

**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, June 5, 2018, at 6 p.m., in Council Chambers. The following people were present:

Mayor T. Chet Mann
Mayor Pro Tem Rebecca Salmon
Council Member Sam Gaskins
Council Member Jimmy Haire
Council Member James Williams
Deputy City Clerk Vicki Cannady

Council Member Norman Charles Post, III
Council Member Byron Buckels
City Manager Hal Hegwer
City Clerk Bonnie Davis
City Attorney Susan Patterson

Absent:

Council Member Charles Taylor

CALL TO ORDER

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

PUBLIC COMMENT

No citizen signed up to speak.

APPROVAL OF AGENDA

Council Member Buckels made the motion to approve the agenda. Council Member Gaskins seconded the motion and it carried unanimously.

CONSENT AGENDA

Approval of City Council Meeting Minutes Dated May 1, 2018 – (Filed in Minute Book 93)

Approval of City Council Meeting Minutes Dated May 15, 2018 – (Filed in Minute Book 93)

Approval of Resolution of the City Council of the City of Sanford Authorizing the Condemnation Action on Parcels for Sanford-Chatham County Sewer Extension Project – (Exhibit A)

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

SPECIAL AGENDA

Presentation of Twenty ABC Scholarships

Mayor Mann praised the work that the local ABC Board has done in managing its revenues and stated that Council Member Norman Charles Post III is the City's liaison. Council Member Post recognized local ABC Board members Dr. Jim Foster, Bobby Powell, Buddy Keller, and ABC General Manager Lee Dowd. He explained the ABC Board's Underage Drinking and Prevention Education scholarship process. Mr. Post stated that since 1961, 260 high school seniors in Lee County have been awarded scholarships totaling over \$357,000. Mr. Post recognized Jim Van Hecke, Deputy

Director of Education Outreach for the ABC Commission of North Carolina, who presented scholarships to the twenty recipients.

Presentation of Exceptional Service Awards for Participation in Block Party for Sponsor, Adult and Youth Volunteers)

Mayor Chet Mann thanked Community Development Manager Karen Kennedy for her hard work, in coordinating the Block Party events each year. There were 268 volunteers and some that did not register or sign in. He thanked the lead groups – St. Mark United Church of God and Jonesboro United Methodist Church and many local businesses who donated products, money and materials. He thanked John Ramsberger with Sanford Real Estate and the Sanford Civitans for the complimentary tee-shirts. Mayor Mann honored and presented certificates to Rick Watson, staff member of the Sanford Housing Authority who hosted the event at Stewart Manor Parking Lot. Mr. Watson opened the maintenance shop to have it available for the Block Party's P.A. system and provide tools for people working the event. He also worked hard that day digging holes, planting shrubs, shoveling mulch, watering plants, and assisting groups in various ways. Mayor Mann honored and presented a certificate to Caroline Hegwer, daughter of City Manager Hal Hegwer and Angie Hegwer, who has worked hard every year. She painted, scraped, and did anything she was asked to do without complaining. Mayor Mann recognized Andrew Taylor, from Lee Early College, who stuck with Karen Kennedy until the end of the day. Mr. Taylor helped Public Works staff sort debris piles, pick up paint cans, and made sure the roads were clear for traveling. For the past two years, representatives of the high schools have participated by taking on large carpentry, masonry, yard and painting projects. Mayor Mann thanked the instructors involved - Gary Hart, Quinlan Henry, Chris Garner and Tony Martin. He also recognized and presented certificates to members of the Lee County High School Skills USA Club.

CASES FOR PUBLIC HEARINGS

Public Hearing on Proposed Budget for Fiscal Year 2018- 2019 – (Exhibit B)

City Manager Hal Hegwer explained that he presented the proposed budget, totaling \$59,300,000 on May 15, 2018. The budget included necessary funds to complete the 2013 Bond Referendum bond projects: \$4 million for greenways and \$2 million for parks projects. It included a \$.04 tax increase; a \$30 vehicle fee, and a \$15 solid waste fee increase. Since the time he presented this proposed budget, many budget workshops were held between staff and City Council. As a result of discussions, it was a consensus to delay the greenway portion of the bond projects, until at least next year; thus, reducing the amount of funds to be borrowed from \$6 million to \$2 million. Therefore, the proposed budget was revised to a \$.02 tax increase; no solid waste fee increase and a \$30 vehicle fee. Staff is in the process of revising the budget and it will be available on Thursday for the public to review.

Mayor Mann stated that he will open the public hearing and at the conclusion of the public hearing, he will ask Council to vote to recess the public hearing until Monday, June 11, 2018, at 4 PM. Mayor Mann opened the public hearing. No one spoke in favor or in opposition.

Council Member Gaskins made the motion to recess the public hearing until Monday, June 11, 2018, at 4 PM, in the Council Chambers. Mayor Pro Tem Salmon seconded the motion and it carried unanimously.

DECISIONS ON PUBLIC HEARING

Consideration of a Text Amendment to the Unified Development Ordinance, Article 11 Sign Regulations as a Major Update, which is the Result of a U.S. Supreme Court Decision Regarding Sign Regulations. - (Exhibit C)

Community Development Director Marshall Downey explained that a public hearing was held on this text amendment in May and staff received a lot of feedback. Through the public hearing process for the City, County, and Broadway, staff is recommending a minor change in how the new rules affect individual residences. As Council recalls, when the original draft was presented, it only allowed for one permanent sign and one temporary sign for a homeowner to post in their yard. After feedback, that seemed too restrictive and would be difficult to regulate in terms of what is a temporary sign versus what is a permanent sign. Staff went back and consulted with City Attorney Susan Patterson and the attorney hired to update this concern, and the recommendation was to limit the restriction on single-family. Staff recommends eliminating the temporary signage by definition and make all signs on residential, more or less permanent, so there is no time limit on them. Staff eliminated the need to have a permit. Article 11, Section 11.7.11 defines the change as shown on Exhibit C. Staff has proposed that we not put a limit on how many signs for a single-family and duplex dwelling. If it becomes an issue, staff will look at it and come back to Council.

- **Consider Approval of an Ordinance Amending the City of Sanford Unified Development Ordinance - (Exhibit D)**

Council Member Gaskins made the motion to approve the Ordinance Amending the City of Sanford Unified Development Ordinance. Seconded by Council Member Haire, the motion carried unanimously.

NEW BUSINESS

Consider Whether to Advertise the Intent to Enter into an Agreement with SprintCom, Inc., to Lease the Colon Road Water Tank for Wireless Communications Equipment – (Exhibit E)

Public Works Director Vic Czar explained that currently the City has an agreement with SprintCom, Inc. to lease space on the Colon Road Water Tank for wireless communications equipment. They have antennas on the tank and that agreement is close to expiring and Sprint would like to renew the agreement. Staff needs to advertise the intent to enter into a lease agreement if that is what Council chooses to do and the actual lease will be on a future Council meeting. SprintCom, Inc. would like to have a twenty-year agreement but it is for four, five-year agreements. At the end of each five years, the City would receive a fifteen (15) percent increase in the amount the City is being paid and it is an opportunity for either party to get out of the agreement as long as they notify the other party in a timely fashion. Currently at the end of this lease, we are receiving about \$2,600 per month and it will increase to \$3,041.75 per month to begin the new lease if Council chooses to approve the lease. Staff's intent is to advertise this agreement so that the lease can be approved in July.

It was the consensus of Council Members to advertise the intent to enter into an agreement with SprintCom, Inc.

Consider Resolution Authorizing City of Sanford to Engage in Electronic Payments as Defined by G.S. 159-28 – (Exhibit F)

Financial Services Director Beth Kelly explained that the General Assembly has made changes to N.C.G.S. 159 for units of government regarding the need for written pre-audit certification of electronic transactions and payments. The rule changes do not exempt a unit of government from going through the pre-audit process. The rules only exempt a unit from affixing the certificate of pre-audit on electronic transactions if the unit abides by the rules set forth in Administrative Code. The rules require the following: The Governing Board to adopt a resolution authorizing the unit to engage in electronic payments as defined by N.C.G.S. 159-28 which is being presented tonight for approval. The governing board must adopt policies and procedures for electronic obligations that provides sufficient internal controls over the obligation process and the governing board may delegate the authority and responsibility to the finance officer. The resolution before Council states that it is delegating this responsibility to the finance officer of the City of Sanford. Rules also require the unit to provide training to all personnel about the written policy and procedures; training will be provided in June for those types of employees who have any dealings with electronic transactions. The rule requires Finance to present quarterly budgets to actual statements to the Council and we already currently provide this information to Council. The resolution authorizes the City of Sanford to engage in electronic payments as Defined by N.C.G.S. 159-28.

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

Consider Reimbursement Resolution – Parks and Recreation Project #B1602 – (Exhibit G)

Financial Services Director Beth Kelly explained this is a reimbursement resolution for the parks and recreation project. The project is authorized for the splash pad equipment in the amount of \$62,441. This is the required deposit to proceed with the purchase of the splash pad equipment. Staff wanted to get this approved by Council and will not encumber or issue a purchase order for any of these items, until after the bids are opened on Thursday and we are sure this project will go forward.

Council Member Buckels made the motion to approve the reimbursement resolution. Seconded by Mayor Pro Tem Salmon, the motion carried unanimously.

Consider Ordinance Amending the Annual Operating Budget of the City of Sanford FY 2017-2018 – (Exhibit H)

Financial Services Director Beth Kelly explained that this ordinance appropriates \$62,441 from fund balance for the 30 percent deposit required on the splash pad equipment and these funds will be reimbursed to the City once the bonds have been issued for the park. Mayor Pro Tem Salmon made the motion to approve the ordinance. Seconded by Council Member Buckels, the motion carried unanimously.

Consider Capital Project Ordinance Amendment – Parks and Recreation Project #B1602 – (Exhibit I)

Financial Services Director Beth Kelly explained this sets up the capital project ordinance amendment to the project which has been set up for parks and recreation project. This amends it to include the \$62,441 for the splash pad equipment deposit. Council Member Gaskins made the motion to approve the capital project ordinance amendment. Seconded by Mayor Pro Tem Salmon, it carried unanimously.

Consideration of a Preliminary Plat Labeled “Nottingham Subdivision, Phase V” for a New 48-Lot Phase of an Existing Residential Subdivision Located off of Crusaders Drive Within the City of Sanford’s Corporate City Limits that is Proposed to be Served by Public Water, Sewer and Streets.

Community Development Director Marshall Downey explained that Copper Ridge Development, LLC, is seeking preliminary plat approval for Phase 5 of Nottingham Subdivision, consisting of 48 residential lots located off of Crusaders Drive. Lots will be served by public water, public sewer and public streets. The original preliminary plan was approved in 2001 and this particular section five was illustrated by a future development area. Therefore, the preliminary plat for the area must be approved by the governing board because it was not spelled out specifically in 2001. The preliminary plat was reviewed by the Technical Review Committee (TRC) in March 2018 and the TRC members were comfortable with the preliminary plan moving forward for review and approval by the Planning Board and City Council. On May 15, the Planning Board reviewed the preliminary plat and recommended unanimously that Council consider approving the plat.

- Consider Approval of Preliminary Subdivision Plat – (Exhibit J)
Council Member Gaskins made the motion to approve the preliminary plat. Seconded by Council Member Buckels, the motion carried unanimously.

Consideration of a Preliminary Plat Labeled “Harbor Freight Tools” for a New 2-Lot Commercial Subdivision Located off of NC 87 Hwy Within the City of Sanford’s Corporate City limits that is Proposed to be Served by Public Water, Sewer and Streets.

Community Development Director Marshall Downey explained that this is for a commercial subdivision. It is the creation of two lots for the potential location of Harbor Freight. The preliminary plat is to create these two lots; it is technically a major subdivision because it will require an extension of a sewer line to be created and developed, which will require Council’s approval. Both lots are accessed from N. C. Highway 87, which is a state-maintained road and the proposed site is associated with the preliminary plat which illustrates a shared driveway to be used for access and must be approved by the N. C. Department of Transportation. The Technical Review Committee met and reviewed the plan in February and was comfortable with moving forward for review and approval by the Planning Board and City Council. On May 15, the Planning Board recommended unanimously that the City Council approve the preliminary plat. There was discussion regarding the increase in commercial development on this side of town and where Harbor Freight was in the development process. The plans have been reviewed by the TRC, but they have not come forward with any permit applications.

- Consider Approval of Preliminary Subdivision Plat – (Exhibit K)
Council Member Gaskins made the motion to approve the preliminary subdivision plat. Seconded by Mayor Pro Tem Salmon, the motion carried unanimously.

Consider Triangle J Council of Governments Charter Resolution – (Exhibit L)

City Manager Hal Hegwer explained that recently, the Triangle J Council of Government (TJCOG) has reviewed the organizations’ Charter Resolution and wanted to update it to reflect revised boundaries of the region. Mayor Pro Tem Salmon, representative for the City to TJCOG, stated that there are no substitutive changes. They decided to divide any substitutive changes into a different charter resolution to come back at a later date. This resolution is non-controversial and it was approved unanimously by the TJCOG members.

- Consider Adoption of Charter Resolution – (Exhibit M)
Mayor Pro Tem Salmon made the motion to approve the Charter Resolution. Seconded by Council Member Post, the motion carried unanimously.

Consider Update on Unified Development Ordinance – (Exhibit N)

Community Development Director Marshall Downey gave an update on the Unified Development Ordinance. Staff's version of the final draft was released this week for the Land Use Plan. A public meeting will be held next Monday to invite the public to review the final draft. There will probably be a follow-up meeting a couple of weeks after the first viewing to put closure on it. Then it will go to the Joint Planning Commission, hopefully in late June or mid-July. They plan to present the final draft to Council in July or August for adoption.

OTHER BUSINESS

Mayor Mann noted that when Council returns from closed session, this meeting will be recessed to Monday, June 11, 2018, at 4 PM, in the Council Chambers.

CLOSED SESSION

City Attorney Susan Patterson read a motion to go into closed session in accordance with N.C.G.S.143-318.11(a) (3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege. So moved by Council Member Buckels and seconded by Council Member Gaskins, the motion carried unanimously.

RECESS MEETING

Council Member Post made the motion to recess the meeting until Monday, June 11, 2018, at 4 PM in the Council Chambers; seconded by Council Member Buckels, 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:



BONNIE DAVIS, CITY CLERK