

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, April 6, 2010, at 7:00 P.M. The following people were present:

Mayor Cornelia P. Olive  
Council Member Sam Gaskins  
Council Member Charles Taylor  
Council Member L. I. (Poly) Cohen  
City Manager Hal Hegwer  
City Clerk Bonnie D. White

Mayor Pro Tem Mike Stone  
Council Member James G. Williams  
Council Member Walter H. McNeil, Jr.  
City Attorney Susan C. Patterson

Absent:

Council Member Linwood S. Mann, Sr.

Mayor Cornelia Olive called the meeting to order. Council Member Charles Taylor delivered the invocation.

**PUBLIC COMMENT**

No citizens signed up to speak.

**APPROVAL OF AGENDA**

Mayor Pro Tem Mike Stone requested to remove an item from the Regular Agenda – Consider Appointments to Various Boards and Commissions to the next Law and Finance Committee meeting. City Attorney Susan Patterson requested to add a budget amendment to the Consent Agenda for the purchase of real estate. Mayor Olive called for a vote on whether to add this item to the consent agenda. Council Member Sam Gaskins made the motion to add the budget amendment to the Consent Agenda. Seconded by Council Member L. I. (Poly) Cohen, the motion carried unanimously.

On motion of Council Member Charles Taylor and seconded by Council Member James Williams, the amended agenda was approved.

**CONSENT AGENDA**

Approval of Ordinance Amending the Annual Operating Budget of the City of Sanford FY 2009-2010 for the Purchase of Real Estate. (Added under Approval of Agenda) – (Exhibit A)

Council Member Walter McNeil, Jr., made the motion to approve the amended Consent Agenda. Seconded by Mayor Pro Tem Mike Stone, the motion carried unanimously.

**SPECIAL AGENDA**

**DECISIONS ON PUBLIC HEARINGS: held jointly with the Planning Board.**

Petition by Brad Parker of Greenway Residential Development, LLC to rezone a vacant 11.5 acre +/- tract of land located in the 2200 block of Woodland Avenue from the current Residential-Mixed (R-12) Zoning District to Autumn Oaks Conditional Zoning District to allow for the development of a multi-family apartment community. The property is the same as depicted on Tax Map 9652.18, as Tax Parcel 9652-21-8261-00 Lee County Land Records.- (Exhibit B)

Planner II Amy McNeill explained that on March 16, a public hearing was held to discuss the proposed rezoning of a vacant 11.5 acre tract of land on Woodland Avenue from Residential-Mixed (R-12) to Autumn Oaks Conditional Zoning District to allow for the development of a multi-family apartment community. At that time, planning staff and representatives of the developer provided information regarding the proposed design of the project. This information included a power point presentation, which featured images of the proposed project and of the area. The staff report and the images were included within council's agenda for reference, along with a draft ordinance.

The City of Sanford Planning Board discussed this rezoning petition at its March 16, 2010, meeting and by a unanimous vote recommended to approve the rezoning request. In making this decision, the City of Sanford Planning Board finds that the rezoning request appears to be reasonable and in the public interest based on the information and conditions as presented in the conditional zoning petition and since the request is in accordance with the adopted comprehensive plan.

Mayor Pro Tem Stone stated that council received a letter from the Maybee Hill neighborhood and he wanted the owner of the proposed development to address the concerns of that neighborhood.

Brad Parker of Greenway Residential Development, LLC, addressed the concerns. He said that on these types of properties, he has a long-term commitment to them. They are required to own them for a thirty-year time period. All the materials that they use are thirty year or better with the brick, vinyl, and roofing. One of the hallmarks he always does is to make sure it is very well landscaped; he likes the curb appeal and that is one thing that makes the project a very good neighbor in the area. They manager their properties very strictly; they do not allow junk cars or allow people to hang things on their balconies to keep a good curb appeal.

Council Member McNeil asked if the holding ponds are dry holding ponds or something that might hold water that fish might be in. Mr. Parker responded it will be a dry bed. He recognized Ashley Smith, engineer with ms consultants in Sanford, to speak on this issue. Mr. Smith replied that the stormwater pond will be up to NCDEHNR standards. It depends on the geo-technical report once they move forward with this project. It will be a wet pond or dry pond; they hope for a dry pond depending on the water table. That way there is no water and you do not have to worry about that with small children. We will keep the design to where the pipes are trash-guarded, where children cannot crawl into them, and if there is water, it will hold it for a matter of two to five days and release it slowly so that all their post development runoff will be less than the pre-development runoff in the area.

- Consider Ordinance Amending the Official Zoning Map of the City of Sanford, North Carolina – (Exhibit C)  
Mayor Pro Tem Stone made the motion to adopt the Ordinance Amending the Official Zoning Map of the City of Sanford, North Carolina. Seconded by Council Member L. I. (Poly) Cohen, the motion carried unanimously.

Consideration of a Text Amendment to the Unified Development Ordinance (UDO) to Waive the Bond Requirements for New Wireless Communication Towers Constructed for Government Uses.- (Exhibit D)

Assistant Community Development Director Marshall Downey stated that this is an amendment to the Unified Development Ordinance. It is essentially requesting to change the ordinance to waive the requirements for a bond for the removal of towers as associated with public agencies or institutions. This was brought forward by Central Carolina Community College. The Planning Board recommended unanimously to amend the Unified Development Ordinance.

- Consider Ordinance Amending the Unified Development Ordinance (UDO) – (Exhibit E)  
Council Member James Williams made the motion to adopt the Ordinance Amending the Unified Development Ordinance (UDO). Seconded by Council Member Walter McNeil, the motion carried unanimously.

Consideration of a Text Amendment to the Unified Development Ordinance (UDO) to Change the Language as Written for Public Works' Certificate on Final Plats for Lee County. – (Exhibit D)

Assistant Community Development Director Marshall Downey explained that this is a corrective amendment. It is a change to the language on the certificates and plats. It allows our Public Works Department a little more clarity on when they sign off on a plat whether it is water, and/or water and sewer in the county. This would affect subdivision plats that come in from Lee County.

- Consider Ordinance Amending the Unified Development Ordinance (UDO) – (Included in Ordinance in Exhibit E)  
Council Member L. I. (Poly) Cohen made the motion to adopt the Ordinance Amending the Unified Development Ordinance (UDO). Seconded by Council Member Sam Gaskins, the motion carried unanimously.

**REGULAR AGENDA**

Consider Appointments to Various Boards and Commissions

This item was removed from the agenda to be placed on the next Law and Finance Committee meeting.

Consider Accomplishments in Wards & Other Business

Each council member stated what they would like to see accomplished in their wards this calendar year.

Council Member Walter McNeil – (Ward 4)

1. The shoulders of the roads and ditches in the area of Pineland and Rose Streets need to be worked up. This would help improve the residents' yards. The pavement is dropping off and it is unsightly. Residents might take more interest in their yards if this was done.
2. He was hoping something could be done to get rid of the kudzu growing in the ditches, especially around Pinehurst Street and Rose Street.
3. In the 600 block of Washington Avenue, close to the MLK Memorial Park, there are two houses that need to be brought up to standards or condemned. With the park located close by, we need to try to get the street presentable.

L. I. (Poly) Cohen - Nothing at this time.

Mike Stone

1. He sat down with Don Kovasckitz and looked at the crime chart throughout Lee County and the City of Sanford and two to three huge crime areas were designated over the past three to five years. He would like to bring this information before Council, have a meeting on it, and also would like for the Police Department to report back to us with a decision on what they are going to do different. We do a great job every day handling what we have got, but we do not want this to grow. He would like to come back with a plan, not to contain it, but start eliminating that crime.
2. He would like to see Council follow through with a skate park. Lee County Parks and Recreation Director John Payne said that we could do one for \$20,000. He would like to see it get off the ground.
3. He would like to get back to the East Sanford Revitalization. Realizing that a large part of crime took place in East Sanford, he would like to speed up the lighting program so that we can be part of that revitalization with lighting, community policing, and non-profits so we can find a solution to help turn these areas around.
4. In Jonesboro, we have only one city parking lot and the parking lot closest to all the businesses has no handicap parking.
5. Beautification – he would like to see if we could work out something with the Department of Transportation, to see some trees or flowers going down the middle of U. S. Highway #1, because it is going to be a huge corridor.
6. There are two miles of streets in the city limits that are not paved and he would like to see how they can be paved without being a burden to our seniors. The current policy states if we pave those streets, the property owners on the streets have to pay the costs.

Sam Gaskins

1. He would like to increase the rate at which we are putting in the new lighting, and with the building of the new greenway, safe access points for our foot traffic to get to the new greenway.
2. Adjacent to his ward and in Council Member Taylor's Ward 2, there are a number of residents where we need to extend sewer for their access.
3. Disability access on Horner Boulevard sidewalks (where light poles are in the middle of the sidewalk).

James Williams- Nothing at this time.

Charles Taylor

1. Pocket park in the historic district.
2. Completion of signage on southbound lanes on U. S. Highway #1 where the bypass comes in.
3. Move the telephone poles from the sidewalk on Horner Boulevard. The original quote came back at \$50,000 to move the poles. The thought process from the City standpoint was that we might have to do some rehab on a wall, remove some dirt and potentially do a wall. The people at Stewart Manor have no place to get groceries and they have to travel down the sidewalk either to the convenient store or to Kerr Drug on motorized scooters. He hoped we could take immediate action on that.
4. He would like for the board to look at the policy on our fines for code enforcement. He asked the city manager to share with council the spreadsheet that was sent to him a while back regarding the fines and how much money was spent in these departments for enforcement. In some departments there were no fines and we sent out certified letters to residents.
5. Accountability for renters. They have been several situations where they have had problems. He felt education on the process of renting a house would be helpful.
6. From a staff standpoint, he would like to undergo some media and public relations training.
7. He asked that a letter be sent to Tim Johnson with the Department of Transportation, thanking him for his help with paving of Hawkins Avenue and also in working with staff on the secondary road where we had the accidents.

Mr. Taylor welcomed back City Manager Hal Hegwer from his recent sickness.

City Manager Hal Hegwer stated that the mayor received a letter today from the Lee County Board of Commissioners making us aware of some of the actions that were taken at its meeting yesterday. They would like to have discussion with the City regarding Lee County

Economic Development Program. They have appointed two members to a committee and they would like for the City to appoint some members to a committee to begin discussion on how this corporation affects the City, County, and Broadway. He gave Council Members a copy of the letter from the County. We will put it on the next Law and Finance Committee on how to proceed forward.

Lee County Commissioners Amy Dalrymple and Robert Reives were appointed to the committee by the commissioners.

Mayor Pro Tem Mike Stone thanked Lee County Chairman Richard Hayes for bringing the EDC proposal to the Council.

Mr. Stone also reminded the senior citizens regarding the tax reduction they can receive on their property taxes if they are 65 or older or disabled. You have to fill out the form by May 30.

Mayor Olive asked Richard Hayes to address the EDC proposal. Chairman Hayes stated that the way this should be done is to maintain the partnership we have between the County, City, and Broadway. We have made an attempt to take the initiative to do some things that are designed to be constructive and positive to help embrace the Economic Development Corporation and to help it develop a better program or better business plan so we can aggressively pursue economic development in Lee County.

Over the past twenty years, some fine work has been done and it can be misconstrued very easily by people to think that we are trying to take apart something that has worked very well through the years. In 2010, it is time to sharpen our point to look at how we can enliven and reinvigorate the Economic Development Corporation to do a better job in bringing new business and industry to Sanford and helping small businesses.

Council Member L. I. (Poly) Cohen remarked to Chairman Hayes that we are members of the City and the people of Broadway are members of the Town of Broadway and we are also Lee County residents, so the people within the city limits are double-taxed and are paying twice for economic development.

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

**RETURN TO REGULAR SESSION AND ADJOURNMENT**

With no further business to come before the council, the meeting was adjourned on motion of Council Member L. I (Poly) Cohen; seconded by Council Member Sam Gaskins, the motion carried unanimously.

Respectfully submitted,

---

CORNELIA P. OLIVE, MAYOR

ATTEST:

---

BONNIE D. WHITE, CITY CLERK