

MINUTES OF MEETING OF THE  
SPECIAL CITY COUNCIL OF THE CITY OF SANFORD  
SANFORD, NORTH CAROLINA

The City Council met at the Sanford Municipal Center, 225 E. Weatherspoon Street, on Wednesday, June 29, 2011, at 1:00 P.M. The following people were present:

Mayor Pro Tem Sam Gaskins  
Council Member Bob Brown  
Council Member L. I. (Poly) Cohen  
City Manager Hal Hegwer  
City Clerk Bonnie D. White

Council Member James Williams  
Council Member Walter H. McNeil, Jr.  
Council Member Charles Taylor  
City Attorney Susan C. Patterson

Absent:

Mayor Cornelia P. Olive  
Council Member Linwood S. Mann, Sr.

Mayor Pro Tem Sam Gaskins called the meeting to order and delivered the invocation.

**PUBLIC COMMENT**

No citizens signed up to speak.

**APPROVAL OF AGENDA**

Council Member L. I. "Poly" Cohen made the motion to approve the agenda. Seconded by Council Member Bob Brown, the motion carried unanimously.

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

Application by Wolfheel Properties, Inc. - to rezone four tracts of land totaling 1.62 +/- acres, addressed as 1002, 1008 and 1016 Elm Street, along with a vacant tract of land located between 1002 and 1008 Elm Street, from Residential-Mixed (R-12) Zoning District and Office & Institutional (O&I) Zoning District to General Commercial (C-2) Zoning District. The property is the same as depicted on Lee County Tax Map 9642.12, as Tax Parcels 9642-95-5892-00, 9642-95-6768-00, 9642-95-7725-00 and 9642-95-9612-00 Lee County Land Records. It is also illustrated as Lots 1-6, Block 176 of Monroe Bros. Property as shown on a map entitled "Sou. Sanford, NC" recorded in 1907 in Plat Cabinet 2 Slide 314, Lee County Register of Deeds Office. – (Exhibit A)

Assistant Community Development Director Marshall Downey advised that a public hearing was held on June 21, 2011, to rezone four tracts of land from Residential-Mixed (R-12) Zoning District and Office & Institutional (O&I) Zoning District to General Commercial (C-2) Zoning District. The Planning Board met and recommended unanimously to approve the rezoning request. Mr. Downey stated that the 2020 Land Use Plan identifies this area as mid/high density residential development. The current zoning to C-2 does not match the the plan exactly; however, there is a preponderance of C-2 in and around the area and it does meet or is very close to the current thoroughfare on Horner Boulevard.

- Consider Adoption of an Ordinance Amending the City of Sanford Unified Development Ordinance – (Exhibit B)  
Council Member James Williams made the motion to accept the recommendation of the Planning Board and adopt the Ordinance Amending the City of Sanford Unified Development Ordinance. Seconded by Council Member Charles Taylor, the motion carried unanimously.

Application by Brad Parker of Greenway Residential Development, LLC - to amend the Autumn Oaks Conditional Zoning District for a revision to the site plan for the proposed multi-family apartment community to allow for the creation of a property line within the proposed multi-family apartment community. The subject property is a vacant 11.5 acre +/- tract of land located in the 2200 block of Woodland Avenue and is the same as depicted on Tax Map 9652.18, as Tax Parcel 9652-21-8261-00 Lee County Land Records. - (Exhibit C)

Assistant Community Development Director Marshall Downey advised that a public hearing was held on June 21, 2011, for this rezoning. It is a modification to the existing Conditional Zoning that was granted for the Autumn Oaks Multi-family project located off of Woodland Avenue. The request is to subdivide the property into two pieces (revise the approved site plan to allow for the creation of a new property line within the Autumn Oaks Conditional Zoning District). The Planning Board recommended unanimously to approve the modification. The 2020 Land Use Plan identifies the use for the subject property as mid/high density residential – office and it conforms to the 2020 Plan.

- Consider Adoption of an Ordinance Amending the City of Sanford Unified Development Ordinance – (Exhibit D)  
Council Member Walter McNeil, Jr., made the motion to adopt the Ordinance Amending the City of Sanford Unified Development Ordinance. Seconded by Council Member L. I. “Poly” Cohen, the motion carried unanimously.

## **REGULAR AGENDA**

Consider Discussion from Waste Management Representatives Regarding the Change of Daily Garbage Routes – (Exhibit E)

Refuse Superintendent Larry Craig advised that Waste Management has requested a change in their daily garbage routing schedule and Kathy McNish with Waste Management is present to explain the reason for the request. Ms. McNish stated that they currently run five days each week and two routes, which is a total of ten days just to service the City’s solid waste services and they run parallel with the recycle routes. She has been in Sanford for 13 years and they have never changed the routing. Through annexations, developments, and changes in the City, they have found they are overlapping a lot of different sections as they are going out on their trucks daily. They have a computer type system that allows them to take a look at each area. She presented Council with a printout (Exhibit E) of the old route and the new proposed route. It is color designated so they can see where they are overlapping.

Ms. McNish stated that as any company, they have to look for ways to improve their operations and keep their costs down to the City. Diesel fuel is one of the things that hits them hard. In the City’s contract, it only states that they have the opportunity to come to the City and

request a diesel fuel increase. They do not want to do that; they want to keep the cost down. They feel like if they do this rerouting, it will enable them to keep the costs where they are. They will run ads in the paper; leave a flier at each house letting them know what day they will change from and to; and also broadcast something on the local radio stations. During the transition time, if somebody does not put their cart out, they will go back and get it. They will not leave anybody without service. The recycle routes will continue to run parallel on the same day; there will not be any changes on it.

Ms. McNish brought a couple of the route managers that work with the drivers every day in case they have questions. She said they appreciate the City's business and want to stay involved in the community. They try to do a lot of things as far as contributions, donations, and do as much as they can for the City.

Ms. McNish spoke about disposal. She said that is a high part of the cost of what they do; about 35 to 40 percent of their actual cost. The City has a good price with Waste Management; they were able to offer a discounted price to the City. The City has about 800 tons per month that goes into their transfer station. The cost to the City and County for the County convenient centers is a huge savings from what all the other customers have.

Mayor Pro Tem Gaskins asked what are the typical complaints should Council expect. She replied that they have made some changes in other towns also and it has gone smoothly. The only thing you can expect is somebody that did not pay attention to a flier; that did not read the paper or did not listen to the radio and will roll the cart out on the wrong day. We will get the garbage off the street and not let them go for an extended amount of time.

Mr. Hegwer asked what percentage of our customer base will change. She replied that out of the 8,700 homes, about 3,000 will change. Some areas will not change such as the blue area on the map. The blue area looks smaller; however, there are a lot of homes in that area. It will be almost the same amount of homes serviced every day – around 2,200.

Council Member Taylor said that she made the comment about not passing on the cost of diesel fuel to the City. Council included 2 percent for an increase in the contract. He asked what other cost saving measures is Waste Management looking at in the eminent future to keep the cost down to prohibit coming back and asking for additional increases. Ms. McNish replied that they are not currently asking for an increase. She felt that if there is any way to get the participation up in recycling, it cuts down on the disposal. She wishes that the City's recycling rate was higher and at one time the City talked about going to a cart system versus a bin. Beginning July 1, the e-waste bans will be effect and residents will not be able to dispose of those items. She and Ms. Chip Dodd have talked about doing some kind of special e-waste event with Sanford, Broadway, and Lee County.

Ms. McNish stated that if the City can get a larger participation in recycling it will cut the disposal cost. Each home has approximately between 36 and 39 lbs each week, garbage and recycling. The recycling is only about 8 percent of that weight. Every ton of solid waste that comes into the transfer station it is about \$40. If you get more recycling, it cuts down on the disposal cost. Mr. Gaskins suggested sending out a frequent reminder on recycling. She said

that they can put the fliers at each residence by taping it onto the carts, or once they empty the recycling bin, they can put it in there but there is a problem with this because some people do not keep their recycling bin as clean as they should.

Mr. McNeil stated that maybe we can put this on our television station. Mr. Craig said they will put it on the television station and on the webpage.

Ms. McNish said that people tend to recycle more when they can comingle the recycling products. When you convert to carts from a bin, it is the same thing because with a cart you can put it all together. Mr. Hegwer added that carts can be kept outside; however, the carts are more costly. Mr. Williams said that the bin is limited. He asked how receptive would Waste Management be to helping us with the rollouts. Ms. McNish replied they would be very receptive and they have done this in other cities; the Town of Clayton change over to the cart in 2007-2008 and their participation went up 260 percent. Mr. Hegwer said we looked at doing this several years but it was in the midst of recession and did not pursue doing this. Ms. McNish they can look at this and run the numbers to see if the City is interested. Mr. Williams said that his little bin gets full and if he had a cart he could put more items in it. Mr. Hegwer said they we routinely have spots on the television station about recycling.

Mr. Taylor asked what is the cost of the cart system versus the bin. Ms. McNish said that bins cost from \$6.50 to \$8 and carts cost in the \$50 range. He said he would like to see the numbers if you cut the routes to every other week on recycling only and the expense it would cost Waste Management to collect that because it may offset the expenditure of the carts based on the 8,000 homes. She replied that she would be glad to do this; it worked for Clayton. She stated that in Clayton they did a green cart with a yellow lid. She likes the colors being uniform; however, some towns use a different color.

Council Member Cohen made the motion to go with the change of the garbage routes. Council Member McNeil seconded the motion. the motion carried unanimously.

Chip Dodd, with Waste Management, presented Council with a flier (Exhibit F) explaining several value added programs they have but she wanted to explain a program they are implementing called Waste Watch which would be beneficial to the City. They have a huge commitment to safety. The program puts their drivers through training done by a professional that comes from their corporate office to help them learn how to observe and report unusual circumstances when they are running their garbage and recycling routes. They want to partner with the City's law enforcement, emergency services, and your neighborhood watch programs. Once they are in communication and drivers trained, they will be out every day looking for unusual things such as drugs, drug paraphania, chemicals, or marijuana plants growing near a fence, etc. They would contact dispatch with their radios or cell phones or call straight into 911.

The vote was unanimous to go with the change of the garbage routes.

Consider Capital Project Budget Amendment to Close Water and Sewer Improvement Projects – (Exhibit G)

Consider Capital Project Budget Ordinance Amendment to Close Project W0401 Water Capital Improvements – (Exhibit H)

Assistant Financial Services Director Beth Kelly explained that the first ordinance is a capital project budget amendment to close the capital project of the previous upgrade and repair of our water and sewer system. This project has been completed for a while and we need to appropriate the interest income that was earned throughout the project so we can close the project on the books. The balance of \$26,694 will be transferred to the utility fund.

Mrs. Kelly advised that this amendment is to close the capital project for the previous improvements of the water treatment plant and raw water pump station. This project has been completed and we need to appropriate the interest income of \$9,983 that was earned throughout the project. The money will be transferred back to the utility fund.

Council Member Brown made a motion to approve both of the above amendments. Seconded by Council Member Cohen, the motion carried unanimously.

Consider a Preliminary Subdivision Plat for Autumn Oaks Conditional Zoning District Apartment Community – (Exhibit H)

Assistant Community Development Director Marshall Downey explained that this is a follow up on the decision Council made on the rezoning. It is for the 120 unit apartment complex - the Conditional Zoning for the Autumn Oaks. As part of the process of getting the approval for the zoning to put that property line in, they also had to do a preliminary subdivision plat. It was presented to the Planning Board on June 21 and they recommended unanimously to approve the preliminary subdivision plat.

Council Member Walter McNeil, Jr. made the motion to go along with the Planning Board's recommendation. Seconded by Council Member L. I "Poly" Cohen, the motion carried unanimously.

Consider a Financial Guarantee for Autumn Oaks Conditional Zoning District Apartment Community Subdivision of Property – (Exhibit J)

Assistant Community Development Director Marshall Downey said that with the approval of the conditional zoning and preliminary plat, the developers would like to move forward with recording a final plat for the Autumn Oaks Conditional Zoning District Subdivision. They have submitted a Performance Bond in the amount of \$281,250 from Travelers Casualty and Surety Company of American to guarantee completion of all required land development improvements within Phase 1. The Bond is to cover the costs associated with infrastructure installation of 1,300 LF of 8-inch waterline, 900 LF of 8-inch gravity sewer, and 700 LF of sidewalk to serve the apartment community.

Council Member Bob Brown made the motion to approve the financial guarantee. Seconded by Council Member Williams, the motion carried unanimously.

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

City Engineer Paul Weeks explained that the ordinance erects stop signs on North Gulf Street at the intersection with Green Street, in both directions. Council Member Taylor made the motion to adopt the ordinance. Seconded by Council Member Cohen, the motion carried unanimously.

Consider Resolution Authorizing Sanford ABC Board’s Adoption of the Travel Policy of the City of Sanford as the Travel Policy of the Sanford ABC Board – (Exhibit L)

City Manager Hal Hegwer advised that one of the requirements from the new 2010 Alcoholic Beverage Control legislation, is that their employees were to be reimbursed for travel on official business of the ABC at a rate set by the General Statutes, which is state policy, unless the appointing authority will adopt and provide the ABC Commission a different policy. The director of the ABC Commission at staff level spoke with him and they felt comfortable with the City’s policy. Their policy emulates the City’s policy. Mr. Hegwer said that they do very little travel.

City Attorney Susan Patterson stated that there is one small typographical error on the copy in Council’s packets, but it will be fixed on the corrected copy for execution. Under Section 1, the Statute reference has an extra N in it.

City Manager Hegwer stated that the ABC Board will be remitting to the City an additional \$30,000 out of their revenue this year. The normal allocation is \$70,000, plus roughly \$70,000 for law enforcement, and now, we will be receiving an additional \$30,000 that we should see very shortly.

Council Member L. I. “Poly” Cohen made the motion to adopt the resolution. Seconded by Council Member James Williams, the motion carried unanimously.

**OTHER BUSINESS**

Council Member Charles Taylor informed Council that he met with Tim Johnson and Chuck Dumas with the Department of Transportation on Friday at Amos Bridges Road. There have been two accidents there recently and one individual was airlifted. They are still having a lot of problems with that interchange. They have some good ideas and one of them is possibly closing off Amos Bridges Road as it approaches Hawkins Avenue and rerouting it behind the Chrysler dealership and coming out further down Hawkins Avenue rather than at the off ramp. There is also the possibility of a stoplight at the off ramp. There has been a lot of traffic congestion with the road congestion that is causing a large backup at North Horner Boulevard with D. H. Griffin. He does not know if anything can be done during business hours.

Mr. Taylor said that Mr. Williams brought up the matter of Static Control’s cleanup of the plant across the street from its corporate headquarters. They are finished with that building. It is not their building and they cannot do anything regarding cleanup. That property belongs to Buchanan’s.

Mr. Hegwer stated that they will get in touch with the Department of Transportation and express Council's concerns to see if any modifications can be done.

**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 L. I. "Poly" Cohen; seconded by Council Member Bob Brown, the motion carried unanimously.

Respectfully submitted,

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CORNELIA P. OLIVE, MAYOR

ATTEST:

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BONNIE D. WHITE, CITY CLERK