

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, January 6, 2015, at 7 P.M., in the Council Chambers. The following people were present:

Mayor T. Chet Mann
Council Member Byron Buckels
Council Member Jimmy Haire
Council Member Charles Taylor
City Attorney Susan Patterson
City Manager Hal Hegwer

Mayor Pro Tem James Williams
Council Member Sam Gaskins
Council Member Norman Charles Post, III
Council Member Rebecca Wyhof
City Clerk Bonnie Davis

Mayor Mann called the meeting to order and delivered the invocation. The Pledge of Allegiance was recited.

PUBLIC COMMENT

There was no public comment.

APPROVAL OF AGENDA

Mayor Mann requested to add an item to the Special Agenda – a Proclamation Recognizing the Sanford Police Department for Law Enforcement Appreciation Day.

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

SPECIAL AGENDA

Proclamation Recognizing the Sanford Police Department for Law Enforcement Appreciation Day – (Exhibit A)

Mayor Mann read a proclamation thanking the members of the Sanford Police Department for their faithful and loyal devotion to the City and for the job they perform every day to protect the citizens of Sanford and also recognizing January 9, 2015 as National Law Enforcement Appreciation Day.

CASE FOR PUBLIC HEARING

Public Hearing on Hawkins Avenue 8-Inch Sewerline Extension

City Engineer Paul Weeks stated that this petition assessment involves six properties and four owners and we have received 100 percent participation. After the public hearing tonight, staff will bring back to Council, at its next meeting, a resolution directing staff to begin the project and also a budget amendment to start work at the next Council meeting.

Mayor Mann opened the public hearing. No one spoke in favor or in opposition. The public hearing was closed.

DECISIONS ON PUBLIC HEARINGS

Application by Kimcuc (Kim) Thi Michael - to rezone a 1.0 acre +/- tract of land addressed as 1100 Broadway Road, from Residential Single-family (R-20) to Office & Institutional (O&I) Zoning District. The property is the same as depicted on Lee County Tax Map 9662.03 as Tax Parcel 9662-03-7479-00 Lee County Land Records. – (Exhibit B)

Community Development Director Marshall Downey explained that the Planning Board met after the public hearing in December and recommended that the property located at 1100 Broadway Road be considered for rezoning from Residential Single-family (R-20) to Office & Institutional (O&I) Zoning District. Mr. Downey stated that in making this decision, the City Council hereby finds that the proposed ordinance is consistent with the 2020 Land Use Plan because, even though the plan does not identify a specific land use for the subject property, the current development trends of the neighborhood and the surrounding zoning districts are taken into consideration. Further, the board finds that the request is reasonable and in the public interest because of the mix of uses in the area, which includes existing non-residential development (church, daycare and a vegetable stand), the location along a busy street which serves as a main connector between Sanford and the Town of Broadway and the availability of public water.

- Consider Ordinance Amending the Official Zoning Map of the City of Sanford, North Carolina – (Exhibit C)
Council Member Wyhof made the motion to approve this rezoning request. Seconded by Council Member Williams, the motion carried unanimously

Application by Elite Storage, LLC - to rezone a 2.16 acre tract of land 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. The property is the same as depicted on Lee County Tax Map 9652.18 as Tax Parcel 9652-31-5835-00 Lee County Land Records.- (Exhibit D)

Community Development Director Marshall Downey explained that this is a request to modify the previously approved Woodland Avenue Storage Conditional Zoning District, which involves the removal of the proposed brick wall and the elimination of a wood fence along the side of the property which served as a buffer. The Planning Board met after the public hearing in December and unanimously recommended that Council consider accepting this modification to the conditional zoning district. The 2020 Land Use Plan identifies the use of the property as mid to high-density residential office, which also identifies it as appropriate for medium and high-density residential development, including single-family, duplexes, and multi-family as well as office development.

- Consider Ordinance Amending the Official Zoning Map of the City of Sanford, North Carolina – (Exhibit E)
Council Member Wyhof made the motion to approve the rezoning. Seconded by Council Member Gaskins, the motion carried unanimously.

Application by Ryder Downs, LLC - to rezone 50.11 acres from the current zoning of MF-12 Multi-family Residential Conditional Zoning District to Ryder Downs Apartments & Lakeview Townhomes MF-12 Multi-family Residential Conditional Zoning District (Revision #1) to allow for the development of a multi-family apartment and townhome community with revisions to the design as

previously approved in October of 2006. The subject property is located along 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 addressed as 500-583 Ryder Lake Drive, 100-328 Saddlebrook Drive and 400-478 Trotter Drive. The subject property is the same as depicted on Tax Map 9631.01, Tax Parcel 9631-36-3857-00, Lee County Land Records Office.- (Exhibit F)

Community Development Director Marshall Downey explained that this is a request to modify the previously approved MF-12 Multi-family Residential Conditional Zoning District to Ryder Downs Apartments & Lakeview Townhomes MF-12 Multi-family Residential Conditional Zoning District (Revision #1) to allow for the development of a multi-family apartment and townhome community with revisions to the design as previously approved in October of 2006. He referred to Exhibit F that lists the revisions to the design elements of the project. The Planning Board met after the public hearing in December and unanimously recommended that Council consider accepting the modifications to the conditional zoning district. In making this decision, the ordinance is consistent with the 2020 Land Use Plan, because (even though the plan does not identify a specific use for the property) the original 2006 rezoning approval, current development trends of the neighborhood and the surrounding zoning districts were taken into consideration. Further, the board finds that the rezoning request is reasonable and in the best public interest based on the information/conditions as presented in the petition and attachments.

- Consider Ordinance Amending the Official Zoning Map of the City of Sanford, North Carolina – (Exhibit G)
Council Member Gaskins made the motion to approve the Ordinance Amending the Official Zoning Map of the City of Sanford, North Carolina. Seconded by Council Member Post, the motion carried unanimously.

REGULAR AGENDA

Consider Resolution of the City Council of the City of Sanford, North Carolina Providing for the Issuance of \$8,500,000 General Obligation Public Improvement Bonds, Series 2015 of the City of Sanford, North Carolina – (Exhibit H)

Financial Services Director Beth Kelly advised that this is Council's authorization to issue \$8,500,000 in General Obligation Bonds for the sidewalk and streetscape projects.

Council Member Haire made the motion to approve the Resolution of the City Council of the City of Sanford, North Carolina, Providing for the Issuance of \$8,500,000 General Obligation Public Improvement Bonds, Series 2015 of the City of Sanford, North Carolina. Seconded by Council Member Buckels, the motion carried unanimously.

Consider Ordinance Amending the Annual Operating Budget for the City of Sanford Fiscal Year 2014-2015 – (Exhibit I)

Financial Services Director Beth Kelly advised that this ordinance amends the budget to appropriate fund balance in the amount of \$15,000 to the Fire Department budget for repair to the engine on the first-run pumper at Fire Station #3.

Council Member Post made the motion to approve the Ordinance Amending the Annual Operating Budget for the City of Sanford Fiscal Year 2014-2015. Seconded by Council Member Gaskins, the motion carried unanimously.

Consider Appointment to the Sanford/Lee County Partnership for Prosperity – (Exhibit J)

Mayor Mann said that the SLCPP asked that we elect a council member to the SLCPP and we have two council members who have applied and we have a private citizen who has applied. Attorney Patterson stated that we should probably elect the person to fill the elected official's position first. The second appointment can be an elected official or an individual.

Council Member Haire asked how long is the term? Attorney Patterson replied that the by-laws state it is a three-year term but it also says that if your election comes during that time, then the appointing authority (which is this Council) would select a replacement for the remainder of that term. Technically, if the SLCPP had been in existence when you went into office, you would have taken office in December, but you will take office at the first meeting after this appointment.

Mayor Mann stated that the bylaws read two members appointed by the City Council of the City of Sanford with at least one appointee being an elected official of the City, with the recommendation that the mayor be the elected official member.

Council Member Williams clarified that the mayor and a council member can be appointed. Attorney Patterson replied yes.

Council Member Taylor stated that on December 16, we honored a group from the Citizens Academy and part of that initiative was to get people involved in citizen government. He felt it flies in the face of the citizens when we potentially look at appointing two City Council Members to a board that is requesting one elected official and one citizen. He said that he did not have a problem with Mr. Mann or Mr. Gaskins serving on the board; however, he has a problem with asking citizens to get involved and we are doing things to enable citizens to get involved and we turn around and appoint two elected officials on a board that you want diverse and with citizen input. He was very concerned about this aspect.

Council Member Post nominated Mayor Chet Mann for the elected official appointment on the Sanford/Lee County Partnership for Prosperity (SLCPP). He said that Mayor Mann and Council Member Gaskins have been a part of the Sanford/Lee County Partnership for Prosperity from its inception and have been working on it for the past year to get it started, and now since it is up and running, they both deserve to be on this board as they have put a lot of time and effort in it.

Council Member Gaskins made the motion to close the nominations and appoint Mayor Mann by acclamation. Seconded by Council Member Taylor, the motion carried unanimously.

Mayor Mann opened the floor for nominations for the second appointment. There are two applications for the position: Sam Gaskins and Steve Malloy.

Council Member Post nominated Council Member Sam Gaskins. Council Member Taylor nominated Steve Malloy. Council Member Post made the motion to close the nominations. Council Member Wyhof seconded the motion and it carried unanimously.

Council Members Buckels, Post, Wyhof, Haire, Gaskins, and Williams voted for Sam Gaskins. Council Member Taylor voted for Steve Malloy; therefore, Mr. Gaskins was the second appointment to the SLCPP.

Council Member Haire asked if Mr. Malloy's name will go into a pool where he can be considered as at-large. Attorney Patterson stated that the way the SLCPP is set up they have different ways people are appointed to the Board of Directors from different groups and he can be considered by anybody else by applying for their nomination. Also, the City Clerk keeps applications on file for other board openings and we have about six openings on other boards at this time.

OTHER BUSINESS

Council Member Buckels said that he felt we had a very productive year in 2014 and he looks forward to 2015 to continue to work with Council to expand and grow our community.

Council Member Gaskins saw an article on the graduates of CCCC's Police Academy for basic law enforcement and asked if any of those were going to be working with us. Mr. Hegwer said that we have some that are interested and one in the process.

Council Member Williams wished everyone a Happy New Year in 2015. He hoped everyone was rejuvenated as we enter a new year and begin work on the bond projects and other matters.

Mayor Mann thanked Council and staff for the work session tonight on the bids received for the sidewalk and streetscape bond projects. It was very productive and he looks forward to what Sanford is about to become.

Mayor Mann reminded everyone that there will be a Strategic Asset Value Workshop on Friday, January 30 at 9 A.M., regarding the proposed multi-sports complex.

Mayor Mann received an email from Chairperson Carol Carlson, on behalf of the Downtown Sanford Inc., thanking Police Major Jamie Thomas, for the quick response and strategies discussed in November, which demonstrates the commitment of the City to downtown business owners, property owners and Downtown as a whole. They have already seen a dramatic decrease in loitering and harassment of individuals at Depot Park. The mobile unit located there received many compliments from merchants of officers outreached to the many store fronts. They appreciate the hard work and visibility of the Police Department.

Mayor Mann said he has received many compliments on City staff, General Services and Public Works. People have been telling him that they like the fact that we have been responsive cleaning up things and taking down Christmas decorations in a timely manner.

Mayor Mann wished Council Member Norman Charles Post III a Happy Birthday on Wednesday.

Mayor Mann mentioned that he is looking forward to Council's next annual retreat.

Representatives from Trail Life Scouts 919 from St. Andrews Presbyterian Church in Lemon Springs was recognized in the audience.

City Council Meeting
January 6, 2015

ADJOURNMENT

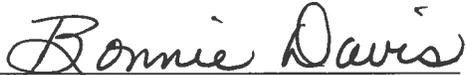
Council Member Gaskins made the motion to adjourn the meeting; seconded by Council Member Buckels, the motion carried unanimously.

Respectfully Submitted,



T. CHET MANN, MAYOR

ATTEST:



BONNIE DAVIS, CITY CLERK