

**SANFORD CITY COUNCIL
WORK SESSION**

Tuesday, January 14, 2020
225 East Weatherspoon Street, Sanford, NC

The City Council held a work session on Tuesday, January 14, 2020, at 6:00 p.m. in the West End Conference Room at City Hall. The following people were present:

Mayor Chet Mann
Council Member Sam Gaskins
Council Member Charles Tylor
Council Member Rebecca Wyhof Salmon
City Manager Hal Hegwer
Deputy City Clerk Vicki Cannady

Mayor Pro Tem Byron Buckels
Council Member Jimmy Haire
Council Member Norman Charles Post, III (in 6:10 pm)
Council Member James Williams
City Attorney Susan Patterson

Absent:
City Clerk Bonnie Davis

Mayor Mann called the work session to order.

Update on Public Arts Projects (Exhibit A)

Liz Whitmore, Planner II- Historic Preservation, reviewed projects as shown on the attached Exhibit A, as follows:

- “Interactive Wings”: This three-dimensional mural will be about 14 feet tall, include a reference to Sanford and will be located near the “Before I Die” wall. The small butterflies will be on wires and move in the breeze. It has been shown to DSI, Appearance Commission and Public Arts Subcommittee and was well received: DSI provided a grant of \$2,250 for half the cost.
- Dr. Mary Margaret McLeod Mural: The Suzanne Reives Literary Club spearheaded private fund-raising for this mural that will be located on the Lee County Government Center wall facing Carthage Street. It was presented to the County Commissioners earlier this month and they requested that Dr. McLeod’s image be more pronounced (see “before” and “after” images). Ms. Whitmore has received many calls on this mural, some supporting and some opposing.
- Love Locks: Current plans call for installing this eight-foot tall, eight-foot wide structure that will also include an 18-inch tall bench (for wedding, prom, engagement photo opportunities) in Kiwanis Family Park. “Sanford” will be included in the structure and “NC” will likely be included as well. This international project dates back several years and has been very popular, so they hope it will encourage interest in interactive public arts and bring visitors to the city. Ms. Whitmore recently received drawings for the footings that will be presented to the Inspection Department for approval (since it is a substantial structure).
- All public art items will have an “Otocast” app sign to provide additional information.
- Street Pianos: The Arts Council has allowed the first street piano (which is being painted now by Reggie Card) to be placed in their office where it can be viewed during the project. The bench has been completed and the piano has been sanded down and painted.
- Otocast app: This app provides information on the public arts program, which is being incorporated into the third-grade curriculum on state and local history at Tramway Elementary School.

- On September 22, 2020, a “Roots and Branches” cultural theatrical performance will be held that will include performances by the Bullock Elementary School Choir, Tommy Edwards Bluegrass Band, Rod Brower, Together N Unity Gospel Choir, and the premier of an opera. Plans also call for a catered reception to be held at the Hawkins House. This fundraising effort is being done in collaboration with the Moore County Arts Council.
- Charlie Watson Lane: Discussion has addressed how to make this narrow alley passageway safe and let people know it serves as a pass-through between two parking lots. The photo on page 8 of Exhibit A shows the desired look, with overhead lights strung between the two sides (an estimate is being developed by Jason Howard Electrical) and an arch. Fundraising may help pay for these improvements and DSI may provide some funding.
- Ms. Whitmore reviewed potential projects that may be developed as shown on page 9.
- Train Wall: Historic buildings in Sanford and Jonesboro could be used for this project with a train about 100 feet long at an estimated cost of \$90,000 to \$100,000. The photo shown on page 11 is from Waterbury, Vermont where the train was about 60 feet long and cost was about \$55,000. That track is owned by Genesee & Wyoming, which also owns our track. Ms. Whitmore stated that she will ask if they would forego their fee if we include a plaque with their name on it
- The Stonecutter: This photo came from the book, “The History and Architecture of Lee County” by Daniel Pezoni and the name of the stonecutter was not given. An estimate of \$95,000 was received about two years ago.
- Charlie Watson: Several people have told Ms. Whitmore that this drawing by Hal Siler really epitomizes Mr. Watson. She suggested a sculpture would be a great addition to Steele Street, near Charlie Watson Lane.

Mayor Mann suggested that since the school system has incorporated public art into their curriculum, perhaps they could incorporate field trips of the mural trail. He has received lots of positive feedback and hears that more people are doing the mural trail. Ms. Whitmore informed Council that a group from the Philippines who were recently visiting friends in Cary heard about our public arts program and came to Sanford to see what we have done.

Recess

A dinner break was taken from 6:15 p.m. until 6:25, at which time the meeting was reconvened.

Airport Sewer Relocation (Exhibit B)

Van Johnson, Engineering Project Administrator, explained that the Federal Aviation Agency has stringent regulations regarding construction near airport runways and in our particular case, there can be no activity within 250 feet on either side of the center line of the runway, as shown by the dotted black lines on the attached Exhibit B. Staff worked with our consulting engineer Freese & Nichols and the only alternative to get under the runway was to bore and jack: a pit is dug (as shown by the red box on the upper left side of the dotted line), then set up a machine on a track – basically a tube with an auger inside – that augers dirt out as it advances. As each 20-foot piece is placed, another segment of casing is added. Mr. Johnson noted that original plans were to go across as shown by the green dotted line but unfortunately, the contractor got to the edge of the runway and encountered “rip rap” that is not native to the airport area and they were not sure how large the pocket was. After lengthy investigation and conversations, they concluded that it may have been brought in years ago to fill a drainage channel. As the bore approached the edge of the runway, the auger would loosen the rip rap and it would fall into the

casing. It was jamming up the auger but more importantly, it was possibly creating a void above the casing that could be catastrophic under a runway, so boring stopped again. Staff from our office and Freese and Nichols staff did extensive investigating (including talks with people from out of state) and tests were made (ground penetrating radar, an electrical resistivity survey and a multi-channel analysis of surface weight) to determine if there was more rip rap. More was found but since it was not in a defined area, they came to the conclusion that it was sporadically scattered throughout the area. Based on advice of the consulting engineer, City Engineer Paul Weeks and the contractor, a proposal was made to move the bore site 70 feet to the north, primarily for safety reasons, as shown by the purple line on the attached map and it was also agreed that the original bore should be stopped and filled with concrete.

Mr. Johnson explained that the tests were inconclusive and boring is never a guarantee. He noted that if the rip rap had been native to this area, the contractor could have made plans to address it, but given the fact that boring had gone to the edge of the runway, there was no alternative but to close it up and move elsewhere. Mr. Johnson proposed putting a new head on the machine that runs in front of the casing so everything comes through the center and there is no chance to create a void. Freese and Nichols, along with the contractor, have recommended a change order with a cost of \$285,100 to the project's original contract price of \$1.7 million. This will close the existing bore and include a new bore up to the same point as the original and from that location, the cost would revert to unit pricing. The change would also include two additional manholes and 140 feet of additional pipe. The only other option would be to micro-tunnel and that would likely cost about five times more than this recommended change order and would be a considerable operation. He also noted that this issue was first discovered around August 2 and it has taken this long to consider possible solutions; all options were exhausted to reach this point. Mr. Johnson then answered questions from the Mayor and Council members on project specifics.

Public Works Director Vic Czar explained that we are paying for the 30 foot bore because the contractor did it in good faith and could go no further through no fault of his own. The project could have been opened for bids with a guaranteed price but that is typically about five times higher and has been done only once since he has worked for the City. The project was done with the bore and jack method because typically only native materials, such as brownstone, are encountered but other materials (stumps, etc.) could have been dumped, as was the case here, so we will have to relocate the bore to an area where the contractor will not likely encounter more material.

Mr. Johnson reminded Council that he had been in the construction business for many years before coming to work for the City and never ran into a situation quite like this and understands that the City has not had this problem before; however, we simply cannot take a chance on creating a potential void under the airport runway. He explained that budgeted funds are available to cover this change order.

Underground Utility Cost for Carthage Street Improvements

City Engineer Paul Weeks explained that plans call for DOT to begin this project around 2024 and they need to know whether we want to have utilities in front of the hospital (from Wicker Street to K.M. Wicker Drive) relocated underground. DOT will typically relocate power poles and if we want to convert to underground, we would pay the cost difference. Duke has estimated the cost would be about \$2.3 million to convert to underground and this does not include engineering costs or trenching. Council Member Salmon suggested there are more high-impact projects that could be done with that much money. Council Member Buckels agreed and Mayor Mann noted there appeared to be consensus to pass on converting to underground utilities in this project area.

Underground Utility Cost for NC-42 Road Widening Project

City Engineer Paul Weeks explained that DOT has estimated that the cost to relocate power underground on Highway 42/Broadway Road for the road widening project will be about \$700 per foot or approximately \$7 million for the portion from Horner Boulevard to Cox Mill Road. He explained that the distance could be shortened and if Council is interested, we would commission a study that would take six to nine months. He reminded Council that the project is currently scheduled for 2021 and if we want to relocate the utilities, it would delay this start date. Consensus was reached that we would not pursue this option.

Olde Towne Drive/Charleston Drive Intersection (Exhibit C)

City Engineer Paul Weeks explained that a request was made to talk to DOT about ways to increase safety at the intersection where Charleston Drive turns into Olde Towne Drive, as shown on the attached Exhibit C. DOT staff researched the situation and told our staff that no changes were warranted. After additional discussion, however, they agreed to allow the City to pursue several options if we agreed to pay the costs: converting the intersection into a two-way stop with stop signs at Charleston Drive and Olde Towne Drive, installing rumble strips or extending the guard rail.

Council Member Taylor explained that drivers coming from the Food Lion Shopping Center often speed. The mailbox at the first house on Olde Town Drive has been destroyed several times, the house has been hit and a law enforcement vehicle lost a tire. If we decide to install stop signs, he recommended placing one at Acorn Drive (the side street before the road takes the hard curve and changes names) before vehicles can reach higher speeds and before they reach the curve. He also noted that none of the accidents are from inside the neighborhood but from vehicles from the shopping center.

Council Member Salmon agreed that stop signs would be the quickest and easiest alternative. Mr. Weeks stated that the initial recommendation from DOT Traffic Services was a two-way stop at Charleston and Olde Towne Drive but agreed to pass the request for a stop sign at Acorn Drive along for approval. He also noted that rumble strips would be more expensive to remove than stop signs. Mayor Mann questioned whether there was adequate time for motorists coming from the shopping center to slow down before reaching a stop sign at the curve and Mr. Weeks responded that "stop sign ahead" signs could also be placed. Mr. Taylor noted that signs are already in place to indicate there is a curve. City Manager Hal Hegwer stated that we have already changed a light pole and fixture and reminded Council that while Charleston Drive is a DOT-maintained street, Olde Town Drive is city-maintained. Council Member Salmon suggested a blinking stop sign. Mr. Weeks explained that DOT has painted the entire guard rail yellow and added arrow signs typical for sharp curves, but none of this has changed behavior consistently. Council Member Williams questioned whether the guardrail could be extended and Mr. Weeks confirmed that was an option but it would be the City's expense. Council Member Gaskins suggested the guard rail would not eliminate accidents but stop signs might.

Mayor Mann noted there was consensus to proceed with stop signs at the curve at the top of the hill and at Acorn Drive. Mr. Weeks reminded Council that he would have to ask DOT representatives if they would allow one at Acorn Drive since that was not included in the original conversation.

Engineering Agreement for Little Buffalo Sewer Rehabilitation Project (Exhibit D)

City Engineer Paul Weeks explained that staff started the engineering selection process in April for the Little Buffalo Sewer Rehabilitation project that goes from Chisholm and First Streets to Third and Alcott Streets (near the smokestack and small bridge on Chisholm Street, near the warehouses) in an attempt to help minimize the number of chronic overflows in that area. He stated that staff recommends

entering into a design contract with WithersRavenel in the amount of \$414,630. Once design work is done, we would upsize the existing 12-inch sewer line to an 18-inch line that should handle overflows better. Design work would likely be completed in December and the project would be opened for bids in January 2021. He noted there will likely be quite a bit of disruption since the work will be done on busy streets and that a portion of the new line will run parallel to Little Buffalo Creek, as shown on the lower right portion of the map (page 2 of Exhibit D). This area is outside the road right-of-way and will require some specialized work that may require some easements. He informed Council that one section of this line will apparently go underneath a commercial building and they are trying to design around it, noting that this is not the only older building in the City built over a sewer line.

Mr. Weeks explained that five engineers submitted proposals last April and two were selected, Freese and Nichols, and WithersRavenel. Both were interviewed and scores were extremely close (as shown on the attached Exhibit F scoring sheet) but staff has recommended we enter into a contract with WithersRavenel. The contract is being reviewed and will be presented to Council soon for approval. He confirmed that \$900,000 was included in the budget for this capital project design but funds for the actual construction have not been set aside yet. He estimated that the project will take about ten months and suggested that we inform the public ahead of time so they can be prepared. He also informed Council that we are looking at “SRF funding” which is typically half the prevailing market rate. The engineers will contact the Division of Water and Infrastructure to determine whether they will accept our application (with an April deadline) and discuss our chances of being funded. He also confirmed that pipes will actually be replaced and they will be using two methods. One is to dig and replace and the other is pipe bursting: a hole is dug on either side of the manhole and the 18-inch pipe is pulled through the 12-inch pipe, which is shattered. Pipe bursting is much faster and this would be the first time it has been done here.

Mr. Weeks confirmed this process will not completely solve the overflow problem but will allow us to manage more water. Our overflows tend to occur during heavy rains and there will still be rainstorms that the system cannot handle. The system would be able to manage some of those rain events but in order to do more, we would have to replace another 19,000 feet beyond the yellow line shown on the attached map and there would be another 25,000 feet to replace or upgrade going to the lift station. He noted that our engineers have recommended this as the next step. Council Member Gaskins commented that while would more than double the capacity, it still isn’t a complete solution. Mr. Weeks reminded everyone that a Wastewater Master Plan was done in 2015 and we received an Asset Inventory and Assessment grant to do some flow monitoring and that modelling indicated that this project would take some flow out of the system but there will still be some rain events that cause overflows.

Mr. Weeks agreed to keep Council informed of the time frame. If the entire project can be done through pipe bursting, it may take less than ten months but if they have to dig and replace, it would take longer. They will not know until they get in the system and have the camera work done.

Project Safe Neighborhoods Agreement (Exhibit E)

City Manager Hal Hegwer reminded everyone that the City has worked with Project Safe Neighborhood (“PSN”) for several years and conversations were held recently with Rob Lang, Assistant U.S. Attorney for the Middle District of North Carolina, about what we can do to incorporate a civilian to coordinate efforts with the law enforcement community and increase outreach within our community similar to that being done in other cities across the country. By working with Mr. Lang, the local District Attorney (“DA”) and local law enforcement agencies, a proposal has been made to house this position through the local DA’s office since the County is responsible for state agencies at the County courthouse.

Mr. Hegwer reviewed the Memorandum of Agreement prepared by the NC Administrative Office of the Courts for the part-time coordinator position. It is estimated that it will require about 20 hours per week at an estimated total cost of \$27,628, which would be split evenly between the City of Sanford and Lee County; it will not include any benefits. He noted that the agreement can be terminated by any party with a 60-day notice. The coordinator would report to and fall under supervision of the local DA but work in conjunction with Sanford and Broadway police and Lee County Sheriff's Department and would also involve travel to other PSN communities. The clear emphasis of this position, however, is to coordinate and follow the PSN agenda and carry out its mission through a very specific coordinated approach to deal with specific offenders (convicted felons at least 18-years old who have served time in prison or are on active probation, one or more arrests involving a firearm violation, no medical or physical limitations, etc.). The specific job description is being developed and should be included before the agreement is presented for Council approval. The County Commissioners will likely take action on the agreement at its meeting next week. The U.S. Attorney's office would like to schedule training for all Middle District coordinators so they would like to have the agreement in place soon.

There was discussion regarding how to ensure there is a connection to the community. Police Chief Ronnie Yarborough explained that the program was designed to be "the leading violence reduction strategy of the U.S. Department of Justice. It involves federal and local cooperation to focus on the most violent offenders and groups in our local communities" and "the PSN parties agree that the core mission of the PSN Safe Lee County strategy would be to improve the quality of life of all the citizens by reducing violent crime." The coordinator would play a part in various segments of the program and work with the committees (Advisory, Executive, etc.). Mayor Mann suggested that Council members could use this opportunity to hold community and Neighborhood Watch meetings, invite community police representatives to help identify and rid ourselves of some of the worst offenders while preventing youth from involvement with crime. Mr. Hegwer noted that programs to specifically address juvenile crime would have to be funded separately from PSN. Council Member Salmon cautioned that she wants to ensure that the public doesn't assume that PSN will solve all crime problems and that we are very clear on the program's objective. Mayor Mann suggested we ensure awareness through CCCC, the Boys and Girls Club and other advocacy groups. Chief Yarborough agreed that the program seeks to involve the citizenry by asking people to serve as members of advisory groups so they can go out and work with the communities and agreed that government and local law enforcement cannot do all these things. He stated that having a civilian coordinator to work with these different groups gives law enforcement time to concentrate on law enforcement and by talking with other coordinators, he thinks our coordinator will see how the program works in other cities and counties, which programs work best, which avenues have more reach and which would be most valuable for them and the program.

Mayor Mann reminded everyone that the current topic is the structure of this agreement and funding the coordinator position, not the resources that may come later. Mr. Hegwer agreed there may be other things that can be done for the community in the future but PSN is focused on specific issues. Chief Yarborough explained that he and the Sheriff will be involved in the hiring process but since the position will be handled through the DA's office, the DA will likely play a larger role in the selection and make the final decision. He also noted that staff from Mr. Lang's office visits every eight to twelve weeks to screen violent offense cases (particularly those with prior records and weapons charges) and decide which cases will be taken to federal court and which will remain in state court. Consensus was reached to include the agreement on Council's next meeting agenda.

Presentation of PAFR (Popular Annual Financial Report) (Exhibit F)

Financial Services Director Beth Kelly presented the current Popular Annual Financial Report and noted that this year's centerfold is the public arts mural project; next year's centerfold will be the splashpad. She reviewed the document and explained that it is included in book form as a link on the city's website. Hard copies will be placed in our lobby, SAGA offices, the Raleigh Exec Jetport and Carolina Trace rental agency. Financial information is included for the General and Utility Funds in the back of the book, along with an overview of Fund Balance and a synopsis of our budget process. Information on the governing body is included, along with information on awards staff has received for the budget. The report was also submitted to the Government Finance Officers Association for their annual award, which we have received for the past four straight years. She noted that the idea for a "popular" report came from the very first Citizens' Academy: since the Comprehensive Annual Financial Report ("CAFRA") is much more detailed and designed to meet accounting standards, the PAFR conveys information in a style geared more toward the layman. She noted that Kelly Miller, the City's Public Information Officer, did all graphic and design work for the report and it was sent out only for printing.

Pre-Retreat

City Manager Hal Hegwer suggested that reviewing pre-retreat information be delayed until Council's next workshop meeting. Mayor Mann agreed that the review should be through and not rushed.

Other Business

Council Member Haire commented on the recent rash of BB-gun window shootings that began before Christmas at the Riverbirch Shopping Center. City Manager Hegwer agreed to investigate and update Council on the investigation.

Council Member Salmon questioned when new recycling calendars would be received from Waste Industries. Public Works Manager Fedd Walker responded that staff requested the calendars about two months earlier this year than last and while they are not out yet, they are due soon.

CLOSED SESSION

Council Member Gaskins made a motion to go into closed session in accordance with N.C.S.G. 143-318.11(a)(4), to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body. The motion was seconded by Council Member Salmon and carried unanimously.

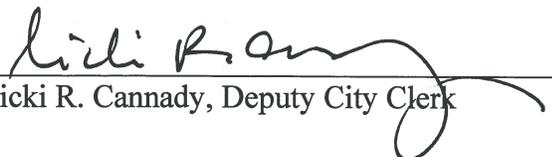
RETURN TO REGULAR SESSION AND ADJOURNMENT

Council Member Gaskins made the motion to adjourn. Seconded by Council Member Wyhof, the motion carried unanimously.

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



T. Chet Mann, Mayor



Vicki R. Cannady, Deputy City Clerk