

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 6, 2007, at 1:00 P.M. The following people were present:

Mayor Cornelia P. Olive	Council Member Linwood S. Mann, Sr.
Mayor Pro Tem Walter H. McNeil, Jr.	Council Member James G. Williams
Council Member Dan Harrington	Council Member Joseph Martin
Council Member Mike Stone	Council Member Steve Brewer
City Manager Leonard Barefoot	City Attorney Susan C. Patterson
City Clerk Bonnie D. White	

Mayor Olive called the meeting to order. Council Member Joseph Martin delivered the invocation.

Mayor Olive announced that today is the first day that the council meeting is being taped for broadcast later on cable station Channel 11.

APPROVAL OF AGENDA

City Manager Leonard Barefoot requested to add two items under Special Agenda and to add one item under the Regular Agenda that City Attorney Susan Patterson will handle regarding the purchase of property at 333 Saunders Street. On motion of Council Member Linwood Mann, seconded by Council Member Mike Stone, the amended agenda was approved.

SPECIAL AGENDA

City Manager Leonard Barefoot stated that during closed session following last week's work session that he informed the City Council of his intentions to retire as manager for the City of Sanford later this year. He has been in public service for more than thirty-three years, and he felt it was time to pursue other interests. Mr. Barefoot added that his retirement will allow him and his wife to spend more time with their families.

Mr. Barefoot said that he considered the opportunity to have served as manager for the City of Sanford during the past twelve years a privilege. He stated that Sanford is a wonderful community, and the City is blessed to have a staff of dedicated employees who understand their mission well and are eager to serve. Mr. Barefoot commented that he envied his successor.

He added that in order to facilitate the best possible transition to a new City manager, Council and he agreed that the best possible time for that new manager to begin his/her duties would be as soon as practical following the adoption of our annual budget, which must be accomplished prior to July 1, 2007. Council will consider an agreement for interim management services, which will allow him to serve in that capacity beginning April 1, 2007, until a new manager is on board – hopefully no later than August 1, 2007. In consideration of that agreement, Mr. Barefoot submitted his letter of resignation effective April 1, 2007. By

agreement, Council's acceptance of his resignation terminates his current employment agreement effective April 1, 2007.

Council Member Steve Brewer made the motion to accept Mr. Barefoot's resignation letter and terminate his current employment contract. Seconded by Mayor Pro Tem Walter McNeil, Jr., the motion carried unanimously.

Council Member Joe Martin made the motion to adopt the Agreement for Management Services. Council Member Mike Stone seconded the motion.

City Manager Leonard Barefoot explained that the agreement is for Leonard O. Barefoot, Inc., and it allows him beginning April 1 to receive his retirement earnings and earnings per the contract. He pointed out that the compensation in the agreement as interim manager is an amount equal to his current salary including FICA, an amount equal to his current travel allowance, and he will not receive 401K or other benefits. The agreement allows the council to terminate the contract upon thirty days notice or at such time that council has a new manager in place. The language actually states at the time that you have the manager in place at the sole discretion of the council.

The vote was unanimous to adopt the agreement. (Exhibit A)

CONSENT AGENDA

Approval of January 16, 2007, City Council Minutes - (Filed in Minute Book 66)

Approval of Ordinance to Erect Stop Signs Within the City of Sanford - (Exhibit B)

Ordinance was approved to erect stop signs at Portico Circle and Porches Way and Veranda Court and Porches Way within the Porches Subdivision.

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

CASE FOR PUBLIC HEARING

Public Hearing Regarding FY05 CDBG Revitalization Strategies Year-4 Program Closeout. - (Exhibit C)

Patt Crissman with The Wooten Company informed Council that the public hearing is required to close out Year 4 of the 5-Year Revitalization Strategies Grant. She summarized the activities for the past year which included completion of the Wicker Community Business Campus which is occupied; a day care center and computer center, flood and drainage improvements, housing rehabilitation, and housing counseling. Year 5 is underway and will draw to a close towards the end of 2007.

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

- Authorization for Mayor to Sign Documents
Mayor Pro Tem McNeil made the motion to give the mayor authority to sign the proper documents. Seconded by Council Member James Williams, the motion carried unanimously.

DECISION ON PUBLIC HEARING

Petition by Michel & Terri Dussault, Roger & Patricia Collins and Patricia Pemberton - to rezone 26.78 +/- acres from the current Residential Single-family (R-20) district to Residential Restricted (RR) district. The property requested for rezoning is located at 318 Traveler Lane, 446 Traveler Lane, 453 Traveler Lane, and two adjoining parcels to the north. The property is the same as depicted on Tax Map 9661.03, Tax Parcels 9661-03-4431, 9661-03-0900, 9661-04-5206, 9661-03-6904, and 9661-03-8460 Lee County Land Records Office. – (Exhibit D)

Assistant Community Development Director Marshall Downey advised that the Planning Board discussed this item at its January 16, 2007, meeting and recommended that Council approve the rezoning petition.

- Consider Adoption of Ordinance Amending the Official Zoning Map of the City of Sanford, North Carolina – (Exhibit E)
Council Member Steve Brewer made the motion to adopt the Ordinance Amending the Official Zoning Map of the City of Sanford, North Carolina. Seconded by Council Member Dan Harrington, the motion carried unanimously.

REGULAR AGENDA

Consider Ordinance Amending the Annual Operating Budget of the City of Sanford FY 2006-2007 for Acceptance of Funds for the Civic Education Consortium Grant Project– (Exhibit F)

Planner II Karen Kennedy explained that the City received a grant from the Civic Education Consortium to help start up a youth council and also to provide funds for two internships – one for the City and one for the County this summer. A meeting has been held with a core group of youth. There are now eleven participants. She stated that we are trying to get the project going, have monthly meetings with them, set up activities, and get them researching as to how they would like the Sanford/Lee County Youth Council to proceed.

Lisa Price from Lee County is helping with this project. Mrs. Kennedy invited council to attend the meetings. The next meeting is Monday, February 26, in the West End Conference Room. The time has not been set yet. Mrs. Kennedy explained the project in detail.

The budget ordinance appropriates the revenues received from the Z. Smith Reynolds Foundation. Council Member Joseph Martin made the motion to adopt the Ordinance Amending the Annual Operating Budget of the City of Sanford FY 2006-2007 for Acceptance of Funds for the Civic Education Consortium Grant Project. Seconded by Council Member Mike Stone, the motion carried unanimously.

Consider Award of Bid for Walking Trail and Vance Street Park – 2002-2006 CDBG Revitalization Strategies Program Year 5 Activity – (Exhibit G)

Planner II Karen Kennedy advised that the bid tabulation sheet is for services for landscaping and park design for the playground and walking trail that will be in front of the W.B.

Wicker Business Campus on the corner lot where the original mobile units have been removed. The project was bid twice and only received one bidder each time which was Greenschemes from Greensboro, North Carolina. Staff had to have approval through the state to accept their bid and they approved the process of how it was handled.

Council Member Williams asked if the project includes more than a walking trail. Mrs. Kennedy replied that she felt it would be more than a walking trail. The walking trail is one of the original components they wrote in the grant. There will also be a playground with playground equipment. She would be glad to give Council a copy of the design when she receives it.

The Community Development Department recommends awarding the bid to Greenschemes in the amount of \$59,350. There are no matching funds.

Mayor Pro Tem McNeil made the motion to award the bid to Greenschemes. Seconded by Council Member Steve Brewer, the motion carried unanimously.

Consider Ordinance Amending the Annual Operating Budget of the City of Sanford FY 2006-2007 to Appropriate Funds for Payment to NC Department of Transportation for Railroad Warning Devices – (Exhibit H)

City Engineer Vic Czar advised that on December 1, 1997, the City Council entered into an agreement with the Department of Transportation to pay for a portion of improvements on McIver Street associated with the railroad crossing. Improvements included some cantilever arms and warning devices that come down to show there is a train coming to protect the traffic. The agreement states that the Federal Highway Administration will pay 90 percent of the cost of improvements and Sanford will pay 10 percent. The cost has been determined and the city's portion of the cost is \$28,511.99. The budget ordinance appropriates these funds for the improvements. City Manager Barefoot added that the Department of Transportation has just sent an invoice for the improvements.

Council Member Dan Harrington made the motion to adopt the Ordinance Amending the Annual Operating Budget of the City of Sanford FY 2006-2007 to Appropriate Funds for Payment to NC Department of Transportation for Railroad Warning Devices. Seconded by Council Member James Williams, the motion carried unanimously.

Consider Ordinance Repealing Any Previous Stop Sign Ordinance on Lord Ashley Drive at Columbine Road – (Exhibit I)

City Engineer Vic Czar explained that staff has received a request to investigate the need for the stop sign at the intersection of Lord Ashley Drive and Columbine Road. It appears the stop sign was installed when the intention was for that intersection to be a "T" intersection and that has not happened. The proposed development to the south has not happened; therefore, the intersection is basically a right-hand turn. Staff recommends removal of the stop sign because there are not conflicting traffic movements that are being protected by that stop sign.

Council Member Steve Brewer made the motion to adopt the Ordinance Repealing Any Previous Stop Sign Ordinance on Lord Ashley Drive at Columbine Road. Seconded by Mayor Pro Tem Walter McNeil, Jr., the motion carried unanimously.

Consider Award of Bids for Streetscape Projects in Downtown Sanford – (Exhibit J)

- Consider Award of Streetscape Bid Phase 1B, 1E, and 1F
- Consider Award of Streetscape Bid Phase 1A and 1D and Adoption of Resolution Authorizing the Execution of Contract with Sandhills Contractors, Inc.

City Engineer Vic Czar explained there is a project on the books to do some improvements to streetscape projects in Downtown Sanford. Currently the city has two grants; one grant is from the Department of Transportation and one is a CDBG grant to do a portion of these projects. On December 21, 2006, bids were opened for these two projects. Staff bid two projects to coincide with the grant amounts. Staff did some negotiations with the contractor to make the projects line up with the grant amounts. The contractor was agreeable with this.

Staff recommends award of the Streetscape 1B, 1E, and 1F to Sandhills Contractors in the negotiated amount of \$272,073, and award Streetscape Project 1A & 1D to Sandhills Contractors in the negotiated amount of \$170,232.50. Mr. Czar reminded Council that McQueen Construction was the lowest bidder; however, at Council's last meeting, Mr. McQueen made an error in the bid and Council allowed him to withdraw his bid.

The Department of Transportation grant, which covers Streetscape Project 1A and 1D, requires a local match of 20 percent. The Department of Transportation grant amount is \$150,000 and the City's portion would amount to approximately \$37,500.

- Council Member James Williams made the motion to award the Streetscape Project for Phase 1B, 1E, and 1F to Sandhills Contractors in the amount of \$272,073 and to award the Streetscape Project for Phase 1A and 1D to Sandhills Contractors in the amount of \$170,232.50 and to adopt the Resolution Authorizing the Execution of Contract with Sandhills Contractors, Inc.. Seconded by Council Member Steve Brewer, the motion carried unanimously.

Consider Motion to Take From the Table a Resolution Authorizing the Removal of the Signal Lights at the Intersection of Eleventh Street and Charlotte Avenue – (Exhibit K)

Council Member Steve Brewer made the motion to take from the table for discussion a Resolution Authorizing the Removal of the Signal Lights at the Intersection of Eleventh Street and Charlotte Avenue. Seconded by Council Member Mike Stone, the motion carried unanimously.

City Engineer Vic Czar informed Council that at its last meeting, the issue of removing the stoplight at the intersection of Oakwood Avenue and Eleventh Street was discussed. The stoplight is located at some state streets and local streets. Under the Department of Transportation's policy, it is not warranted and staff was recommending removal of the light. The D.O.T. requested a resolution from the council stating that they are in favor of the removal and directing stop signs be erected on Eleventh Street and Oakwood Avenue in place of the

traffic signal. Staff was requested to check with the D.O.T. about installing flashers in lieu of the traffic signal. Staff checked with the D.O.T., and they did not feel the flashers were warranted either.

City Manager Barefoot clarified that the decision becomes to remove the traffic light or leave it. Several council members felt it would be a disservice to the public and it would be better to leave the traffic light there. Mr. Czar added that the light will have to be upgraded and it would cost \$15,000. The money is in the budget.

Council Member James Williams made the motion to leave the traffic signal at the location at the city's expense. Seconded by Council Member Mike Stone, the motion carried unanimously.

Consider Purchase of Property at 333 Saunders Street – (Exhibit L)

City Attorney Susan Patterson stated that the Community Development Department previously requested permission from the Council to rehabilitate the house located at 333 Saunders Street under the Revitalization Strategies CDBG project for the W. B. Wicker area. Due to the high cost involved with rehabilitation compared to the value of the structure, Council requested the grants administrator to find another solution for the family, such as relocation.

Patt Crissman, with The Wooten Company, has secured permission from the Bankruptcy Court to allow the City to purchase 333 Saunders Street for \$2,499 and allow the money to go towards the purchase price of 1208 Bland Circle, a house Brick Capital built. The family will be relocated, and the grant money will be used to assist with the purchase of the new house.

Council needs to consider approval of the purchase of 333 Saunders Street in the amount of \$2,499 to be paid from grant funds and to authorize the mayor, manager, and clerk to execute the necessary documents to purchase the property. The long-term plans for this property would be to demolish the house and to consider Brick Capital to possibly build another structure there at the entrance to the Wicker School for affordable housing. Attorney Patterson explained that there will be no money from the City into the project, only grant money. The site will become City property and then the City will have the ability to dispose of it under the General Statutes for disposal of property. Because it is in the redevelopment area and the gateway to the Wicker School entrance, there was concern about a nice structure being placed on the property in the future. This would be a separate item for Council to consider later.

Patt Crissman advised that there is money in the Year 5 grant to demolish and clear the structure from the lot at 333 Saunders Street. Ms. Crissman thanked Council for making the decision to relocate the family because this family is very happy about their new home that was built by Brick Capital in 2001.

Council Member Linwood Mann made the motion to purchase the property at 333 Saunders Street and authorize the mayor, manager, and clerk to execute the necessary documents. Seconded by Mayor Pro Tem McNeil, the motion carried unanimously.

PUBLIC COMMENT- (Exhibit M)

Joe Cameron, of Webb Street, from the audience, signed up to speak. Mr. Cameron stated that he was excited Sunday when he read the paper about the \$440,000 Streetscape program. He felt that this must be a new rationale now to take public funds to do projects that improve private property and not charge the property owners for the improvements. He thought since there is some new thinking on that, maybe Council would want to take a look at what happened to the residents of Webb Street and Currie Drive when the improvements were made on the streets, but not at the requests of the residents. Residents were sent bills for the assessment of the pavement. Mr. Cameron stated that he would appreciate Council taking another look at this situation.

Mr. Cameron told Mr. Barefoot that even though there were a lot of things he did not agree with that he did and sometimes the way he did them, he wanted to thank Mr. Barefoot for the strong and effective leadership that he has given Sanford when it needed it because he did a good job.

OTHER BUSINESS

Council members expressed their appreciation to Mr. Barefoot for his service to the City, praised him for the excellent job he has done, and wished him well in the future.

Attorney Patterson reminded Council that staff will be seeking a local bill on behalf of the city requesting legislators to introduce a bill to allow the city to add property to satellite annexations in the future. She also thanked Mr. Barefoot for his wonderful leadership of Sanford.

City Manager Barefoot asked Trina Bastress to introduce herself to the council. She is the new Administrative Assistant to Public Works Director Larry Thomas.

Mr. Barefoot said one of the truest statement he has made today in all his remarks is that he envied his successor and thanked council members and Mr. Cameron for their comments.

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

ADJOURNMENT

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

Respectfully submitted,

CORNELIA P. OLIVE, MAYOR

ATTEST:

BONNIE D. WHITE, CITY CLERK

