

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 7, 2007, at 1:00 P.M. The following people were present:

Mayor Cornelia P. Olive	Council Member Linwood S. Mann, Sr.
Mayor Pro Tem Walter H. McNeil, Jr.	Council Member James G. Williams
Council Member Dan Harrington	Council Member Joseph Martin
Council Member Mike Stone	Council Member Steve Brewer
City Manager Leonard Barefoot	City Attorney Susan C. Patterson
City Clerk Bonnie D. White	

Mayor Olive called the meeting to order. Council Member Dan Harrington delivered the invocation.

**APPROVAL OF AGENDA**

City Manager Hal Hegwer requested to add two items to the Regular Agenda: Consider Ordinance Amending the Annual Operating Budget of the City of Sanford FY 2007-2008, and Consider Capital Project Ordinance Amendment – North Carolina Housing Finance Agency Urgent Repair Program (URP06).

On motion of Council Member Steve Brewer, seconded by Mayor Pro Tem Walter McNeil, Jr., the amended agenda was approved.

**CONSENT AGENDA**

Approval of July 17, 2007, City Council Minutes - (Filed in Minute Book 68)

The consent agenda item was approved upon motion of Council Member Linwood Mann. Seconded by Council Member James Williams, the motion carried unanimously.

**DECISIONS ON PUBLIC HEARINGS**

Petition by Lee County - to rezone from (R-6) Residential Mixed district to (OI) Office & Institutional district 3.34 +/- acres of land addressed as 900 S. Vance Street. The property is the same as depicted on Tax Map 9642.11, Tax Parcel 9642-57-7202-00 Lee County Land Records Office - (Exhibit A)

Assistant Community Development Director Marshall Downey advised that the property consists of one 3.34+/- acre parcel, a parking lot and driveway, which are part of the W. B. Wicker Business Campus. A public hearing was held on July 17, 2007.

- Consider Ordinance Amending the Official Zoning Map of the City of Sanford, North Carolina – (Exhibit B)  
Council Member Joseph Martin made the motion to go along with the Planning Board's recommendation and approve the rezoning petition. Seconded by Mayor Pro Tem Walter McNeil, the motion carried unanimously.

Petition by the City of Sanford, a Municipal Corporation, successor in interest to Sanford Redevelopment Commission - to rezone from (R-6) Residential Mixed district to (OI) Office & Institutional district two tracts of land totaling 0.047 +/- acres, located southeast and southwest of 900 S. Vance Street. The property is the same as depicted on Tax Map 9642.11, Tax Parcels 9642-57-3099-00 and 9642-57-7009-00 Lee County Land Records Office – (Exhibit C)

Assistant Community Development Director Marshall Downey advised that the property consists of two vacant tracts of land, totaling 0.047+/- of an acre and both tracts adjoin 900 S. Vance Street (the gymnasium, portion of the W. B. Wicker Business Campus). A public hearing was held on July 17, 2007.

- Consider Ordinance Amending the Official Zoning Map of the City of Sanford, North Carolina – (Exhibit D)  
Council Member Dan Harrington made the motion to approve the rezoning petition. Seconded by Council Member Steve Brewer, the motion carried unanimously.

Petition by William B. Hood of Jerry Turner and Associates - to rezone 239.32 acres from the current City of Sanford (LI) Light Industrial and (R-10/MH) Residential Mixed/Manufactured Home to a conditional zoning district to be known as the Barrington Park conditional zoning district and located along the southwest side of Commerce Drive in the South Park business park. The conditional zoning district will include a mix of single-family detached homes, townhomes, apartments, as well as non-residential uses such as office-institutional and retail commercial uses. The property is the same as depicted on Tax Maps 9660-38-1012-00, 9660-27-8490-00 (part of), 9660-27-6977-00, 9660-27-3949-00, 9660-18-9090-00, 9660-18-6308-00, 9660-18-1630-00, 9660-07-2268-00 and 9650-98-6366 (part of), Lee County Land Records Office.- (Exhibit E)

Assistant Community Development Director Marshall Downey explained that this is a recommendation for rezoning for a large project. This is a conditional zoning petition that was presented at the public hearing on July 17, 2007. The area requested for rezoning consists of approximately 230 acres. This is a portion of the old former South Park Industrial Park located off of Commerce Drive and U. S. Highway 87.

Council Member Stone expressed concern about the response time of the fire and police departments due to the number of homes being proposed. He stated that he was uncomfortable with the 7,000 to 8,000 square-foot lots with 1,200 square-foot homes, but that was a personal choice; however, he checked Carolina Trace and they have homes with a minimum of 1,500 square-feet. Mr. Stone stated that he has had several good conversations with Mark Lyczkowski and he has checked into Jerry Turner and Associates and everything he heard was positive. Mr. Stone stated that he wants quality growth, not quantity growth. Mr. Downey stated that one of the conditions of this master plan or conditional zoning is that as they develop each phase, they will have to come before the Planning Board and the City Council for approval which may assist in proper growth.

Community Development Director Bob Bridwell informed the Council that the city manager and he have had several conversations about a comprehensive plan and a managed

growth policy, and this will be forthcoming especially as you see more and larger developments come forward.

Council Member Williams stated that it was his understanding that the project would be built in phases and it would probably be 2014 before it would be completed. The master plan was to tie Lee Avenue into parts of this parcel. He asked if there was a timeline and could it coincide. Community Development Director Bob Bridwell replied that Council will probably see a draft of the thoroughfare plan that was just recently completed in the next two to four weeks. Council will also see what is reflected in that plan as well as what staff is expecting of developers as they negotiate with them. He added that it becomes a very critical piece when staff sits down with a developer and explains to them what staff expects them to do in conjunction with the City's master plan. Mr. Williams asked if the connection to Lee Avenue would possibly cut down the Fire Department's response time. Mr. Bridwell replied that this would be one of the things that the Fire Department would look at in determining their plans and recommendations to Council; as the accessibility increases with the thoroughfare plan, it will reduce the response time.

Council Member Linwood Mann expressed his concern regarding the impact on the schools. Mr. Bridwell informed Council that a representative from Lee County Schools is involved with the Technical Review Committee, and as larger projects come along, he speaks directly with the superintendent of the schools.

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

Council Member James Williams made the motion to approve the Ordinance Amending the Official Zoning Map of the City of Sanford, North Carolina. Seconded by Council Member Steve Brewer, the motion carried unanimously.

## **REGULAR AGENDA**

### **Consider Reimbursement Resolution – Equipment Purchase** – (Exhibit G)

Financial Services Director Melissa Cardinali advised that this resolution authorizes the purchase of golf cars, a one-man leaf vac unit, and a pothole patcher that was approved by Council in the 2007-2008 budget, and allows the City to pay itself back from the borrowed funds once the financing has been secured. These items are scheduled to be financed through installment purchase in the next three to four months.

Mayor Pro Tem McNeil made the motion to adopt the Reimbursement Resolution – Equipment Purchase Project. Seconded by Council Member Dan Harrington, the motion carried unanimously.

### **Consider Award of Bid for Golf Cars** - (Exhibit H)

Golf Course Pro/Manager David Von Canon explained that on July 30, 2007, sealed bids were received for 52 new golf cars. EZ-GO submitted the low bid of \$110,510 which includes the trade-in value of the existing cars. The bid was \$14,490 below the budgeted amount. Staff recommends awarding the bid to EZ-GO. The existing cars are six and one-half years old. Most golf courses trade out their cars every three to three and one-half years. Mr. Von Canon

stated that he would like to trade them out every four years because the residual value is better at the end of four years. You run in to cost issues if you keep them a long time.

Council Member Steve Brewer made the motion to award the low bid for the new golf cars to EZ-GO in the amount of \$110,510. Seconded by Council Member Linwood Mann, the motion carried unanimously.

Consider Resolution Authorizing Signatories for the City of Sanford – (Exhibit I)

Financial Services Director Melissa Cardinali advised that the resolution allows them to update the signatures that are on file with the banks on behalf of the City. Those signatures would be herself as Finance Director, Assistant Financial Services Director Beth Kelly, and City Manager Hal Hegwer.

Council Member Joseph Martin made the motion to adopt Resolution Authorizing Signatories for the City of Sanford. Seconded by Mayor Pro Tem McNeil, the motion carried unanimously.

Consider Voluntary Contiguous Annexation Petition by Castleridge Development, LLC of Approximately 12.21 Acres of Property Located on Cool Springs Road.

Planner I Elizabeth Whitmore explained that this is for the voluntary annexation petition by Castleridge Development, LLC.

- Receive Certificate of Sufficiency for Contiguous Annexation by Castleridge Development, LLC. – (Exhibit J)

City Clerk Bonnie White advised that the annexation petition is sufficient.

- Resolution Fixing Date of Public Hearing on Question of Annexation Pursuant to G.S. 160A-58.2, for Approximately 12.21 Acres of Property Located on Cool Springs Road.- (Exhibit K)

The resolution sets the date of the public hearing for Tuesday, August 21, 2007, at 7:00 P.M. at City Hall. Mayor Pro Tem McNeil made the motion to adopt the Resolution Fixing Date of Public Hearing on Question of Annexation Pursuant to G.S. 160A-58.2. Seconded by Council Member Mike Stone, the motion carried unanimously.

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

City Manager Hal Hegwer stated that the resolution temporarily closes several streets within the city limits for National Night Out. Council Member Steve Brewer made the motion to adopt the Resolution Temporarily Closing Several Streets in Support of National Night Out. Seconded by Council Member Dan Harrington, the motion carried unanimously.

Consider Preliminary Subdivision Plat for Glendale Estates Subdivision – (Exhibit M)

Assistant Community Development Director Marshall Downey explained that the owner/developer of Glendale Estates Subdivision is Spivey & Sturdivant Properties, Inc. The project is approximately a 20.45 acre tract located at 3115 Lemon Springs Road. Currently, the tract contains one 2,952 square-foot home. Several months ago, the developers came to staff and proposed to do a conditional zoning on this project with a cluster-style project. A

neighborhood meeting was held and several neighbors were opposed to the project and the developers have decided to come back with a more conventional subdivision under the R-20 zoning. The plat includes 29 lots; with an average lot size of 21,000 square feet. It is on public water; however, it is proposed to be connected with private septic systems. The Technical Review Committee and the Planning Board reviewed the subdivision plat, and they recommended approval of the plat as presented.

Council Member Brewer commented that when the first proposal was presented, there was green space and curb and gutter; however, the neighbors did not want that density in their neighborhood. Mr. Brewer stated that a lift station would have been built, and they would not have had to use traditional septic tanks. Mr. Brewer felt the neighbors would have been better served with the first proposal.

Mayor Olive questioned the future development of an indoor soccer complex that was listed on the site. Craig Sturdivant, one of the owners, stated that there was 15½ acres remaining, and he has two choices. One choice would be to build 18 to 20 homes on that additional acreage; however, he has a vision to provide a recreational outlet for the kids in Sanford. He proposes a 40,000 square-foot indoor soccer field, basketball courts, volleyball courts, and a skateboard park with concessions. He has contracted with Sanford Metal Buildings and he has some prices together. There will be four outdoor fields plus an acre of parking. It is in a preliminary stage, and he has to raise \$2 million. Mr. Sturdivant stated that it would not happen overnight. They would like to partner with the Lee County Parks and Recreation to help take care of the outdoor fields.

Council Member Steve Brewer made the motion to approve the preliminary subdivision plat for Glendale Estates Subdivision. Seconded by Council Member Mike Stone, the motion carried unanimously.

Consider Ordinance Repealing Two-Hour Parking on a Portion of North Steele Street – (Exhibit N)

Downtown Executive Director David Montgomery advised that Downtown Sanford is requesting to change the diagonal parking spaces next to First Citizens Bank on the west side of Steele Street between Carthage Street and St. Clair Court from two-hour parking to unlimited parking. He spoke with Allen Holt, Vice-President for First Citizens Bank, and he indicated that he has no issues with the request. The First Citizens Bank's customers, nor the employees, use those parking spaces. There is a need for employees and employers in that area. There are a lot of different restaurants and shops where there is a need for long-term parking such as the Temple Theatre. Mr. Montgomery had the two interns from the school to do a parking survey for Downtown Sanford of where cars were parked downtown from 8 A.M. to 5 P.M. There were 898 cars that came downtown on a Thursday, and they did not record one car in those spaces that are being requested to change. Mayor Pro Tem McNeil asked how you reconcile this with the merchants on the other end of the street that has two-parking hour; they will think you are giving them preferential treatment. Mr. Montgomery replied that those spaces are in front of their businesses, and they have adequate on-street and off-street parking that is available to them. Mr. McNeil felt it would not set well with those businesses, and they would say those customers have to be out in two hours. Council Member Brewer commented the Lee Furniture Building, called the Shops of Steele Street, is growing and you have four floors in one building instead of

one shop. They have been searching for a place for employees for all four floors to park this close. There is no where close to park. You have to pay around the corner to park at Ruth Gurtis's lot, and the City parking lot is rented out entirely. First Citizens Bank has allowed the City to take these parking spaces and let other business employees park there. Council Member Martin added that every City changes, and we have to work and be flexible with the businesses.

Council Member Steve Brewer made the motion to adopt the Ordinance Repealing Two-Hour Parking on a Portion of North Steele Street. Seconded by Council Member James Williams, the motion carried unanimously.

Consider Resolution of the Sanford City Council Adopting the Declaration of Restrictive Covenants for EDA Funded Construction Project No. 04-01-05675 Known as the Northview Sewer Improvement Project – (Exhibit O)

City Engineer Vic Czar stated that the City is undertaking a sewer project that will address the Little Buffalo Lift Station. The lift station will be abandoned and a new lift station will be built in the Northview area with a gravity line connecting the two of them. Some of the funding for this project is an Economic Development Administration Grant in the amount of \$1 million. One of the requirements of the grant is that we have covenants which restrict tap-ons to this particular project in areas that will be developed in Jurisdictional Freshwater Wetlands, 100-year FEMA Designated Floodplain, prime farmland, or endangered or threatened species habitat. To meet the requirement of the grant, staff recommends adoption of the resolution.

Council Member Linwood Mann made the motion to adopt the Resolution of the Sanford City Council Adopting the Declaration of Restrictive Covenants for EDA Funded Construction Project No. 04-01-05675 Known as the Northview Sewer Improvement Project. Seconded by Council Member Joseph Martin, the motion carried unanimously.

Consider Change in Fees for Hydrant Meters Used by Contractors – (Exhibit P)

Operations Manager Tim Shaw advised that the request is for approval of a recommendation to assess a new schedule of fees for companies that use the City's hydrant meters. With approval from Council, a budget ordinance will be presented to Council at the next meeting.

Council Member Steve Brewer made the motion to approve a new schedule of fees for companies that use the City's hydrant meters. Seconded by Council Member Dan Harrington, the motion carried unanimously.

Consider Information Regarding Sale of Decorative License Tags

Operations Manager Tim Shaw presented Council Members with a decorative trademark license tag for their car. The cost of the tags is \$6 each. The Chamber of Commerce and the DMV office will help sell the tags; however, they will keep a portion of the proceeds. Tags will also be sold at the Public Works Service Center and the Water Billing Department.

Consider Ordinance Amending the Annual Operating Budget of the City of Sanford FY 2007-2008 – (Exhibit Q)

Police Major Kevin Gray advised that the ordinance transfers \$8,175 from the General Fund Miscellaneous Account to the Police Department to purchase a replacement car for one that

was wrecked in May. This money was paid to the City by the insurance company. The replacement car is a 2005 Crown Victoria with 86,000 miles on it. It was a Highway Patrol car that was turned in.

Council Member Dan Harrington made the motion to approve the Ordinance Amending the Annual Operating Budget of the City of Sanford FY 2007-2008. Seconded by Mayor Pro Tem Walter McNeil, the motion carried unanimously.

Consider Capital Project Ordinance Amendment – North Carolina Housing Finance Agency Urgent Repair Program (URP06) – (Exhibit R)

Planner II Karen Kennedy explained that the project ordinance amendment is for the urgent repair project. One of the requirements for the original grant was that the money be placed in an interest-bearing account. As you near the end of the program, you can allocate the interest that is drawn on the advanced deposits given to you for the grant into the rehab work. The interest amount is \$1,612, and staff would like to allocate these funds to the rehab repairs.

Mrs. Kennedy stated that in a meeting with the Housing Finance Agency representatives last Thursday, they said that if the City received notes from homeowners and the City Council is pleased with this program, the agency would like to know so they can share it with their board. The program has gone well, and she plans to apply for the funds next year. Council Member Brewer asked if a letter could be sent in support of the program. Mayor Olive stated that Mrs. Kennedy and she will compose a letter for Council Members to sign and send to the NC Housing Finance Agency.

Council Member James Williams made the motion to approve the Capital Project Ordinance Amendment – North Carolina Housing Finance Agency Urgent Repair Program (URP06). Seconded by Mayor Pro Tem McNeil, the motion carried unanimously.

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

**OTHER BUSINESS**

Mayor Pro Tem McNeil announced that tonight is National Night Out and there are a lot of new sites hosting an event.

Mayor Pro Tem McNeil stated that with a lot of new people on the Council and a lot of issues such infrastructure needs that need to be discussed, he felt before it is brought before Council, they need to have a meeting to discuss these items. Mr. Martin agreed with Mr. McNeil that Council needs to have enough information on the items before Council votes on them.

Council Member Brewer stated that the City Manager and he rode through different areas of the City and in East Sanford, there is some rehabilitation being done on several homes. A problem he saw was debris from the homes is being piled by the street. He felt that we need to look at other cities to see how they handle and dispose of the debris. The Hispanic community is doing a tremendous amount of work in East Sanford, and it is saving a lot of houses that would be condemned.

Council Member Williams commented that he received a call from a recruiter from the Central Carolina Community College that wanted to get involved in National Night Out. She asked if she could bring literature for the event and take pictures. Mr. Williams stated it was a very good idea for them to come out to the community and get involved.

Mayor Olive added that last year, the Early College had 73 students to start in that program and 73 to finish in the first year. There were 100 applicants for year two and all 100 showed up to start to school.

Council Member Dan Harrington referred to Mr. Brewer's comments on construction debris. He stated that he has seen in another county where they build a corral out of wood and chicken wire. They wire it together and throw all their stuff that blows down the street in the corral and cover it up. We may need to look at doing something like that to keep the debris from blowing all over the neighborhood.

Mayor Olive welcomed Assistant Fire Chief Hayden Lutterloh back to work. Mr. Lutterloh was out of work due to health reasons.

Mayor Olive brought attention to the artwork that has been installed in the lobby of City Hall. A plaque is being prepared explaining the artwork.

City Manager Hal Hegwer stated that he has heard the Council and there will be a work session scheduled for the last Wednesday of each month. The next work session will be held on Wednesday, August 29, 2007.

**PUBLIC COMMENT**

No individual signed up to speak.

**ADJOURNMENT**

With no further business to come before the council, the meeting was adjourned on motion of Council Member James Williams; seconded by Council Member Steve Brewer, the motion carried unanimously.

Respectfully submitted,

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CORNELIA P. OLIVE, MAYOR

ATTEST:

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BONNIE D. WHITE, CITY CLERK

