

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, February 18, 2014, at 7 P.M., in the Council Chambers. The following people were present:

Mayor Chet Mann	Council Member Rebecca Wyhof
Council Member Jimmy Haire	Mayor Pro Tem James Williams
Council Member Sam Gaskins	City Manager Hal Hegwer
City Clerk Bonnie Davis	City Attorney Susan Patterson

Absent:

Council Member Walter McNeil	Council Member Norman Charles Post, III
Council Member Charles Taylor	

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

PUBLIC COMMENT – (Exhibit A)

Rick Thomas of 1504 Windjammer Court, Sanford, North Carolina, addressed Council and stated that he was President of the West Landing Homeowners Association. Mr. Thomas spoke on behalf of the West Landing Homeowners Association and in regards to a variance of the City Code request that was submitted by the resident located at 3200 Windmere Drive regarding keeping a pot-bellied pig at this location. Mr. Thomas stated that the resident had said that the keeping of the pig at his residence was acceptable to his immediate neighbors and his neighborhood; however, the statement was inaccurate. He said that two neighbors of 3200 block of Windmere Drive had complained to him regarding the pig. He said that the resident at 3200 Windmere Drive had not asked for permission from West Landing Homeowners Association to keep the pig on his property. He said that Article Six of the West Landing Homeowners Association Covenants prohibits the keeping of any livestock on the property, other than household pets. He said that the West Landing Homeowners Association would provide the resident with written notice, giving the resident thirty (30) days to comply with the West Landing Covenants by finding a new home for their pet pig. Mr. Thomas urged Council to deny the request to keep a pet pig on the property of 3200 Windmere Drive, which was submitted by the resident of this location.

APPROVAL OF AGENDA

City Manager Hegwer asked that the agenda be amended by adding an application to the North Carolina Golden Leaf Foundation as Item Number 10-D and move the item Closed Session to the last item on the Regular agenda. Council Member Wyhof made the motion to approve the amended agenda; seconded by Council Member Gaskins, the motion carried unanimously.

CONSENT AGENDA

Approval of City Council Meeting Minutes Dated January 7, 2014 – (Filed in Minute Book 80)

Approval of City Council Meeting Minutes Dated January 15, 2014 – (Filed in Minute Book 80)

Approval of Law and Finance Meeting Minutes Dated January 15, 2014 – (Filed in Vault)

Approval of City Council Meeting Minutes Dated January 21, 2014 – (Filed in Minute Book 80)

Council Member Gaskins made the motion to approve the consent agenda. Seconded by Council Member Haire, the motion carried unanimously.

CASES FOR PUBLIC HEARING

Application by Michael C. Stone - to rezone 0.23 acres +/- comprised of two vacant lots located in the northwestern corner of the intersection of S. Horner Blvd and Dogwood Street, specifically a 0.18 acre +/- vacant lot formally addressed as 2643 S. Horner Blvd and a 0.05 +/- vacant adjoining lot, from Light Industrial (LI) to General Commercial (C-2) Zoning District. The property is the same as depicted on Lee County Tax Map 9652.20 as Tax Parcels 9652-71-8384-00 and 9652-71-9219-00 Lee County Land Records. – (Exhibit B)

City Planner Amy McNeill informed Council that in January of 2014, Mike Stone submitted a rezoning petition to staff requesting to rezone property that he owns comprised of approximately 0.23 of an acre (a quarter of an acre) from Light Industrial to General Business C-2. Ms. McNeill said that the property is located in the northwestern corner of the intersection of S. Horner Blvd and Dogwood Street. Ms. McNeill said that the uses in the area include a commercial lease building with a variety of uses (2629 – 2639 S Horner Blvd), an indoor flea market (2701 S. Horner Blvd), a restaurant with drive-through (Smithfield's Chicken 'N Bar-B-Q at 2642 S. Horner Blvd), and a storage building sales center (The Shed Depot at 2700 S. Horner Blvd). Ms. McNeill said that the property has access to public water and sewer and the adjacent zoning to the south is Light Industrial and C-2 on the opposite side of Horner Boulevard. She said that on the east was Light Industrial zoning on the opposite side of Dogwood Street and on the west, General Commercial and Light Industrial. She said that to the north there was Light Industrial zoning; however, she noted that this property was on the agenda for Council's consideration for rezoning from Light Industrial to C-2 zoning.

Ms. McNeill said that the current zoning district of Light Industrial (LI) allows for industrial and manufacturing type uses; whereas, the proposed General Commercial C-2 zoning district allows for a wide variety of retail and service type uses. Ms. McNeill said that the majority of zoning on Horner Boulevard is General Commercial C-2 zoning.

Ms. McNeill said that the 2020 Land Use Plan identifies this area as being within the Highway Overlay, which are areas with a high level of design and development standards along a major transportation corridor or major highway.

Ms. McNeill said that staff recommends the Sanford City Council and Planning Board support this rezoning petition as the majority of lots with frontage on S. Horner Blvd are zoned General Commercial (C-2) and/or are developed in General Commercial (C-2) manner. Also, the request appears to be reasonable and in the public interest based on the existing development in the area (which appears to be commercial in nature as opposed to industrial); the availability of public water and sewer; the location at a busy commercial intersection; and the fact that General Commercial (C-2) zoning appears to be consistent with the 2020 Land Use Plan designation for this area as Highway Overlay.

Mayor Mann opened the public hearing on this case. No one spoke in favor or in opposition. Mayor Mann closed the public hearing.

Application by Knecht/ Nestor, LLC - to rezone 0.57 acres +/- located northwest of the intersection of S. Horner Blvd and Dogwood Street, specifically a 0.51 acre +/--portion (approximately half) of one tract of land addressed as 2629-2639 S. Horner Blvd and all of an adjoining 0.06 acre +/- tract of land, from Light Industrial (LI) to General Commercial (C-2) Zoning District. The property is the same as depicted on Lee County Tax Map 9652.20, as Tax Parcels 9652-71-7469-00 (portion of) and 9652-71-8357-00 Lee County Land Records. – (Exhibit C)

City Planner Amy McNeill informed Council that David Nester submitted an application to rezone his property from Light Industrial to General Commercial C-2 zoning. She said that the subject property is comprised of a 0.51 acre portion (almost half) of one tract of land and all of an adjoining 0.06 acre tract of land for a total of 0.57 +/- of an acre. She said that the .51 acre portion is developed with a commercial building with six lease spaces addressed as 2629-2639 S. Horner Blvd and associated site improvements, such as parking lot and landscaping and the adjoining 0.06 acre tract of land is developed with part of the parking area which serves the existing commercial building.

Ms. McNeill said that the uses in the area include a restaurant (Waffle House at 2621 S. Horner Blvd), a bank (First Bank at 2630 S. Horner Blvd), an indoor flea market (2701 S. Horner Blvd), a restaurant with drive-through (Smithfield's Chicken 'N Bar-B-Q at 2642 S. Horner Blvd), and a house (2628 Dogwood Street), which adjoins the rear of the existing commercial building.

Ms. McNeill said that the adjacent zoning to the north is General Commercial (C-2); south is Light Industrial (LI); east is Light Industrial (LI), opposite Dogwood Street; and west is General Commercial (C-2), opposite S. Horner Blvd.

Ms. McNeill said that the current zoning district of Light Industrial (LI) is conducive for industrial/manufacturing type uses; whereas, the proposed zoning district of General Commercial (C-2) allows for a wide range of retail and service oriented uses.

Ms. McNeill said that the 2020 Land Use Plan identifies this area as being within the Highway Overlay, which are areas with a high level of design and development standards along a major transportation corridor or major highway.

Ms. McNeill said that staff recommends the Sanford City Council and Planning Board support this rezoning petition because the majority of lots with frontage on S. Horner Blvd are zoned General Commercial (C-2) and/or are developed in General Commercial (C-2) manner.

Mayor Mann opened the public hearing. No one spoke in favor or in opposition. Mayor Mann closed the public hearing. The Planning Board retired to the West End Conference Room for deliberation.

REGULAR AGENDA

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 D)

City Manager Hal Hegwer informed Council that the General Statutes require that they annually approve in writing the ABC Board's Travel Policy. Mr. Hegwer said that the proposed ABC Travel Policy was in line with the City's Travel Policy.

Council Member Wyhof moved, seconded by Council Member Gaskins to approve the resolution. The motion carried unanimously.

Consider Recommendation to Award a Contract for Gaster's Creek Lift Station Improvements Project-Pump Addition – (Exhibit E)

City Engineer Paul Weeks informed Council that Gaster's Creek was one of the City's larger sewage lift stations. He said that due to the configuration of this station, the pumps start and stop a considerable amount per hour, which increases the need for additional maintenance. He said, therefore, they considered installing a jockey pump, which would use less horse-power motors and result in lower electrical costs. He said the jockey pump would run longer and require less maintenance. Mr. Weeks said that they put the jockey pump installation project out to bid and received six (6) bids. Mr. Weeks said following review, they found that Water and Waste Systems Construction, Inc. was the low bidder. Mr. Weeks said that this company had previously worked for the City; they installed the Garden Street Booster Pump Station, and they were very pleased with their work. Mr. Weeks said they had the funds in their budget for the purchase and installation of this project.

Mayor Pro Tem Williams made the motion to award a contract to Water and Waste Systems Construction, Inc. for Gaster's Creek Lift Station Improvements. Seconded by Council Member Haire, the motion carried unanimously.

Consider Marketing Campaign for U. S. Open – (Exhibit F)

Downtown Development Manager II David Montgomery said that he and Public Informations Officer Kelly Miller met with Bob Joyce and Jennifer St. Clair with the Chamber of Commerce to discuss ideas for the U.S. Open event. He said that based on this meeting and suggestions from Moore County, they had compiled a list of essential things that must be done for the Marketing Campaign for the U. S. Open. He said that they felt developing a website focusing on restaurants, shopping, art, local golf courses, parks, outdoor activities, and maybe a U. S. Open Link and other local links were imperative to do. Mr. Montgomery said that they also would have a complimentary Facebook and Twitter site as well. Mr. Montgomery said that they were looking at advertising in the Sanford Herald, the Pinehurst Magazine, and the Pilot Newspaper. Mr. Montgomery said that they estimated approximately 350 to 400 motel rooms would be utilized in Sanford for this event. He said that they wanted to supply gift bags to the U. S. Open participants that were staying at these hotels, as well as brochures detailing local events and restaurants. Mr. Montgomery said that they were also thinking of having videos in the hotel lobbies featuring the local restaurants, golf course, and retail establishments. Mr. Montgomery said that in regards to entertainment downtown, they would already be doing their summer concert series on Thursdays, but that he would be coordinating with Peggy Taphorn with the Temple Theatre to develop a schedule of events. Mr. Montgomery said that they investigated the possibility of the use of billboards, and shuttles between hotels and downtown at night, and the possibility of Burma Shave Signs on US Highway #1. Mr. Montgomery said that they were looking at using Dale's Greenhouse as a welcome center and the former

location that was used across from McDonalds. Mr. Montgomery said that he had a budget estimate of \$10,000, with \$5,000 coming from the public and \$5,000 privately. He said that they needed an initial investment from the City of \$2,500, and that he did not know what Lee County would provide. He said Downtown Sanford, Inc. might be willing to be a partner. He said they had a planning meeting scheduled for February 20, 2014.

Mayor Mann said that he attended the NCDOT meeting in Pinehurst with Planning Director Bob Bridwell and Public Works Director Vic Czar. He said that Secretary Tata was in attendance, as well as, representatives from surrounding cities. Mayor Mann said the U. S. Open would create approximately 400,000 – 500,000 additional people in this area for two weeks. Mayor Mann commented that he liked the idea of the Burma Shave campaign and felt that it would be an attraction to people who may come back through Sanford someday and remember passing through this area and be interested in opening a business. Mayor Mann commented that it would also serve to remind local citizens of what Sanford has to offer. Mayor Mann commented to David Montgomery that he would like for him to provide a detailed plan to Council of the ideas for the U. S. Open event for Council's review.

Council Member Haire commented that Allen Schafer, who started South-of-the-Border, wrote the book on roadside advertisement. Council Member Haire asked David Montgomery if the proposed budget of \$10,000 would be for both tournaments. Mr. Montgomery said that this was correct.

Council Member Gaskins indicated approval of the Burma Shave marketing idea, and he asked what fund the proposed \$2,500 for the U. S. Open Marketing Campaign project would come out of. Finance Director Beth Kelly said that the funds for this project would be appropriated out of Fund Balance.

Council Member Gaskins made the motion to authorize the appropriation of \$2,500 from Fund Balance for the U. S. Open Campaign project. Seconded by Council Member Haire, the motion carried unanimously.

City Manager Hal Hegwer said that they would convey the City's commitment to Lee County Manager John Crumpton.

Application for the North Carolina Golden Leaf Fund – (Exhibit G)

City Manager Hal Hegwer said that the Department of Veterans Affairs had selected a site for their facility at the Highway #421 By-Pass on Broadway Road. He said there was a potential for the City, as part of this project, to receive a \$200,000 grant through the North Carolina Golden Leaf Foundation. Mr. Hegwer said this would entail a \$3.5 to \$4 million dollar investment of a LEED-certified project. He said that the VA would enter into a lease with the developer. He said there would be approximately 36 jobs within three years created by this project. He said looking further into the grant funding, it was an open grant process, and it would require an adequate local fund match. Mr. Hegwer asked Council if they were willing to initiate a 5 percent match up to \$25,000, assuming the project would be a half-million dollar project. He said that if Council would agree to the matching funds, then he would work with Lee County to see if they would commit to the other 5 percent and get this to Golden Leaf Headquarters and see if there was sufficient emphasis to help secure the grant. Mr. Hegwer said that Golden Leaf stated that they did not have a specified match amount required for this project; instead, they look at the local contribution in the light of the totality of the circumstances. Mr. Hegwer said that his review revealed that there was a realm of possibilities of different matches for different projects. Mr. Hegwer suggested submitting the

City's 5 percent commitment along with whatever amount Lee County was willing to provide with the application. Mr. Hegwer said that if Council was agreeable with the proposed 5 percent commitment of matching funds to be submitted with the application, he would consult with the owner and or developer to confirm their approval prior to submitting the application. Mr. Hegwer said that a budget amendment would be brought before Council for approval at a later date, provided the project moved forward.

Mayor Pro Tem Williams commented that the VA Clinic will benefit this area by bringing sewer to the area and create an incentive for other businesses.

Mayor Pro Tem Williams made the motion to approve the commitment of the proposed 5 percent up to \$25,000 for matching funds from the Utility Fund to be submitted with the Golden Leaf grant application. Seconded by Council Member Gaskins the motion carried unanimously.

OTHER BUSINESS

Council Member Wyhof thanked the City of Sanford employees for yet another incredible job they did during the recent snow storm. She said that she had received many compliments related to the professionalism of City staff.

Council Member Gaskins announced that the individual at 3200 Windmere Drive, who appeared before Council regarding his keeping a pet pig, is not the property owner. Council Member Gaskins said that further investigation of the issue revealed that this individual has a Florida Driver's License and uses a Florida address and therefore, has no tax interest in Sanford, Lee County or North Carolina. Council Member Gaskins said that he was of the opinion that the City should not make any exceptions to the City Code for someone who is basically a transient.

Mayor Pro Tem Williams said that he had several people to comment on how quickly the City staff cleaned the streets during the recent snow storm, and he congratulated the City staff on a job well-done.

City Manager Hal Hegwer commented on the recent change to cable television with the new digital services. He said that the Video Services Competition Act that passed the State Legislature in 2006, allowed Charter Cable Company to assign channels as they see fit. He said that resulting from this change, the City's information that was normally viewed on Charter Channel Station #11 has been moved to Channel #191.

Mayor Mann informed Council that Council Member Wyhof had asked permission to join the DSI meetings. Mayor Mann said that he approved and thanked Council Member Wyhof for her willingness to attend these meetings.

Mayor Mann asked Council for a consensus to appoint himself to the Inter-Local Government Agreement Advisory Committee. There was a favorable consensus from Council. In addition, Mayor Mann said that the City was working on an idea to have a Sister City. Mayor Mann commented that he felt this was an excellent way to continue to develop our arts and economic development with a cultural and business exchange with a Sister City that makes pottery.

Mayor Mann complimented the Street Department for their efforts during the recent snow storm, and said that it was paramount that in a city of this size, City staff could do the job they on clearing the snow from the streets, and the merchants could continue doing business so quickly. Mayor Mann also asked that everyone remember Doug Guest in prayer; a city employee who worked very hard during this time and suffered a heart attack.

Mayor Mann applauded Council on the retreat efforts. Mayor Mann said they reviewed ideas of commercial enforcement of codes, and viewed a very good presentation of the Cultural Arts District. Mayor Mann said that the Tree City idea was a wonderful idea, and he appreciated all of the efforts. Mayor Mann said he felt that since Council was in agreement of the San-Lee Partnership for Prosperity, they would begin to see even more economic development that will benefit Sanford.

CLOSED SESSION

Upon a motion duly made, seconded, and carried in the February 18, 2014, open session of the City Council meeting, the Council went into closed session in accordance with N.C.G.S. 143-318.11 (a) (5) to discuss the position of the public body staff concerning negotiating the price or other material terms of a contract for the acquisition of real property by purchase, option, exchange or lease. So moved by Council Member Haire and seconded by Council Member Wyhof, the motion carried unanimously.

RETURN TO REGULAR MEETING AND ADJOURNMENT

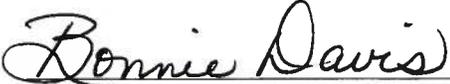
Council Member Haire made the motion to adjourn. Seconded by Council Member Gaskins, the motion carried unanimously.

Respectfully Submitted,



T. CHET MANN, MAYOR

ATTEST:



BONNIE DAVIS, CITY CLERK