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, March 15, 2016, at 7:00 p.m., in Council Chambers. The following people were present:

Mayor T. Chet Mann
Council Member Byron Buckels
Council Member James Williams
Council Member Charles Taylor
City Manager Hal Hegwer

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

Absent:
City Attorney Susan Patterson

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

APPROVAL OF AGENDA

Mayor Mann requested that Items 11-E, 11-F and 11-G be removed from the agenda, stating that more information is needed before proceeding.

Mayor Pro Tem Gaskins made a motion to remove Item 10-E (Grant Project Ordinance-Rural Economic Development Grant- Comfort First Heating & Cooling, Inc. Water Infrastructure Improvements), Item 10-F (Ordinance Amending Annual Operating Budget- Local Match for Rural Economic Development Grant) and Item 10-G (Contract for Consultant Services for Assistance with Comprehensive Update to County-wide Land Use Plan), rather than Items 11-E, 11-F and 11-G, from the agenda. Seconded by Council Member Buckels, the motion carried unanimously.

Mayor Mann noted that Item 10-G should not have been removed from the agenda and requested that it be returned. Mayor Pro Tem Gaskins moved to reconsider Item 10-G (Contract for Consultant Services for Assistance with Comprehensive Update to County-wide Land Use Plan) and add it to the agenda; Council Member Taylor seconded the motion, which carried unanimously.

CONSENT AGENDA

Approval of Council Workshop Minutes Dated February 22, 2016 (filed in Minute Book 86)

Approval of City Council Meeting Minutes Dated March 1, 2016 (filed in Minute Book 86)

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

SPECIAL AGENDA

Presentation of Proclamation Honoring Don Droullard for Exemplary Service to Habitat for Humanity (Exhibit A)

Mayor Mann commented that one thing that makes Sanford great is the character of the people such as Don Droullard and the things they do to improve our community. He read the proclamation and recognized Mr. Droullard for his 28 years of service to Habitat for Humanity.

CASES FOR PUBLIC HEARINGS

Consideration of text amendments to the Unified Development Ordinance, Article 11, Sign Regulations, Section 11.6, Prohibited Signs, to allow Sandwich Board Signs as noted, and to Section 11.7, Signs That Do Not Require a Permit, by adding a new Subsection, 11.7.19, Sandwich Board Signs with conditions as set forth in the section (Exhibit B)

Consideration of multiple text amendments to the Unified Development Ordinance to allow for Breweries

David Montgomery, Senior Planner, stated that these amendments were presented to the Joint Planning Commission (JPC) at their meeting on November 19, 2015, and upon discussion, they recommended that all amendments be forwarded to the three jurisdictions for public hearing and consideration for adoption. The first amendment would allow sandwich board signs on public sidewalks in front of businesses in the Neighborhood Commercial District, Central Business District, Traditional Neighborhood Development and Planned Unit Development Districts, subject to design standards. These signs are traditionally designed for pedestrians and intended to be used during business hours. Among the requirements are: signs should be located in front of the associated business, within one foot of the curb or building, provided that a minimum five foot pedestrian path is allowed as required by the ADA (American Disability Act); signs can be no more than 30 inches in width and 42 inches in height; are constructed of non-reflective material and/or color; are finished in appearance and compatible with the historic nature of the district where located, with professionally painted or applied lettering. Chalk boards and white boards would be allowed. There is a limit of one sign per business per street, with corner businesses allowed to have one sign on each street, and a requirement that any business erecting a sandwich board sign must execute an indemnification and hold harmless agreement for any claim which may arise out of the presence of the sign on city property or public right-of-way. Mr. Montgomery confirmed that he would be responsible for handling this documentation.

Mayor Mann opened the public hearing.

Council Member Taylor stated that the JPC had extensive discussions on these proposed amendments and ultimately voted unanimously to move them before the respective governing bodies. Council Member Wyhof questioned who would make judgements regarding whether specific requirements had been met (such as whether signs were "professionally painted"). Mr. Montgomery stated these decisions would be made by Planning Department staff. He also confirmed that the proposed amendments would apply to all districts identified, in Downtown Sanford and in Jonesboro.

With no one speaking in favor or in opposition, the public hearing was closed.

- Amendment to Article 4, Table 4.6-1, Permitted Use Matrix, to add a new land use for Regional Breweries, Large Breweries and Microbreweries and further indicate that Regional Breweries, Large Breweries and Microbreweries shall be permitted as a right in the Light Industrial (LI) and Heavy Industrial districts and that Microbreweries shall also be permitted in the Highway Commercial (HC), Light Commercial & Office (C-1), General Commercial (C-2) and Central Business (CBD) districts, with supplemental development regulations
- Amendment to Article 5, to create a new Section 5.42 in order to add supplemental development regulations for Microbreweries allowed in the Highway Commercial (HC), Light Commercial & Office (C-1), General Commercial (C-2) and Central Business (CBD) districts
- Amendment to Appendix A to add Definitions for Regional Brewery, Large Brewery, Microbrewery, Brewpub, and Taproom

David Montgomery, Senior Planner, summarized the proposed amendments, explaining that the intent of the proposal that microbreweries include a taproom or brewpub is to promote commercial use. He also explained that a taproom or brewpub associated with a microbrewery shall not be classified as an entertainment establishment, must be accessible to the public and shall not be located within 200 linear feet of a parcel or tract of land containing a church or religious institution, daycare facility or detached single-family dwelling structure.

Mayor Mann opened the public hearing.

Mr. Montgomery shared information on microbreweries in North Carolina (Exhibit B-2), including the fact that there are approximately 132 located here and they are a $1.2 billion industry.

Council Member Haire noted that several churches or religious institutions have chosen to locate in retail areas of Jonesboro, which may present problems with the 200 foot minimum distance requirement. Council Member Wyhof questioned whether potential sites would continually be ruled out due to this this requirement, making it a hindrance rather than a driver for development.

Tim Ebert (of 502 McReynolds Street, Carthage), spoke on behalf of a microbrewery with plans to locate downtown, noting that recent street improvements were a major factor in that decision. He stated that he has entered into a contract to purchase property downtown and is working with a brewer, an architect and a nationally-known brewing business consultant. He thanked Council for considering the proposed amendments which will encourage foot traffic and bring people downtown, where he thinks a microbrewery would complement the other businesses already located there.

With no one else requesting to speak, the public hearing was closed and the Planning Board retired to the West End Conference Room.

Consider Update from Sanford Area Growth Alliance (SAGA)

Joy Thrash, Chief Executive Officer of SAGA, informed Council that the organization's website has been launched as a single economic development and web portal. The recent Chamber

Banquet was well-attended by approximately 240 guests. Membership in the Chamber of Commerce has increased to the highest level in ten years, and she acknowledged Economic Development Director Bob Joyce for holding the organization together during tough economic times of the past several years. SAGA has responded to 39 projects, resulting in 212 jobs and approximately $75.6 million in investment. They have 22 active projects at this time (compared to an average of 12) and seven of these are anticipated to come to fruition before the end of 2016, producing an estimated 170 jobs and an estimated investment of $51.8 million.

Ms. Thrash commented on the success of the Central Carolina Enterprise Park project, noting that a private group is working to implement recommendations made during the Duke Site Readiness presentation made last July. She acknowledged that this partnership is a successful joint effort of the City, County and private sector, all working together to prepare the site for occupancy.

Regarding marketing, Ms. Thrash stated that SAGA has reached out to site selectors and made visits to South Carolina, Atlanta and Chicago and are considering attending an event in Germany, which is the largest industrial trade show in the world. They are also making efforts to become more pro-active rather than reactive and continue to build relationships with the agriculture community. SAGA will be a Silver Sponsor at the Research Triangle Partnership's upcoming "State of the Region" event.

Ms. Thrash informed Council that SAGA continues to seek opportunities to grow funding through the private sector, thanked Council for their support and requested continued support so that the organization can expand marketing efforts. SAGA will continue to develop a strategic and competitive marketing strategy for recruitment and expansions. She also suggested that the current policy on incentives be reviewed, noting that we currently offer seven year incentive plans but other communities have been successful with ten-year plans.

Mayor Mann thanked Ms. Thrash for her work as CEO and reminded Council that the city is a stakeholder and can help with providing an environment that will attract and increase retail, along with commercial and industrial growth. He asked that Council continue and possibly increase funding since SAGA's success will create jobs and increase the tax base, ultimately helping to fund future budgets. He also noted that SAGA's initial funding was primarily from the private sector and the ultimate goal is for funding through tax base expansion.

Mayor Pro Tem Gaskins commented on the large number of ribbons cuttings held recently, approximately one per week according to Ms. Thrash, which is evidence of many new and expanding businesses in the city.

Council Member Haire noted that there are approximately 43,000 people within 50 square miles south of Sanford in the Spout Springs area, many of whom are among the 56,000 stationed at Fort Bragg. When they visit Sanford, many go no further than the Horner Boulevard/Main Street intersection. Mr. Haire suggested that allowing microbreweries to locate in Jonesboro and downtown would encourage people to visit those areas. He also commented on the large number of vehicles in parking lots on Friday and Saturday nights in the Jonesboro area, at Buffalo Wild Wings, Schooly's, Good Fella's and The Tiki Room. He expressed concern that the proposed requirement for microbreweries to be located at least 200 feet from churches and religious

organizations would limit potential locations and stated that when churches choose to locate in retail areas, they must accept what goes along with that, specifically businesses that choose to locate in these areas.

Consider Funding McCallum Sweeney Presentation (Exhibit C)

SAGA Chief Executive Officer Joy Thrash stated that when Central Carolina Enterprise Park was selected as a Duke "Site Ready Park" last July, a representative from McCallum Sweeney (one of the premier site selectors in the southeastern United States) presented information on tools needed to be competitive for recruiting business and industry. Mayor Mann explained that a private entity is now requesting annexation to the site, which will allow the city and county to be involved in the project. Information from that presentation would be very helpful in determining how to proceed with the project. City Manager Hegwer explained that the estimated cost of $4,500 for the McCallum Sweeney presentation would be divided equally between the City, County and SAGA. Funds are available in the current year's budget for this expense.

Council Member Williams made a motion to approve funding the McCallum Sweeney presentation; seconded by Council Member Taylor, the motion passed unanimously.

Consider Resolution to Temporarily Close Streets in Support of the Sanford Cleanup and Block Party (Exhibit D)

Marshall Downey, Community Development Director, explained that this year's project will be held on Woodland Avenue, in the Jonesboro area.

Council Member Buckels made a motion to approve the Resolution to Temporarily Close Streets in Support of the Sanford Cleanup and Block Party; seconded by Council Member Wyhof, the motion passed unanimously.

Consider Ordinance Amending the Annual Operating Budget of the City of Sanford FY 2015-2016 (Smoke Detectors) – (Exhibit E)

Wayne Barber, Fire Chief, explained that there were two fire fatalities last year and through the Fire Life Safety Education Initiative, about 150 smoke detectors were installed. In the past, detectors have been provided by the State Fire Marshall's office through a grant from FEMA, but that funding has now been eliminated. The NC Firefighters' Burned Children's Fund has donated $1,000 to purchase detectors but no mechanism is currently in place to accept these funds and purchase them. The fire department has applied for $4,000 in additional funding from Factory Mutual Global and if received, those funds must go through the same process.

There was discussion as to whether purchasing units combining smoke detectors with carbon monoxide detectors had been considered and if units are purchased locally or in bulk. Chief Barber explained that smoke and carbon monoxide detectors should be located separately, since carbon monoxide detectors are ideally placed lower than smoke detectors. He also confirmed that the smoke detectors are purchased locally at Lowe's, for approximately $11 each (their cost) as needed in order to avoid aging on the shelf. Council Member Taylor suggested investigating whether insurance companies would consider contributing or matching funds since it is in their best interest to minimize fires.

Council Member Post made a motion to adopt the Ordinance Amending the Annual Operating Budget of the City of Sanford FY 2015-2016 for the purpose of purchasing smoke detectors. Seconded by Council Member Taylor, the motion carried unanimously.

Consider Grant Project Ordinance- Rural Economic Development Grant- Comfort First Heating & Cooling, Inc. Water Infrastructure Improvements (Exhibit F)

This item was removed from the agenda.

Consider Ordinance Amending the Annual Operating Budget of the City of Sanford FY 2015-2016 (Local Match for Rural Economic Development Grant) – (Exhibit G)

This item was removed from the agenda.

Consider Contract for Consultant Services for Assistance with Comprehensive Update to County-wide Land Use Plan (Exhibit H)

Marshall Downey, Community Development Director, explained that Council has discussed and expressed interest in moving forward with a Comprehensive Update to the Countywide Land Use Plan. After receiving and reviewing proposals, Benchmark CMR Services has been selected as consultant. They served as a sub-contractor on the Wastewater Master Plan, which gave them background on the city's utility extension and related issues. Their bid of $79,425 is below the amount budgeted and will be shared equally with the county (Broadway participates at a fixed amount annually). A one-year time frame is anticipated and the plan is to include the Joint Planning Commission as oversight group for this project. Mr. Downey reminded everyone that the JPC includes representatives from Lee County, Broadway and Sanford. City representatives currently serving are Mayor Mann and Council Member Taylor, who serves as Chairman.

Mann Mann stressed that this document would be the tool used to develop and direct growth moving forward and will be essential as we transition from a more rural to a more urban community. Mr. Downey confirmed that the process will include existing plans and policies (transportation, bike, and utility plans), which will be the "springboard", and will also include data from the geographic information systems (geo-data and environmental data such as water, wastewater, flood plans, and watershed).

Mayor Pro Tem Gaskins made a motion to approve the Contract for Consultant Services for Assistance with Comprehensive Update to Countywide Land Use Plan. Seconded by Council Member Wyhof, the motion passed unanimously.

OTHER BUSINESS

Mayor Mann stated that he has received an increasing volume of calls regarding small signs and banners cluttering our roadways. He has asked that staff increase enforcement along these corridors and that business owners consult the local zoning department regarding how and where to properly erect temporary or promotional signs (the Unified Development Ordinance is also available on the City of Sanford website, www.sanfordnc.net). He stressed that this Council is business-friendly but overloading our travel corridors with too many signs, banners and placards can have a negative effect on our image. He has asked city staff, through the City Manager, to conduct a sign sweep.

Mayor Mann also thanked the fire and police departments for their efforts and reminded everyone that there are several vacancies on local boards, committees and commissions which will be filled in the coming months.

ADJOURNMENT

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

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

Respectfully Submitted,

T. CHET MANN, MAYOR

ATTEST:

BONNIE DAVIS, CITY CLERK