

MINUTES OF RECONVENED 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 Wednesday, November 30, 2005, at 1:00 P.M. The following people were present:

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

Absent:

Council Member Cornelia P. Olive
Council Member Philip E. Dusenbury

Mayor Hester called the reconvened meeting to order.

APPROVAL OF AGENDA

On motion of Council Member Linwood Mann, seconded by Council Member Walter H. McNeil, Jr., the agenda was approved.

DECISIONS ON PUBLIC HEARINGS

Petition by Albert Adcock - to rezone from Residential-12 (R-12) district, to General Business (GB) district +/- 0.20 of an acre of land located at 209 Birch Street. The property is the same as depicted on Tax Map 9652.13, Tax Parcel 9652-14-9770-00, Lee County Land Records Office. This is one of three parcels (9652-14-9770-00, 9652-24-0778-00 and 9652-24-0803-00) which have recently been legally recombined to create one +/- 0.95 acre lot for which a new Tax Parcel number has not yet been assigned. – (Exhibit A)

Planner I Amy Bean explained that the Planning Board discussed this rezoning petition on November 15, 2005, after the public hearing was held. The Planning Board recommended unanimously to approve the rezoning petition for 209 Birch Street to rezone from Residential (R-12) to General Business (GB).

- Consider Ordinance Amending the Official Zoning Map of the City of Sanford, NC – (Exhibit B)
Council Member James Williams made the motion to approve and adopt the Ordinance Amending the Official Zoning Map of the City of Sanford, North Carolina. Seconded by Council Member Walter McNeil, Jr., the motion carried unanimously.

Assignment of a City of Sanford Zoning District to Property Recently Annexed into the Corporate City Limits. - The property owner's representative has requested to rezone from Lee County Residential Restricted (RR) district to City of Sanford Residential (R-14) district three

tracts of land totaling +/- 40.31 acres of land with frontage on Amos Bridges Road (SR 1420), southeast of the intersection of Amos Bridges Road & Rena Lane. The property is the same as depicted on Lee County Tax Map 9644.02, Tax Parcels 9644-87-9982-00, 9644-97-7888-00 & 9644-98-4339-00, Lee County Land Records Office and is to include all of the area recently annexed..- (Exhibit C)

Planner I Amy Bean advised that this petition is for the assignment of a City of Sanford Zoning District to property recently annexed into the corporate City limits. The petitioners for annexation were Tom Darden and Randy Rabon. The owner of the property is Cherokee Land Company, LLC. The request is to rezone recently annexed 40.32 acres off of Amos Bridges Road from Lee County Residential Restricted (RR) to City of Sanford Residential-14 (R-14). The Planning Board discussed this rezoning at its November 15, 2005, meeting after the public hearing was held and recommended unanimously to approve the rezoning petition.

- Consider Ordinance Amending the Official Zoning Map of the City of Sanford, NC (Exhibit D)
Council Member Walter McNeil, Jr. made the motion to go along with the recommendation of the Planning Board and adopt the Ordinance Amending the Official Zoning Map of the City of Sanford, NC. Seconded by Council Member Clawson Ellis, the motion carried unanimously.

Consider “Administrative” Rezonings Associated with the Recently Adopted UDO - (Exhibit E)

Assistant Community Development Director Marshall Downey explained that a public hearing was held on November 15, 2005, regarding the administrative rezoning of several zoning districts as they relate to the upcoming implementation of the new Unified Development Ordinance (UDO). Mr. Downey advised that there is one change staff is recommending since they last presented this information to Council and the Planning Board at the public hearing. There are two tracts totaling 90 plus acres along Kelly Drive that backs up to the subdivision off of Broadway Road. Council may recall that in 2003, the property owners – R. B. Properties, attained approval for a preliminary plat for a mixed-use development with single-family homes, as well as, some multi-family dwellings on these particular two tracts. Since that time, the plat has expired and the property is no longer vested for that development. The property owner has approached staff about retaining the right to do mixed-use development as opposed to the proposed R-20. R-20 would limit the development to single-family, 20,000 SF lots. Based on the property owner’s expressed interest to be able to retain that right to do something beyond single-family, staff is recommending that Council consider this one change along with the other actions presented at the last Council meeting. This property would change from RA-20 to R-6 instead of the R-20 that was originally proposed.

City Manager Barefoot asked Mr. Downey to explain the difference between RA-20 and R-6 under the new UDO. The RA-20 is the current zoning and is used primarily along the City’s eastern edge in the ETJ area. It is a residential/agricultural intending on allowing 20,000 SF single-family lots but also allows for mixed-use up to seven units per acre with the extension of utilities. When staff looked at the areas, property owners were mailed a letter requesting input from them as to what they wanted their property to be used in the future. They were given two options: R-20, which is primarily a single-family district, as well as the R-6, which is a

higher density, mixed-use district which allows up to *seven units* per acre. The property owner is requesting the R-6 zoning. The R-6 retains the same density as the current RA-20 which is six units per acre. If the property owner proposes any development on the property, Council has the option to review it as a new development proposal; Council would have control over the design of those streets.

- Consider Ordinance Amending the Official Zoning Map of the City of Sanford, NC
– (Exhibit F)
Mayor Pro Tem Joseph Martin made the motion to adopt the Ordinance Amending the Official Zoning Map of the City of Sanford, NC. Seconded by Council Member Walter McNeil, Jr., the motion carried unanimously.

Consider Minor Corrective Edits/Updates to Recently Adopted UDO.- (Exhibit G)

Assistant Community Development Director Marshall Downey advised that this ties into the new Unified Development Ordinance. Staff presented several corrective updates to the recently approved version of the UDO. The Planning Board considered the changes on November 15, 2005, and voted unanimously to adopt the new changes.

- Consider Ordinance Amending the City of Sanford Unified Development Ordinance –
(Exhibit H)
Mayor Pro Tem Martin made the motion to adopt the Ordinance Amending the City of Sanford Unified Development Ordinance. Seconded by Council Member Walter McNeil, Jr., the motion carried unanimously.

REGULAR AGENDA

Consider Fiscal Result Summary for Fiscal-Year End June 30, 2005 – (Exhibit I)

Financial Services Director Melissa Cardinali presented an overview of the fiscal result summary for year ending June 30, 2005. She stated that the overall revenue was up 8 percent or \$1,417,985 from the prior fiscal year. The basic reasons for the increase include ad valorem taxes which were up \$565,988 which was due to a three cent-tax increase. The 2005 tax collection rate for the City was basically unchanged at 96.41 percent. The other major gain in general fund revenue was in intergovernmental revenues which were up \$533,678 which was due to increases in grant funding, Powell Bill funds, and utilities franchise tax. General Fund expenditures increased 7.4 percent from 2004 due public safety, streets, downtown/historic preservation. Major enhancements which comprise the expenditure increase for 2005 include purchase of patrol vehicles in the Police Department; purchased generators and exhaust systems for fire stations with grant funds; used grant funds for improvements to Depot Park; used funds held over 2004 to increase number of paving projects; and added one additional code enforcement officer.

Fund balance at June 30, 2005 is \$10,131,623. Fund balance available for appropriation is \$7,311,936.

In the Utility Fund, the most significant development for fiscal year 2005 was the purchase of the Lee County FHA water system to form one consolidated system (March 2005). Utility revenue was up \$1,645,294 or 13 percent from the prior year due to the following reasons: adjustment to water rate tier structure, sewer rate increase of 3 percent; increased

usage by customers and four months of revenue from FHA customers. Expenses in the Utility fund were 77 percent of \$8,378,319 more than in 2003/04 due to the purchase of Lee County FHA water system.

In the Golf fund, the revenue decreased slightly by \$14,328 from 2003/04. The golf course was closed 66 days last year due to weather which was an increase from the prior year which was 58 days. Hawkins Avenue was closed the first three months of the last fiscal year.

Consider Cool Springs Road Subdivision, a 26-Lot Cluster Residential Subdivision to be Located off of Cool Springs Road (SR 1325) – (Exhibit J)

Consider Lee Avenue Extension Subdivision, a 35-Lot Residential Subdivision to be Located off of Lee Avenue Extension (SR 1133) – (Exhibit K)

Consider Amos Bridges Road Subdivision, a 59-Lot Residential Subdivision to be Located off of Amos Bridges Road (SR 1420) – (Exhibit L)

Consider Resolution Declaring Cost and Ordering Preparation of Preliminary Assessment Roll and Setting Time for Public Hearing on Preliminary Assessment Roll – (Exhibit M)

Consider Big Buffalo Waste Water Treatment Plant Sign- (Exhibit N)

Consider Progress Energy's Master Services Contract for Emergency Work – (Exhibit O)

Consider Invoices from The Timmons Group Related to a Water Disinfection Study Performed on Behalf of the County of Lee – (Exhibit P)

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

OTHER BUSINESS

ADJOURNMENT

With no further business to come before the council, the meeting was adjourned on motion of Council Member ; seconded by Council Member , the motion carried unanimously.

Respectfully submitted,

WINSTON C. HESTER, MAYOR

ATTEST:

BONNIE D. WHITE, CITY CLERK