

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, August 4, 2015, at 1 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 Rebecca Wyhof
City Attorney Susan Patterson

Mayor Pro Tem James Williams
Council Member Sam Gaskins
Council Member Charles Taylor
City Manager Hal Hegwer
City Clerk Bonnie Davis

Absent:

Council Member Norman Charles Post, III

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

PUBLIC COMMENT

Downtown Sanford, Inc. Director Carol Carlson (of 1814 Holiday Road, Sanford) informed Council that downtown merchants are having recurring problems with panhandling (begging for money). Some of the panhandlers are actively approaching people on the street and many of them are from our local homeless shelter, where they are asked to leave early in the morning and not return until evening. She asked Council to help address this problem.

APPROVAL OF AGENDA

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

SPECIAL AGENDA

Proclamation Proclaiming August 4, 2015, as National Night Out in Sanford – (Exhibit A)

Public Information Officer Kelly Miller stated that this year marks the 32nd observance of National Night Out and Sanford's 22nd local observance, with 33 sites participating. Mayor Mann read the proclamation and encouraged everyone to participate.

DECISION ON PUBLIC HEARING

Application by Winslow Enterprises to rezone a 2.14 acre +/- tract of land addressed as 111 Rand Street from General Commercial (C-2) to Light Industrial (LI). The property is the same as depicted on Lee Co. Tax Map 9651.07 as Tax Parcel 9651.66.5931, Lee County Land Records – (Exhibit B)
Consider Adoption of Ordinance Amending the Official Zoning Map of the City of Sanford, North Carolina – (Exhibit C)

Design Review Coordinator Amy McNeill stated that the Planning Board recommends Council support this request. Council Member Wyhof made the motion to adopt the ordinance. Seconded by Council Member Taylor, the motion passed unanimously.

Amendment to the Unified Development Ordinance to allow for the use of a "Travel Trailer/Recreational Vehicle" to be used as a TEMPORARY RESIDENCE during the construction

of a new single-family dwelling, or major remodeling of an existing single-family dwelling, or other certain unforeseen circumstances. The following sections of the Ordinance are being proposed to be amended: (1) Amendment to Article 4, Table 4.6-1, Permitted Use Matrix to revise the land use category "Travel Trailer/Recreational Vehicle/Motor Home/Camper" to "Travel Trailer/Recreational Vehicle/Motor Home/Camper (to be used as a Temporary Residence)(Lee County and ETJ areas of the City of Sanford and Town of Broadway)", and further indicated that the use shall be permitted as a TEMPORARY RESIDENCE with development regulations in RA, RR and R-20 zoning districts in Lee County and the extraterritorial (ETJ) jurisdictions of Sanford and Broadway, (2) Amendment to Article 5, Supplemental Development Regulations, Section 5.34 TEMPORARY USES, to create a new Sub-Section in order to add development regulations for a "TEMPORARY RESIDENCE", and (3) Amendment to Appendix A. Definitions to revise the definition of RESIDENCE – (Exhibit D)

Consider Adoption of Ordinance Amending the City of Sanford Unified Development Ordinance – (Exhibit E)

Design Review Coordinator Amy McNeill stated that on July 21, the Planning Board unanimously recommended approval of this proposed text amendment which would be applicable only within the extra-territorial jurisdiction areas of the City and subject to supplemental development standards presented at the hearing. Council Member Williams made the motion to adopt the ordinance. Seconded by Council Member Taylor, the motion passed unanimously.

REGULAR AGENDA

Consider Regulation Authorizing ABC Board's Adoption of the Travel Policy of the City of Sanford as the Travel Policy of the Sanford ABC Board – (Exhibit F)

City Manager Hal Hegwer explained that the ABC Board must have their travel policy approved by the appointing authority (the City of Sanford) annually. The resolution basically sets the same policy as the City. Council Member Wyhof made the motion to adopt the resolution. Seconded by Council Member Gaskins, it passed unanimously.

Consider Resolution Temporarily Closing Several Streets in Support of National Night Out – (Exhibit G)

City Manager Hegwer explained that this resolution addresses safety for tonight's NNO activities. The motion to adopt was made by Council Member Haire. Seconded by Council Member Buckels, the motion passed unanimously.

Consider Appointment to the Board of Adjustments – (Alternate Position – Term Expires June 30, 2017) – (Exhibit H)

Mayor Mann stated that Greg Stoch has applied for this position. He has met Mr. Stoch but had no information on him other than shown on the application. Council Member Gaskins made a motion to table the appointment and Council Member Wyhof seconded it. It passed with five votes cast in favor and Council Member Taylor cast the dissenting vote.

Consider Discussion of Invitation to 8th Yixing China International Ceramic Culture Festival and 2015 Autumn Economic and Trade Fair – (Exhibit I)

Public Information Officer Kelly Miller explained that the Mayor of Yixing has invited representatives from Sanford to the 8th International Ceramic Festival and 2015 Autumn Economic and Trade Fair this October. The invitation is for a six member delegation with all accommodations and travel paid by the City of Yixing once they are in China (as done on the prior trip). Our local

Sister City Committee has accepted the invitation and asked for information about displaying pottery from Sanford. This invitation differs from last year; they want to exchange ideas on both economic development and culture. It is a huge event there, drawing from all over the world. Joy Thrash, with the Sanford Area Growth Alliance, has expressed interest in going as part of economic development discovery and a local potter also would like to go. Static Control Components (our leading private employer) is partially owned by a Chinese company located within commuting distance of the trade fair so there is also an opportunity to visit there.

The invitation is extended to all Council members if funds are budgeted for airfare. Mayor Mann stressed that he was not seeking a motion, only consensus. Several private citizens who would like to go are willing to pay their own expenses. Others connected with Central Carolina Community College have also expressed interest in going since this program was borne through the school's Confucius Classroom exchange program with Yixing's vocational school.

Council Member Haire stated that he recently learned that some Chinese companies are bringing yarn and cotton production back to South Carolina as a result of increasing transportation costs in China. Representatives from our local industrial sector (Mertec, Coty, Pfizer, Moen, Zurn) may also be interested in going.

Council Member Taylor requested that Council establish clearly set substantive goals for the trip so that citizens can see the benefit of spending taxpayer dollars. Mayor Mann confirmed that a plan will be established for return on investment.

Consider Discussion of Senate Budget Provision that Could Affect Municipal Service Districts – Exhibit J)

Mayor Mann stated that there was concern about a proposed Senate budget provision basically allowing residents of a Municipal Service District ("MSD"), comparable to our Downtown Sanford area, to bring a referendum that could abolish a MSD with approval of only 15 percent of registered voters in the district. The DSI Board has prepared a letter to our representatives to inform them that they are very concerned about and oppose this provision. The Mayor suggested that Council consider a resolution or letter of support (of DSI's opposition to the referendum provision).

Council Member Gaskins noted that while he has never been in favor of DSI's self-imposed tax, he believes in their right to self-govern and the State should not be involved. Council Member Taylor requested additional information before a resolution or letter of support is considered. Mayor Mann stated that this item was included only for discussion, not for any type of action. He has spoken with fellow members of the North Carolina Metropolitan Association of Mayors (from the 32 largest cities) who are concerned that those most impacted can be controlled by those least impacted since this provision could allow a relatively small group of downtown renters to abolish the Downtown Tax District. Mayor Mann requested that staff gather additional information.

OTHER BUSINESS

Council Member Wyhof stated that last night's Citizens' Academy tour of the police department was well received by participants. She thanked the police and fire departments for their work on tonight's National Night Out activities.

Council Member Haire asked City Attorney Patterson to clarify the process for citizens interested in applying for positions on boards and commissions and whether it was appropriate for them to lobby Council members. Attorney Patterson stated that since Council members should know the citizens who are applying for these positions, it is absolutely appropriate for the applicants to lobby the people who will be making the appointments. Although it is not required, she suggested that applicants introduce themselves to Council members and let them know why they want to serve. She explained that applications can be downloaded from the City website and are also available at the City Clerk's office. Completed applications can be returned electronically, through the mail or to the City Clerk's office. The City is always looking for citizens wanting to serve and there are several positions to be filled. Mr. Haire suggested that guidelines be available detailing exactly what is and is not appropriate. Attorney Patterson stated that the only time contact with Council members would be inappropriate is when considering quasi-judicial matters; matters on which a judicial type decision will be made.

City Manager Hegwer stated that the Fire Department has been working with fireworks experts on the possibility of holding a celebration in the downtown district. Additional information should be available soon to share with Council.

Mayor Mann congratulated Katherine Trogden, City reporter for *The Sanford Herald*, who will be taking a job in the Raleigh/Cary area but will continue to live in Sanford. He regretted that he was unable to attend last night's session of Citizens' Academy due to a previously scheduled speaking engagement. He informed Council that a benefit would be held for Tobias McLean (the young man who lost his mother and sister to a fire allegedly set by his step-father, and who was then taken away against his will). The benefit celebration will be held at 12:00 p.m. this Saturday, August 8th, at 311 Carthage Street (site of Try Jesus Ministries).

Regarding panhandling, Mayor Mann stated the he has also been contacted about this issue more than any other in the last month. He noted that panhandling is not illegal but there are different forms: the passive form where someone is simply asking for money and the more aggressive type, where people are confronted. Passive panhandlers have the right to ask for help in a non-threatening way but he urged citizens not to enable panhandlers since it only perpetuates the behavior. Those who feel inclined to help could pass along information about local agencies equipped to help (such as The United Way or The Salvation Army). The aggressive panhandlers approaching people for money in a drive-through line, on the street or at a business should be treated firmly but non-confrontationally and anyone who experiences a problem should call 911 immediately, as he has done. The police have responded quickly, professionally and quietly. The police department has doubled their patrols downtown over the last few weeks and there has been a decrease in the number of incidents. He asked the Community Development department to investigate any means available to restrict or prohibit panhandling without a permit. While it may not solve the problem, it would at least give the City some enforceable way of handling it. He thanked the police department for their work, commended DSI and requested that they share this message and educate their merchants on how to handle panhandling. If a group needs more information, the police department would meet to share ideas on how to best handle any business disruptions. He asked everyone to join in as a community to show that panhandling will not be tolerated and over time, this type of behavior can be discouraged. Sanford is a caring community, willing to offer resources and compassion to those willing to take personal responsibility. As our economy recovers and

revitalization continues, more jobs should be available and our community will continue to care for those less fortunate while insisting on personal responsibility.

Regarding the board appointment discussed earlier, Mayor Mann agreed with the decision to table the issue, although he thought the applicant was a good candidate. He stressed the importance of making good appointments. A large number of appointments were made at an extremely busy Council meeting on June 16, when the Board of Adjustment lost a Chairman who had served for 18 years and done an excellent job. He agreed that applicants should take it upon themselves to let Council members know when they really want a position so that they can be interviewed.

Mayor Mann stated that he was excited about tonight's National Night Out activities and with progress on the current revitalization projects. He also announced that the Duke Site Readiness program will be locating their "Enterprise Park" on 320 acres in the Industrial Park. Sanford is one of thirteen communities selected for this program and local leaders have been told that our community is far ahead of the others. Several recently opened businesses have been well received by our citizens, proving that our community is open and ready for business. He encouraged Council to help move infrastructure expansion forward since that will attract more businesses and create more jobs, resulting in more philanthropists and fewer panhandlers. He informed Council that Sanford is now the 32nd largest city in North Carolina: we are no longer a small town, but a mid-sized city.

CLOSED SESSION

City Attorney Susan Patterson stated that a motion was needed for Council to go into closed session in accordance with NCGS 143-318.11(a)(5) to instruct the public body staff or negotiating agents concerning the position to be taken on the price or other material terms of a contract or proposed contract for the acquisition of real property. This motion was made by Council Member Gaskins, seconded by Council Member Haire, and passed unanimously.

**ALL EXHIBITS CONTAINED HEREIN ARE HEREBY INCORPORATED
BY REFERENCE AND MADE A PART OF THESE MINUTES.**

RETURN FROM CLOSED SESSION AND ADJOURNMENT

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

Respectfully Submitted,



T. CHET MANN, MAYOR

ATTEST:



BONNIE DAVIS, CITY CLERK