

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, May 1, 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 Dan Harrington delivered the invocation.

APPROVAL OF AGENDA

City Manager Leonard Barefoot requested adding, under Item 6, Ordinance to Erect Stop Signs. Council Member James Williams made the motion to approve the amended agenda; seconded by Council Member Mike Stone, the amended agenda was unanimously approved.

CONSENT AGENDA

Approval of March 28, 2007 Special Called City Council Meeting Minutes - (Filed in Minute Book 67)

The minutes of the special called City Council meeting on March 28, 2007, were approved.

Approval of March 28, 2007 Reconvened City Council Meeting Minutes - (Filed in Minute Book 67)

The minutes of the March 28, 2007 Reconvened City Council meeting were approved.

Approval of April 3, 2007 City Council Meeting Minutes – (Filed in Minute Book 67)

The minutes of the April 3, 2007 City Council Meeting were approved.

Approval of April 17, 2007 City Council Meeting Minutes – (Filed in Minute Book 67)

The minutes of the April 17, 2007 City Council Meeting were approved.

Upon motion of Mayor Pro Tem Walter McNeil; seconded by Council Member Dan Harrington, the consent agenda items were unanimously approved.

DECISIONS ON PUBLIC HEARINGS

Petition by Castle Ridge Development to rezone 0.55 +/- acres from the current Residential Mixed (RM-12) district to the Rosemount-McIver Park Carriage Homes Conditional zoning district. The property requested for rezoning is two undeveloped tracts located in the eastern

corner of the intersection of W. Weatherspoon Street (SR1560) and N. Gulf Street. The property is the same as depicted on Tax Map 9643.03, Tax Parcels 9643-41-4451-00 and 9643-41-5416-00 Lee County Land Records Office. – (Exhibit A)

Assistant Director of Community Development Marshall Downey explained that this is a recommendation from the Planning Board for a conditional zoning request. The decision was based on consistencies with the 2020 Land Use Plan and the fact that a Certificate of Appropriateness was issued by the Historic Planning Commission in March 2007. The Planning Board did find that the request is reasonable and is in the public interest due to the proximity of existing residential zoning in the area.

- Consider Adoption of Ordinance Amending the Official Zoning Map of the City of Sanford, North Carolina – (Exhibit B)

Upon motion of Council Member Steve Brewer; seconded by Mayor Pro Tem Walter McNeil, Jr., the ordinance was unanimously approved. Council Member Joe Martin thanked the developers for the manner in which they had worked with the neighborhood and with City staff. He says the neighborhood appears excited to have this development.

Consider an Amendment - to Section 5.1 of the Unified Development Ordinance (UDO) - that would allow for accessory structures with the issuance of a Special Use Permit to be located on a parcel without a principal structure within the Residential Agricultural (RA) and Restricted Residential (RR) zoning districts. The amendment, as proposed, would only apply to the unincorporated areas of Lee County's zoning jurisdiction. – (Exhibit C)

Assistant Director of Community Development Marshall Downey explained that this is an amendment to Section 5.1 of the Unified Development Ordinance and is combined with the ordinance below. Adoption of the amendment is included in the ordinance below with amendment to Section 6.4 Cluster Subdivision.

Consider an Amendment - to Delete Section 6.4 Cluster Subdivisions of the Unified Development Ordinance (UDO) in its entirety - (Exhibit C)

- Consider Adoption of Ordinance Amending the City of Sanford Unified Development Ordinance– (Exhibit D)

Council Member Dan Harrington made the motion to approve the Ordinance Amending the City of Sanford Unified Development Ordinance; seconded by Council Member Joe Martin, the motion passed unanimously.

REGULAR AGENDA

Consider Resolution Authorizing the Advertisement of an Offer to Purchase a Vacant Lot in the Brick Capital Redevelopment Area. The purchasers are Terry and Linda Bristow with Bristow Builders, Sanford, NC. – (Exhibit E)

Planner II Karen Kennedy explained that this is an offer from Terry and Linda Bristow to purchase a redevelopment lot along Washington Avenue; they have placed a deposit. Their plan is to use the lot to build a single-family residence for resale. They are offering the minimum of

tax value (\$2,500). An ad must be placed in the paper advertising the offer for ten days. Brick Capital has not pursued this lot.

Upon motion of Mayor Pro Tem Walter McNeil, Jr. and seconded by Council Member James Williams, the motion passed unanimously to approve the Resolution Authorizing the Advertisement of an Offer to Purchase a Vacant Lot in the Brick Capital Redevelopment Area.

Consider Presentation by Laura McClettie, Partnership Specialist, with the United States Census Bureau

Laura McClettie, partnership specialist, with the United States Census Bureau addressed Council. She explained that there is a dress rehearsal for the census going on in nine counties around Lee County presently. Her job is to work with areas to assure they get an accurate count, and she emphasized several points to that effect. She said the population here is diverse, which is a compliment to the area. She recognized the tremendous change expected in the population between now and 2010 with the base realignment plan. For the dress rehearsal, on April 1, 2008, forms will be mailed to individuals in the selected counties to be completed and returned. Census workers will visit homes that do not return the forms. The actual census date is April 1, 2010. She expressed appreciation to Don Kovaschitz, strategic services administrator, for his help. Also, people in the community have an opportunity to work for the census. If they start working now, they can work through 2010, with starting pay at \$11.50 per hour for enumerators; supervisors are paid more. Lowest paid is the clerk's job in the office at \$8.75 per hour.

Ms. McClettie is trying to make citizens aware of the census. This time, census takers will be using hand-held computers and will not need to go inside the home.

Mayor Olive asked what kind of identification census workers will carry. Ms. McClettie responded they will have badges and bags; will travel in pairs; and their cars will have stickers on them. They are now in the process of address canvassing, and people have been in the community since October recruiting. She left packets for Council.

Consider Capital Project Ordinance Amendment – Sewer Capital Project -- (Exhibit F)

City Engineer Vic Czar explained that this budget ordinance is to amend the budget for the Purgatory Branch sewer outfall. Bids came in slightly higher than anticipated, and this budget ordinance increases the budget available to complete the project. It is a combination of City funds and funds from developers. We do have letters of credit from developers to cover their amounts.

Mayor Olive asked about the amount City was putting in compared to developers. Mr. Czar responded that City's part amounts to approximately \$240,000. The total project is about \$1.289 million. Council Member Steve Brewer verified that City would recoup this amount. Mr. Czar responded that there is an acreage fee for those developing inside the drainage basin, \$1,500 per acre for a twenty-five (25) year period, anything above one residential tap. Council Member Stone inquired if this money will come back to the City. Mr. Czar says it is returned to all parties in their proportionate shares, so we would be paying the developers back. Council Member Joe Martin added that we would be saving a huge amount on lift stations. Mr. Czar replied that the alternative would be for the developers to install lift stations and the city would

take them over for maintenance at a cost of about \$35,000 per year. That expense has gone away. Mayor Olive said she could not recall City's having committed this much money to a private developer in the past. Mr. Czar replied that it is more to the improvement of the system—to the project—than to the developer; it is to the project, but there is some real benefit to the City.

Upon motion of Council Member Steve Brewer and seconded by Council Member James Williams, the motion passed unanimously to approve the Capital Project Ordinance Amendment.

- Award of Purgatory Branch Sewer Outfall Bid – (Exhibit G)
Mr. Czar explained that the low bid received was submitted by Billings & Garrett in the amount of \$1,112,035. City has dealt with this contractor in the past, and Mr. Czar recommends awarding the contract to Billings & Garrett contingent upon City's receiving the DOT encroachment agreements, which have are on the way, but have not yet been received.

Council Member Linwood Mann made the motion to award the Purgatory Branch sewer outfall bid to Billings & Garrett in the amount of \$1,112,035. Council Member Mike Stone seconded the motion.

Council Member Williams asked if the total cost was close to what City had estimated. Mr. Czar responded that it came in about 12 percent higher. Mr. Williams asked if there was any rock in the area. Mr. Czar said that is a possibility.

The motion passed unanimously.

Consider Proposal for Engineering Services for Harkey Road Booster Pump Station - (Exhibit H)

City Engineer Vic Czar informed Council that City had received a grant for \$500,000 to help build a booster pump station which would increase the redundancy of the water system from the low pressure zone to the high pressure zone. We became eligible for the grant because Coty is expanding the number of jobs they have here. The grant covers about half the cost. A proposal has been received from ms consultants to perform the engineering design and construction administration for the project, in a "cost not to exceed" format; the maximum cost to the City is \$118,972. City has worked with ms consultants in the past; they are very familiar with our distribution system and well qualified to perform the tasks indicated. Staff recommends awarding the contract to ms consultants for a cost not to exceed \$118,972.

Mayor Pro Tem Walter McNeil, Jr. made the motion to approve awarding the bid for engineering services for Harkey Road Booster Pump Station to ms consultants for a cost not to exceed \$118,972; seconded by Council Member Dan Harrington, the motion passed unanimously.

Consider Resolution Declaring Cost, Exclusive of Cost Incurred at Street Intersections, and Ordering Preparation of Preliminary Assessment Roll and Setting Time and Place for Public Hearing on Preliminary Assessment Roll for Currie Drive Paving – (Exhibit I)

City Engineer Vic Czar said the project to pave Currie Drive is complete and the costs have been declared. This resolution is to establish a public hearing on June 19, 2007, at the regularly scheduled board meeting to hear anyone interested in speaking on this project. The final cost at this point is \$43.27 per foot, slightly higher than the estimated \$43.17 per foot. Cost to residents will be \$.10 a foot higher than estimated.

Mayor Pro Tem Walter McNeil, Jr. made the motion to approve the resolution; seconded by Council Member Steve Brewer, the motion passed unanimously.

Consider Renewal of the City's Contract with Blue Cross Blue Shield (BCBSNC) for FY 2007-2008 – (Exhibit J)

City Manager Leonard Barefoot referred to Council's discussions regarding employee insurance at the last Council work session. He is recommending that the City contract with Blue Cross Blue Shield for the same plan as this year; however, it would be as a self-insured plan instead of a fully-funded plan. The increase would be 3.1 percent. Because of the enrollment period, the contract needs to be approved before the budget.

Council Member James Williams asked if employees would be required to participate in the wellness part of the contract, or if they did not, would their coverage be terminated or set at a higher rate. Human Resources Director Christy Pickens explained that, at this particular time, the health risk assessment program would be initiated by BCBS through a third party. They are planning to roll this out to all their clients. The City has not decided how they want to roll this out. At this time, they have not indicated they want it to be a mandatory process. Ms. Pickens said participation would be highly encouraged or recommended. Council Member Williams asked that at such time this would become mandatory, would Ms. Pickens come back before the Council for their approval or if she would just implement it. Ms. Pickens said that if it became mandatory, she would come back before the Council. Mr. Williams confirmed that the City could switch back if they wanted to. Ms. Pickens said that the wellness portion of it was totally outside of the plan renewal. She said that today they are just requesting to renew the contract with BCBS NC on a self-funded basis. She said they have been working on the wellness program with incentives and lunch and learn sessions for the last couple of years. This is just a piece of the entire wellness program that they would like to add to the City's plan design, but it is not a portion of the actual contract with Blue Cross. City Manager Barefoot explained that the City is in a wellness program to encourage employees to be healthy. He feels it is to their benefit, to the City's benefit, and to the taxpayer's benefit. Addressing the concerns with confidentiality and required employee participation, Mr. Barefoot said that before he, himself, would take that step toward mandatory participation in the health assessment, he would get Council to approve it. It is a policy initiative that rests with the Council. If Council does not approve it, the City shouldn't do it. The new manager will actually be the one who has to deal with this.

Council Member Williams inquired about the kind of information that will be sent to the City from Blue Cross. Ms. Pickens said that medical records would not be sent to them. If city participates, the only information she would receive through the health risk assessment would be summary type information relative to the organization as a whole, indicating concerns that should be addressed. The participating employee would receive a copy of the specific

information related to them from the third party directly to the employee. City only receives the summary information without names. City does receive annual reports now, but it could be received on a monthly basis.

Referring to the 6.8 percent Blue Cross wants to continue administering the current program, Council Member Williams asked if any other providers had been consulted. Ms. Pickens said our broker had done that as part of the normal process. By far, this is the best rate we can get. Mr. Williams asked about tabling the request for further study. Mr. Barefoot explained that employees have to decide in advance of the beginning of the new fiscal year as to what plan they need. Next Thursday is the City's benefits' fair. Traditionally, the open enrollment period is the two weeks following that. Blue Cross will be here to discuss employee needs. Mr. Barefoot strongly urged Council to approve his recommendation. The only difference is allowing it to be a self-funded plan at a rate increase of 3.1 percent as opposed to a fully-insured plan at an increase of 6.8 percent. Mr. Williams said he just wanted to make sure that all parties are serviced the way they should be. Mr. Barefoot asked about his specific concerns. He did not see switching vendors as an option. Basically, he said that it comes down to spending the greater amount of money and cut benefits to go with the fully-funded plan or go with the self-funded plan. Employees do not generally like to change plans. The main concerns seem to be the health assessment part and privacy. Mr. Barefoot has stated that the health assessment part is not mandatory. Mr. Barefoot reassured employees and council that the employees health information would be kept confidential, as required by federal law.

Mayor Pro Tem McNeil asked if any penalty would be placed against anyone during the open enrollment period if they don't tell exactly what is wrong with them when the computer health assessment is done. Ms. Pickens stated no, that the health risk assessment is totally separate from the insurance plan. The health assessment results will help the organization to provide wellness programs to correspond with health needs of the organization overall. It is also an opportunity for the employee to receive information that will help him/her make life style changes.

Council Member Joe Martin spoke in support of the plan and the health assessment. Mayor Olive reminded Council that the plan could be switched back if we are not satisfied with it. Mr. Barefoot said that his recommendation did not include the health assessment part. He said the health assessment would be put on hold until more work had been done with employees.

Council Member James Williams made the motion to approve renewal of the City's contract with Blue Cross Blue Shield for FY 2007-2008 on a self-funded basis. Seconded by Council Member Harrington, the motion passed unanimously.

Development Report – (Exhibit K)

Community Development Director Bob Bridwell reviewed development report on Exhibit K.

Consider Erecting a Four-Way Stop at the intersection of Winterlocken and Windmere Drive in West Landing- (Exhibit L)

City Engineer Vic Czar explained that the City has done traffic analysis, looked at accident reports, done some speed studies, and got some public input, and this seems an appropriate method to address their concerns at this time.

Council Member Brewer said this has been an on-going problem for a long time. The problem began when the road was extended to connect with Winterlocken when West Landing was built. Speed has become a serious problem and there are no signs. Accidents have occurred at the school. He feels the speed should be reduced to 25 miles per hour. Some residents are moving because of the speed problem. Council Member Martin said this is the kind of problem he has with connectivity of developments. He feels Council needs to consider connecting neighborhoods on an individual basis. Mr. Brewer said maybe speed humps could be used or some other method, but he understands the need for fire and emergency services to have quick access. Council Member Stone added that there are children and dogs and a lot of walking traffic in the area. Council Member Brewer asked about amending the request to add putting up speed limit signs.

Mayor Pro Tem McNeil explained that residents in the historic district are having problems with speeding traffic. He cited Gulf Street as an example. He feels if we are going to lower speed limit in that neighborhood, it should be done on Gulf Street, too. Mr. Brewer said that there are stop signs and sidewalks on Gulf Street to help slow people down. Mr. Martin said he was in favor of speed bumps. Mr. Harrington suggested trying moveable speed bumps.

Mayor Olive asked what the rationale was for City not to put up "Slow, Children Playing Signs." Mr. Czar said that had been studied and it was shown not to slow traffic and gave people a false sense that people were paying attention to whether or not children were playing in the street. They have not been effective. If children are not at play all the time, drivers become numb to it. Mr. Williams added that he had been told that the sign would actually encourage children to play in the street. Mr. Czar said a graduated speed program might be in order beginning with reducing the speed limit. He suggesting putting the signs up first and see how they work and move on from there.

Council Member Steve Brewer made the motion to erect the Four-Way stop at the intersection of Windmere and Winterlocken Drive; seconded by Council Member Mike Stone, the motion passed unanimously.

OTHER BUSINESS

Council Member Steve Brewer mentioned how nice the houses look that were built across from Temple Ball Park. He stated that they are beautiful and contribute greatly to the neighborhood. Mayor Olive has visited them and agrees.

PUBLIC COMMENT- (Exhibit M)

Margaret Murchison announced that next Tuesday, May 8, is the date for the 22nd Annual Small Business Banquet. This year they are celebrating 100 years of small business in Lee County, so she is asking council members who come to dress as in the "olden days" if possible.

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

CLOSED SESSION

City Attorney Susan Patterson read the motion to go into closed session in accordance with NC GS143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of a prospective public officer or employee.

Council Member Steve Brewer made the motion to go into closed session; seconded by Mayor Pro Tem, the motion carried unanimously.

RECESS AND ADJOURNMENT

On motion of Council Member Steve Brewer and seconded by Council Member James Williams, the meeting was recessed by unanimous vote until Thursday, May 3, 2007, at 1:00 P.M. in Council Chambers.

Respectfully submitted,

CORNELIA P. OLIVE, MAYOR

ATTEST:

BONNIE D. WHITE, CITY CLERK