

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 16, 2014, at 7 P.M., in the Council Chambers. 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 Charles Taylor	Council Member Rebecca Wyhof
City Attorney Susan Patterson	City Clerk Bonnie Davis
City Manager Hal Hegwer	

Mayor Mann called the meeting to order. Mayor Pro Tem James Williams delivered the invocation. The Pledge of Allegiance was recited.

**PUBLIC COMMENT**

There was no public comment.

**APPROVAL OF AGENDA**

Mayor Mann requested the addition of an item to the Special Agenda, Presentation of Special Christmas Tribute to a Council Member.

Council Member Haire made the motion to add this item to the Special Agenda. Seconded by Council Member Gaskins, the motion carried unanimously.

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

**CONSENT AGENDA**

Council Member Wyhof made the motion to approve the Consent Agenda. Seconded by Council Member Gaskins, the motion carried unanimously.

**SPECIAL AGENDA**

Mayor Mann introduced a video clip, "The Magic of the Media", a profile from WTVD's *Tarheel Traveler* by Scott Mason featuring Council Member Haire. The clip summarized Mr. Haire's interest in history and photography, following him from his start as a young paperboy, through his 35-plus year career with *The Sanford Herald*, to his ongoing career as a photographer. Mayor Mann acknowledged his work in helping to preserve local history.

**CASES FOR PUBLIC HEARING**

Application by Kimcuc (Kim) Thi Michael – (Exhibit A)

Design Review Coordinator Amy McNeill explained the request to rezone property at 1100 Broadway Road from R-20 (Residential Single-Family) to OI (Office & Institutional) to be used as a beauty salon. She is a cosmetology instructor at CCCC who would like to open this business as an additional place of employment for recent graduates. Uses in the area include two churches, a day care, a vegetable stand, farm fields and single-family homes. The subject one acre lot has a 1,500

square foot residence and is served by public water and private septic system, which has been reevaluated and approved for a four-chair beauty salon, conditional upon rezoning of the property. The current R-20 zoning is established to provide for low-density, single-family uses with a maximum of two dwellings per acre and allows for market and design flexibility while preserving neighborhood character. A list of permitted uses for R-20 is included in Exhibit A.

The proposed O&I zoning is established to provide for agencies and offices rendering specialized services and traditional functions, including but not limited to government, cultural, recreational and educational facilities and charitable institutions. As part of determining requirements for redeveloping this site into a beauty salon, a site plan has been reviewed, which appears to comply with all site design standards for O&I district. A list of permitted uses for O&I is included in Exhibit A.

The subject has 210 feet of roadway frontage on Broadway Road, a NCDOT maintained public street. The 2007 Lee County Comprehensive Plan references Broadway Road as an existing boulevard needing improvement. There are plans to widen it and staff has referred the property owner to DOT for specifics on project timing. The owner confirmed that she has received correspondence from DOT and if the rezoning is approved, she plans to install all site improvements in a manner that takes the future roadway expansion into consideration.

The NCDOT 2012 Traffic Study reports 14,000 vehicle trips per day on Broadway Road in the area of the subject rezoning. There is a center turn lane in front of the subject property to assist with traffic flowing on and off this roadway in a safe manner.

The subject property does not appear to be located in a watershed district, flood hazard area, Highway 421 Bypass or designated local historic district. If rezoned, all of the uses permitted in the O&I district would be allowed and any future development or redevelopment of the subject property will be required to meet current development standards of the UDO.

The 2020 Land Use Plan does not identify a specific land use for the subject property; therefore, when considering the zoning of this property, current development trends and surrounding zoning of the neighborhood should be considered.

Planning Department Staff recommends that Council and Planning Board support this rezoning request as it appears to be reasonable and in the public interest based on the existing development in the area with a mix of uses that includes non-residential development (churches, daycare, vegetable stand), its location along a busy street which serves as a main connector between the City and Broadway, and the availability of public water. It should also be noted that information provided at the public hearing may provide additional information that should be considered regarding a final decision on the rezoning request.

Mayor Mann opened the public hearing.

Kim Michael of 391 Carolina Way, Sanford (the owner of the subject property), explained that she is a licensed cosmetologist and instructor at CCCC. She has found there to be a lack of local salons which could accommodate her schedule and purchased the subject property in hopes of creating up to four full-time and part-time jobs.

No one spoke in opposition to the subject request. Mayor Mann closed the public hearing.

Application by Elite Storage, LLC – (Exhibit B)

Design Review Coordinator Amy McNeill explained that a request had been received to rezone a 2.16 acre tract of land on Woodland Avenue (addressed as 2203 and 2205 Woodland Avenue) from Woodland Storage Conditional Zoning District (Revision #1) to Woodland Storage Conditional Zoning District (Revision #2) to allow for the development of a mini-warehouse storage business with revisions to the design as previously approved in December of 2013.

In November of 2014, with a portion of the site still under construction, Mr. Kirk Bradley of Elite Storage, submitted a rezoning request to alter components of the approved site plan associated with this conditional zoning district. Since the development of this site was approved to be a site plan conditional zoning district, any and all changes to the site plan must be approved by Council.

The site is comprised of one legal lot totaling approximately 2.16 acres that is partially developed with a mini-warehouse facility. There was previously a temporary modular office on the northwestern corner of the site, which was removed. The site is served by public water and sewer.

The property adjoining the subject to the north is zoned Covington Place Elderly Housing Conditional Zoning District and is approved for multi-family development. The property to the south and east is zoned R-12 and is developed as Dalrymple Park. The property to the west (opposite Woodland Avenue) is zoned Autumn Oak Conditional Zoning District and is developed as a multi-family apartment community. Another property to the west (opposite Woodland Avenue) is zoned Residential-Mixed (R12) as is developed as Jonesboro Presbyterian Church.

Woodland Storage Conditional Zoning (District #1) is a Type 1 Conditional Zoning District, which is a stand-alone district with its own unique conditions which is most suitable when the city's current zoning districts do not accommodate the desired uses and where the owner/developer has a clear vision as to how the property is to be developed. As such, applications for a Type 1 district require that a detailed site plan and architectural elevations be included and the information is legally binding on the land; therefore, the site has to be developed as per the approved plans even if a property transfer were to take place.

The following conditions are requested to be modified:

- The brick wall proposed to be constructed at the front of the site between Woodland Avenue and the new office and mini-warehouse combination building (shown as Building 4 on Exhibit B) is proposed to be eliminated. The applicant developer has indicated that he feels that this is a redundant site feature since Building 4 will have a brick exterior which will serve the same basic purpose as the brick wall and will also be brick in appearance, though not quite as elaborate as the brick wall that is currently required. There is an existing brick wall to the right of the main entrance which would essentially mirror the brick wall that is currently required to the left of the entrance (architectural elevations, site and elevation plans, photos and photo key are shown on Exhibit B).
- The wood fence proposed to be constructed along the northern property line between the new office and mini-warehouse combination building (Building 4) and the adjoining property zoned Covington Place Elderly Housing Conditional Zoning District is proposed

to be eliminated. The applicant/developer has indicated that he feels this fence is not needed for screening purposes since there will be a 20 foot landscape buffer installed between the property line and Building 4 and it is not needed for security purposes since the building will connect to the existing perimeter fencing.

All other conditions are proposed to remain the same as previously approved. As with the original zoning of the site, the information submitted as part of this revised rezoning request is legally binding on the land; therefore, the site has to be developed as per the approved plans even if a property transfer were to take place. The conditional zoning process is a negotiated process and, as such, Council and/or the Planning Board may request that certain conditions be considered or altered; however, the petitioner must accept such conditions before inclusion in the conditional zoning district.

The 2020 Land Use Plan identifies the use for the subject property as mid/high density residential-office. The purpose of this classification is to identify areas which are appropriate for medium and high density residential development, including single-family, duplexes, and multi-family developments as well as office development.

Mayor Mann opened the public hearing.

Council Member Gaskins questioned whether there was a buffer requirement on the adjoining tract owned by Covington Place in addition to the 20' required buffer, which Ms. McNeill confirmed was required, when and if the tract is developed. This tract was rezoned several years ago but has not been developed to date. She also confirmed that that tract was conditionally zoned to include a buffer, meaning there were be two buffers (back to back).

Council Member Wyhof questioned whether adjacent landowners were agreeable to removing the fence requirement. Ms. McNeill confirmed that they had been notified and were agreeable. Ms. Wyhof also asked about the time frame for construction. A representative for the applicant/developer, Kirk Bradley (President of Lee-Moore Capital Company, one of the owners/managers of Elite Storage, LLC, whose office is located at 603 Carthage Street, Suite 120), stated that construction has begun on Building 4. The pad is being poured, weather permitting. This project's first three buildings opened in December 2013 and is the second facility which they have constructed. Their other project on Douglas Drive has just been completed. It is anticipated to take approximately four months, depending on the weather. He noted that the brick wall and the side wall were remnants of the original zoning applied for by Terry Stewart, the previous owner. When they purchased and modified the facility, this issue was unfortunately not addressed. He also explained that due to the topography of the site, the top of the wall is visible.

Bill Jones of 1810 Carbonton Road, Sanford, who is the Clerk of the Session of Jonesboro Presbyterian Church, explained that construction at the site has progressed as proposed by Mr. Bradley. He has also seen their facility on Douglas Drive and confirmed they had done a good job.

No one spoke in opposition to the project. Mayor Mann closed the public hearing.

Application by Ryder Downs, LLC – (Exhibit C)

Design Review Coordinator Amy McNeill explained that an application has been received from Ryder Downs, LLC, to rezone from MF-12 Multi-Family Residential Conditional Zoning District to Ryder Downs Apartments & Lakeview Townhomes MF-12 Multi-Family Residential Conditional Zoning District (Revision #1). Basically this is a conditional zoning district approved in 2006 that the developer would now like to revise to allow for the development of a multi-family apartment and townhome community with revisions to the design as previously approved in October 2006.

The subject property is located on the west side of Pendergrass Road, just north of the intersection of Belford Drive and includes property formerly addressed as 1718 and 1726 Pendergrass Road and currently is addressed as being located off of Ryder Lake Drive, Saddlebrook Drive and Trotter Drive.

In October 2006, Council approved a rezoning request by Mr. Keith Phillips of Phillips Management Group., Inc., to develop a multi-family apartment and townhome community on two tracts of land off Pendergrass Road via the site plan specific conditional zoning process. The approval was based on the rationale that the request appeared to be consistent with the spirit and intent of the 2020 Land Use Plan and that it was reasonable and in the public interest due to the availability of public utilities and proximity of mixed density residential development, including multi-family along Pendergrass Road.

In November of 2014, with the site still under construction, Mr. Keith Phillips of Ryder Downs, LLC, submitted a rezoning request to alter components of the approved site plan associated with this conditional zoning district. Since the development of the site was approved via site plan specific conditional district, any and all changes to the site plan must be approved by Council.

The site consists of one tract of land comprising approximately 50 acres located off Pendergrass Road. Adjoining property to the north is zoned Residential Restricted and is developed with single-family homes. Adjoining property to the south is zoned Residential Restricted and is developed with single-family homes or is zoned Multi-Family MF-12 and is either vacant or developed as single-family homes within the Westfield Subdivision. Adjoining property to the west is zoned Residential Restricted and Residential Agricultural and is either vacant or is developed with single-family homes. Property to the east, opposite Pendergrass Road, is zoned Residential Single-Family R-20 and Residential Restricted RR and is developed as a farm field or is zoned Residential-Mixed R-12 and is developed as Woodland Heights apartment community.

Ryder Downs and Lakeview Townhomes MF-12 Multi-Family Residential Conditional Zoning District (Revision #1) is a Type 1 Conditional Zoning District, which is a stand-alone district with its own unique conditions which is most suitable in situations where the city's current zoning districts do not accommodate the desired use and where the owner/developer has a clear vision as to how the property is to be developed. As such, applications for a Type 1 district require that a detailed site plan and architectural elevations be included and the information is legally binding on the land, even in the event of a property transfer.

The following conditions were included within the written narrative as part of the original 2006 rezoning application and are requested to be modified at this time:

- The decorative acorn light fixtures on site at the main entrance and for the townhome portion of the development would remain stylistically the same as originally proposed, but the maximum height allowed for the parking area light fixtures would be increased from 14 feet to 16 feet since this is the Duke Energy standard. (The site lighting for the apartments was approved as decorative acorn fixtures not to exceed 18 feet in height.)
- The existing white three rail fence that was originally proposed to remain in place as an aesthetic feature is proposed to be replaced with a brown vinyl clad three rail fence. This will still provide an appealing feature but will allow the owner/developer to update the color scheme. (The site was formerly a horse farm and that fence is a remnant from that era.)
- All of the porch railings were originally to be clad in white vinyl. The owner/developer is now proposing to use galvanized steel porch railings finished in satin black or powdered bronze. This would allow the owner/developer to update the color scheme in a manner that would have a nicer look for a longer period of time.
- The developer is requesting to eliminate the use of white as a color requirement on the buildings and/or other improvements. This would allow the developer to update the color scheme in a manner he feels would have a better overall appearance. The original approval stated that the exterior of the buildings will have a “consistent design of size, massing, material and colors to provide a defined community”; however, the use of white as being specifically required for any item other than the porch railings is not mentioned. The conceptual architectural elevations do show white trim on the buildings and it appears that the developer is clarifying that he does not have to use white as a building color since he is also proposing several other changes.

All other conditions are proposed to remain the same on the site as previously approved. As with the original rezoning of the site, the information submitted as part of this revised zoning request are legally binding on the land; therefore, the site has to be developed as per the approved plans. The conditional zoning process is a negotiated zoning process and, as such, Council and/or the Planning Board may request that certain conditions be considered or altered; however, the petitioner must accept such conditions before inclusion in the conditional zoning district.

Mayor Mann opened the public hearing.

Attorney Patterson asked for clarification regarding the 2020 Land Use Plan; whether the revisions are in conformity with the 2020 Land Use Plan since they are cosmetic. Ms. McNeill replied there are no staff recommendations included in the staff report since the rezoning request is simply to modify the existing conditions that have been placed on a site plan specific conditional zoning district for which the land use has been previously approved. Staff recommendations typically address the land use in relation to the 2020 Land Use Plan and compliance with the UDO design standards as opposed to specific details created by the applicant. Since the land use is going to be the same multi-family project, it would be consistent with what was approved in the past.

Attorney Eddie Winstead, representing Ryder Downs LLC, spoke in favor. This project originally started when conditional zoning was granted in 2006. This request by Ryder Downs best characterizes that their taste in the color palate has changed in the last eight years. The original plans shown in the renderings had a lot of white trim, white fencing, and white railing. In order to update the look and make it more compliant with what they are trying to do with the project, they are looking at some more buffs, tans, off-whites- some muted, more natural colors and darker browns for trim, and going from a vinyl-clad type of railing to a powder-coat metal type railing, which will maintain its appearance for a longer length of time. It comes down to an aesthetic question of updating the color scheme with the one exception of Duke Power's change from the 14 foot to 16 foot lighting. They are just asking to update the color palate.

No one spoke in opposition to the project. Mayor Mann closed the public hearing.

The Planning Board retired to the West End Conference Room.

### **REGULAR AGENDA**

#### **Consider Renewal of Taxicab Operator's License – (Exhibit D)**

Detective Sergeant Vinnie Frazier explained that three taxicab companies have submitted applications to renew their operator's license for the upcoming year. Fleming Transportation has requested to operate the following three companies: Service Cab, American Yellow Cab and Pronto Taxi. All are owned and operated by Lois Fleming and the business is located at 307 South Gulf Street.

Service Cab has requested to operate five taxicabs; currently only one is in use and it passed inspection. Vehicle colors are white with black lettering. American Yellow Cab has requested to operate three taxicabs. Currently, no vehicles are in service at this time. Pronto Taxi has requested to operate two taxicabs. Currently, two taxicabs are operational and passed inspection. The vehicle colors are blue with black and white lettering.

A criminal background check has been completed on the owner, which complies with state and federal law. No violations were found that would prevent the listed owner from being issued a license to operate a taxicab company within the city limits.

Council Member Gaskins made the motion to approve the renewal of taxicab operator's license. Seconded by Council Member Wyhof, the motion carried unanimously.

#### **Consider Resolution to Eradicate Bullying From U. S. Schools – (Exhibit E)**

Mayor Mann stated that this is something that came to his attention and he is asking for support from Council to eradicate bullying from U. S. Schools. The U.S. Conference of Mayors (which the City has joined) is in support of The Bully Project, which came from the bullying movie, and the campaign has created unprecedented local and national civic call for action. It is to end bullying and make our schools a safer place for all learners. He commented that he knows that no one is immune to any form of bullying. We live in a different world today where children are exposed to all kinds of pressure – physical, mental, emotional, influx of social media, and electronic messaging - make it all too easy for children to be bullied or have harm done to them in a world that becomes easily unattached and clinical. Mayor Mann asked Council to help him start by adopting this bullying project and joining hands with the Lee County School Systems, to say that we support their policy

and let the community know that we do not want to be a place where bullying is being condoned. He said if we support this, there will be a production or video, which we will participate in, and there will be some community awareness events with the schools and a partnership with the City and the schools. It is our way as a City to say we care. Community Development Manager Karen Kennedy is working on this project for the City in conjunction with School Superintendent Dr. Bryan and his staff.

Council Member Williams made the motion to adopt the resolution. Seconded by Council Member Post, it carried unanimously.

Consider Consultant for EPA Brownfields Assessment Grant – (Exhibit F)

Community Development Director Marshall Downey explained that the City was awarded a Brownfield Grant Assessment in the amount of \$200,000 in July 2014. Since that time, he has attended a work session in Atlanta, Georgia to learn more about the project. In order to comply with requirements for the grant, staff did an RFQ process to select a consultant. Through the RFQ process, staff looked at four different vendors. After review of the proposals, staff is recommending Cardno/Duncklee & Dunham. This is the same group that conducted our 2007 grant; they have experience and continuity with our previous work. The reason they sent out RFQs was to compare and make sure we were given the level of service that we should be given. Staff felt comfortable that the Cardno group was meeting that standard and were as equitable as anybody else. Consultant fees are 100 percent reimbursable.

Attorney Patterson noticed that Exhibit C is not in the packet and will need to be added. Exhibit C is the labor rating, expense charge sheet that shows what they charge for different things. This contract is to be billed on the time and materials basis not to exceed \$191,000, within the budgeted amount. Council members noted several corrections that need to be made. Mr. Downey acknowledged them and will have them corrected.

Council Member Gaskins made the motion to approve the agreement with Cardno/Duncklee & Dunham with the minor grammatical/typo errors corrected. Seconded by Council Member Taylor, the motion carried unanimously.

Consider Capital Project Ordinance – Brownfield Assessment and Cleanup Project – (Exhibit G)

This ordinance sets the \$200,000 Brownfield Assessment Grant up on the books. Council Member Gaskins made the motion to adopt the ordinance. Seconded by Council Member Wyhof, the motion carried unanimously.

Consider Preliminary Assessment Resolution for Hawkins Avenue Sewer Line Extension – (Exhibit H)

City Engineer Paul Weeks stated that Council has already seen and approved this resolution back in November. We had an administrative snafu where we accidentally sent out the wrong paperwork, so we missed the time frame. We are restarting the process and it is a preliminary assessment resolution for the Hawkins Avenue Sewer Line Extension coming out of Hawkins Run Subdivision. He explained the petition assessment process to Council. The resolution sets a date of January 6, 2015 for the public hearing.

Council Member Post made the motion to adopt the preliminary assessment resolution. Seconded by Council Member Buckels, the motion carried unanimously.

Consider Discussion on Whether to Request Legislature to Repeal the Law Making Elections Partisan

Mayor Mann stated that we are looking for a consensus from Council as to whether we want to move forward with this issue. It has come to our attention from the school board that they are interested in doing this request.

Council Member Gaskins said that he went before the State House and Senate and his objections to this matter are still very much the same as they were before. He noted it is a waste of money for the City. This past City election, we had four positions with only ten people who were running and some of them had to be encouraged to do so. People sought them out to have them run. It is a waste of money when there is no need.

Council Member Wyhof added that this last election is a perfect example in the mayoral race. Both of the candidates were from the same party, and she did not think it served our democracy very well for a municipal election that only a certain subset of our populous was actually able to vote on the choice of who our mayor would be. She is in favor of returning it to a non-partisan election.

Mr. Gaskins stated that Sanford became the seventh out of 547 municipalities to become partisan, so the precedent has been pretty well set that this is something that is not needed.

Council Member Taylor said that he has had a lot of discussion with both Democrats and Republicans regarding this issue. Voter participation has been the highest it has ever been in the last two elections, primarily, in the last election. He stated that we had challenged races which is great. Speaking from experience, not having an opponent in a municipal election is very difficult. He had rather have an opponent because at least you have debate and people know that you are running again. He said that we say that we should be non-partisan but partisanship raises its head often times in our meetings. Mr. Taylor said that he did not agree with two things that happened after this last Session that went on in the Legislature. He did not like how fast they went down the paths, one was environmentally, but also the second thing he noticed, although he votes conservatively, he does not necessarily agree with what is going on in the local Republican Party. He wanted to make those two clear distinctions.

Mr. Taylor said that he tries to represent everybody, no matter if you are Democratic or Republican. He is not going to look at your party affiliation before he handles a call. He stated that there are some on this Council that have blocked people from emails and Facebook; he has never done that before and neither does he condone that behavior. We are here to represent all, not some. He does not like how Legislature has moved in the past; however, how we conduct ourselves in a meeting in attacking legislators and attacking the General Assembly did not go unnoticed in Raleigh. With that said, they increased the super-majority of Republicans in the Legislature which causes a concern from a local standpoint. He said he sent in a local bill to a local legislator that we have attacked consistently during their tenure – the last two years. Mr. Taylor said that we have been in an attack mode with our legislators. He is concerned from our new representation going to Raleigh of that type environment where we have been in an attack mode. He pointed out that Harnett County had a hard time electing an Afro-American to that board. By court ruling, they have gone to partisan elections for the Harnett County School Board.

Mr. Taylor noted that in 2011, we had Byron Buckels, Walter McNeil, and Ed Page in a race together and Mr. Buckels dropped out of the race later. In 2007, we had the late Linwood Mann, Earl Barker and Ervin Fox running for office. In that race, Linwood Mann received 102 votes; Earl Barker who was a Republican received 97 votes, and Ervin Fox received 32 votes. So more people voted against the person that won the election, than for him. In municipal races, the turnout is relatively small but you have three to four candidates that could participate in this election and under the changes recommended tonight, you are opening an opportunity for that to happen again. He stated that this bill was created to stimulate more interest and involvement from voting citizens in more contested races. The Council is the last line of defense for city citizens. He also expressed concern in sending the resolution to Raleigh requesting change to an environment which we have been critical of in the past.

Member Gaskins stated that he disagreed with Council Member Taylor's explanation of the motive for the change. He felt that former Commissioner Jim Womack, at the Senate Committee meeting, clearly stated that he wanted former State Representative Mike Stone to push the law through in order to clean out the people within his own party, not for the purposes suggested by Council Member Taylor. Mr. Gaskins stated that his own margin of victory in the most recent election was the lowest of any other candidate and that the purpose behind the primary actually helped the Democratic Party. He still believes it is a waste of taxpayer money.

Mayor Mann noted that the issue appears to be whether "potholes and public safety" and related issues need to be partisan issues. 547 local municipalities answered "no", and 7 answered "yes". He continued to seek consensus from Council members to determine whether to move forward. He agreed with Council Member Taylor that it would be up to our local representatives to determine whether or not to take the issue to the State level but tonight they were seeking consensus whether to move forward or not.

Council Member Haire noted that those who fund their own campaigns would much rather run and pay once than twice.

Council Member Post stated that he was in favor of proceeding with the request to repeal.

Council Member Williams stated that he was also in favor of proceeding with requesting the repeal, even though it may be a hard fight. He stated that if Council truly represents the people, we should try to save taxpayer funds.

Mayor Mann noted that there now appeared to be a consensus to move forward on the issue and that Council would proceed in January.

#### Consider Ordinance Amending the Annual Operating Budget – (Exhibit I)

City Manager Hal Hegwer explained that the subject ordinance transfers funds from the Fund Balance for potential legal expenses connected with the proposed location of the coal ash facility; however, no funds would actually be used without approval from Council. It is a preliminary measure only.

Council Member Post made a motion to approve the ordinance. Seconded by Council Member Gaskins, the motion carried unanimously.

**OTHER BUSINESS**

Council Member Taylor stated that last week he learned about the meeting held recently at City Hall regarding crime and expressed concern that not all Council Members were invited. He also expressed regret about a serious traffic accident which occurred today on Highway 421 and questioned whether we could petition DOT for mechanisms to reduce speeds in this location. He expressed regret that he was not able to attend the City Employee Luncheon held today and thanked all employees for their hard work. He stated concern that the catering was done by a company not located in Sanford.

Council Member Williams stated that he enjoyed the banquet and enjoyed spending time with so many city employees at one spot.

Council Member Gaskins stated that he also enjoyed the banquet and acknowledged Paul Weeks' five year anniversary.

Council Member Wyhof expressed that she also enjoyed the banquet and noted that it was a testament to the employees and the job that everyone is doing to create a family atmosphere and a place where people want to work. There are many employees who have been with the City for a long time, resulting in a great amount of institutional knowledge.

Council Member Buckels stated that Sanford is experiencing growth and moving forward, which sometimes brings snares and tragedies. The greatest tragedy is not working for improvement of the community as a whole. He expressed his desire for healing the community and that Council seek ways to improve relationships between the community and those sworn to protect it. Although a great job is being done, there are still ways to improve.

City Manager Hegwer explained that Brailsford & Dunlavey has made contact regarding the multi-sports community market analysis. He distributed information detailing the process and identifying groups and participants who will be meeting in three separate groups to discuss moving forward with the project; each group of six to twelve people will have a separate mission. He summarized by stating that the participants of the Strategic Asset Value Group will include members of the City Council, the Lee County Commissioners, from Broadway and Friends of the Park. This group will make decisions regarding finances and philosophy (i.e., public vs. private funds, will it be self-supported, etc.). Other focus groups, both athletic and non-athletic, will involve additional participants. Mr. Hegwer requested that anyone interested in serving on this focus group or who wants to be involved contact him. This process will hopefully begin in January.

Mayor Mann encouraged that anyone who is passionate about parks and recreation related amenities please participate in this process.

City Manager Hegwer acknowledged the comments made regarding the 2014 Service Award banquet held today. He noted that 53 employees (approximately 16% of the work force) received awards for employment service of 5, 10, 15, 20, 25 and 30 year milestones. There were 12 who received awards for 5 years of service; 20 for 10 years; 11 for 15 years; 5 for 20 years; 4 for 25; and one for 30 years of service. These 53 employees have a total of 655 years of combined service, which greatly assists in providing valuable service to the community.

He also noted that City Hall will be closed December 24, 25 and 26 (since Christmas falls on a Thursday this year) and on January 1, 2015. He questioned whether the December 31 Law and Finance Committee should be cancelled. The next City Council meeting is scheduled for January 6, 2015.

Council Member Gaskins requested clarification regarding the number of allowable commission appointments. City Attorney Patterson explained that state law dictates that members can have one elected and one appointed position, or two appointed positions. This does not include serving by virtue of your office (i.e., a Board or Commission which requires that the Mayor serve) nor does it include serving as Liaison, which only requires communicating actions of a board back to Council and as a non-voting member.

Council Member Williams express interest in serving on this Board and stated that Parks and Recreation Director John Payne should also serve. Attorney Patterson noted that the initial meeting will be a focus group, not a committee or commission, similar to the visioning process used several years ago. Manager Hegwer stated that Mr. Payne assisted in compiling the list and now feedback is being sought from other participants. There may be positions for three Council members to serve. More will be known about the process after additional input is received from the County.

Mayor Mann remarked on the large number of employees who earned award certificates at today's banquet and congratulated them. He also noted that the recent Lee County Safe Act meeting was led by the Assistant US Attorney and the District Attorney; the City only provided the venue. He will share information on this project as it becomes available. He also acknowledged the success of the recent Sanford Christmas parade and suggested the possibility of involving DSI (Downtown Sanford) next year. Holding the parade and tree lighting downtown with more businesses participating and remaining open could allow for a larger event. He commented that this year's parade was very well attended.

He also congratulated the local community for pulling together in light of recent events rather than dividing during a difficult period. We will be a stronger community for this effort.

Council Member Williams asked about the status of the bonds. Mayor Mann explained that bonds were presented to Fitch, to Moody's and to Standard and Poor's (the three major bond rating agencies) at the recent trip to New York City. He acknowledged the great job done by staff in preparing the presentation. There was no negative feedback received from the agencies, which were aware of many local developments, including the Chatham Park project. They were also interested in our retail and commercial growth projections, as well as nearby Fayetteville/Fort Bragg and how parts of the Research Triangle Park work together. They noted the recent groundbreaking of the Autumn Wood signature neighborhood on Cool Springs Road. More information on the bonds will be available in the coming weeks. Another follow-up meeting will be held on December 17.

Finance Director Beth Kelley explained that she is still answering questions from the three rating agencies as they review information provided to them. A call is scheduled with the LGC and financial advisors for December 17. The plan remains on schedule to issue \$8.5 million in bonds around January 15, 2015. The goal is to have a better idea of the indicative ratings by December 30. Manager Hegwer stated that ratings were available for the revenue bonds from Fitch and from Moody's.

Council Member Williams asked whether an additional trip to the bond market would be required for implementing the other bonds. Manager Hegwer explained that we would go back to the market but since we would already have a rating, an additional visit will not be required. Director Kelly stated that an update or review would be presented of our most recent financial status, budget and financial policies and procedures set by Council and management. Mr. Hegwer noted that a visit is typically made only when bonds are being issued for the first time in many years, which was our case. This was our first general obligation debt issuance tied to the general fund and non-enterprise fund operations. Everything we have issued in the past has been in utility fund debt; this is the first time it was general obligation with the general fund. He noted that the City has taken on debt very slowly, doing projects without going through the borrowing process. This current project will result in a product on the ground for the citizens to enjoy for many years without completing it in increments. The rating agencies don't typically see examples of this type of conservative approach, which puts us in a good position.

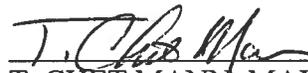
Council Member Williams asked about the ordinance requirement that our fund balance will not drop below a specified amount. Ms. Kelly noted that all three of the ratings agencies requested copies of this documentation. They also asked about our investment policies, budget processes and other overall financial policies which give us the ability to use fund balance for one-time purchases and not to fund them from operating expenses. This information illustrates the City's governing and financial policies. She also noted that she had received a phone call from a partner of First Southwest, our financial advisor, who complemented Mayor Mann on his presentation skills.

Mayor Mann wished everyone a Merry Christmas.

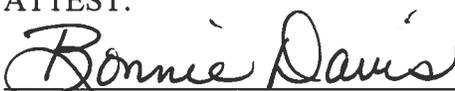
**ADJOURNMENT**

Council Member Gaskins made the motion to adjourn the meeting; seconded by Council Member Taylor, the motion carried unanimously.

Respectfully Submitted,

  
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T. CHET MANN, MAYOR

ATTEST:

  
\_\_\_\_\_  
BONNIE DAVIS, CITY CLERK