

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 3, 2013, at 7 P.M., in the Council Chambers. The following people were present:

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

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

PUBLIC COMMENT

No citizens requested to speak.

APPROVAL OF AGENDA

Mayor Pro Tem Sam Gaskins made the motion to approve the agenda; seconded by Council Member Jimmy Haire, the motion carried unanimously.

CONSENT AGENDA

Approval of Law and Finance Committee Meeting Minutes Dated July 10, 2013 – (Filed in Vault)

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

DECISION ON PUBLIC HEARING

Application by Anson O. Harrington - to rezone 0.51 acres +/- addressed as 500 S. Third Street from Residential-Mixed (R-6) to Light Industrial (LI) Zoning District. The property is the same as depicted on Lee County Tax Map 9642.08 as Tax Parcel 9642-98-1722-00 Lee County Land Records. – (Exhibit A)

Assistant Community Development Director Marshall Downey advised that this was a decision on a recent public hearing for a rezoning request from the current Residential-Mixed (R-6) Zoning District to Light Industrial (LI) Zoning District. Mr. Downey said that this same applicant rezoned a couple of lots just north of this property in March 2012, and that they were simply continuing this trend along South Third Street. Mr. Downey said that the Planning Board met on September 3, 2013, following the public hearing, and recommended unanimously that Council approve the zoning change. Mr. Downey informed Council that there was an ordinance, and a map of the location, included in the agenda packet for their review and consideration. Mr. Downey informed Council that this request was an extension of the existing Industrial Zoning

District, and should they find that this request is reasonable and in the interest of the public, the request is consistent with the development of the current area. He said that the relevance of this rezoning request to the 2020 Land Use Plan was that the 2020 Land Use Plan does not specify a specific land use. He said that the request appeared to be reasonable and in the interest of the public based on the availability of public water and sewer, and the fact that there is an NCDOT maintained 60-foot, 4-laned roadway adjoining the property, as well as the lots that were rezoned in 2012.

- Consider Ordinance Amending the Official Zoning Map of the City of Sanford, North Carolina – (Exhibit B)
Council Member Rebecca Wyhof moved that Council approve the Ordinance Amending the Official Zoning Map. Seconded by Council Member Poly Cohen, the motion carried unanimously.

REGULAR AGENDA

Consider Resolution Fixing Date of Public Hearing on Question of Annexation Pursuant to G. S. 160A-31 (Solus Industrial Innovations, LLC)

Community Development Director Bob Bridwell informed Council that this was a continuation of the annexation process requested by Solus Industries off of McDonald Drive. Mr. Bridwell directed Council to the Certificate of Sufficiency and the Resolution Fixing Date of Public Hearing for the proposed annexation for September 17, 2013, at 7:00 PM.

- Receive Certificate of Sufficiency – (Exhibit C)
City Clerk Bonnie White verified that the certificate was sufficient. Council Member Walter McNeil made the motion to receive the Certificate of Sufficiency. Seconded by Mayor Pro Tem Sam Gaskins, the motion carried unanimously.
- Consider Adoption of Resolution Fixing Date of Public Hearing – (Exhibit D)
Council Member Walter McNeil moved to approve the Resolution Fixing Date of the Public Hearing for September 17, 2013, at 7 P.M. Seconded by Council Member Poly Cohen, the motion carried unanimously.

Consider Ordinance Amending the Annual Operating Budget of the City of Sanford FY 2013-2014 – (Child Passenger Safety Diversion Grant) - (Exhibit E)

Commander Ken Cotten stated that the Fire Department had received a \$300 grant from the Governor's Highway Safety Program and the Safe Kids of North Carolina, and asked Council for approval to have the funds appropriated from the City of Sanford FY 2013-2014 General Fund Revenue Account to Expenditure Account.

Council Member James Williams commented that the public did not have access to information regarding this grant, and asked that Commander Cotten explain the details of the Grant for the public.

Commander Cotten explained that the District Attorney's Office and the Office of the State Fire Marshal contacted Sanford Fire Department to inquire if they would be interested in the Diversion Grant Program. He said that local law enforcement and the State Highway Patrol

monitor child passenger safety seats, making sure they are installed correctly. He said that if law enforcement stopped a motorist, and found a situation where the child safety seat was not installed correctly, the operator of the vehicle would be issued a citation. He explained that along with the citation, the officer would issue a tear-off sheet and direct the motorist to make an appointment with the City of Sanford Fire Department and take the tear-off sheet to the Fire Department's permanent checking station. Mr. Cotten explained that when the motorist arrived at the Fire Department with the paperwork, they would receive instructions on how to properly install a child safety seat. Mr. Cotten said that once the motorist received proper training, and they had correctly installed the child safety seat, the Fire Department would issue a document to the motorist to take back to the District Attorney's office to obtain relief of the citation. Mr. Cotten explained that the Diversion Grant Program would provide funds for this service. Mr. Cotten explained that applicants are only allowed one citation relief through this grant service. Mr. Cotten said that they had met with law enforcement personnel and they were all in agreement of this service.

Council Member Walter McNeil moved, seconded by Council Member Poly Cohen, to approve the Ordinance Amending the Annual Operating Budget. The motion carried unanimously.

Consider Presentation of a Report from the Mining and Energy Commission Local Government Study – (Exhibit F)

Council Member Charles Taylor presented the draft report document of the Mining and Energy Commission Local Government Study. Council Member Taylor said that this document represented approximately 400 hours invested in this project. He said that he had been blessed with some of the best talent in the State, both with NCDENR, and the local members of the study group. Mr. Taylor said that he had presented this document to the Environmental Affairs Board, and that he would present it to the NC Mining and Energy Board at its next meeting. Mr. Taylor said that he had received positive feedback from the North Carolina County Commissioners Association and the North Carolina League of Municipalities, and that he welcomed feedback from City Council. Council Member Taylor's presentation was an overview of the goals and conclusions of the Mining and Energy Commission Local Government Study Group.

Council Member Charles Taylor entertained questions from Council. Mayor Olive thanked Council Member Taylor for his commitment to this project.

City Manager Hal Hegwer commented that the input that was given by the League of Municipalities and the North Carolina County Commissioners Association was very helpful in shaping this study, and that he hoped as this study progressed through the Legislature that the provisions would retain some existing local authority.

Mayor Cornelia Olive asked Council Member Charles Taylor what the next course of action for this document would be. Mr. Taylor said that this document will be introduced at the Mining Energy Board and then proceed to North Carolina Legislature October 1, 2013.

Council Member Rebecca Wyhof extended appreciation for Council Member Charles Taylor's presentation of this document at the Environmental Affairs Board meeting.

OTHER BUSINESS

Mayor Cornelia Olive asked if there was any other business. Council Member Walter McNeil thanked staff for their efforts in putting flags on Horner Boulevard and Wall Street and commented on how good they look.

Council Member Rebecca Wyhof extended her deepest sympathy to Council Member Poly Cohen and his family in the loss of his son-in-law, Martin Davis.

Council Member Charles Taylor commented that recently he observed a vehicle stalled on the railroad tracts at Carthage Street. He said that the motorist had come across the tracts too fast and broke the axle on the vehicle. He said he called the Police Department and that it appeared that this was a recurring issue in this area. He praises Public Works staff Sedric Dalrymple and Brad McDougald for their efforts in assisting with traffic until the police arrived on the scene. He said that the public needed to be made aware of the dangers of crossing the railroad track too fast.

Mayor Cornelia Olive encouraged everyone to consider the Bond issues that were coming up for vote and thanked everyone for their support. She commented that the Bonds will help define Sanford's future.

CLOSED SESSION

Council Member Poly Cohen make the motion to go into closed session. Seconded by Council Member Walter McNeil, the motion carried unanimously.

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

RETURN TO REGULAR SESSON AND ADJOURNMENT

Council Member Rebecca Wyhof made the motion to adjourn the meeting. Seconded by Council Member Walter McNeil, the motion carried unanimously.

Respectfully Submitted,

CORNELIA P. OLIVE, MAYOR

ATTEST:

BONNIE D. WHITE, CITY CLERK