

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 16, 2014, at 7 P.M., in the Council Chambers. The following people were present:

Mayor T. Chet Mann
Council Member Jimmy Haire
Council Member Charles Taylor
Council Member Rebecca Wyhof
City Manager Hal Hegwer
City Clerk Bonnie Davis

Mayor Pro Tem James Williams
Council Member Sam Gaskins
Council Member Byron Buckels
Council Member Norman Charles Post, III
City Attorney Susan Patterson

Mayor Mann called the meeting to order. Council Member Byron Buckels delivered the invocation. The Pledge of Allegiance was recited.

PUBLIC COMMENT – (Exhibit A)

Sheik Portis EL, residing at 112 W. Main Street, is a member of the Moorish Science Temple of America. He is representing the Supreme Grand Council of the Moorish Science Temple of America. They recently established a branch in Sanford and hold meetings at 112 W. Main Street. The organization is dedicated to uplifting fallen humanity. He gave an explanation of their organization.

McLean Bej, residing at 4910 South Pointe Drive in Woodbridge Subdivision, member of the Moorish Science Temple of America, said they want to go into the communities to teach kids that there is a better way to think instead of reacting, because they do not have the etiquette coming out of their homes to do this.

APPROVAL OF AGENDA

Attorney Patterson requested that a closed session be added to the agenda. Council Member Wyhof made the motion to approve the agenda as amended. Seconded by Council Member Gaskins, the motion carried unanimously.

CONSENT AGENDA

Approval of Law and Finance Committee Meeting Minutes Dated August 27, 2014 – (Filed in Vault)

Approval of City Council Meeting Minutes Dated September 2, 2014 – (Filed in Minute Book 82)

Approval of Recommendations from Environmental Affairs Board Regarding Draft Mining and Energy Commission Rules – (Exhibit B)

City Council Meeting
September 16, 2014

Approval of Ordinance Amending the Annual Operating Budget of the City of Sanford FY 2014-2015 – (Exhibit C)

Approval of Reimbursement Resolution – Acquisition of Land (Gurtis Parking Lot on Carthage Street) – (Exhibit D)

Approval of Ordinance Amending the Annual Operating Budget of the City of Sanford FY 2014-2015 (Gurtis Parking Lot on Carthage Street) – (Exhibit E)

Approval of Entering Into a Sidewalk Agreement with Department of Transportation for the Horner Boulevard Sidewalk Project - (Exhibit F)

Approval of Entering Into a Sidewalk Agreement with Department of Transportation for the Nash/Bragg Street Sidewalk Project - (Exhibit G)

Approval of Capital Project Ordinance Amendment–Sidewalk Improvements– (Local Match for Sidewalk Projects) - (Exhibit H)

Approval of Grant Project Ordinance – North Carolina Department of Transportation – Sidewalk Project – (Horner Blvd) – (Exhibit I)

Approval of Grant Project Ordinance – North Carolina Department of Transportation – Sidewalk Project – (Nash/Bragg Streets) – (Exhibit J)

Approval of Ordinance Amending the Annual Operating Budget of the City of Sanford FY 2014-2015 – (Fire Pumper) – (Exhibit K)

City Manager Hal Hegwer noted a correction to the Law and Finance Committee Meeting Minutes dated August 27, 2014, page 4, first paragraph, fifth line. He stated that we need to strike the words, “however, at that time only one school was using the facility.”

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

REGULAR AGENDA

Consider Appointment to ADA Compliance Committee – (Exhibit L)

Council Member Sam Gaskins made the motion to appoint Joseph Calendine, Jr. to the ADA Compliance Committee for the term ending June 30, 2017 by acclamation. Council Member Rebecca Wyhof seconded the motion and it carried unanimously.

Consider Waiver of School Usage Fees at the Golf Course

City Manager Hal Hegwer stated that this issue had been addressed at the August 27, 2014, Law and Finance Committee meeting, at which time the background, revenue and implementation of the school usage fees were explained. He went on to say that if these fees were waived, the City’s Municipal Golf Course Fee Schedule would be amended by ordinance.

Council Member Post made the motion to waive the school usage fees at the Sanford Golf Course with regard to the Lee County School System and any other schools located in Lee County. Seconded by Sam Gaskins, the vote carried unanimously.

Council Member Gaskins noted that with reductions in federal, state and county funding to the local school system, this is a small opportunity for the City to assist those less fortunate economically to participate in school activities and to support the local school systems.

Consider Manager's Report – Updates – (Exhibit M)

City Manager Hal Hegwer gave an update on several open projects, including the \$14.5 million bond referendum which was recently passed. It is anticipated that there will be approximately \$2 million for sidewalks and approximately \$6.5 million for streetscape projects, for a total of approximately \$8.5 million in the first round of borrowing. The tentative schedule was that the projects would begin in June 2015; however, Council has requested that these projects be accelerated. It is anticipated that advertising for bids will occur on October 6, 2014, and bids are scheduled for receipt on November 17, for both Downtown and Jonesboro Streetscape projects, as well as for sidewalk construction.

Manager Hegwer further explained that the City was recently awarded a \$350,000 grant from NC DOT and approximately \$70,000 is required in matching funds from the City, resulting in a grant of roughly \$280,000. DOT grant procedures may slow the projects somewhat. The intent was to access as much as possible of the entire \$8.5-\$9 million in this first round since it is anticipated that interest rates will rise. Borrowing resolutions would be presented to Council in early December. Bids and Local Government Commission approval will be required. We will have to go to the bond market for this \$8.5-\$9 million. Funds would be available around January 29, 2015, for spending and a contract can be entered after this point. The goal is that by February or March of 2015, a contract could be entered for the streetscape of both Jonesboro and Downtown areas and whatever sidewalk we would have available at that time.

Manager Hegwer informed Council that the Greenway and Park projects are also on the horizon for the next few years, with anticipated completion sometime in 2016-2017. When the first phase (Streetscape and Sidewalk described above) was moved ahead, it was not discussed in depth whether these other projects would also be accelerated, so we will monitor progress on the first phase to estimate timeframes on these projects. He also confirmed that the City is continuing to move forward on both sections of the Greenway projects, which are currently in the design phase. The first section is the Medical Mile section (from Kiwanis Family Park Greenway, down Carthage Street to Wicker Street and ultimately up to the Depot Park area) and the next phase would go from Depot Park roughly to City Hall. The \$2 million Parks and Receptions bonds are not currently in the design phase.

Council Member Sam Gaskins asked about the status of Duke Energy's progress on the project. City Manager Hegwer stated that Duke has given an estimate on the Jonesboro project in the \$500,000 range for underground power and that he will research and verify this cost estimate.

Council Member Williams asked whether the right-of-way agent had been hired and what this fee would be. City Manager Hegwer explained that DOT may require a temporary

construction easement or a permanent easement may possibly be needed for some of the sidewalk installation near Lee County High School, O.T. Sloan Park and along Horner Boulevard. A right-of-way agent, who will assist with specific protocol required as a result of receiving DOT and federal funding, has not yet been retained but the process is ongoing.

City Manager Hegwer also informed Council that the Buggy Factory lease signing has now been completed and forwarded to Progressive Contracting; hopefully, construction will begin soon.

City Manager Hegwer shared copies of an insert, "Residents Guide to City of Sanford Garbage, Recycling and Yard Waste Pick-Up" (Exhibit N), which will be included in customers' utility statements. This flyer gives information on the policies, guidelines and schedules for these services.

Community Development Director Marshall Downey updated Council on progress of several outside projects and associated grants. Last spring, a grant was awarded from the UNC School of International Studies for the Latino Migration Project. There has been great participation on this project and, with assistance from former Director Bob Bridwell and the UNC Staff, a Planning/Steering Committee of 12-15 key people (from City and County agencies, faith-based organizations, members of the Latino business community, and City employees) has been established out of a larger group of 35-40 people involved with a greater steering committee. There have been two meetings to date and two surveys have been developed (one intended for agencies, the other for Hispanic residents in the community). There will be a meeting next week of the Planning Committee addressing distribution of the surveys to ensure completion. Additional updates will be provided by Mr. Downey as the process moves forward.

Director Downey explained that a Brownfield Grant has been awarded and will be formally awarded or "kicked off" on October 1, 2014. This grant is similar to one received approximately eight years ago, and is an EPA grant which allows for several Phase I and some Phase II assessments. We are currently going through a request for qualifications process to select a consultant. Director Downey said that he will be going to Atlanta during the first week in October to train and attend a series of workshops as Administrator on behalf of the City. Once the Consultant is selected, we can research different options for the funds, including possible Phase I assessments for redevelopment studies in particular areas.

Mayor Mann asked whether the schools are involved in the Latino Project. Director Downey confirmed that Central Carolina Community College, the Workforce Development of CCCC and Lee County Public Schools were all very much involved. Mayor Mann informed Council that he had attended Dr. Bryan's Town Hall Meeting, as a parent, and that the overriding theme was how to integrate the Latino population, including the need for more participation in the ESL ("English as Second Language") programs, as well as the need for more parental guidance in the schools. Director Downey explained that the schools had been identified early in the project as being absolutely instrumental in the process.

Council Member Gaskins asked for more detail on Phase I and Phase II assessments in connection with the Brownfield Grant. Director Downey explained that if an older building or

brownfield may have been used for manufacturing or other industrial use, an assessment is performed to determine what types of risks are possibly involved as a result of the prior use of chemicals, solvents or other materials. This preliminary, initial assessment is referred to as a "Phase I" Study. Our particular grant will fund up to eight or nine of these Phase I studies for different locations. "Phase II" is a more detailed, extensive assessment in which research and testing of a particular site is performed if there is more serious interest in a location or if more detailed information is desired. The funding would cover about four to five of these Phase II studies. Generally, Phase I studies help to create a baseline, while Phase II covers more detail and possible remediation and mitigation. Director Downey also stated that there are other options regarding redevelopment strategies which could be extended beyond one individual parcel.

Director Downey updated Council on various long-term, visioning strategies for updating the City's ordinances, specifically code and appearance issues. The Commercial Maintenance Code has been recently adopted and numerous amendments to the UDO (Uniform Development Ordinance) are being researched. There has been a meeting with the Joint Planning Commission (JPC) last month at which time, several amendments were discussed. About two-thirds of these were corrective in nature, in an attempt to bring our Code into compliance with other laws and/or trying to be contemporary.

There are two particular proposals for updating our ordinance. The first proposal is to require sidewalks in all subdivisions, regardless of size or zoning (whether residential, industrial or commercial). It has also been proposed that the size threshold of the lots be removed. Currently, sidewalks in new subdivisions are required only in residential subdivisions and only in areas with density of less than 20,000 square foot lots.

The other proposal discussed with the JPC is to lower the standards for industrial development along corridors. The JPC did not fully embrace this proposal since their goal is to remain more aggressive than generally indicated by the public. This proposal was subsequently modified in order to compromise between the ideals of (1) maintaining harmony along the exterior fronts of industrial properties with other commercial and retail structures nearby, but not as far as (2) specific proposals for materials and sizes. Director Downey stressed that good feedback was received from the JPC which will assist in moving forward. Public information meetings will be held before these issues are presented to Council for formal consideration.

Director Downey noted that work is proceeding with the Rosemont-McIver Historic District staff on revisions to parking and front yard regulations. Letters will be going out and public information meetings will be held. These regulations will also be formally presented to Council at a later date.

Director Downey informed Council that Community Development staff is currently working with the developer of the South Side Plaza. There are some timetable issues with NCDOT regarding construction of the access points off of Horner Boulevard and there are also some utility conflicts. Opening dates are being negotiated with tenants at this time. There are active building permits for Petco, Hobby Lobby, Marshalls, Ross and Rack Room. Discussions are currently ongoing with an architect representing Buffalo Wild Wings.

Director Downey also introduced Barbara McMillan, the new Code Enforcement Supervisor. Ms. McMillan is a Sanford native who has six years of Code Enforcement experience and four years of experience as a supervisor. Ms. McMillan stated that she was very grateful to work with the citizens of Sanford, where she grew up, and looks forward to working with everyone.

OTHER BUSINESS

Council Member Wyhof updated the Council on the Citizens Academy, which held its second session this morning with tours of the Police and Fire Departments. She thanked City staff for their knowledge and hospitality and the participants for their interest and curiosity. Ms. Wyhof also congratulated Bob Stevens on his recent retirement as Broadway City Manager.

Council Member Jimmy Haire noted that the Jonesboro Historical Society will be hosting a catered lunch meeting on Sunday, October 5, 2014, at Jonesboro United Methodist Church. An update of the Streetscape project and its' impact on the future of downtown Jonesboro will be discussed. A meeting will be also held on Monday, October 1, 2014, at 1:30 P.M. in the former office of Dr. Cade Covington to finalize plans.

Council Member Gaskins thanked Manager Hegwer and staff for their work on ongoing projects.

Mayor Mann gave an update on the Chinese Sister City project by stating that plans have been made and accommodations arranged for the upcoming trip to Yixing, China. A trip to Wuxi and the local Community College are also included. He thanked City staff for their assistance with travel arrangements and international visas and expressed his belief that this is an innovative project initiated by the prior Council.

Mayor Mann also invited Council to attend an upcoming Citizens' Academy session and shared his belief that the previous sessions have been extremely educational. He commended the inaugural group of citizen participants and the City for their forward thinking in providing this opportunity.

Mayor Mann also commended the Joint Planning Committee for their compromise on the tough challenges recently faced regarding ordinance updates and their attempt to balance economic development with quality of life and appearance issues. He reminded everyone that there are two additional levels of Committee approval required. Mayor Mann stated the importance of implementing an updated parking ordinance in connection with ongoing work on code enforcement and quality of life improvements; citizens' compliance with this issue is critical. He stated his belief that we should "inspect what we expect". He also thanked everyone who attended the meeting and for their participation.

Closed Session

City Attorney Susan Patterson requested a motion to go into closed session in accordance with N.C.G.S. 143-318.11(a)(3) to consult with an attorney employed and retained by the public body in order to preserve the attorney/client privilege. The motion was made by Council Member Gaskins and seconded by Council Member Post; it was passed unanimously.

City Council Meeting
September 16, 2014

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