

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 15, 2002, at 7:00 P.M. The following people were present:

Mayor Winston C. Hester	Council Member Joseph E. Martin
Mayor Pro Tem J. T. Kirkman	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. Mayor Pro Tem J. T. Kirkman delivered the invocation.

Mayor Hester read and presented Heather Murrell with a proclamation (Exhibit A) for her exemplary service as Executive Director of the Lee County Partnership for Children (Smart Start) for the past five years and extended best wishes to her and her future endeavors.

APPROVAL OF AGENDA

On motion of Council Member Walter McNeil, Jr., seconded by Council Member James Williams, the agenda was approved as presented.

CONSENT AGENDA

Approval of October 1, 2002, City Council Minutes- Filed in Minute Book 59

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

CASES FOR PUBLIC HEARING

Consider Local Law Enforcement Block Grant – (Exhibit B)

Detective Darla Cole advised that this is the seventh year that the City has received a Local Law Enforcement Block Grant from the U. S. Bureau of Justice Assistance. The total award amount is \$35,535 with \$31,982 coming from the federal government, and it requires a 10 percent match from the City of \$3,553. This money can be used for a variety of purposes that enhance criminal justice and law enforcement purposes. They would like to use the grant funds in the equipment and technology area. The biggest expenditure would be approximately \$13,000 for an additional moving target system for the firing range. This would enable law enforcement officers to increase their training efficiency and reduce their civil liability. The remaining funds would be used to upgrade radios for the detective division to make radios in use by investigators compatible with those used by the rest of the department; cellular phone service for the major of the patrol division and the patrol supervisor on duty; and additional mobile data terminals to be

used by the detective division for searches and major investigations. (Approval of the 10 percent match of funds is on page 4 of the minutes).

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

Petition by Eldridge Pace and James Clifton, Sandhills Ice, Inc., Central Electric Membership Corp., Phillip Faulk, and ABJP, Inc., to rezone from City of Sanford Industrial Park (IP) district to Light Industrial (LI) district approximately 8.05 acres of land located at 200 East Wilson Road, 3107 Hal Siler Drive, vacant (3100 block) Hal Siler Drive, 3103 Hal Siler Drive, and 208 Gordon Wicker Drive. The properties are the same as depicted on Tax Maps 9651.08 and 9651.12, Tax Parcels 9651-97-6247, 9651-97-4976, 9651-97-4510, 9651-97-3603, and 9651-97-2757, Lee County Land Records Office. – (Exhibit C)

Planner I Amy Bean advised that the properties to be rezoned are located in the Walker Wilson Industrial Park and house a variety of industrial uses. The properties include two corner lots and have a total of 290.71 feet of road frontage along Wilson Road, 965.76 feet of road frontage along Hal Siler Drive, and 545.98 feet of road frontage along Gordon Wicker Drive. NCDOT Traffic Counts approach 6,900 vehicles per day on Wilson Road near the site to be rezoned. The property is not located within an identified flood hazard prevention area or a surface water supply watershed protection area. The site is not located within the scenic corridor or the highway corridor overlay districts.

Ms. Bean stated that the site is currently zoned Industrial Park (IP) District. The purpose of this district is to provide for research and selective manufacturing with completely enclosed facilities. Other complementary uses may be established and may be given assurances of wholesome surroundings in the future. Permitted uses include assembly of automobiles and trucks, auction sales, auto parts sales (no salvage parts or outside storage), banks, blacksmith shops, building material sales (enclosed building only), businesses and professional offices, contractors offices (no outside storage), and the manufacturing of various products. The minimum setbacks are front 30 feet; rear 20 feet; and sides 15 feet.

The petitioners are requesting the properties to be rezoned to Light Industrial (LI) District. The purpose of this district is to create and protect industrial areas for the provision of light manufacturing and the distribution of products at wholesale. Permitted uses include auto repair shops, engine overhaul, body and paint shops, business and professional offices (with no retail sales or deliveries), contractor's offices (with or without outside storage), electrical supplies (sales enclosed within a building and outside), plumbing supplies and sales (indoors and outdoors storage), and the manufacturing of various products. The minimum setbacks are front 25 feet; rear 15 feet, and sides 10 feet. The change in setbacks would also benefit the existing businesses.

The 2020 Land Use Plan identifies this area as being within the Mid/High Density Residential Office district.

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.

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 – (Exhibit D)

Planner I Amy Bean advised that the property is located at the intersection of Pendergrass Road and Jefferson Davis Highway.

- Receive the Certificate of Sufficiency for Non-Contiguous Annexation – (Exhibit E)
City Clerk Bonnie White certified the certificate of sufficiency for non-contiguous annexation of the property.
- Consider Adoption of Resolution Fixing the Date of the Public Hearing on Question of Annexation Pursuant to G.S. 160A-31. – (Exhibit F)
Council Member Linwood Mann made the motion to adopt the Resolution Fixing the Date of the Public Hearing. Seconded by Council Member Joseph Martin, the motion carried unanimously.

Consider a Major Subdivision Plat of Paige Mill Court Phase 1 - This is an existing 11.69 acre, 37-unit planned multifamily development, consisting of 1 triplex and 18 duplexes, that is being subdivided into 37 individual lots. Covenants and restrictions will be created to ensure that buffers and common areas are maintained as the original design intended. This major subdivision plat was recommended for approval by the City Planning Board on August 20, 2002. – (Exhibit G)

Planner I Amy Bean advised that the majority of the development may be accessed by Olde Mill Drive, which is located off of Hughes Street. Several of the units are accessed by Hughes Street or Harkey Road. The triplex unit to the rear of the development is accessed via Woodland Drive. The owner of the property is Donald R. Simpson Family Limited Partnership. The applicant is in the process to publicly dedicate Olde Mill Drive to the City. The applicant is proposing to subdivide 11.69 acres which currently contains an existing semi-detached development. The subdivision would create 37 individual lots with half a duplex on each. The average lot size is 0.22 acres (9,583 SF).

The Planning Board discussed this major subdivision plan at its August 20, 2002 meeting and unanimously recommended that Council approve the Paige Mill Court major subdivision.

Council Member Joe Martin asked if the City inspects the streets and are they built to City specifications. City Engineer Vic Czar replied that the City inspects the streets, and the streets are built to the City's new standards which consist of eight inches of stone and two inches of asphalt. City Manager Leonard Barefoot stated that, typically, the City does not take over the streets in apartment complexes, however, if a developer chooses to go through the subdivision

process and subdivide the land off and build the streets to the City's standards, then the City is required to take them over.

Council Member Linwood Mann made the motion to approve the subdivision plat. Seconded by Council Member Walter McNeil, the motion carried unanimously.

Consider a Major Subdivision Plat of Chancellor's Ridge - A 48.24 acre major subdivision that will consist of 38 lots with private septic systems and public water with an average lot size of 1.07 acres. Two entrances are planned, one off of Pendergrass Road and the other off of Franklin Drive. This major subdivision plat was recommended for approval by the City Planning Board as a preliminary plat on August 20, 2002. – (Exhibit H)

Planner I Amy Bean stated that the owners are Sanford Sunset Properties, LLC. There are 38 lots proposed with the smallest size lot being 0.67 acre and the largest lot being 1.83 acres. The streets are proposed to be public streets built to NCDOT standards. No curb and gutter is proposed. Approximately 5,078 LF of streets are proposed. The developer is proposing public water which would be County water lines with City of Sanford water. Private septic systems are proposed on each individual lot.

The Planning Board discussed this subdivision plat at its August 20, 2002 meeting and unanimously recommended that City Council approve the Chancellor's Ridge Subdivision.

Public Works Director Larry Thomas advised that the water lines would become City water lines if the property is annexed into the City. Planner I Amy Bean advised that staff recommends annexation of this subdivision. Mr. Barefoot stated that the City's policy is that if utilities are extended, that the developer petitions annexation of the property. Council Member Joseph Martin asked Gerald Womble, one of the partners of Sanford Sunset Properties, LLC, if they would be okay with petitioning for annexation. Mr. Womble replied, "I think so. Yes."

Council Member James Williams made the motion to approve the subdivision plat. Council Member Joseph Martin asked Mr. Williams if he would amend his motion to approve the subdivision plat with the stipulation that the developers petition annexation of the property into the City limits. Mr. Williams replied that it was okay with him. Council Member Joseph Martin seconded Mr. Williams amended motion. The motion carried unanimously.

Consider Ordinance Amending the Annual Operating Budget of the City of Sanford FY 2002-2003) - Approval of Funding for Local Law Enforcement Block Grant – (Exhibit I)

City Manager Leonard Barefoot advised that the federal requirements for the Local Law Enforcement Block Grant requires an actual appropriation by the Council for the 10 percent match of \$3,553. A motion should be made to authorize an appropriation of \$3,553 in support of the Local Law Enforcement Block Grant. So moved by Council Member Clawson Ellis and seconded by Council Member Linwood Mann, the motion carried unanimously.

All exhibits contained herein are considered a part of the minutes.

OTHER BUSINESS

ADJOURNMENT

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

Respectfully submitted,

WINSTON C. HESTER, MAYOR

ATTEST:

BONNIE D. WHITE, CITY CLERK