

MINUTES OF SPECIAL 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, August 5, 2014, at 1:00 P.M., in the Council Chambers. The change in the time was due to National Night Out activities that evening. The following people were present:

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

Absent: Council Member Charles Taylor

Mayor Chet Mann called the meeting to order. Council Member Haire gave the invocation. The Pledge of Allegiance was recited.

PUBLIC COMMENT

No one requested to speak.

APPROVAL OF AGENDA

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

CONSENT AGENDA

Approval of City Council Minutes Dated May 30, 2014 (Filed in Minute Book 81)

Approval of Resolution Authorizing the Advertising of an Electronic Auction to Sell Certain Personal Property of the City of Sanford (Exhibit A)

Approval of Entering Into a Revised Lease Agreement with U.S. Cellular for the Spruce Street Water Tank (Exhibit B)

Approval of Awarding Street Resurfacing and Rehabilitation 2014 Contract to S.T. Wooten (Exhibit C)

Approval of Ordinance Amending the Annual Operating Budget of the City of Sanford FY 2014-2015 (Acquisition of Real Estate) (Exhibit D)

Approval of Ordinance Amending the Annual Operating Budget of the City of Sanford FY 2014-2015 (2014 Urgent Repair Program) (Exhibit E)

Approval of Grant Project Ordinance – NC Housing Finance Agency (Exhibit F)

Approval of Commitment to Provide Local Funding Match for the NCDOT Strategic Transportation Investment (STI) of West Lee Middle School Sidepath (Project B140582) – (Exhibit G)

Approval of 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 H)

Approval of Commercial Maintenance Code – (Exhibit I)

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

SPECIAL AGENDA

Presentation of the Order of the Long Leaf Pine Award to Billie McNeil on Behalf of the Late Walter H. McNeil, Jr.

Mayor Mann noted that the Council had the great distinction and honor of making one of the greatest presentations in the State of North Carolina to one of our beloved citizens and friend of this Council, Walter H. McNeil, Jr. Mayor Mann introduced the presenter of the prestigious Long Leaf Pine Award, Representative Robert Reives II of Sanford, who is a practicing attorney with the law firm Wilson & Reives, former Assistant District Attorney and current North Carolina House Representative for District 54.

Representative Reives explained how prestigious the Long Leaf Pine Award is by noting that Maya Angelou, Coretta Scott King and Michael Jordan were among the recipients. Mr. Reives went on to explain that Walter McNeil cared very much about the community, devoting much of his time to improvement projects. A graduate of Winston-Salem State Teachers College who was with the Lee County Public School System for more than 30 years, his service on the Sanford City Council of 33 years was the longest term ever served. He also was the driving force behind the “National Night Out” Event which is being held tonight and also ran a florist business. Mr. Reives emphasized that Mr. McNeil was a trailblazer as the first African-American City Council member and also served as Mayor Pro Tem. Mr. Reives remarked that Mr. McNeil was a gentleman who served as an example and role model to many and that Mrs. McNeil continues to serve the community. Mr. Reives then presented the Order of the Long Leaf Pine to Mrs. Billie McNeil, on behalf of the late Mr. McNeil.

Mrs. McNeil thanked everyone on behalf of Mr. McNeil as she received the award. After photos were taken, Mayor Mann noted that the City of Sanford had the honor of awarding two Long Leaf Pines awards two days in a row, with today’s award presentation to Mr. McNeil and a presentation yesterday to Herbert Hincks, former Lee County Commissioner. Mayor Mann stated that less than 0.2% of North Carolina citizens have ever received this award and that there was no one more deserving of the honor than Mr. Walter McNeil and that it was very fitting for the award to be presented on National Night Out since it was a day very important to him.

REGULAR AGENDA

Consider Remarks from Rodger Sauls, Executive Director of the Sanford-Lee County Partnership for Prosperity

Mayor Mann gave some background on the recent hiring of an Executive Director of the recently formed "Sanford-Lee County Partnership for Prosperity" (hereinafter "the Partnership"). The Partnership is our new public-private economic development organization formed from the merger of the Lee County Economic Development Corporation and the Sanford Area Chamber of Commerce with support from Lee County, the City of Sanford and the Town of Broadway. Their mission is to enhance the quality of life in Lee County through a comprehensive set of sustainable economic and work force development strategies that support existing businesses and encourage new business.

Mr. Sauls was the finalist from a group of 82 candidates from all over North America. Council Member Gaskins and Mayor Mann were involved, along with eight to nine local leaders, with the three-hour interview, power point presentation and simulated economic incentive development negotiation with the County, which resulted in the hiring of Mr. Sauls. He spent 20 years as a Business Development Executive with Progress (now Duke) Energy, during which time he became very familiar with Lee County. In the past few years, he has handled business development and consulting roles with Yonkers Industries and the Davenport Lawrence firm. Mr. Sauls officially began his duties as CEO on July 7, 2014.

Mr. Sauls introduced himself to the Mayor, Council Members and staff and noted that the formation of the new Partnership has been underway for many months with much time and effort going into the organization. He stated that many great things have been accomplished in the community and a wonderful heritage already exists. Mr. Sauls remarked that he was pleased to see that the business community and elected leaders were working together to accomplish the goals of spreading the word that Sanford and Lee County are a great place to live and raise a family, as well as establishing a successful business. He praised the recent development of placing several related agencies under one roof at the Buggy Factory as a big step forward in promoting to businesses that many related functions could be handled at one facility, rather than going to multiple locations. He also stated that he looks forward to meeting everyone personally in the near future.

Mayor Mann informed everyone that Mr. Sauls will be located in the current Chamber of Commerce building on Steele Street, which was formerly the Bankingport location.

Consider Update from Ted Habets, General Manager for Waste Industries

Mayor Mann introduced Ted Habets, General Manager for Waste Industries, who was contacted recently by General Services Director Tim Shaw and Solid Waste Superintendent Larry Craig requesting information and an update on services provided to the City by Waste Industries.

Mr. Habets informed the Council and Mayor that the City has a recycling participation rate of more than 90% based on drivers' reports of containers serviced daily. He thinks that the every-other week collection, along with the 96-gallon rolling cart size, contributes to this high

participation rate. Approximately 150 tons of recycling has been collected monthly in the City versus approximately 500-550 tons of solid waste collected monthly. This averages approximately 16 pounds of recyclables in every container serviced, which is very near their average curbside recycling collection customers. Recycling is generally lighter in weight since it contains aluminum, plastic and paper, versus solid waste food and wet materials. It is difficult to improve this high rate of participation and his only suggestion would be to add a notice on the utility billing statements advertising the recycling program as one method to raise awareness and trying to reach residents who are not participating in the program.

Regarding questions on contamination issues, Mr. Habets stated that recycling collected by Waste Industries is a co-mingled, single stream style (as opposed to being separated at the curb by the collector) which is loaded into the same compartment in the truck which is then taken to the recycling facility, Sunoco in Raleigh. Mr. Habets shared that they then run, sort and bale the material prior to marketing and selling. During this process, the waste goes through its own cleaning process. There is generally an industry-wide average of approximately 3-5% contamination, which is acceptable. Only after exceeding 5-10% would they expect to hear complaints from Sunoco but to date, there has been no negative feedback in the 13 month period Waste Industries has handled recycling for the City and no complaints had been received.

Council Member Haire remarked that he thought using the utility billing statements to convey information and community news is a great idea. He also noted that he has seen contaminants in many curbside recycling containers and has been asked about whether or not to clean containers (cans, jars, etc.) going to the recycling containers. Mr. Habets explained that the material is baled into large two-ton bales, which is then broken down for raw materials and sold as a raw product for the end user. During these steps, the material will have gone through a cleaning process. Recycling facilities do appreciate cleanliness in order to reduce odor and deter rodents but as a general rule, some odor and contamination are considered incidental to the load and isn't a problem as long as it doesn't exceed the general 5-10% contamination guideline. Mr. Habets stated that large pieces of lumber should not be included due to the potential risk of damage to trucks and their packing blades.

Mr. Haire inquired whether Sunoco would allow a group of citizens to tour the recycling facility; Mr. Habets will inquire about this.

Council Member Wyhof noted that she does receive inquiries from constituents regarding exactly what can be included as recyclable material and asked if Waste Industries could provide this information. Mr. Habets confirmed that it will be provided.

Council Member Sam Gaskins stated that he initially had two concerns as the contracts for waste collection and recycling were being resolved: (1) Would Waste Industries be hiring employees formerly with Waste Management as the business left Sanford? (2) Where would the facility be located; could it possibly be located within the Sanford City limits? Regarding the issue of jobs, Mr. Gaskins stated that he later discovered that several local citizens formerly with Waste Management had in fact been hired by Waste Industries and this was greatly appreciated.

Regarding the business location, Mr. Gaskins explained that not only had the facility been located in Sanford, but county property was even annexed into the City in order to do so. Mr. Gaskins extended his appreciation of the efforts made by Waste Industries on fulfilling expectation on both of these two concerns.

Mayor Mann suggested that a field trip to Waste Industries and/or Sunoco could possibly be incorporated into the newly formed Citizens Academy.

Consider Endorsement of By-Laws for Sanford-Lee County Partnership for Prosperity (Exhibit J)

City Manager Hegwer explained that the newly formed Partnership has provided a copy of its by-laws and is seeking an endorsement from the City Council in order to move the process forward. Mr. Hegwer noted that previously there were four county commissioners, three city council members and one member from Broadway. The new configuration calls for three county commissioners, two city council members and one member from Broadway, along with significant participation from the private sector. The by-laws may transition over time to improve and strengthen the Partnership.

Mayor Mann explained that there are 15 members on the Partnership Board: eight ex-officio members and a representative of any company or individual investing \$10,000 or more per year for five years. This allows a wide range of diversity within the community and for the first time, businesses will have a “place at the table” if they choose to contribute. This component has been going exceedingly well according to Mayor Mann.

Council Member Gaskins noted that one change is that previously, county commissioners and city council appointed members to serve on the Board, whereas now, an elected member of both the City Council and Board of Commissioner is to serve.

Mayor Mann entertained a motion to endorse the by-laws as presented. Council Member Wyhof acknowledged the effort which went into compiling the by-laws and made a motion that the Sanford City Council endorse the by-laws presented by the Sanford-Lee County Partnership for Prosperity. Seconded by Member Gaskins, the motion carried unanimously.

Consider Authorization to Cut and Sell Timber Notwithstanding Restrictive Covenants (Exhibit K)

City Manager Hegwer noted that after much recent discussion regarding the current financial situation of Brick Capital Community Development Corporation (“Brick Capital”), Brick Capital has requested authorization to harvest timber on the 16.78 acre tract previously conveyed by the City in 2006.

Council Member Gaskins made a motion to authorize Brick Capital to cut and sell timber notwithstanding restrictive covenants. Seconded by Council Member Williams, the motion carried unanimously.

Consider Renewal of Contract with ABC Board for Law Enforcement (Exhibit L)

City Manager Hegwer explained that this contract was last updated in 2002. There is a difference in the amount of compensation due to the City from the ABC Board. In 2002, the total figure was \$50,000; the figure is now \$90,000.

Council Member Gaskins made a motion to renew the contract with the ABC Board for law enforcement. Seconded by Council Member Post, the motion carried unanimously.

Consider Rescinding Appointment of Daniel Owens to the Appearance Commission and Consider an Appointment to the Historic Commission (Exhibit M)

City Manager Hegwer explained that there had been an error in the Commission Directory showing there was a vacancy on the Appearance Commission. Mr. Daniel Owens was appointed for this seat which had, in fact, previously been filled. There was a vacancy, however, on the Historic Commission. When Mr. Owens was contacted and the mistake was explained, he expressed an interest in serving on the Historic Board.

Mayor Mann entertained two motions: One to rescind Mr. Owens' appointment to the Appearance Commission and one to appoint him to the Historic Commission. Council Member Post made the motion to rescind the appointment of Daniel Owens to the Appearance Commission. Seconded by Council Member Gaskins, the motion carried unanimously. Council Member Post then made the motion to appoint Daniel Owens to the Historic Commission. Seconded by Council Member Buckels, the motion carried unanimously.

OTHER BUSINESS

Council Member Wyhof welcomed Mr. Sauls and remarked that National Night Out was a perfect time to honor Council Member Walter H. McNeil, Jr. and invited everyone to join in the celebrations taking place tonight.

Council Member Gaskins extended congratulations to both Mr. Herb Hincks and his family and to the family of the late Walter McNeil, Jr. on the great honors recently bestowed.

City Engineer Paul Weeks gave an update on the Hawkins/US 1-15-501 Roundabout project. The North Carolina Department of Transportation has recently informed him that there has been a delay due to relocating some fiber optic lines. The project will be re-bid by January to begin construction in the spring. There will be meetings scheduled to discuss with Council, Commissioners and Emergency Management Services regarding plans to proceed.

Public Information Officer Kelly Miller gave an update on tonight's National Night Out activities. There are 37 sites in the City which will be participating, as indicated on handouts prepared by Mrs. Miller. Over the summer, 43 bicycle helmets were donated by the Department of Transportation Bike and Pedestrian Safety Division. There are currently 12 helmets remaining which will be distributed at the National Night Out festivities, along with six \$25 gift cards donated by WalMart. It is requested of the coordinators that they use these cards for future community gatherings, neighborhood watch related events or to purchase school supplies.

The local Young Commissioners will also be participating at tonight's National Night Out festivities as a component of their service learning project. They will be at the Chatham Street parking lot, at the Walter McNeil Park and the Boys and Girls Club.

Mayor Mann explained that there are approximately 37.8 million participants in the National Night Out project and that Sanford has long supported the project. He thanked the Council for the effort and cooperation shown on recent discussions. He again welcomed Rodger Sauls and urged everyone to extend their support of upcoming projects since the purpose of the newly created Partnership for Prosperity was job creation.

ADJOURNMENT

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

Respectfully Submitted,



T. CHET MANN, MAYOR

ATTEST:



BONNIE DAVIS, CITY CLERK