

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 19, 2008, at 7:00 P.M. The following people were present:

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

Mayor Olive called the meeting to order. Council Member James Williams delivered the invocation.

Mayor Olive recognized Phil Gurkin, Merit Badge Counselor for Boy Scout Troop 942 sponsored by St. Luke United Methodist Church; Robert Pierce, who is working on his Eagle Scout Badge; and Kyle Jones working on his Citizenship in the Community Badge.

APPROVAL OF AGENDA

Council Member Mike Stone requested to add one item to the Regular Agenda – Consider Meetings to be Held at Night for More Public Involvement. On motion of Council Member Steve Brewer and seconded by Council Member James Williams, the amended agenda was approved.

CONSENT AGENDA

Approval of January 30, 2008, Law and Finance Committee Minutes - (Filed in the City Clerk's Office)

Approval of February 5, 2008, City Council Minutes – (Filed in Minute Book 69)

Approval and Release of Closed Sessions Minutes – (Filed in Released City Council Minutes Book #1)

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| • October 31, 2007 | • June 10, 1999 |
| • June 19, 2007 | • May 13, 1999 |
| • October 11, 2006 | • March 11, 1999 |
| • July 12, 2006 | • January 28, 1999 |
| • May 30, 2006 | • December 10, 1998 |
| • April 4, 2006 | • July 16, 1998 |
| • December 14, 2005 | • August 13, 1998 |
| • November 10, 2005 | • April 7, 1998 |
| • May 11, 2005 | • February 12, 1998 |
| • December 17, 2002 | • January 15, 1998 |

- November 6, 2001
- October 31, 2001
- September 26, 2001
- September 12, 2001
- March 16, 2001
- March 14, 2001
- November 2, 2000
- August 31, 2000
- June 27, 2000
- November 30, 1999
- August 14, 1997
- June 12, 1997
- April 15, 1997
- January 2, 1997
- December 12, 1996
- October 31, 1996
- August 20, 1996
- July 2, 1996
- May 16, 1996
- March 19, 1996

Approval of Ordinance Amending the Annual Operating Budget of the City of Sanford FY 2007-2008 – (Exhibit A)

Ordinance was approved amending the annual operating budget to appropriate grant funds in the amount of \$1,500 received from the North Carolina League of Municipalities for the purchase of a laptop computer to be used for safety training for Risk Management.

Approval of Ordinance to Erect Stop Signs Within the City of Sanford Chapter 36, Traffic Code of Ordinances – (Exhibit B)

Ordinance was approved to erect stop signs in the Hidden Valley Subdivision on Teakwood Court at Charwood Place.

Approval of Resolution Authorizing Conveyance of Six City-Owned Lots to Brick Capital Community Development Corporation for Construction of Low-Income Single-Family Housing – (Exhibit C)

Resolution was approved authorizing conveyance of six City-owned Lots-- Lot 10, 10A, 11, 11A Block Q, and Lot 10 and 11, Block P to Brick Capital Community Development Corporation.

The consent agenda items were approved upon motion of Council Member Linwood Mann. Seconded by Mayor Pro Tem Joseph Martin, the motion carried unanimously.

CASE FOR PUBLIC HEARING: held jointly with the Planning Board

Petition by Trustees of Central Carolina Community College - to rezone from Residential Single-family (R-20) district to Office & Institutional (O&I) district 112.37+/- acres that comprise the Central Carolina Community College campus and the Dennis A. Wicker Civic Center. The properties are addressed as 1801 Nash Street, 1100 & 1104, 1105, 1117, and 1301 Kelly Drive and three adjoining vacant tracts and are the same as depicted on Tax Map 9652.02, Tax Parcels 9652-65-6248-00, 9652-66-7322-00, 9652-65-0838-00, 9652-67-9235-00, 9652-77-0425-00, 9652-77-4245-00, 9652-87-1768-00 and 9652-75-5708-00 Lee County Land Records Office. – (Exhibit D)

Planner II Amy McNeill explained that the subject property consists of eight tracts of land, totaling approximately 112 acres, and the developed lots contain a variety of uses ranging from a civic center, a college campus, and a farm that is no longer in production. There are also several lots which are currently vacant and undeveloped. The petitioner originally desired to

rezone the civic center site only to allow for the installation of a new sign that would be larger than what the R-20 zoning would permit. However, after discussions with the Planning staff, the petitioner has indicated a willingness to comply with the suggestion of Planning staff that the civic center and the entire community college campus property be rezoned to a more appropriate zoning district; hence, the request to rezone the community college property to Office and Institutional.

Ms. McNeill advised that the 2020 Land Use Plan identifies this area as Office & Institutional (O&I), and staff recommends that the Planning Board and City Council support this petition to rezone from Residential Single-family (R-20) district to Office & Institutional (O&I) district.

Mayor Olive opened the public hearing. Donnie Lowder, representing Central Carolina Community College, was present to answer any questions the Council or Planning Board may have. No one spoke in opposition. The public hearing was closed.

The Planning Board retired to the West End Conference Room.

DECISIONS ON PUBLIC HEARINGS

REGULAR AGENDA

Consider Ordinance to Erect Stop Signs Within the City of Sanford Chapter 36, Traffic Code of Ordinances – (Exhibit E)

City Manager Hal Hegwer reminded Council that at the last Law and Finance Committee meeting, it was discussed to erect a four-way stop sign at Summit and Vance Streets. Council Member Charles Taylor stated that he has had some conversations with the residents in that area and he supports the ordinance if the residents need it. He spoke with the residents on the corner adjacent to this intersection; they expressed to him that the ordinance has not been discussed with them, and they would like to wait on some additional data from the Summit/Gulf interchange before Council spends money and it is not needed.

Council Member Taylor made the motion to table this issue until some further data is gathered in the form of traffic counts, etc., and if it is determined that it is needed, he will gladly support it. Mayor Pro Tem Martin seconded the motion. City Attorney Susan Patterson asked if he is tabling the matter until a time certain or tabling indefinitely until the work can be done. Mr. Taylor responded to table the issue until the work can be done. We need some traffic data to be sure; two families on that corner said it wasn't needed yet because the numbers were not there. Mr. Taylor said he assured them that if they needed it, he would bring it back up in this forum. Council Member Brewer said it was not the count they had been concerned about, but the speed. To achieve a real neighborhood "feel" and push the traffic back on Horner Boulevard, he felt it was necessary. Mayor Pro Tem Martin agreed with what Mr. Brewer said. He has talked to more than two who were in favor of it on Vance Street, but he has not talked to the two who are directly associated with that intersection. He feels there is a large consensus who would like to see it there, but he, too, wants to support the data. Mr. Taylor said he was receptive to a timetable. Mr. Brewer said he believed that the data on the speed would indicate the need, but he does not have a problem with waiting. Attorney Patterson said that the mobile speed unit has

arrived and there has been some training on it. Mr. Stone said he didn't have a problem waiting. Mayor Olive called the vote. The motion passed unanimously.

Consider Employee Survey

Council Member Stone said he was glad this item had come back before council. He made a motion to let Council Member Taylor chair that position to find two people on this Board to set up some sort of commission to how we are going to do an employee-opinion survey and bring back before Council. He felt it could be done within a year, giving more time for employees to get to know the city manager, the Board, and their departments and for Council to know more about what is going to be on the survey. He felt it could influence everyone positively. Council Member Taylor seconded the motion.

Mayor Pro Tem Martin expressed that he didn't have a problem with an employee survey; it could be a good thing. The two things he worries about are: He feels the city manager has been swamped for six months, and he doesn't feel it is fair to throw an employee survey on top of that right now. He is worried that Council is taking the city manager form of government out of the process when this Board starts trying to get together this survey. He felt that needed to be directed by the city manager. He said Council was starting to send the message out to staff and employees that we want to hear from them because if it is not right, we are going to try to fix it. He feels we are stepping over that line of the city manager form of government. He says the timing is not right and he would like to see it come from the city manager and his staff. He would like to go to the League of Municipalities and Institute of Government and find out what they say, to be sure they are doing the right thing.

Mayor Olive reported that the county manager told her today that they had just done one. They had the local Employment Security Commission do it. They had a little bit of negativity, but the majority of it was very positive and that it was a wonderful tool to strengthen the strengths and to address the weaknesses. It didn't cost anything. It was initiated from the county manager's office. He said that since he was relatively new, he wanted to see where they needed work particularly. He said several things that came out were very productive.

Council Member Brewer said to attract good, qualified personnel to work for the city, we have to protect them from political pressures that would come from this council. For this council to set up a committee to direct a survey does infringe on the manager/council form of government. If Mr. Hegwer wants to put in the budget money for a survey he wants to conduct on his parameters—because these people do indeed work for him—we gave him a mission of what we want done and that's his army of people that he sets out and they work for him. He would be all for Mr. Hegwer surveying whatever he wants to, but for this council to say he needs to do a survey is overstepping Council's bounds.

Council Member Mike Stone said that part of the way of protecting the people is to give them an opportunity in an unbiased way to open up and communicate to everyone on this council; we know to expect some negativity. He suggested since Mr. Taylor brought it to the Board originally, let him pick two people off the Council to design the survey. He said he didn't want Hal asking the questions on how Hal is performing. If it is going to be used for everybody, Council needs to ask the questions in the correct form. Council would receive the information

and feed it back to Mr. Hegwer. Mr. Martin said that if Mr. Hegwer did an employee survey, he wouldn't be the one coming up with the questions. He thought he would do similar to Mr. Crumpton and have an outside agency do it. Mr. Stone said that Mr. Hegwer and the Mayor could work with Mr. Taylor and the committee. Mr. Brewer said there may be positives, but it is his belief that it is not Council's job and they are overstepping their bounds and infringing on the manager/council form of government. Mr. Hegwer said he had talked to Mr. Crumpton in depth about his survey. It was initiated by Mr. Crumpton and was not at the request of the Board of Commissioners. It was a management tool for him. Mr. Crumpton had indicated that there is very little about that survey he can actually share with his commissioners. Spring Lake surveys were the same—management driven surveys that don't go to the Board and the Board does not have input into them.

Mr. Williams asked that before a committee is set up to work on what the survey will or will not entail, shouldn't the Board determine whether we will actually do a survey. Mayor Olive explained there was a motion and a second. Mr. Williams did not offer another motion, but said he would vote on the motion on the floor. Mayor Pro Tem Martin said before the vote is taken on the motion on the floor, he would vote against this. He is not voting against the survey, but against the principle—the way it is coming about. Mr. Stone said the survey was to be professionally done in a way that would protect the Board and the employees as well.

The motion failed to pass. The vote was two in favor and five against, with Council Members Williams, Brewer, McNeil, Martin, and Mann casting the dissenting votes.

Council Member Mann stated that as long as he had been serving on this Board, the City has had an open-door policy where employees could make complaints. He said you would always have one or two people who aren't happy. He asked why the Board is spending so much time on this when there are so many important things they need to be doing. Mr. Mann expressed that to him, this is childish.

Council Member Brewer made a motion that this Board not instigate any survey driven by the Council; however, if Mr. Hegwer wants to instigate a survey, he has all the power and rights to do so. Council Member Williams seconded the motion. Council Member Taylor asked didn't the manager retain that right despite this motion. Council Member Brewer amended his motion to state that this Council not conduct any survey. Mr. Williams seconded that motion. The motion passed five to two, with Council Members Taylor and Stone casting the dissenting votes.

Consider Meetings to be Held at Night for More Public Involvement

Council Member Stone said he had talked with several council members about moving all meetings to night meetings to try to get more people involved in our meetings. He made the motion that Law and Finance and Council meetings all be held at night -- 7:00 P.M. Council Member Mann seconded the motion. Council Member Brewer said he is opposed to moving Law & Finance to night. Mr. Stone amended his motion to say all Council meetings to be held at 7:00 P.M. Council Member Mann seconded that motion. Mayor Pro Tem Martin pointed out that Council had not talked about this collectively before the meeting. He said what he thought we were trying to do was get the Public Comment period to be day and night because that would

allow for people to come to day or night meetings depending on their availability. Attorney Patterson clarified the motion on the floor to be that Council meetings would be held the first and third Tuesday of each month at 7:00 P.M. Council Member McNeil said he felt the Board had now come full circle; he had commented at the time one meeting was changed to a day meeting that meetings should be at night to allow people to come after they get off work. Council Member Brewer said that when he and Mayor Olive ran for office people were asking him to have one meeting in the day. Mr. McNeil said that things were done for a reason and there is a reason for things being the way they are. He said Council wanted to reinvent the wheel and it isn't there.

The motion passed by a vote of six to one, with Council Member James Williams casting the dissenting vote.

Council Member Brewer made the motion that public comment periods be included on the agenda of all council meetings. Council Member Mike Stone seconded the motion. The motion passed unanimously.

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

OTHER BUSINESS

Council Member Stone asked Mr. Hegwer to review what can be done at US 1 Highway and Pendergrass Road because of recent tragedies in that area.

Council Member Brewer thanked the Police Department for their good work Downtown.

Council Member Taylor recognized Wayne Johnson for receiving a Purple Heart. He stated that when he ran for office he ran on fiscal stewardship, accountability, and returning government back to the citizens. He said the five things that he has brought up in the first three months were the television, employee survey, stop sign, ethics policy, and travel policy. Four of these things go back to the accountability factor and fiscal stewardship. He feels all the intentions of the Board are good, but the things he has brought up are the things he promised to do.

Mayor Pro Tem Martin said he had some calls regarding the Waste Management vote last week who said he had jumped ship. Mr. Martin said that is not the case. He voted for the low bid and still believes the low bid is the way to go. He stated that that motion failed four to three and another motion got on the floor. Mr. Martin said he did not hold a grudge and whatever the vote is, that is what it is. He said he tried to stay professional and vote on it, whether he is in the majority or the minority. Once that vote is taken, then it is time to move on. Mr. Martin said his reason for going with Mr. Thomas and Mr. Hegwer is to take the political part out of play. They recommended the low bid. This vote was to move it forward by putting it back into their hands.

Mayor Olive announced that someone left a pair of glasses and a calculator in Council Chambers and may be claimed in the clerk's office.

City Manager Hegwer reminded Council of an airport retreat to be held Thursday at City Hall in the West End Conference Room.

ADJOURNMENT

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

Respectfully submitted,

CORNELIA P. OLIVE, MAYOR

ATTEST:

BONNIE D. WHITE, CITY CLERK