

**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, February 4, 2020, at 6 p.m., in Council Chambers. The following people were present:

Mayor T. Chet Mann  
Council Member Sam Gaskins  
Council Member Rebecca Wyhof Salmon  
Council Member James Williams  
City Attorney Susan Patterson

Mayor Pro Tem Byron Buckels  
Council Member Norman Charles Post, III  
Council Member Charles Taylor  
City Manager Hal Hegwer  
Deputy City Clerk Vicki Cannady

Absent:

Council Member Jimmy Haire  
City Clerk Bonnie Davis

**CALL TO ORDER**

Mayor Mann called the meeting to order. Council Member Williams led the invocation and the Pledge of Allegiance was recited.

**PUBLIC COMMENT**

There were no requests for public comment.

**APPROVAL OF AGENDA**

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

**CONSENT AGENDA**

Approval of Minutes of City Council Meeting with Citizens Academy Participants dated October 15, 2019 – (filed in Minute Book 99)

Approval of City Council Meeting Minutes dated December 17, 2019 – (filed in Minute Book 100)

Approval of City Council Meeting Minutes dated January 7, 2020 – (filed in Minute Book 100)

Approval of City Council Meeting Minutes dated January 21, 2020 – (filed in Minute Book 100)

Council Member Gaskins made a motion to approve the Consent Agenda; seconded by Mayor Pro Tem Buckels, the motion carried unanimously.

**SPECIAL AGENDA**

Presentation of “Sanford NC – The Black Wall Street” Website ([sanfordncetheblackwallstreet.com](http://sanfordncetheblackwallstreet.com))

Carol Deese (of 2240 Chalmers Drive, Sanford, and 10446 Council Drive, Chapel Hill) announced that she was launching a new website, [sanfordncetheblackwallstreet.com](http://sanfordncetheblackwallstreet.com), that will serve as a community connection. She reviewed information on black leaders and entrepreneurs who made significant contributions to our community and noted that new information and content would be added to the website. She encouraged people to visit the website, share information and comments, and celebrate black history not only during Black History month (February) but year-round.

### **CASES FOR PUBLIC HEARING**

There were no cases for public hearing.

### **DECISIONS ON PUBLIC HEARINGS**

There were no decisions on public hearings.

### **REGULAR AGENDA**

#### **Municipal Agreement with Betterments for Transportation Improvement Project #R3830 – Broadway Road Widening – Exhibit A**

Community Development Director Marshall Downey reminded Council that staff presented information on the Broadway Road widening project in late 2019. It is an opportunity to enhance that corridor through a partnership with DOT that includes a stipulation that we must provide matching funds. The City is required to provide a 30 percent match of \$112,500 for the sidewalk portion of this project. The red line on Exhibit A indicates where sidewalk and bike lanes will be located, along the north side of Broadway Road from Horner Boulevard to Thornwood Mobile Home Park and on the south side of Broadway Road from Horner Boulevard to the Rosser Road intersection. The cost for bike lanes is \$195,716 and the City will be responsible for this entire cost. Bike lanes will be included throughout the entire project, from Horner Boulevard to the edge of the current City limits as shown on the attached map (red lines show bike lanes and sidewalk while purple lines are bike lanes only). Mr. Downey noted that these cost figures have not changed substantially since they were previously presented to Council and consensus was reached to move forward. He explained that signing this agreement will finalize the DOT agreement for the project, which is planned for 2023-2024, at which time the funds will be due.

Council Member Gaskins made a motion to approve the Municipal Agreement with Betterments for Transportation Improvement Project #R3830 – Broadway Road Widening. Seconded by Council Member Salmon, the motion carried unanimously.

### **NEW BUSINESS**

#### **Westfall Subdivision (now called “Autumnwood”) Preliminary Plat Renewal – Exhibit B**

Zoning Administrator Amy McNeill explained that Albert Adcock has requested renewal of the Westfall Subdivision preliminary plat, noting that the subdivision has been renamed as “Autumnwood” since the original approval for marketing purposes. The plat was originally approved in 2006 with a two-year extension granted in 2009. The map for Phase I was recorded in 2010 and several lots have been sold and houses built since that time. The property owner would now like to move forward with the remaining phases of the subdivision and is therefore asking to renew the preliminary plat. If approved, it would be valid for two years (the maximum allowed by the Uniform Development Ordinance), with two years allowed between the recordation date of each phase. Ms. McNeill confirmed that the design has not changed and the Technical Review Committee (“TRC”) was amenable to this request.

Ms. McNeill stated that the Planning Board considered this item at its January 21 meeting and recommended by unanimous vote that Council approve the request to renew the preliminary plat with the design as originally approved in 2006; however, they included a condition that the second entrance/exit connecting to Valley Road (for fire and emergency services) be maintained per codes and policies of the Sanford Fire Department prior to recording the final plat for the next phase. This condition was made due to concerns expressed during the TRC review by the Fire Department that the existing emergency services access was not being properly maintained. This recommendation also includes general language from the staff report which states that all outstanding TRC comments be addressed prior to the final plat being recorded. There was also discussion regarding the staff recommendation that

Redwood Drive be extended to the westernmost perimeter of the property line as a stub street for potential future development on the adjoining tract. After considering the existing development, the adjoining tract of land and growth in the area, the Planning Board concluded that having the Autumnwood subdivision remain separate and buffered from adjoining residences by vegetation typically found in a residential back yard was more amenable than having a stub street to the adjoining property. There was also consensus that the plat was originally approved in 2006 without this stub street and should remain as-is. Ms. McNeill also noted that a public hearing was not required to renew this preliminary plat.

Mayor Pro Tem Member Buckels requested that he be recused from this vote since he is employed by Adcock & Associates Real Estate, a company formerly owned by the property owner, Albert Adcock. Council Member Taylor made a motion to recuse Mayor Pro Tem Buckels from the vote on renewing the preliminary plat for the Westfall Subdivision (now called "Autumnwood"). Council Member Gaskins seconded the motion, which carried unanimously.

Council Member Taylor made a motion to renew the preliminary plat for Westfall Subdivision (now called "Autumnwood"), subject to the conditions included on the Planning Board Recommendation (attached as Exhibit B). Seconded by Council Member Post, the motion carried unanimously.

Award of Design-Build Contract for Project Forge Water Line Extension and Access Road – Designer’s Fee– Exhibit C

City Engineer Paul Weeks explained that staff advertised the City’s Request for Proposals on December 22, 2019, for the Project Forge design-build project and sent information to two firms they knew participated in design-build projects. He reminded Council that this process is different than the typical construction process where the apparent low bidder is selected from all bids submitted. Only one response was received, so staff re-advertised and bids were opened on January 12, 2020, when, once again, only one response was received, from the Sanford Contractors/WithersRavenel team. They are currently working with staff on another design-build project and our staff has worked with both companies in the past and found they both do excellent work; staff is quite comfortable with them. For this particular design-build contract, Mr. Weeks explained that the first portion is the designer’s fee to design the access road and waterline. The team would present a guaranteed maximum price; staff would then negotiate and present that information to Council for award. He announced that staff recommends awarding the designer fee portion of the design-build contract to the Sanford Contractors/WithersRavenel team and noted that funds have been budgeted and are available (a total of approximately \$1.2 million was budgeted per the engineer’s estimate for the roadway and waterline portion of this project).

Council Member Gaskins made a motion to award the Design-Build Contract for Project Forge Water Line Extension and Access Road – Designer’s Fee to the Sanford Contractors/WithersRavenel team for \$45,000. Seconded by Council Member Williams, the motion carried unanimously.

Offer from Calin Davidson to Purchase Vacant Lot at 1405 Boykin Avenue – Exhibit D

City Attorney Susan Patterson explained that an offer has been received from Calin Davidson to purchase a vacant lot at 1405 Boykin Avenue for \$1,000 and that Ms. Davidson owns the adjoining property. If Council accepts this offer, a resolution would be needed to authorize advertising the offer under the offer/advertisement/upset bid process. The resolution would declare the property as surplus, state that an offer has been received, and describe the time period in which the bid could be upset. When the bid period is closed, Council could reject or accept any and all offers.

- Resolution Authorizing the Advertisement of an Offer to Purchase 1405 Boykin Avenue, PIN 9642-64-6268, Sanford, North Carolina – Exhibit E  
Council Member Gaskins made a motion to approve the Resolution Authorizing the Advertisement of an Offer to Purchase 1405 Boykin Avenue, PIN 9642-64-6268, Sanford, North Carolina. The motion was seconded by Council Member Buckels.

Attorney Patterson could not confirm whether the lot was buildable but noted that a creek runs through a low area near the tree line shown on the map (attached as Exhibit C) and confirmed that the City has owned the property for quite some time.

Mayor Mann called for a vote on the motion, which carried unanimously.

Second Addendum to Commercial Lease Agreement with Progressive Development Company, LLC, County of Lee, and City of Sanford for Storage Rooms – Exhibit F

Holly Marosites, Management Analyst, explained that this Addendum to the Commercial Lease Agreement with Progressive Development Company would add 342 square feet of storage space for departments located at the Buggy Building at a total cost of \$325 per month and this cost would be split between the City and County.

Council Member Salmon made a motion to approve the Second Addendum to Commercial Lease Agreement with Progressive Development Company, LLC, County of Lee, and City of Sanford, for Storage Rooms. Seconded by Council Member Post, the motion carried unanimously.

Quarterly Budget Report – Exhibit G

Financial Services Director Beth Kelly reviewed the attached quarterly Budget Report, noting highlights, revenues and expenditures for the following funds: General Fund, Utility Fund, Municipal Service District Fund, Capital Funds, Golf Department, Sanford Cares, and Sanford Tourism Development Authority. She also reviewed Occupancy Tax revenue. She confirmed that the City is treating less leachate than in previous years and received about \$300,000 less revenue than the previous year. We received about \$3.6 million through December 31, 2019, compared to \$3.968 million through the same period in 2018. She noted, however, that while this isn't all related to leachate treatment, the majority of it is and City Manager Hal Hegwer noted that this treatment could continue for many years. Regarding the TDA budget, Mrs. Kelly explained that since they did not know when a director would be hired nor the salary, they budgeted the entire \$230,000 they planned to receive and did not submit a detailed budget for this year, but their staff is currently working on a detailed budget for next year.

Regarding occupancy tax revenues from hotels that may be locating to Sanford, Community Director Marshall Downey advised Council that no formal plans have been submitted; however, the Fairfield Inn project has been initiated and the building is under construction. Mayor Mann noted that if the County's sports park referendum is approved, it will include a development area for a hotel. Mr. Downey also commented that with the Buggy Company Building being a "one-stop shop" housing the TDA, DSI and Community Development, staff was able to provide connections between hotel representatives and the TDA to help answer some questions. Mrs. Kelly confirmed that based on discussions she has had with hoteliers, events that are not necessarily funded through the TDA are already scheduled and some events are seasonal. She also noted that one of the TDA's goals is for their new Executive Director to recruit a wider variety of events and larger events and this will help increase occupancy tax revenue from hotels.

**OTHER BUSINESS**

Council Member Taylor extended condolences to the family of Richard Hayes, who was a public servant and former Lee County Commissioner.

Mayor Mann thanked Council and staff for the kindness shown during the recent death of his grandmother, Sarah Mann. He stated that Sanford will be 150 years old in 2024 (the same year that the U.S. Golf Open will be held in Pinehurst) and suggested we bring the TDA, DSI and other community entities together to help plan for this event. He also noted that this year's Council retreat will be held later in the month and a pre-retreat meeting will be held soon.

**Closed Session**

Council Member Salmon made a motion to go into closed session in accordance with N.C.G.S. 143-318.11(a)(1), to prevent the disclosure of information this is privileged or confidential or is not considered a public record; (4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body; and (5) to instruct the public body's staff or negotiating agents concerning the position to be taken on behalf of the public body in negotiating the price or other material terms of a contract for the acquisition of real property. Seconded by Council Member Williams, the motion carried unanimously.

**RETURN TO REGULAR SESSION AND ADJOURNMENT**

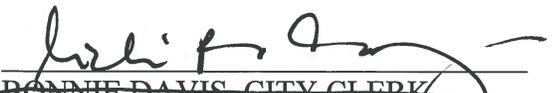
Council Member Taylor made the motion to adjourn the meeting; seconded by Council Member Salmon, the motion carried unanimously.

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

Respectfully Submitted,

  
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T. CHET MANN, MAYOR

ATTEST:

  
\_\_\_\_\_  
~~BONNIE DAVIS, CITY CLERK~~  
Vicki R. Cannady,  
Deputy City Clerk