

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, October 16, 2012, at 7 P.M., in the Council Chambers. The following people were present:

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

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

**PUBLIC COMMENT** – (Exhibit A)

Robert Brickhouse, residing at 1903 Hamilton Drive, spoke regarding the current status of activities of restoring the Endor Iron Furnace.

**APPROVAL OF AGENDA**

Mayor Pro Tem Sam Gaskins requested to amend the Regular Agenda to include Appropriation of Funds for Our Employee Purchase Program as Item 10A and move Closed Session to 10B. Council Member Walter McNeil, Jr. made the motion to approve the amended agenda. Seconded by Council Member L. I. “Poly” Cohen, the motion carried unanimously.

**CONSENT AGENDA**

Approval of Law and Finance Committee Meeting Minutes Dated September 26, 2012 – (Filed in Vault)

Approval of Resolution to Temporarily Close Portions of Several Streets in Support of a Hot Rod and Custom Car Show – (Exhibit B)

Approval of Grant Project Ordinance Wagon Trail Road Waterline Extension – (Exhibit C)

Approval of Ordinance Amending the Annual Operating Budget of the City of Sanford FY 2012-2013 – (Chatham Street Parking Lot) - (Exhibit D)

Approval of Capital Project Ordinance Amendment for the Chatham Street Parking Lot Project – (Exhibit E)

Approval of Ordinance Amending the Annual Operating Budget of the City of Sanford FY 2012-2013 – (Purchase of Compost Loader) - (Exhibit F)

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

**SPECIAL AGENDA**

**Resolution Honoring the Life and Community Service of Joseph Bryson McDonald – (Exhibit G)**

Mayor Olive asked the family members of Joe McDonald to come and stand with her as she read and presented a resolution honoring the life and community service of Joseph (Joe) Bryson McDonald (deceased) to them. Mr. McDonald served on the Airport Authority and was integral to the creation of the Raleigh Executive Jetport.

Council Member Walter McNeil, Jr. made the motion to adopt the Resolution Honoring the Life and Community Service of Joseph Bryson McDonald. Seconded by Mayor Pro Tem Sam Gaskins, the motion carried unanimously.

**CASES FOR PUBLIC HEARING: to be held jointly with Planning Board.**

**Application by Angela Bright Pearson** - to rezone one 0.34 acre +/- tract of land addressed as 211 Carbonton Road, from Office & Institutional (O&I) Zoning District to Residential-Mixed (R-12) Zoning District. The property is the same as depicted on Lee County Tax Map 9642.01, as Tax Parcel 9642-38-4521-00 Lee County Land Records. It is also the same as Lot 14, Block A on a 1946 survey map of the Davenport Park Addition Subdivision recorded in Plat Cabinet 2, Slide 401, Lee County Registry of Deeds. – (Exhibit H)

Planner II Amy McNeill explained that in August of 2012, a local real estate agent contacted staff to express interest in rezoning the site of an existing vacant office (formerly Bright Audiology) back to a residential zoning district to allow the property to be marketed and occupied as a single-family dwelling. This property was rezoned from Residential-Mixed (R-12) to Office & Institutional (O&I) in August of 2001, to allow for the conversion of the existing house into an office (Bright Audiology). However, the business relocated approximately two years ago and the owner has been unable to sell or lease the property to another business. Since the structure and site still maintain a residential appearance, the property owner has requested that the site be rezoned back to a residential zoning district to assist in selling the property.

She said that the subject property consists of one 0.34 acre (14,923sf) +/- tract of land, which is located on Carbonton Road, in the southeastern corner of the intersection of Carbonton Road and Whitford Street. It was originally developed in 1960 with a single-family dwelling and appears to have been converted into an office in 2001. There is an existing concrete drive and parking space in front of the site; but otherwise, the site has a residential appearance.

Uses in the area are still primarily residential in nature and include single-family dwellings and a townhome community called The Pines. The closest commercial uses in the area appear to be a dental office, a massage therapist, a restaurant, and a mental health counseling center which is closer to the Carbonton Road intersection. She said the adjacent zoning North, South, East and West is Residential-Mixed (R-12).

Ms. McNeill advised that the current zoning district of Office & Institutional (O&I) is established to provide for agencies and offices rendering specialized services and traditional institutional functions. A list of permitted uses for the O&I Zoning District is included within the agenda for Council's reference.

The proposed zoning district of Residential-Mixed (R-12) is established to provide areas for a mix of residential dwelling types with a maximum density of three and one-half (3.5) dwelling units per acre, in areas where large-lot development is discouraged and adequate public facilities and services are available.

The 2020 Land Use Plan Map does not identify a specific land use for the subject property. When considering the zoning of this property, current development trends and the surrounding zoning of the neighborhood should be considered.

Staff recommends that the City Council and Planning Board support this rezoning petition, as it appears to be reasonable and in the public interest based on the existing development of the surrounding properties as single-family homes; the fact that the site does basically appear to be a residential house; the fact that only one other property in the area has been rezoned to a non-residential zoning district (207 Carbonton Road, located two doors down, was rezoned to O&I, but it does not appear to have been formally converted into an office); and the fact that the site was formerly zoned Residential-Mixed (R-12).

Please note that information presented at the public hearing may provide additional information that should also be considered regarding a final decision on the requested zoning map amendment.

Mayor Olive opened the public hearing. Stephanie Chilton, residing at 221 Acorn Drive, spoke on behalf of Dr. Angela-Bright Pearson and asked that Council rezone the property.

No one spoke in opposition. The public hearing was closed.

*The Planning Board retired to the West End Conference Room.*

#### Public Hearing on 2012 Community Development Block Grant Program – (Exhibit I)

Community Development Manager Karen Kennedy advised that tonight we are conducting the first public hearing required when you apply for Community Development Block Grant Funds. Staff plans to apply for the 2012 funds. The categories that we are allowed to apply for during this session are Scattered Site Housing – primarily given to counties for scattered site rehabilitation; Infrastructure – provides for installing or replacing public water and sewer; Small Business & Entrepreneurial Assistance – for helping jump start the growth of existing businesses to create jobs; Talent Enhancement Capacity Building – which helps local governments and non-profits build up their staff capacity; NC Catalyst - which is a new category for providing programs such as Housing Development - multi-unit rental developments; Housing - for housing rehab acquisition, demolition, clearance, relocation, substantial rehabilitation, replacement and emergency repairs; and Special Projects/Public Facilities – to help with improvements to governmental buildings, and some examples are shelters for victims of

domestic violence, homeless shelters, transitional housing, senior centers, neighborhood recreational centers, and parks.

Mayor Olive asked which category we would be applying for. Mrs. Kennedy replied that we have to come back to Council for another public hearing at Council's next meeting to tell you the application that staff is planning to apply for. She said we plan to go under the NC Catalyst program for special projects and public facilities to work in the Jonesboro area to enhance Autumn Oaks Phase II, the park across the street, and some other projects around that neighborhood.

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

### **REGULAR AGENDA**

#### **Consider Appropriation of Funds for Employee Purchase Program – (Exhibit J)**

City Manager Hal Hegwer advised that this is an ordinance amending the annual operating budget to transfer \$15,000 from fund balance to appropriate additional funds for the employee computer purchase program. We have quite a bit of interest this year. This program was started several years ago with seed money for about \$50,000 and that money is paid back to the City from the employees annually. Even though it is budgeted as a \$15,000 appropriation, technically it will not show up as being spent from fund balance at the end of the year. It is for budgetary purposes. We may not need all the money appropriated.

Mayor Pro Tem Gaskins made the motion to adopt the Ordinance Amending the Annual Operating Budget for Fiscal Year 2012-2013. Seconded by Council Member Cohen, the motion carried unanimously.

### **OTHER BUSINESS**

Mayor Olive noted that we have had several nice events held recently, such as Fun Day at the Airport and the Vigil for HAVEN held at Depot Park.

### **Closed Session**

City Attorney Susan Patterson requested that Council go into closed session in accordance with N.C.G.S. 143-318.11(a) (1) and (3) to prevent the disclosure of information that is privileged or confidential pursuant to law and to consult with an attorney retained by the public body in order to preserve the attorney-client privilege. Council Member James Williams made the motion to go into closed session. Seconded by Council Member L. I. "Poly" Cohen, the motion carried unanimously.

Return to Regular Session and Adjournment

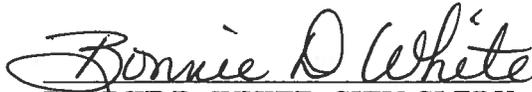
With no further business to come before the council, the meeting was adjourned on motion by Council Member Rebecca Wyhof. Seconded by Council Member Charles Taylor, the motion carried unanimously.

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

Respectfully submitted,

  
\_\_\_\_\_  
CORNELIA P. OLIVE, MAYOR

ATTEST:

  
\_\_\_\_\_  
BONNIE D. WHITE, CITY CLERK