

**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, November 1, 2016, at 7:00 p.m., in Council Chambers. The following people were present:

Mayor T. Chet Mann
Council Member Byron Buckels
Council Member Charlies Taylor
Council Member James Williams
City Manager Hal Hegwer
City Attorney Susan Patterson

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

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

APPROVAL OF AGENDA

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

CONSENT AGENDA

Approval of Award of Bid for Wastewater Treatment Plant Storage Building (Exhibit A)

Council Member Taylor made the motion to approve the consent agenda. Seconded by Mayor Pro Tem Gaskins, the motion carried unanimously.

SPECIAL AGENDA

Presentation of Farm-City Week Proclamation (Exhibit B)

Lee County Extension Director Bill Stone shared information on Farm-City Week with Council. He also acknowledged Carrie Womack (Southern Lee High School Agriculture Instructor), and introduced Ben Maness (Southern Lee FFA Vice-President) and Cassidy Hare (Southern Lee FFA President), who spoke about the many ways our lives are affected daily by agriculture and invited Council to upcoming Farm-City Week celebrations. Mayor Mann read the proclamation and thanked the group for their involvement.

DECISIONS ON PUBLIC HEARINGS

Application by InSite Real Estate, LLC - to rezone 2.36 ± acres of land with frontage on Rosser Road from the current zoning of Residential Single-Family (R-20) to General Commercial (C-2). The subject property is all of a 0.98 acre ± tract of land, addressed as 2814 Rosser Road, identified as Tax Parcel 9652-90-1292-00 and a 1.38 acre ± portion of an adjoining tract of land identified as Tax Parcel 9652-90-9952-00, both of which are depicted on Lee County Tax Map 9652.20. The subject property is also identified as Tracts 3 and 2 on a survey map recorded in Plat Cabinet 2015, Slide 143 of the Lee County Register of Deeds Office (Exhibit C).

Community Development Director Marshall Downey advised Council that the Planning Board, along with Planning and Development staff, recommends that Council support this rezoning request since appears to be reasonable and in the public interest based on the character of the area,

the proximity of the site to the main thoroughfare (Horner Boulevard), and appears to be consistent with the adopted comprehensive plan (2020 Land Use Plan).

- **Consider Ordinance Amending the Official Zoning Map of the City of Sanford, North Carolina (Exhibit D)**

Council Member Haire made a motion to approve the Ordinance Amending the Official Zoning Map of the City of Sanford. Seconded by Council Member Buckels, the motion carried unanimously.

REGULAR AGENDA

Consider Ordinance Repealing the No-Parking Zone Located on a Portion of the South Side of Carbonton Road (State Road 1009) (Exhibit E)

Transportation Administrator Kris Furmage informed Council that a request has been received from Steve Brewer (owner of The Flame restaurant) to repeal a no-parking zone located on the south side of Carbonton Road. Mr. Brewer originally requested the no-parking zone due to site distance issues, but since that time has reconfigured parking at the restaurant and at the adjacent property, which he now owns. Mr. Furmage discussed this issue with DOT and confirmed that their 20' buffer requirement has been met.

Council Member Post made a motion to approve the Ordinance Repealing the No-Parking Zone Located on a Portion of the South Side of Carbonton Road (SR 1009). Seconded by Mayor Pro Tem Gaskins, the motion carried unanimously.

Consider Ordinance Amending the Annual Operating Budget of the City of Sanford FY 2016-2017 (Exhibit F)

Financial Services Director Beth Kelly explained that this ordinance re-appropriates funding to replace two chemical storage tanks, which were not received in the prior fiscal year in which they were budgeted.

Council Member Wyhof made a motion to approve the Ordinance Amending the Annual Operating Budget of the City of Sanford FY 2016-2017. Seconded by Council Member Post, the motion carried unanimously.

Consider Resolution to Endorse Cape Fear Regional Hazard Mitigation Plan (Exhibit G)

Community Development Director Marshall Downey explained that this request was made by Shane Seagroves, Lee County Emergency Services Director. The plan previously included Lee County, the Town of Broadway and the City of Sanford; however, since disasters extend beyond individual jurisdictions, the State has changed its approach and now requests regional planning. Over the last few years, Lee County has participated with Harnett, Moore, Chatham and Johnston Counties to prepare a five-county regional plan to be presented to the state. This plan, prepared with the assistance of a third-party consultant, would assist with the reimbursement of disaster-related expenses and has been endorsed by all other jurisdictions (all counties, including Lee, as well as jurisdictions within each County). While the full draft is almost 1,500 pages, an appendix is included (Appendix D) which specifically addresses Lee County, Broadway and Sanford.

Mayor Pro Tem Gaskins made a motion to approve the Resolution to Endorse the Cape Fear Regional Hazard Mitigation Plan. Seconded by Council Member Buckels, the motion carried unanimously.

Consider Sale of Lots Located on Crestview and Hooker Street to Habitat for Humanity for Construction of Two Single-Family Homes (Exhibit H)

City Attorney Susan Patterson informed Council that Habitat for Humanity is interested in acquiring these lots for residential construction. The lots are in the city's Redevelopment Area, where a non-profit can act as a redeveloper if there is a public purpose (which includes providing affordable housing to serve the city's low and moderate-income population) and the city can transfer lots to the non-profit at a reduced price.

Attorney Patterson noted that the current issue is not whether to sell the lots (there is a specific process for that, if Council elects to sell them), but whether to allow Habitat staff to show the lots to interested parties. While Habitat does own some lots, topographical issues make them less conducive to residential construction. The lots are all vacant but several (those with addresses on tax records) formerly had a residence on the site, which were likely demolished through the city's Redevelopment program. The lots are also subject to Covenants (requiring a certain construction standard), and some may already have sidewalk, curb/gutter, along with water and sewer service. When lots owned by the city were transferred in the past, the purchaser was responsible for paying expenses, including attorney fees. Mrs. Patterson also noted that the city has previously waived some fees required for connecting to water and sewer service.

Mayor Mann noted that there appeared to be consensus among Council members to consider selling the lots and that Council will address at a later date whether to sell the lots.

Consider Request for Excess Wood Chips for a Community Garden

City Manager Hal Hegwer explained that he had received a request for excess material from a local church interested in starting a community garden. During recent discussions with Public Works staff, he learned that there is currently an excess of material, primarily due to tree damage from Hurricane Matthew, and it will be difficult to sell all of it. Manager Hegwer proposed waiving the fee (\$15 per pickup load for woodchips or screened compost; \$5 for unscreened compost with clay) to help reduce inventory and to also allow churches, non-profits and citizens to take advantage of the fee waiver. He suggested waiving the fee for the month of November on material picked up at the site (not for delivery orders). Staff will analyze inventory after the end of the month to determine how to proceed.

Council Member Taylor made a motion to approve the request to make excess wood chips available to the public free of charge, for pick up only (no delivery) during the month of November. Seconded by Council Member Buckels, the motion carried unanimously.

NEW BUSINESS

Council Member Wyhof encouraged everyone to exercise their right to vote in the election.

Council Member Haire stated that he had been contacted by several citizens regarding damage to their property caused by trees on someone else's property. City Attorney Susan Patterson suggested that any citizen concerned about dead or damaged trees on neighboring property should notify their neighbor in writing to document the situation. He also commented on the high number of alleyways in the city and questioned whether they could be sold to adjacent property owners. Attorney Patterson explained that the city can close (not sell) alleyways, assuming it would not landlock another property; the property would then revert to the adjoining property owners.

Mayor Pro Tem Gaskins noted that the city had been honored this past week with a visit from a national Vice-Presidential candidate (Tim Kaine), and many campaign staff members commented on how great the downtown area looked.

Council Member Taylor stated that he, along with his church family, have spent a great deal of time in Kinston since Hurricane Matthew. He learned about a ministry there by middle- and high-school students who cut grass for the elderly, handicapped and veterans free of charge. This group has now agreed to help the City of Kinston maintain 100 lots, including trash and leaf removal, mowing, weed-eating and trimming shrubbery. Mr. Taylor encouraged fellow Council members to be aware of those less fortunate, including many in our own community, and to do what we each can to give back to others.

Mayor Mann commented on the success of the "Jack-O-Lantern Trail", recently hosted by downtown businesses, with some merchants reporting 500 visitors to their stores last Saturday. He was also surprised to receive the NAACP "Man of the Year" award, which he planned to accept on behalf of the City Council, due in part to Council's endorsement of the "Building Integrated Communities" project. The speaker at the event suggested that we are now in a world of "neo diversity", where some of the laws of bigotry have been removed and where people are now face to face with others who look and worship differently. Mayor Mann stated that we, as a city, have embraced this, which is a credit to our policies, tolerance and openness to different opinions and lifestyles. He also acknowledged work by Council and staff on many recent agenda items.

CLOSED SESSION

Mayor Pro Tem Gaskins made the motion to go into closed session in accordance with NCGS 143-318.11(a)(4) and (5), to discuss matters relating to the location or expansion of industries or other businesses in the area; and to instruct the public body's staff in negotiating the price or other material terms of a contract or proposed for the acquisition of real property. Council Member Buckels seconded the motion, which carried unanimously.

ADJOURNMENT

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

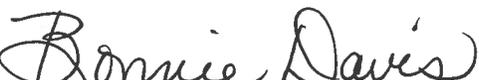
ALL EXHIBITS CONTAINED HEREIN ARE HEREBY INCORPORATED BY REFERENCE AND MADE A PART OF THESE MINUTES.

Respectfully Submitted,



T. CHET MANN, MAYOR

ATTEST:



BONNIE DAVIS, CITY CLERK