cost of spreading an epidemic and that the City Manager was on target with this measure.

Council Member Post made a motion to approve the Ordinance Delegating Authority to the City Manager to Determine Whether and When to Terminate Water Services and Waive Late Fees. Seconded by Mayor Pro Tem Buckels, the motion carried unanimously.

Implementation of Additional Paid Sick Leave Related to COVID-19 (Exhibit D)

City Manager Hegwer explained that one of the key concerns to help mitigate the impact of COVID-19 is the health, safety and welfare of the public and in order to provide this, a viable, healthy workforce is needed. Many provisions and processes have been put in place to protect staff and public safety employees (police, fire, public health- including county employees). Since this type of action is not typically done through ordinance, Mr. Hegwer explained that he is seeking Council approval for a policy directive to allow additional sick leave for reasons set forth on the attached Exhibit D related to COVID-19. The duration of benefits to full-time employees is up to 240 hours that would not carry over. This recommendation basically parallels federal policy extending benefits to employees of companies with fewer than 500 employees. Legislation is currently being considered to provide paid leave to cover 14 continuous days away from work for salaried individuals and the number of hours scheduled or expected to be worked over a 14-day period for hourly employees. He explained that the goal is for City employees to feel comfortable taking care of themselves rather than coming to work when sick and infecting others since it is unknown how COVID-19 will progress. The situation will be monitored very closely and there would be consequences for any employee who abuses the policy change, which deals specifically with employees potentially dealing with COVID-19 only.

Council Member Buckels agreed with Mr. Hegwer and suggested it is best to stay ahead of the curve with this situation. Council Member Gaskins noted this is probably the most critical event he has seen in his entire lifetime. He just returned from Washington, D.C. where many issues relating to the virus were addressed, including the shipping of testing kits for the 330 million US citizens where the virus is doubling every three days. He suggested the public take all the precautions being suggested to reduce the spread seen in other areas since this virus is a very serious situation.

Mayor Pro Tem Buckels made a motion to approve the Implementation of Additional Paid Sick Leave Related to COVID-19. Seconded by Council Member Gaskins, the motion carried unanimously.

OTHER BUSINESS

Council Member Taylor informed Council that the Commission on the Opioid Abuse Epidemic received valuable input for their recent SWOT (strengths, weaknesses, opportunities, threats) analysis. He requested that citizens show grace during challenges related to the coronavirus and applauded the City Manager's efforts to create a hotline with the county and revamp the City's website to include information on how the virus has impacted City services.

Council Member Gaskins stated that he just returned from a convention in Washington, D.C. where several issues affecting our area were addressed, particularly the Federal Surface Transportation Block Grant. He visited offices of both state Senators and a Representative, where he requested an increase in the total grant. He asked that it be funded directly to local government and received a positive response from all three. He specifically asked for assistance with our \$3 million contribution to the S-Rail pilot program; all three were excited about what we are doing in Sanford and gave positive feedback. They also discussed the proposed I-685 corridor, access to broadband for citizens who don't currently have it, FEMA fund distribution, and the Clean Water Act.

Council Member Salmon encouraged everyone to help care for each other at this time and noted that people on Facebook are discussing how to support local restaurants and small businesses. People are finding new ways to get things done, including teleconferencing.

Council Member Buckels agreed that our nation is resilient and urged everyone to adhere to the leadership and policies to combat COVID-19.

City Manager Hegwer explained that the situation with the virus continues to evolve and staff has met many times in the last few days. Much of the guidance is coming from state and federal government and he reviewed actions and preparations that have been taken and will be taken, as shown on the attached Exhibit E. He noted that the City's website is being updated with a specific link providing information on the virus (<http://sanfordnc.net/730/Coronavirus-information>) and requested feedback from Council. Staff has met with Lee County officials and a hotline has been established (919-352-3360) that will provide general non-medical information and it is updated three times daily. This is an effort to allow the Lee County Health Department to address medical and health-related functions that cannot be done by others during this critical time.

Mayor Mann stated that non-essential meetings and gatherings have been suspended until it is deemed appropriate by federal, state and local officials. He asked for Council input on events connected with the City, including the Clean Up-Block Party (currently scheduled for April 25), Summer Concert Series, and two events scheduled for May. He announced that he has cancelled the Mayor's Prayer Breakfast and noted that many events require a great deal of pre-planning and fundraising. Council Member Salmon suggested that handling the pandemic properly includes "flattening the curve", which prevents spikes and elongates the period for transmission risk. Since it will create a longer disruption period, it will not be the best time for these events and she suggested they should perhaps be held after June or in the fall, particularly since planning will involve meetings. Council Member Taylor agreed and suggested we consider delaying April and May events and wait until June to reschedule. Mayor Pro Tem Buckels agreed. Community Development Director Karen Kennedy noted this is the tenth anniversary of the Block Party and summer is not a good time to hold that event since much of work is physical. She encouraged Council to work around regularly-scheduled fall events such as the Lee County Agricultural Fair and asked Council members to email her with suggestions. Downtown Sanford, Inc. Director Kelli Laudate stated that much of her time in the last few days has been spent with downtown merchants, shop and restaurant owners who are very concerned about the next few months and noted it would be insensitive to move forward with projects that require sponsorship funds. She confirmed that the Downtown Live series would be moved to August and September and if they can hold events in June, local artists will be used. Of the four concerts planned, two are planned as "Party in the Park" and "Party in the Street", with street closures needed on Steele Street on two days beginning at 2 p.m. She confirmed that she will obtain merchants' approvals before requesting Council approval. DSI is also making efforts to support merchants and restaurants.

Council Member Taylor suggested we support local restaurants by purchasing gift cards since they can provide only take-out service at this time. He asked Ms. Laudate if there was any initiative for this and she confirmed DSI will be communicating to the public how to support local businesses. Many local boutiques are also offering delivery services to online purchasers who live in Lee County.

Mr. Hegwer announced that the City's business continues with some modifications. The Technical Review Committee (a staff committee comprised of DOT officials and staff, planning officials, developers, etc.) has revised its format but upcoming projects continue to be reviewed outside of formal meetings; comments can be received electronically. Eventually, there may be a logjam of public meetings but much of the behind-the-scenes work will continue. Additional hand-sanitizing stations were ordered for the Municipal Center two weeks ago but have not yet arrived; foot-operated door openers have been installed; and access has been limited at some facilities, including the water treatment facility and wastewater treatment plant. Modifications have been made at the fire department to reduce the risk of contaminating personnel. Protective equipment has been provided for public-facing positions in the Revenue and Inspections Departments; employees not already enrolled in direct deposit have been encouraged to do so and the City's sick leave policy has been amended as described earlier. Blue Cross/Blue Shield will administer our group health plan as it relates to virus testing and treatment and the City will waive cost-sharing requirements (deductibles, co-pays, diagnostic tests), eliminating out-of-pocket costs for employees. He confirmed that staff will continue to look at positions that require employee gatherings or accepting applications. Some essential functions will continue but in a limited environment and there will likely be restrictions on personal interaction. Staff continues to seek guidance from the Center for Disease Control and the Department of Health and Human Services regarding restrooms and parks. Additional laptops are being purchased to allow employees to work from home and increase social distancing. Future considerations may include prohibiting direct payments, applications and submittals at City Hall, limited access to the Revenue/Collections and Human Resources Departments, staggered employee hours and telecommuting to ensure public and employee safety.

City Attorney Susan Patterson reminded everyone that states of emergency have been declared by Governor Roy Cooper and Lee County. The Lee County Attorney gave two reasons: to assure they would qualify for federal reimbursement funds under FEMA and to control access to and close public facilities. Staff has considered whether a declaration is needed for the City, and while it may be needed in the future, they believe the state's declaration will help us qualify for any FEMA funds that may be necessary. She noted that the City already has authority to control access to buildings and staff believes that restrictions such as social distancing and limiting access to buildings could be done without a state of emergency; however, if we want to be specific in our authority or generate more authority to have our buildings open with restrictions or prohibit public access, we may consider a declaration. She informed Council that she has drafted a declaration in case it is needed and since the Mayor is authorized by Council to declare a state of emergency, he could sign it at any time. A declaration of emergency would carry the authority to restrict certain movements or impose certain restrictions such as a curfew and restrictions on movements or congregations of people. Governor Roy Cooper banned dining in restaurants and bars in order to control spread of the virus and our police officers are authorized to enforce this statewide prohibition. She also noted that Council may consider delegating clear direction and authority to the City Manager to control the movements of persons or property on city buildings and similar issues.

Mayor Mann stressed that he is not imposing a state of emergency or a curfew at this time, but if it became necessary, he would do so for the betterment of the community. There are tools to protect citizens and City employees, specifically highly-specialized positions such as those at the water

citizens and City employees, specifically highly-specialized positions such as those at the water treatment facility or fire departments. If the public responds to mandates for social distancing and we “flatten the curve”, we can help contain the spread without having to take these measures.

Regarding Council meetings, Attorney Patterson explained that if a quorum is present in this building, some Council Members could telephone in so that the public could hear what they say and the members could hear what was being said by others. This would allow people who feel at-risk to participate remotely. Meetings could also be held solely through electronic means; however, provision must be made for the public to hear and participate in the meeting and there are ways to accomplish that. Mr. Hegwer explained that staff is working with Windstream and this option is being researched. We might not be may not be able to hold public hearings but other City business may be addressed via an electronic meeting if necessary. Mayor Mann agreed that it is important to continue conducting City business and staff will weigh that with safety concerns. Mr. Hegwer noted that an Interlocal Committee meeting had been planned soon but would very likely be cancelled, along with the Council Work Session scheduled for March 24. Several Council members agreed that both meetings should be cancelled. Mr. Hegwer also noted that the County Commissioners are currently meeting only once monthly.

Mayor Mann stated that our country has been through an event like this before with the small pox epidemic. He suggested that we will look back and tell our children and grandchildren about this time when a pandemic nearly changed the world, where our children came home from school and businesses closed. He encouraged everyone to support friends, families, neighbors and businesses, all from a safe distance, and suggested that when this pandemic passes – and it will – we will be stronger. Economic development was thriving before the virus and it will return when it is safe to move about again. He encouraged everyone to heed the warnings, be safe, use proper protocols, check on elderly neighbors and those who can’t otherwise provide for themselves easily in this time and to work together.

Closed Session

Council Member Gaskins made a motion to go into closed session in accordance with N.C.G.S. 143-318.11(a)(4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body. Seconded by Council Member Buckels, the motion carried unanimously.

RETURN TO REGULAR SESSION AND ADJOURNMENT

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

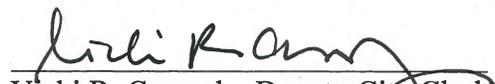
ALL EXHIBITS CONTAINED HEREIN ARE HEREBY INCORPORATED BY REFERENCE AND MADE A PART OF THESE MINUTES.

Respectfully Submitted,



T. CHET MANN, MAYOR

ATTEST:



Vicki R. Cannady, Deputy City Clerk