

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, September 16, 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 H. McNeil, Jr.
Council Member Mike Stone	Council Member Steve Brewer
City Manager Hal Hegwer	City Clerk Bonnie D. White

Absent:
City Attorney Susan Patterson

Mayor Olive called the meeting to order. Mayor Pro Tem Joseph Martin delivered the invocation.

APPROVAL OF AGENDA

On motion of Council Member Charles Taylor, seconded by Council Member Mike Stone, the agenda was approved.

CONSENT AGENDA

Approval of August 19, 2008, City Council Minutes - (Filed in Minute Book 70)

Approval of August 27, 2008, Law and Finance Minutes – (Filed in Minute Book 70)

Approval of Ordinance Amending the Sewer Use Ordinance Article VII Section 38-221 Through Section 38-364 - (Exhibit A)

Ordinance was approved amending the Sewer Use Ordinance Article VII Section 38-221 through Section 38-364.

Approval of Ordinance Amending the Annual Operating Budget of the City of Sanford FY 2008-2009 - (Exhibit B)

Ordinance was approved amending the annual operating budget of the City of Sanford FY 2008-2009 to appropriate \$52,434 received from the NC Department of Crime Control and Public Safety 2007 Gang Grant and to transfer \$17,477 from Contingency to the Police Department to budget the local match.

Approval of Ordinance Amending the Annual Operating Budget of the City of Sanford FY 2008-2009 – (Exhibit C)

Ordinance was approved amending the annual operating budget of the City of Sanford FY 2008-2009 to transfer \$21,715 from Contingency to the Street Department to appropriate additional funds required to purchase a backhoe and dump truck.

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

CASES FOR PUBLIC HEARING

Consideration of an Amendment to the Unified Development Ordinance (UDO) Regarding Group Homes/ Residential Care Facilities – (Exhibit D)

Assistant Community Development Director Marshall Downey explained that this is a public hearing for a proposed text amendment to the Unified Development Ordinance. He said it is an amendment to the group home regulations in direct response to an issue that arose on Hawkins Avenue. Mr. Downey advised that this is one of the strategies staff recommends adopting to address some concerns. He stated that a family care home is when you have six or fewer persons that are in a family care facility. Under state law, you are required to treat this like a single-family home so basically, they can go in any district that a single-family home can go in provided they are spaced – you can space them one-half mile apart. Mr. Downey stated that when you get into situations where there are group home facilities that are more than six persons, the state has four different levels. Staff has attempted to break the four different levels down into the different sections with Group Home Level I being the least amount of regulatory control over the children that are placed in these facilities. Children placed in Level I facilities are the ones that have the least emotional problems; by contrast children placed in Level IV facilities are the more dangerous occupants of those facilities.

Mr. Downey explained that currently in the residential districts, all Level I through Level IV facilities are permitted in the residential district with a special use permit. In the Multi-Family District, these same Levels I through Level IV facilities are permitted by right – meaning they would have to work with staff to get permits to go into those areas. In Commercial Districts, these Levels I through Level IV facilities are permitted by right.

Mr. Downey said the proposed changes staff is recommending tonight would not allow Level I through Level IV facilities in any residential districts; family-care homes would be allowed as it is state law. In Multi-Family-12 District, Level I and Level II would require a special use – which means there would be a public hearing process through the Board of Adjustment; however, Level III and Level IV would not be permitted. In Commercial Districts, Group Home Level I and Level II would be permitted; however, Level III and Level IV would require a special use process. There would be no staff-level approval for Level III and Level IV.

Mr. Downey informed Council that this proposed amendment was reviewed by the Joint Planning Commission back in the spring, and it was unanimously recommended that Council consider adopting this amendment; however, they requested the three attorneys representing the three jurisdictions to review the language. Staff worked with the attorneys and they approved the information presented to Council tonight. Mayor Olive thanked Mr. Downey for being so thorough. Mr. Taylor echoed Mayor Olive's comments.

Mayor Olive opened the public hearing. No one spoke in favor or in opposition. The public hearing was closed. The Planning Board retired to the West End Conference Room.

PUBLIC COMMENT

No one signed up to speak.

REGULAR AGENDA

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

OTHER BUSINESS

Mayor Olive stated that when Council has short meetings like this one, she felt that departments should present reports to them. She spoke with Shop Superintendent Randy Paschal recently about the research he has done on bio-diesel fuels and his research and background knowledge is truly impressive. Mayor Olive also spoke with the city manager several times about the possibility of having cities that have been awarded All America City Awards to come and talk with Council about what they did and what was necessary to satisfy the rules for that. She added that she had read in the newspaper about the new health director and his attention to the animal control problem and she was very pleased.

Mayor Olive mentioned that there is a pair of glasses and a calculator someone has left in the council chambers and if no one claims the items, they will be placed in the lost and found box very soon.

ADJOURNMENT

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

Respectfully submitted,

CORNELIA P. OLIVE, MAYOR

ATTEST:

BONNIE D. WHITE, CITY CLERK