

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, February 19, 2002, at 7:00 P.M. The following people were present:

Mayor Winston C. Hester	Council Member J. T. Kirkman
Mayor Pro Tem Joseph E. Martin	Council Member James G. Williams
Council Member Clawson Ellis	Council Member Walter H. McNeil, Jr.
Council Member Philip E. Dusenbury	Council Member Linwood S. Mann, Sr.
City Manager Leonard Barefoot	City Attorney Susan C. Patterson
City Clerk Bonnie D. White	

Mayor Hester called the meeting to order; Council Member J. T. Kirkman delivered the invocation.

Mayor Hester stated that there were two cases for public hearing 5A - Petition by Tawny B. Ramsperger and 5B - Amend the City of Sanford Code of Ordinances, Chapter 42 Zoning Ordinance, Article VII Signs. Mayor Hester added that since 5B is a change to the City ordinance which affects the municipal elections and political signs, he asked Planning Board Chairman Richard Feindell to bring a recommendation back from the Planning Board tonight in order for Council to make a decision. Municipal election filings started Monday and candidates need a copy of this amendment to the ordinance in order to comply with sign placement and removal.

APPROVAL OF AGENDA

On motion of Council Member Phil Dusenbury, seconded by Council Member Walter McNeil, the agenda was approved as presented.

CONSENT AGENDA

Approval of February 5, 2002, City Council Minutes- Filed in Minute Book 59

The items listed below were discussed in detail at the Law and Finance Meeting held on Wednesday, February 13, 2002.

Approval of Preliminary Assessment Resolution – 8-Inch Sewer Line Extension Fields Drive – (Exhibit A)

Preliminary Assessment Resolution sets a public hearing date of March 19 to serve Fields Drive and a private street called Martin Street with City sewer. Four lots are involved with 100 percent participation. The estimated cost is \$13,600 which amounts to \$3,400 per lot.

Approval of Award of Bid – Cool Springs Road Water Tank Interior and Exterior Painting – (Exhibit B)

Utility Service Company was awarded the low bid of \$140,465 to paint the interior and exterior of the Cool Springs Road Water Tank.

Approval of Award of Bid – Installation of 36-Inch Plug Valve – (Exhibit C)

Blue Construction was awarded the low bid of \$41,697, to install a 36-inch plug valve at the influent pump station where the wastewater comes into the Wastewater Treatment Plant. This valve will help isolate the flow for some pumps that need maintenance on them.

Approval of Award of Bid – Water Treatment Plant and Raw Water Pump Station Improvements – (Exhibit D)

Haren Construction Company was awarded the base bid of \$1,827,000 for filter rehab work, the bleach facility and monitor facility to change the disinfection process at the Water Treatment Plant. Inserv Corporation was awarded the low bid of \$174,410 for the electrical contract.

Approval of Resolution in Support of the Present System - Alcoholic Beverage Control – (Exhibit E)

Resolution is in support of the present Alcoholic Beverage Control system and sales through the local ABC Board.

Approval of Interlocal Agreement for Audit of Sales Tax – (Exhibit F)

Interlocal agreement is between the City of Sanford and Lee County to pay for the sales tax audit with Dixon Odom, PLLC. The City will agree to pay the County for a portion of the audit costs. The City's payment is based on its apportionate share of the quarterly sales tax distribution or 31.75 percent. There is no cost to the City or County should Dixon Odom not find any additional monies.

Approval of Capital Project Amendment – Water Improvement Projects Closed – (Exhibit G)

Amendment amends Ordinance Number 2000-38 adopted August 15, 2000, to close appropriations of \$2,530,000 for pumping station expansion, water plant improvements and realignment of the 24-inch transmission line (Lower Moncure Road). These projects have been grouped with a loan for this fiscal year.

Consider Capital Project Budget Ordinance Water and Sewer Improvement Projects – (Exhibit H)

This second amendment authorizes the \$2,530,000 projects that were closed in the amendment above along with additional loans with BB&T for water and sewer projects including golf improvements.

Consider Request by the Sanford Housing Authority to Locate a Radio Antenna on the Spruce Street Water Tank – (Exhibit I)

Sanford Housing Authority was granted permission to place an antenna on the Spruce Street Water Tank.

The consent agenda items were approved upon motion of Council Member Linwood Mann. Seconded by Council Member James Williams, the motion carried unanimously.

CASES FOR PUBLIC HEARING

Petition by Tawny B. Ramsperger to rezone from Residential (R-6) District to Office and Institutional (OI) District, approximately .22 acre of land located at 304 North Horner Boulevard (Exhibit J)

Planner I Mark Helmer advised that the adjacent land uses include a residential structure being used for the offices of Business and Estate Conservation (BEC) to the north, single-family homes to the south and east, and the offices of A.B. Harrington to the west and across North Horner Boulevard. The property has 75 feet of road frontage and Daily Traffic Counts approach approximately 20,000 vehicles per day on North Horner Boulevard near the site. The property is served by City water and sewer and is not located within a designated watershed or floodplain. The property is located within the scenic corridor yellow and highway corridor overlay districts. All nonresidential uses would be required to be screened from adjacent residential uses or zoning districts.

He stated that the property is zoned Residential (R-6) District. This district is intended for a variety of residential uses, including single-family homes, duplexes, and multifamily buildings and developments. The petitioner is requesting the property to be rezoned to Office and Institutional (OI) District. If rezoned as requested, general commercial and retail uses would not be permitted. Some of the permitted uses would include business and professional offices with no retail sales or deliveries, beauty shops and barbershops, medical and dental offices, and optical services.

The property to be rezoned falls in an Office and Institutional Overlay District. This land classification area includes professional, personal and service offices, schools, and churches. Rezoning this property would conform to the 2020 Land Use Plan.

Mayor Hester opened the public hearing. Taylor Uzzell, Jr. spoke in favor of the petition. Mr. Uzzell stated that he is the owner and president of Business and Estate Conservation. He commented that he is thrilled there is a potential of having a business of this quality being located beside him, and the owners have done a wonderful job of renovating the facility. Mr. Uzzell stated that he was so much in favor of it that he has worked with the owners to allow them parking area and access from Cross Street through his property. Mr. Uzzell expressed it is a positive addition to the City. He added it is a real estate business.

John Ramsperger, spoke in favor of the petition. He stated that he and his wife own the property. He advised that they are adding to the beautification and betterment of the Downtown area by locating the business there. They have spent a good deal of money on the building and felt it would be an asset. He added that they have been very well received from the vendors and people they have been interacting with on renovating the building.

No one spoke against the petition. Mayor Hester closed the public hearing.

Amend the City of Sanford Code of Ordinances, Chapter 42 Zoning Ordinance, Article VII Signs, Section 42-316 Exceptions from Permit Requirement, Subsection (10) pertaining to temporary political signs by deleting the requirement that a \$150.00 bond be posted with the zoning administrator prior to erection of any signs to ensure compliance with this subsection. Consideration will also be given to enforcement procedures for this subsection and the length of time in which political signs must be removed after an election. Substantial changes may be made to these proposed amendments after the public hearing. (Exhibit K)

Interim Community Development Director Trevis Averett explained that the public hearing is on the proposed text amendment to Chapter 42 Zoning Ordinance, Article VII Signs, Section 42-316 entitled "Exceptions from Permit Requirements" and Subsection (10) pertaining to temporary political signs. The amendment proposes to change the period of time for removal of signs after an election from "three days" to "ten days." It also proposes deleting a sentence in that subsection which reads as follows: "A certified bond of \$150 shall be submitted to the zoning administrator prior to any sign erection, and shall not be returned if any portion of this subsection is violated," and inserting in lieu thereof the sentence, "Enforcement of this subsection will be in the same manner as other sign violations pursuant to Article X, Section 42-521 Penalty."

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

The Planning Board retired to the West Conference Room. Mayor Hester reminded Planning Board Chairman Mr. Feindell to return a decision from the Planning Board concerning the amendment to Chapter 42 Zoning Ordinance.

REGULAR AGENDA

OTHER BUSINESS

Mayor Pro Tem Joe Martin stated that he has received a lot of calls from people concerning vandalism and graffiti in the City. He stated we needed to try and do something to stop it. Mr. Martin suggested the possibility of locating some cameras in areas that are constantly being vandalized.

RECESS

Mayor Hester declared a recess for approximately three to four minutes until the Planning Board's decision was returned to Council.

DECISION ON PUBLIC HEARING

Amend the City of Sanford Code of Ordinances, Chapter 42 Zoning Ordinance, Article VII Signs, Section 42-316 Exceptions from Permit Requirement, Subsection (10) pertaining to temporary political signs by deleting the requirement that a \$150.00 bond be posted with the zoning administrator prior to erection of any signs to ensure compliance with this subsection. Consideration will also be given to enforcement procedures for this subsection and the length of time in which political signs must be removed after an election. Substantial changes may be made to these proposed amendments after the public hearing. (Exhibit K)

Interim Community Development Director Trevis Averett advised that the Planning Board voted unanimously to adopt the amendment as proposed with one exception and that is to change the period of time for removal of signs after the election from three days to seven days; not ten days.

Council Member J. T. Kirkman made the motion to accept the Planning Board's decision. Seconded by Council Member Clawson Ellis, the motion carried unanimously.

ADJOURNMENT

With no further business to come before the Council, the meeting was adjourned on motion of Council Member James Williams. Seconded by Council Member J. T. Kirkman, the motion carried unanimously.

Respectfully submitted,

WINSTON C. HESTER, MAYOR

ATTEST:

BONNIE D. WHITE, CITY CLERK