

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, 2012, at 7 P.M., in the Council Chambers. The following people were present:

Mayor Cornelia P. Olive	Council Member Jimmy Haire
Mayor Pro Tem Sam Gaskins	Council Member L. I. (Poly) Cohen
Council Member James Williams	Council Member Charles Taylor
Council Member Walter H. McNeil, Jr.	Council Member Rebecca Wyhof
City Manager Hal Hegwer	City Clerk Bonnie D. White
City Attorney Susan C. Patterson	

Mayor Cornelia Olive called the meeting to order. A moment of silence was observed. The Pledge of Allegiance was recited.

PUBLIC COMMENT

Joy Phillips Murphy, residing at 790 John Rosser Road, said she was a 29-year stroke survivor. She volunteers to facilitate the new Lee County Stroke Support Group. Their goal is to educate, encourage and motivate stroke survivors, caregivers and family members. May is stroke awareness month and in order to celebrate and learn all they can, plans were started in February to enjoy a celebratory luncheon. She chose Steele Street Coffee and Wine Bar because Mark Lane, owner of the café, is a four-year stroke survivor. She stated Dr. David Wong from UNC Comprehensive Stroke Center will be the speaker. Ms. Murphy requested a couple of parking spaces be reserved in front of the Steele Street Coffee and Wine Bar on Thursday, May 10, from 12:30 to 2:30 P.M., for the Lee County Stroke Support Group, for easy accessibility for their members. She said the merchants directly involved are in full support of this endeavor. If necessary, she will recruit a valet that will help her unload people and move their cars.

Nancy Bouchard, residing in Cricket Hearth Subdivision, spoke regarding the moment of silence. She commended Council Members in their efforts to be consistent and adamant about the moment of silence after offering a blessing or an example of a non-sectarian prayer. She urged Council to continue in this manner of a moment of silence or prayers that are non-secular.

APPROVAL OF AGENDA

Council Member Charles Taylor made the motion to approve the amended agenda. Seconded by Council Member L. I. "Poly" Cohen, the motion carried unanimously.

CONSENT AGENDA

Approval of Special City Council Meeting Minutes Dated April 2, 2012 – (Filed in Minute Book 77)

Approval of City Council Meeting Minutes Dated April 3, 2012 – (Filed in Minute Book 77)

Approval of Law and Finance Committee Meeting Minutes Dated April 11, 2012 – (Filed in Vault)

Approval of City Council Meeting Minutes Dated April 17, 2012 – (Filed in Minute Book 77)

Approval of Ordinance Repealing the Handicap Parking Restriction on a Parking Space Located in Front of 321 N. Steele Street of the City of Sanford – (Exhibit B)

Ordinance was approved.

Approval of Ordinance Amending the Annual Operating Budget of the City of Sanford FY 2011-2012 - (Exhibit C)

Ordinance was approved to transfer \$37,320 from the General Fund to Sewer Capital. These funds were received from FEMA to clear the debris off the water and sewer rights-of-way from the tornado that came through in April of 2011. This was paid from the Sewer Capital and needs to be transferred back into this account to use on other sewer projects.

Approval of Lease for Community Garden on Hudson Avenue – (Revised) – (Exhibit D)

Lease was approved between the City and Crystal B. McIver for Ms. McIver to put a community garden on Lots 10 and 11, Block Q of the Washington Park Redevelopment Area, on Hudson Avenue.

Council Member Rebecca Wyhof made the motion to approve the consent agenda. Seconded by Mayor Pro Tem Sam Gaskins, the motion carried unanimously.

SPECIAL AGENDA

Proclamation Proclaiming May 25, 2012 as National Missing Children’s Day – (Exhibit E)

Mayor Olive read a proclamation proclaiming May 25, 2012 as National Missing Children’s Day. She said the National Center for Missing and Exploited Children has provided 25 Ways to Make Children Safer. Mayor Olive advised that the city clerk has sent this information to the Lee County Schools, Sanford Housing Authority, the City’s website and television station. We plan to have copies available at the library so that parents and people who deal with children will have an opportunity to teach their children to be safe by following rules and knowing safety tips to prevent the abduction and sexual exploitation of children.

CASES FOR PUBLIC HEARING: held jointly with the Planning Board.

Public Hearing on Local Historic Landmark Ordinance Application – (Exhibit F)

Downtown Development Manager David Montgomery advised that this is an ordinance regarding the property at 318 Summitt Drive as a local landmark. The applicant and property owner is Albert and Denise Roethlisberger.

He said the North Carolina General Statute allows a governing board to adopt an ordinance designating one or more historic landmarks. A local historic landmark is an individual property, which may be a building, structure, site, area, sign or other object, that has been designated by the appropriate governing board because the property has a special character, historic or aesthetic interest, or value.

The property must have some type of special significance and retain a strong degree of original integrity. The property should meet at least one of the HPC criteria: 1) associated with events that have made a significant contribution to the broad patterns of our history; 2) associated with the lives of persons significant in its past; 3) embody the distinctive characteristics of a type, period, or method of construction, or that which represents the work of a master, or that represent a significant and distinguishable entity whose components may lack individual distinction; or, 4) have yielded, or may be likely to yield, information important in prehistory or history.

Currently, the City of Sanford has two local landmarks: the Wilrik Hotel and the W.B. Wicker School, adopted by ordinance in 1998 and 2008 respectively.

Mr. Montgomery explained what happens after a property is designated as a local historic landmark. The property becomes subject to the same review process described under Local Historic Districts. Prior to making changes to any exterior portion of the designated property, the property owner must obtain a COA from the Historic Preservation Commission.

Under State law, the property owner may apply with the Lee County Tax Office for a 50 percent property tax deferral for the designated property. The tax deferral runs in perpetuity, unless the integrity of the property is lost or substantially impaired, or because the designation ordinance has been repealed. Each new property owner of a landmark must reapply for the deferral. This deferral persists as long as the property retains its status as a "historic landmark."

As Council recalls, a report was presented to them at a public hearing which investigated the historical, architectural, and cultural significance of the Isenhour House.

Since then, the City of Sanford Historic Preservation Commission has met and held a public hearing and discussed this report and ordinance at its April 23, 2012 meeting. The Commission unanimously recommended that the City Council approve the ordinance. The Historic Commission provides this recommendation based on the fact that the Isenhour House:

- It was constructed for Lewis C. and D. Isenhour, founders and presidents of the Isenhour Brick Plant, who were instrumental in making Sanford "the Brick Capital of the World."
- The residence was designed by noted and influential local architect L. M. Thompson, who designed many notable residences and commercial structures throughout Lee County.
- The home was built by influential J.W. Stout & Company, and the bricklayer, Vesper Brown, was credited with the home's masonry.
- The Isenhour House is demonstrative of high-style Tudor Revival/Craftsman architecture, unique to the area.

It should be noted, that the State Historic Preservation Office did have an opportunity to review the report and concluded that 318 Summitt Drive was worthy of consideration of being designated as a local landmark.

Also, information as presented at tonight's public hearing may provide additional information that should be considered regarding a final decision on the requested local landmark designation.

Mayor Olive opened the public hearing. No one spoke in favor or in opposition. The public hearing was closed.

- Consider Adoption of Ordinance Designating the Isenhour House – 318 Summitt Drive as a Local Landmark – (Exhibit G)

Council Member Charles Taylor made the motion to adopt the Ordinance Designating the Isenhour House – 318 Summitt Drive as a Local Landmark. Mayor Pro Tem Sam Gaskins seconded the motion.

Council Member James Williams inquired that if the property is designated as a local landmark, the taxes will be reduced by 50 percent annually? Mr. Montgomery replied yes. Mr. Williams asked if there are other properties that would meet this same designation by way of when they were built? Mr. Montgomery replied yes.

The motion carried in favor six to one with Council Member James Williams casting the dissenting vote.

DECISIONS ON PUBLIC HEARINGS

Application by Bobby A. Branch and Others - to rezone 47.38 acres +/- of land located in the southeastern quadrant of the intersection of Tramway Road/NC Hwy 78 and Jefferson Davis Hwy/US Hwy 1/15-501, from Highway Commercial (HC), Residential Agricultural (RA) and Residential Restricted (RR) Zoning Districts to General Commercial (C-2) Zoning District The property is the same as depicted on Tax Map 9631.04, as Tax Parcels 9631-43-9947-00, 9631-53-6941-00, 9631-54-9199-00, 9631-63-0437-00, 9631-52-8917-00, 9631-53-7122-00, 9631-53-6225-00, 9631-53-5424-00, 9631-52-5911-00, 9631-53-4038-00, 9631-53-3301-00, 9631-53-0283-00, 9631-43-7372-00, 9631-43-7176-00, 9631-43-7076-00, 9631-42-7949-00, 9631-42-7846-00 and 9631-42-6795-00 Lee County Land Records. – (Exhibit H)

Assistant Community Development Director Marshall Downey advised that this rezoning request was presented at a public hearing a couple of weeks ago. The request is to rezone this property from Highway Commercial (HC), Residential Agricultural (RA) and Residential Restricted (RR) Zoning Districts to General Commercial (C-2) Zoning District. The Planning Board considered the case that evening and recommended unanimously in favor of this request subject to conformance with the Comprehensive Plan, as well as other factors relating to it such as proximity to highway, etc.

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

Council Member Walter McNeil, Jr. made the motion to go along with the Planning Board and adopt the Ordinance Amending the Official Zoning Map of the City of Sanford, North Carolina. Seconded by Council Member Rebecca Wyhof, the motion carried unanimously.

Application by John Wyatt - to rezone one 2.067 acre +/- tract of land addressed as 1006 Goldsboro Avenue, from Office & Institutional (O&I) Zoning District to Light Industrial (LI) Zoning District. The property is the same as depicted on Lee County Tax Map 9652.05, as Tax Parcel 9652-18-5439-00 Lee County Land Records. – (Exhibit J)

Assistant Community Development Director Marshall Downey advised that this rezoning request was presented at a public hearing a couple of weeks ago. The request is to rezone this property from Office & Institutional (O&I) Zoning District to Light Industrial (LI) Zoning District. The Planning Board considered the case that evening and recommended unanimously in favor of this rezoning request.

Council Member Wyhof asked what feedback has he received from the people in the neighborhood since this lot is located within a residential neighborhood? Mr. Downey replied that staff has received a few calls. There have not been any real concerns being the lot is zoned O & I and due to the fact of the landscaping buffers that are required. They are curious as to what is going to happen on the lot.

- Consider Ordinance Amending the Official Zoning Map of the City of Sanford, North Carolina – (Exhibit K)
Council Member L. I. “Poly” Cohen made the motion to adopt the Ordinance Amending the Official Zoning Map of the City of Sanford, North Carolina. Seconded by Council Member Jimmy Haire, the motion carried unanimously.

REGULAR AGENDA

Receive Comment from the Public and Businesses Regarding the Method of Sales Tax Distribution From Per Capita to Ad Valorem by Lee County

Nancy Bouchard, residing in Cricket Hearth Subdivision, commented that she had the experience of previously living in a community where the issue of the method of sales tax distribution went back and forth. She said the county would flex its muscle and the city would be the loser and every time that happened, the services got cut - fire services, police services, and other services. Then new politicians would come in and the city would flex its muscle and the county would have to cut their budget; they would lose county officials, county jail beds, county sheriffs, etc. What never happened is no one ever stood up and asked how do we address the issues that go back and forth from time to time between the county and city that we do not have enough money to provide our citizens the services they need. No one wanted to say the word “tax.” She said a decade later, her taxes went from \$900 plus to \$2,017 because all of a sudden, nobody could cut anymore. Ms. Bouchard said if only ten years before someone would have said let’s work collaboratively on this and develop a comprehensive plan - the county commissioners and the city. They need to look at what their short-term and long-term needs are and present it to the citizens of our county in such a way that they understand. You have to explain that if you want the services you have to pay for them. The candidates that are running for county commissioner now are saying they want strong law enforcement, strong education and this community to be inviting to businesses, and yet, what are they doing. They are stealing from Peter to pay Paul. She hopes there is a way to gather together (the county and city officials) and sit down and look at where you want Lee County in the next year, five years, etc.

Consider Presentation on Pottery Festival by David Nestor – (Exhibit L)

David Nestor, residing at 403 N. Steele Street spoke on the Pottery Festival. Mr. Nestor explained that the powerpoint presentation shines a good light on what the Pottery Festival has done and what it continues to do for Sanford, and what other festivals can do also. He said the Department of Tourism states that the Pottery Festival generates \$10 to \$12 million in revenue. Mr. Nestor said he figures \$16 million. The weekend following the Pottery Festival, he makes a habit of checking with businesses, restaurants, hotels, and retail outlets and they all speak about having a big day on Saturday and Sunday.

Mr. Nestor said there are two issues at hand. The first issue is the Tourism Authority. Sanford desperately needs a Tourism Authority. He said the Pottery Festival, to date, has rested on the shoulders of D. K. Clay, private donors and some wonderful volunteers. In the last evaluation of Sanford and Lee County that was done by the Second Century Group, (once again with private funds), the arts scored one of the only A's in that report. We have a lot of private people; the Artist Colony is a good example that opened up on Moore Street.

Mr. Nestor praised Mayor Olive for taking a bold step and initiating the rack cards that are produced. He said this should be just the beginning. They need someone to head up email campaigns, rack card distribution, cards to local hotels, etc. Someone needs to go to these events and collect the needed data on our visitors and put that data to work.

He said the second item is the large cost of putting on an event the size of the Pottery Festival. If the City could come up with ways to offset those costs incurred, it would help. They do appreciate the help they get from the City. The City helps them put out signage and helps with some limited traffic control, but maybe the City could help with investing in temporary structures. They spend \$20,000 each Pottery Festival just putting up tents. If the City could own something like this, it would be a help for them and the next venue that is held. Mr. Nestor said that one interesting note on their website is that antiques are number two as far as the clicks; number one is the wine-tasting event and the Temple Theater is number four.

Mr. Nestor said that if we were to add 20 to 40 percent more attendance to this event, it would cover the cost of those tents. He said we have so much potential and we need to establish the tourism board and start pulling in that revenue.

Mr. Nestor said that they need the City of Sanford to come on board and help fund a tourism board.

Council Member Haire said that he has checked with the motel owners and they say that the only event that fills them up is when they have the Sporting Clays annual major shoot and they want to get something going. It is a matter of working it out.

Mayor Olive advised that we had the bill drawn up and the Council voted on it and approved it. It was largely the motels who said they were not sure they wanted to go in that direction.

Mr. Haire asked the mayor how much more would an individual pay that checked into a motel. Mayor Olive replied 3 percent of the bill and it ranges far higher in other towns. If we had enacted it at the time it was approved, we would have now accrued a handsome amount to establish a Tourism Authority. We want an accommodation tax to pay for this endeavor.

Mr. Nestor added that he understands an accommodation tax would be the eventual funding for authority, but at this point and time, he believes that we might have to step forward individually. There may be some private funds to along with it; however, we may need to step forward only as a City. The County may not come on board but we may have to come up with some of our local funds to support a Tourism Authority just to get it rolling.

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

OTHER BUSINESS

Council Member Wyhof congratulated Mayor Olive and everyone that came out and worked in the East Sanford cleanup this past weekend. It was an incredible day and a huge difference was made.

Council Member Haire said that 41 years ago on April 30, 1971, it was the last time that a passenger train stopped in Sanford.

Mayor Pro Tem Gaskins stated that where people choose to locate frequently depends on their impressions of the schools which their children would be attending. He was surprised this past week about something that was poorly advertised. He congratulated and commended Superintendent of Schools Jeff Moss. He won a national award for school administrator for Science Technology, Engineering and Mathematics (STEM). He hoped anyone who is involved in recruiting businesses, or people coming into town, make sure they know we have the Number One School Administrator for STEM in the country.

Council Member Taylor thanked the Roethlisbergers for their work in the Historic District. He complimented Dr. Parker McConville for a great event this past Sunday - the Fitness Fest.

Mr. Taylor said a lot of events will be held in the next couple of weeks: the latest production at the Temple Theater; the Pottery Festival; and the National Day of Prayer on Thursday.

Mayor Olive thanked the people who worked on the cleanup in East Sanford on Saturday. She said the Board of Realtors was the team leader this year and did a wonderful job.

Mayor Olive stated the bike race and Fitness Fest was wonderful. Last year, there were 30 runners in the 5K race and this year, there were 80 runners that preceded the bike criterion.

Mayor Olive announced that a groundbreaking was held today at Westfield; a facility that will accommodate people who need rehabilitation and constant care. This is another \$8 million investment in the community and will be having 80 jobs. They intend to hire locally.

City Manager Hal Hegwer stated that with the change in the prefix for dialing local calls, we have seen an enormous increase in the amount of 911 hang-up calls. We believe that when people dial 919, they are dialing 911. He appealed to the public that when they do dial 911, to not hang up because the communicators need to make sure everything is ok. If you do not answer when they call back, they have to send someone out to check on them and it could save a lot of resources if the public will not hang up.

Mayor Olive praised the Roethlisbergers on the work they did with their home.

ADJOURNMENT

With no further business to come before the council, the meeting was adjourned on motion of Council Member James Williams, seconded by Mayor Pro Tem Sam Gaskins, the motion carried unanimously.

Respectfully submitted,

CORNELIA P. OLIVE, MAYOR

ATTEST:

BONNIE D. WHITE, CITY CLERK