

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, December 03, 2013, at 7 P.M., in the Council Chambers. The following people were present:

Mayor Chet Mann	Council Member Rebecca Wyhof
Council Member Sam Gaskins	Council Member Norman Charles (Chas.) Post, III
Mayor Pro Tem James Williams	Council Member Charles Taylor
Council Member Walter H. McNeil, Jr.	Council Member Jimmy Haire
City Attorney Susan Patterson	City Clerk Bonnie D. White
City Manager Hal Hegwer	

**ORGANIZATIONAL SESSION**

City Manager Hal Hegwer introduced North Carolina Secretary of State Elaine Marshall, who administered the oath of office to newly elected Mayor T. Chet Mann, Council Member Samuel P. Gaskins, Council Member James G. Williams, and Council Member Norman Charles Post III.

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

**APPOINTMENT OF MAYOR PRO TEMPORE**

Mayor Mann entertained a motion to elect a Mayor Pro Tem. Council Member Sam Gaskins nominated Council Member James Williams to serve as Mayor Pro Tem. Council Member Charles Taylor moved, seconded by Council Member Rebecca Wyhof, that the nominations for Mayor Pro Tem be closed. The vote was unanimous that the nominations be closed. Council Member Gaskins moved, seconded by Council Member Rebecca Wyhof that Council Member James Williams be elected by acclamation to serve as Mayor Pro Tem. The motion carried unanimously.

**PUBLIC COMMENT**

Lee County Commissioner Kirk D. Smith, residing at 3108 Avents Ferry Road, congratulated the newly elected mayor and council members. He said that as Vice-Chairman of the Lee County Board of Commissioners, he was looking forward to a future of cooperation with the Sanford City Council.

**APPROVAL OF AGENDA**

Mayor Mann entertained a motion to approve the agenda. City Manager Hegwer requested that the agenda be amended to include an Amendment to the Annual Audit Contract and request that it be placed under the Regular Agenda as Item Number 10 D. Council Member Wyhof made the motion to approve the amended agenda; seconded by Mayor Pro Tem Williams, the motion carried unanimously.

**SPECIAL AGENDA**

**Recognition of Cub Scout Troup #942 Sponsored by St. Luke United Methodist Church**

Mayor Mann recognized Cub Scout Troop 942, sponsored by St. Luke Methodist Church and Cub Scout Leaders Mike Cole and Richie Holloway.

**DISCISIONS ON PUBLIC HEARINGS**

Application by Winslow Enterprises, LLC - to rezone 0.88 acres +/- addressed as 2800 Lee Avenue from General Commercial (C-2) to Light Industrial (LI) Zoning District. The property is the same as depicted on Lee County Tax Map 9651.07 as Tax Parcel 9651-69-0532-00 Lee County Land Records.- (Exhibit A)

Assistant Community Development Director Marshall Downey reviewed the case and said that the Planning Board met in regular session on November 19, 2013, after a public hearing was held on the petition, and unanimously recommended that Council adopt an ordinance for this zoning change.

Mayor Pro Tem Williams asked Mr. Downey how many people this proposed business would employ. Mr. Downey said that this business would employ approximately ten to twenty employees.

- Consider Ordinance Amending the Official Zoning Map of the City of Sanford, North Carolina - (Exhibit B)  
Council Member Taylor moved, seconded by Council Member Haire to adopt the ordinance. The motion carried unanimously.

Application by Wesara Associates, LLC - to rezone 10.85 acres +/- comprised of the following parcels: a vacant tract of land formerly addressed as 1248 Broadway Road (0.33 acres) and a vacant tract of land formerly addressed as 1252 Broadway Road (0.26 acres) from Residential Single-family (R-20) to General Commercial (C-2) and a vacant tract of land adjoining to the east (0.16 acres) and a portion of an adjoining tract of land to the south (10.1 acres) from Light Industrial (LI) to General Commercial (C-2) Zoning District. The property is the same as depicted on Lee County Tax Map 9662.03 as Tax Parcels 9662-32-8664-00, 9662-42-0602-00, 9662-42-1559-00 and a portion of 9662-31-7458-00 Lee County Land Records. – (Exhibit C)

Assistant Community Development Director Marshall Downey reviewed the case and said that the Planning Board met in regular session on November 19, 2013, after a public hearing was held on this petition, and unanimously recommended that Council adopt an ordinance for this zoning change.

Mayor Pro Tem Williams commented that this was the proposed Veteran’s Administration Clinic, and that he understood there were some issues with this development.

Mr. Downey said that the City Technical Review Committee had reviewed this case, and that they were working closely with the Site Selection Consultant and contractor in resolving development issues. City Manager Hegwer commented that they had been working with Lee County Manager John Crumpton and that the county manager had conferred with Lee County Commissioners regarding development issues. He said that the Lee County Commissioners had been very helpful in working to resolve these issues.

- Consider Ordinance Amending the Official Zoning Map of the City of Sanford, North Carolina - (Exhibit D)  
Council Member McNeil made a motion to adopt the ordinance. Seconded by Council Member Haire, the motion carried unanimously.

Application by Elite Storage, LLC - to rezone two tracts of land addressed as 2203 and 2205 Woodland Avenue, totaling 2.16 acres +/-, from Woodland Storage Conditional Zoning District to Woodland Storage Conditional Zoning District (Revision #1) to allow for the development of a mini-warehouse storage business with revisions to the original design as previously approved in January of 2013. The property is the same as depicted on Lee County Tax Map 9652.18 as Tax Parcels 9652-31-3881-00 and 9652-31-5897-00 Lee County Land Records. – (Exhibit E)

Assistant Community Development Director Marshall Downey reviewed the case and said that the Planning Board met in regular session on November 19, 2013, after a public hearing was held on this petition, and unanimously recommended that Council adopt an ordinance for this zoning change.

Council Member Gaskins commented that this site was below grade and that the proposed mini-storage facility will improve the overall appearance of this area.

- Consider Ordinance Amending the Official Zoning Map of the City of Sanford, North Carolina - (Exhibit F)  
Council Member Wyhof moved, seconded by Council Member Gaskins to adopt the ordinance. The motion carried unanimously.

### **REGULAR AGENDA**

Consider Grant Project Ordinance Amendment – NC Housing Finance Agency – 2012 Urgent Repair Program (URP12) – (Exhibit F)

Community Development Manager Karen Kennedy informed Council that at the end of each Urgent Repair Project, she was required to allocate any interest that was accrued during the course of the project. She said that the City of Sanford received \$75,000 in grant funds to oversee a project that would provide urgent repairs for elderly and disabled people so that they could remain in their homes. She said that there had been eleven homes repaired to date. She said that they had accumulated \$42 over the course of the project that needed to be appropriated so that it could be utilized in the Urgent Repair Project.

Council Member Gaskins made the motion to adopt the ordinance amendment. Council Member Haire seconded the motion and it carried unanimously.

Consider Ordinance Repealing a Portion of a No Parking Zone at 305 N. Steele Street – (Exhibit G)

Street Superintendent Magda Holloway said that the resident of 305 N. Steele Street had requested a repeal of this No-Parking Ordinance because the wife had physical ailments that required parking directly in front of the residence so that there could be quick access to the home.

Council Member Gaskins asked Attorney Susan Patterson if this repeal would be specifically limited for this resident only. Attorney Patterson said no, this repeal would open parking in front of the residence for anyone. She said that a handicap space was discussed; however, there was parallel parking on this street, and this was not the type of parking that allowed for a handicapped space, because of the access of getting in and out of the vehicle. She further noted that the remainder of this block would remain a No-Parking Zone, that only this 29-foot section would have the No-Parking repealed. She said that there was no provision in the City Ordinance that allowed for reserving a space for individual parking in a reserved No-Parking zone.

Council Member Wyhof asked if this repeal were approved would it create any issues with narrowing of the street access, or create any safety issues. Magda Holloway said that it would narrow the street a bit, but that traffic should be able to stop and allow oncoming traffic to come through.

Mayor Pro Tem Williams asked Mrs. Holloway why the No-Parking was established in the first place. She said that at the time the No-Parking was established, there was a beauty shop (which no longer exists) and a car garage across the street that were competing for parking spaces.

Following discussion, Mayor Pro Tem Williams made the motion to approve the ordinance. Seconded by Council Member Gaskins, the motion carried unanimously.

Consider a Preliminary Plat for a Three-Lot Major Commercial Subdivision for Elite Storage, LLC with Frontage on Plaza Blvd. and Douglas Drive – (Exhibit H)

Assistant Community Development Director Marshal Downey said that Elite Storage, LLC was also the applicants for the Mini-Storage project on Woodland Avenue, and that this same group was looking to establish another mini-storage site at the corner of Plaza Boulevard and Douglas Drive. Mr. Downey reviewed the details of the request. Mr. Downey explained that if Council approved the preliminary plat, there were standard conditions that staff would have to enforce (see Exhibit H). He said that the preliminary plat had been reviewed by the City Technical Review Committee. He said that this was only a preliminary plat and that the developer would have to come back before Council with a final plat to complete the transaction and record the property.

Council Member Post made the motion to approve the preliminary plat with the conditions specified by the Planning staff. The motion was seconded by Council Member Gaskins, and carried unanimously.

Consider Amendment to the Annual Audit Contract – (Exhibit I)

Finance Director Beth Kelly said that this amendment was required to be able to receive an extension of time to submit the City's completed financial statements for fiscal year ending June 30, 2013, to the Local Government Commission. She said that an extension was required because the City changed its Other Post-Employment Benefits (OPEB) and Law Enforcement Officer Separation Allowance (LEO) actuary provider this past fiscal year. She said that given the change in services and issues with reports, the City's OPEB report was not received until late October, which caused a delay in closing entries and drafting financials. Mrs. Kelly advised Council that auditors would present financials at the January 15, 2014, Law and Finance Meeting.

Council Member Gaskins made the motion to approve the amendment to the annual audit contract. Seconded by Council Member McNeil, the motion carried unanimously.

**OTHER BUSINESS**

Council Member Taylor commented that he was glad to see the Scouts in attendance, and he encouraged them to continue with their scouting. He further commented that he had the opportunity to serve at the Thanksgiving Meal sponsored by Wenger's Restaurant, and that it was very humbling and gratifying to see businesses respond to the needs of the community.

Mayor Pro Tem Williams congratulated Mayor Mann and Council Members Sam Gaskins and Chas Post. He also recognized the County Commissioners and Lee County School Board Members who were in attendance.

Council Member Gaskins recognized Lee County Clerk of Court Susie Thomas, and all citizens who were in attendance. He also welcomed Mayor Chet Mann, and Council Member Post, and said that he was looking forward to serving with them in the coming years.

Council Members Haire and Wyhof congratulated the newly elected Council Members and commented that it was nice to see so many people at the meeting and looked forward to working with them.

Council Member Post said that he was excited to serve. He thanked Secretary of State Elaine Marshall for taking time out of her busy schedule to attend the meeting and administer the oath of office to the newly elected officials. He said that he was humbled and honored to serve on the City of Sanford City Council. He said that he thought there were big things to come for the City of Sanford and he was glad to be a part of it.

Council Member McNeil congratulated the new Council Members and their willingness to serve the citizens of Sanford. He said that he was excited to serve with them and lift up the City of Sanford and its citizens.

Mayor Mann said that he was grateful and humbled to be able to serve the citizens of Sanford. He said that this was a superb Council and he was confident that together they were going to get a lot done for the betterment of Sanford. He thanked his family for their support.

City Manager Hegwer invited everyone to the reception for the newly elected officials immediately following the meeting.

**ADJOURNMENT**

Council Member Gaskins made the motion to adjourn. Seconded by Council Member McNeil, the motion carried unanimously.

Respectfully Submitted,

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T. CHET MANN, MAYOR

ATTEST:

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BONNIE D. WHITE, CITY CLERK