

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, October 1, 2002, at 7:00 P.M. The following people were present:

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| 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 | |

ORGANIZATIONAL SESSION

City Clerk Bonnie White administered the Oath of Office for Mayor to Winston C. Hester; and for Council Members to Joseph E. Martin – At Large; Clawson Ellis – Ward 1; and James G. Williams – Ward 3. Family members joined the re-elected officials as they were sworn into office. Terms are for a four-year period. Oaths are on file in the City Clerk's Office.

MEETING CALLED TO ORDER

Mayor Hester called the meeting to order. The invocation was delivered by Reverend Tom Loftis, Pastor of the St. Luke United Methodist Church.

Mayor Hester gave each re-elected council member an opportunity to speak. Mayor Hester stated that he, Mr. Ellis and Mr. Martin were elected to the City Council on December 3, 1993. He added that it has been a privilege to serve the past nine years and a lot of progress has been made. Mayor Hester stated that he appreciated the opportunity to work with the council members and added that they work well together.

Mr. Martin echoed the mayor's sentiments and stated that it is a privilege to serve with the council. He added that it is a high honor to be a public servant and he did not take the position lightly. He pledged his allegiance to the City and will do everything he can to make Sanford a better place to live.

Mr. Ellis stated that he felt Sanford is a better city today than it was in 1993, and in the next three years, Sanford will continue to thrive and grow. He reminded everyone to remember the late Harold Stewart who was an elected council member in 1993.

Mr. Williams said he has enjoyed working with the council and that it was a new, learning experience for him. He gave special thanks to the mayor for his help. He noted that sometimes the public did not understand the rules and regulations that council has to abide by, and he is proud of the citizens for being understanding. The position has been very gratifying for him and that is the reason he ran for re-election.

COUNCIL APPOINTMENT OF MAYOR PRO TEM

Mayor Hester opened the floor for nominations. Mr. Martin stated that it had been a privilege serving as mayor pro tem. He added that a few years back, the council agreed to rotate the mayor pro tem position and that it is an honorary position because Mayor Hester is the most diligent mayor the City has had. He thanked the council for their past support and ended his comments by nominating J. T. Kirkman as Mayor Pro Tem. Mr. Mann moved that the nominations be closed. Seconded by Mr. Williams, it was unanimous to appoint J. T. Kirkman as Mayor Pro Tem.

APPROVAL OF AGENDA

On motion of Council Member Clawson Ellis, seconded by Mayor Pro Tem J. T. Kirkman, the agenda was approved as presented.

CONSENT AGENDA

Approval of September 17, 2002 City Council Minutes- Filed in Minute Book 59

The consent agenda item was approved upon motion of Council Member Phil Dusenbury. Seconded by Council Member Walter McNeil, the motion carried unanimously.

CASE FOR PUBLIC HEARING

Public Hearing - Renee Drive - 6-Inch Water Line Extension

Civil Engineer II Hal Hegwer explained that the public hearing is for citizen input into the final assessment roll for the Renee Drive 6-Inch Water Line Extension Assessment project. Mayor Hester opened the public hearing. No one spoke in favor or in opposition. Council Member James Williams stated that Pam Hooker was in the audience and needed some clarity on an issue. Pam Hooker, who resides at 2009 Hope Street, questioned what the charge is for in the amount of \$1,449.61. Mr. Hegwer replied that it is for the assessment which is the cost of the water line extension. She stated that she had not received a letter of the charge. Mr. Hegwer stated that she may not have been contacted when the petition was circulated and once the majority of the property owners signed the petition, council proceeded forward with the project. Mr. Hegwer advised Ms. Hooker that the project is financed over a period of nine years and one payment will be due at the end of the project. The public hearing is for citizen input. Ms. Hooker stated that her question had been answered.

Margaret Murchison, who resides at 3400 Evers Avenue, asked why she had received a water bill. Mr. Barefoot stated that we would check into it. Ms. Murchison also stated that there is a person on the assessment roll that no longer lives in the neighborhood and does that make their bill higher. Mr. Barefoot replied no; it goes against the property.

- Consider Adoption of Resolution Confirming Assessment Roll and Levying Assessment – (Exhibit A)

Council Member James Williams asked to abstain from voting since he is on the assessment roll. The motion was made by Council Member Joe Martin to allow Council Member James Williams to abstain from voting. Seconded by Council Member Clawson Ellis, the motion carried unanimously.

Council Member Linwood Mann made the motion to approve the Resolution Confirming Assessment Roll and Levying Assessment – Renee Drive 6-Inch Water Line Extension. Seconded by Council Member Walter McNeil, Jr., the motion carried unanimously with Council Member James Williams not voting.

DECISION ON PUBLIC HEARINGS

Petition by Kenneth W. Bright - to rezone from Residential (R-12) District to Office & Institutional (OI) District approximately 1.1 acres of land located at 617 and 619 North Horner Boulevard. The property is the same as shown on Lee County Tax Map 9643.03, Parcel No. 9643-42-3053. – (Exhibit B)

Assistant Community Development Trevis Averett advised that the Planning Board considered this petition at its September 17, 2002, meeting and unanimously recommended that City Council approve the request.

Council Member Clawson Ellis made the motion to go along with the recommendation of the Planning Board and approve the petition. Seconded by Council Member James Williams, the motion carried unanimously.

REGULAR AGENDA

Petition by John W. Coggin and Madge H. Coggin - requesting non-contiguous annexation of approximately 3.81 acres of property located at 2206 Jefferson Davis Highway. – (Pages 13 – 16) - (Exhibit C)

Planner I Amy Bean advised that the property is located at the intersection of Pendergrass Road and Jefferson Davis Highway. There is only one storage structure located on the property which will probably be removed if there is future development.

- Consider Adoption of Resolution Directing the City Clerk to Investigate a Non-contiguous Annexation Petition under N.C.G.S. 160A-58.1. –(Exhibit D)

Council Member Joe Martin made the motion to approve the Adoption of Resolution Directing the City Clerk to Investigate a Non-contiguous Annexation Petition under N.C.G.S. 160A-58.1. Council Member Phil Dusenbury seconded the motion.

City Manager Leonard Barefoot informed Council that Attorney Patterson has informed him that Sanford is now exempt from the law that states “the area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits, may not exceed ten percent (10%) of the area within the primary corporate limits of the annexing city.” Attorney Patterson attached Sanford to a bill with several cities throughout the state who requested legislation to exempt them from the 10 percent rule and with the Deep River Forest Project, the City came close to meeting that 10 percent total. He noted that Ms. Patterson did a good job in getting the bill approved.

A vote was taken and it was unanimous to approve the adoption of the resolution.

OTHER BUSINESS

Council Member Joe Martin praised the Public Works Department and staff in helping to make Autumn Fest a success.

Council Member Phil Dusenbury expressed concern about the stoplight at the intersection of Pendergrass Road and Jefferson Davis Highway operating during the weekday and blinks on the weekend. Mr. Barefoot asked City Engineer Vic Czar and Operations Manager Tim Shaw to check into the matter.

Mayor Pro Tem J. T. Kirkman thanked Council for giving him the privilege of being Mayor Pro Tem.

ADJOURNMENT

With no further business to come before the Council, the meeting was adjourned on motion of Council Member Walter McNeil, Jr. Seconded by Mayor Pro Tem J. T. Kirkman, the motion carried unanimously.

Respectfully submitted,

WINSTON C. HESTER, MAYOR

ATTEST:

BONNIE D. WHITE, CITY CLERK