

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 20, 2014, at 7 P.M., in the Council Chambers. The following people were present:

Mayor T. Chet Mann	Council Member Rebecca Wyhof
Council Member Jimmy Haire	Mayor Pro Tem James Williams
Council Member Sam Gaskins	Council Member Norman Charles Post, III
Council Member Charles Taylor	City Manager Hal Hegwer
City Attorney Susan Patterson	City Clerk Bonnie Davis

Absent:

Council Member Walter McNeil, Jr. (Deceased)

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

PUBLIC COMMENT (Exhibit A)

Mike Diesor, 2642 Fayetteville Street, Sanford, North Carolina, voiced questions about the availability of positive youth activities in Sanford. He said he was a retired federal correctional officer and during his career, he has seen many youth in jail, for long periods of time. He said now that he is retired, he has a chance to help the youth. He said he is presently managing a boxing gym at 2642 Fayetteville Street, and deals with many youth. He said that he hears many comments that there is no positively focused or organized activities for the youth in Sanford. He commented that the youth are our future leaders, and we owe it to them and ourselves to take a positive, progressive step forward in addressing this issue. He said it was his hope to work closely with City Council, as well as associated law enforcement agencies, in the creation of a non-profit police athletic league in Sanford. He said he currently deals with youth on issues related to illegal drug use, gangs, and all types of violence. He said we saw many signs of displays and we need to address this issue, and he believes this police athletic league might be an answer to help keep some of these youth out of prison.

Ricky Tysor, 502 Pineland Street, Sanford, North Carolina, said he and several friends are in attendance to endorse Byron Buckels as a replacement for the vacant position on the City Council left by the late Council Member Walter McNeil, Jr.

Don Luellen, 519 Petty Road, Sanford, North Carolina, spoke in favor of re-instating the practice of having prayer, and to pray in Jesus' name, before the Council Meetings.

Keith Clark, 202 Acorn Drive, Sanford, North Carolina, saying prayer before Council Meetings should be looked at in a way that would allow us to say, Sanford can be open for religion.

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Bruce MacInnes, 1611 Carbonton Road, Sanford, North Carolina, encouraged the Sanford City Council to restore the practice of beginning the Council meetings with prayer, and offered assistance to Council in any way possible.

David Glass, 716 Hawkins Avenue, Sanford, North Carolina, implored the Sanford City Council to re-instate the practice of praying before Council Meetings.

Marilyn Green, 7905 Bobwhite Lane, Sanford, North Carolina (who is Director of the Helping Hand Clinic) encouraged Council to publicly acknowledge God in prayer before the City Council Meetings.

APPROVAL OF AGENDA

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

CONSENT AGENDA

Approval of Law and Finance Committee Meeting Minutes Dated March 12, 2014 - (Filed in Vault)

Approval of Law and Finance Committee Meeting Minutes Dated March 26, 2014 – (Filed in Vault)

Approval of City Council Meeting Minutes Dated April 1, 2014 – (Filed in Vault)

Approval of Law and Finance Committee Meeting Minutes Dated April 9, 2014 – (Filed in Vault)

Approval of City Council Meeting Minutes Dated April 15, 2014 – (Filed in Vault)

Approval of Ordinance Amending the Annual Operating Budget for Fiscal Year 2013-2014 – (Market Analysis and Financial Feasibility Study for Sports Complex) - (Exhibit B)

Approval of Waiving Fee for Fireworks Display Operator Training

Approval of Ordinance Amending the Annual Operating Budget for Fiscal Year 2013-2014 – (Demolition of Four Houses) - (Exhibit C)

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

DECISIONS ON PUBLIC HEARINGS

Economic Development Incentives – Frontier Spinning Mills, Inc. (Exhibit D)

- Consider Adoption of Resolution Authorizing the Expenditures of Funds for an Economic Development Project and Approving an Agreement with Frontier Spinning Mills, Inc.

City Attorney Patterson noted that following the public hearing on this issue, the Economic Development Corporation met and reported that they recommended approval of the

Economic Development Project and recommended Approving the Incentive Agreement with Frontier Spinning Mills, Inc.

Council Member Post made the motion to approve the Resolution Authorizing the Expenditures of funds for an Economic Development Project. Seconded by Council Member Gaskins, the motion carried by a five to one vote, with Council Member Taylor casting the dissenting vote.

- Consider Adoption of Economic Development Incentive Grant Agreement for Frontier Spinning Mills, Inc. (Exhibit E)

Council Member Post made the motion to approve the Economic Development Incentive Grant Agreement. Seconded Council Member Gaskins, the motion carried by a five to one vote, with Council Member Taylor casting the dissenting vote.

REGULAR AGENDA

Consider 2014-2015 Annual Budget Presentation – Hal Hegwer – (Exhibit F)

City Manager Hegwer presented an overview of the proposed Fiscal Year 2014-2015 Annual Budget. Mr. Hegwer said the proposed date for a public hearing on the budget is scheduled for June 3, 2014. Mr. Hegwer said that at this time, Council can consider adoption of the budget. Mr. Hegwer said that June 17, 2014, was set as an alternate adoption date.

Mayor Mann recessed the meeting for five minutes at 8:10 P.M. and reconvened the meeting at 8:15 P.M.

Consider Proposals for Golf Management Services – Set Date for Presentations– (Page 56)

City Manager Hegwer reviewed this issue with Council. He said the RFI's were sent out to respective companies to conduct market research, and then to find firms that were capable of operations of maintenance services. He said they received the responses back in September 2013. He said those proposals were given to Council Members; however, at the time, the City was going through an election period and there were some changes in Council membership and the mayor changed. He said on October 23, 2013, he sent out a memo to Council Members letting them know that he had received the proposals. Mr. Hegwer apologized for the delay but said we were at the point to schedule a workshop, and it would be at Council's decision on how and when to do this.

Council Member Taylor thanked City Manager Hegwer for the time he spent on this issue. He commented that he had heard comments from all five wards in the City concerning the issue of having the ability to vet and share information as it is presented. Council Member Taylor said that this is not an attack on the Golf Course or its management. He said all he has requested is for Council to listen to the presentations. He said at the end of the day this all comes down to a basic principle and a basic respect to hear these presentations. He said he represented the 5,000 people in his Ward, and these people need to know that Council is vetting everything that comes before us.

Council Member Taylor commented that Council Member McNeil broke ground for many African-Americans in this community and that he respected Council McNeil's leadership. Council Member Taylor asked to be an equal Council Member.

Mayor Mann commented that he understood Council Member Taylor's comments, and he as well, had received many comments from the community, wanting to see the Golf Course stay active and vibrant. He said the Golf Course was given to Sanford in the 1930's.

Council Member Wyhof agreed that this issue should have come up before now because people put their time in to prepare these proposals and they deserved an answer. She said she read the proposals when they came in, and that she was not impressed. She asked if there would be any additional or new information presented that was not included in the original proposals.

Council Member Taylor said he did not know; that he had not contacted these people. He said he just wanted to give the companies an opportunity to present.

Mayor Mann entertained a motion to consider proposals for Golf Management Services. Council Member Gaskins made a motion to dismiss the entire issue of the golf proposals. Council Member Post seconded the motion.

Council Member Gaskins said he read through all five proposals and they were unimpressive and lacked professionalism. He said the Billy Casper Group is responsible for the Flag Mountain Golf Course fiasco; the Pope Group proposal had two projects that were closed for real estate development. Council Member Gaskins commented that if the concern is whether or not Sanford Golf Course needs to be well managed; it is well managed. Council Member Gaskins said he was concerned with the Pope Group, and if Council was going to consider leasing the Golf Course, he would like for the company that is proposing to do this to have a net worth greater than his own. Council Member Gaskins said that Sanford Golf Course is one of the best golf courses around. He said he was not in favor of bringing these companies here to present these proposals; that he was not impressed with any of these proposals.

Council Member Taylor commented that he hoped going forward the City Council will take issues seriously and allow total vetting before they make a decision. He said he had spoken with golf professionals at Pinehurst Resort Properties whom know some of these outfits. He said he has brought this issue before Council as he was requested to do from constituents in his Ward and other Council Members' Wards. He said he could rest comfortably tonight, because he has done all he could do.

Mayor Mann called for a vote on the motion on the floor. The motion carried four to two in favor to dismiss the entire issue of the golf proposals, with Council Members Taylor and Haire casting the dissenting votes.

Consider Appointment to the Unexpired Term on Sanford City Council – City Council – (Exhibit G)

Mayor Pro Tem Williams read a letter that was submitted by Billie McNeil, wife of the late Walter McNeil, Jr., endorsing Mr. Byron Buckels to fill the unexpired term left by her late

husband, Council Member Walter McNeil, Jr. Ms. McNeil said Mr. Buckels is aware of Council Member McNeil's legacy of a thirty-year plus, representative of Ward 4 of the City of Sanford, and he wished to continue this legacy.

Mayor Pro Tem Williams commented that he has spoken to a lot of members in Ward 4 and the only name that has been mentioned to him is Byron Buckels. Mayor Pro Tem Williams made the motion to appoint Byron Buckels to fill the unexpired term left by the late Walter McNeil, Jr. The motion was seconded by Council Member Post.

Council Member Post commented that he believes Mr. Buckels is a man of integrity, and the people in Ward 4 want him to serve on the City Council as their representative. Council Member Post encouraged a unanimous vote to appoint Mr. Buckels to fill the unexpired term.

Council Member Gaskins expressed appreciation to Billie McNeil for the letter endorsing Bryon Buckels to fill the unexpired term left by her late husband Walter McNeil, Jr.

Council Member Taylor commented that he had good interaction with Mr. Buckels over the years and he did not feel Council could find a better replacement for the unexpired term in Ward 4.

Mayor Mann called for a vote to the motion on the floor. The vote was unanimous to appoint Byron Buckels to fill the unexpired term of Ward 4.

Mayor Mann asked Council for a consensus to conduct the swearing in for Mr. Buckels at the beginning of May 28, 2014, Law and Finance Meeting. It was the consensus for Mr. Buckels to be sworn in at this time.

Consider Ordinance Amending the Annual Operating Budget of the City of Sanford FY 2013-2014 – Installation of Monitoring Wells Mandated by the NC Department of Environment and Natural Resources (Pertaining to the Diesel Spill) – (Exhibit H)

Public Works Director Vic Czar informed Council that as a result of the recent diesel fuel release at City Hall, they were going through a closure process with NC Department of Environment and Natural Resources. He said they had completed the steps for a site-closure report and the next step was to submit a limited site assessment. He said the Limited Site Assessment included the installation of two monitoring wells. He said that NCDENR required two samples of each well to be analyzed and then a report would be prepared. He explained that the budget amendment was to contract with Noble Oil for their services to continue with this process.

Council Member Gaskins asked how the City was progressing with the possible collection action. City Attorney Patterson replied that the City is proceeding towards attempting to collect reimbursement from Windstream.

Council Member Haire asked if the tank that is visible will be permanent at its location. Mr. Czar said that this is a temporary tank and they were considering options on what to do with the tank.

Council Member Gaskins made the motion to approve the Ordinance Amending the FY 2013-2014 Annual Operating Budget. Seconded by Council Member Haire, the motion carried unanimously.

OTHER BUSINESS

Council Member Taylor asked Council to review Senate Bill 786. He said he would email this bill to City Clerk Bonnie Davis and have her disperse it to the Governing Body. He said they had reviewed 103 pages of the first set of rules that would be applied to hydraulic fracking. He said there was a series being run in the Fayetteville Observer. He said there were some things that Council needed to be concerned about in Senate Bill 786 from a municipality standpoint. He said he felt this was a good bill; however, there will more than likely be some changes to the bill. He said there was good representation from the environment community, as well as the business community.

Council Member Taylor referenced Council's decision to dismiss the issue of the golf proposals and said he hoped that Council would respect Council Members' beliefs in the people they represent; he said he was disappointed and hurt. He asked the Council to support him when he presents an issue concerning Ward 2.

Council Member Haire congratulated Bryon Buckels on his appointment to City Council. He further commented that he had visited other cities; looking at their streetscapes. He said he came across a little town called Daneden, Florida, that was similar in size to Sanford, and their streetscape program is, "eye candy"; it is absolutely unbelievable. He said the layout of the town is similar to Sanford. He said he would supply photos for Council's review after the budget process is complete.

Council Member Wyhof congratulated and welcomed Mr. Buckels as a member of City Council. She said she was excited to have Mr. McNeil's seat filled by someone who embodies the spirit and passion that Mr. McNeil had for this City. She said she was impressed by the anti-violence program that Mr. Buckels put together and that she believed he would bring a very good prospective to the City Council.

Mayor Mann also congratulated Mr. Buckels on his appointment. He said he believed Mr. Buckels would bring energy, excitement and passion for the City and will represent Ward 4 well.

Mayor Mann said that he respected each member of the City Council and each opinion. He said he was confident that each member was able to make decisions that are worthy of City's due.

Mayor Mann said that Council needed to confirm a workshop for the proposed FY 2014-2015 budget and he asked Council Members to review the available dates and inform City Clerk Bonnie Davis of their date choice so that she can set a date for the budget workshop. Mayor Mann said he had asked City Manager Hal Hegwer to make staff available to Council Members to answer any questions they might have.

Mayor Mann asked City Manager Hal Hegwer to meet with, and then report information concerning Lee County's desire to fund and support their portion of the O. T. Sloan Park expansion project. He said he felt it was time to start making decisions in getting job creation and retention initiatives underway so we can eliminate the revenue shortfall and begin to have easier budgets to deal with in the future.

Mayor Mann said that there were some funds appropriated for upgrades to parks that were declared while Walter McNeil was a member of the City Council. Mayor Mann said he felt it would be appropriate and fitting to review and perhaps make some upgrades to MLK Park in the spirit of Walter McNeil, Jr.

ADJOURNMENT

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

Respectfully Submitted,

T. CHET MANN, MAYOR

ATTEST:

BONNIE DAVIS, CITY CLERK