

**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, June 16, 2020, at 6 p.m., in Council Chambers. The following people were present:

Mayor T. Chet Mann	Council Member Sam Gaskins
Council Member Jimmy Haire	Council Member Charles Taylor
Council Member James Williams	Council Member Norman Charles Post, III
Mayor Pro Tem Byron Buckels	City Attorney Susan Patterson
Council Member Rebecca Wyhof Salmon	City Clerk Bonnie Davis
City Manager Hal Hegwer	
Deputy City Clerk Vicki Cannady	

CALL TO ORDER

Mayor Mann called the meeting to order. Mayor Mann noted that this is our first meeting back at City Hall. We are practicing social distancing with the seating marked off. He asked that after an individual speaks and would like to leave, to please exit the room toward the Water Department. In case of an emergency, the Fire Marshall said the social distancing rules would be disregarded during an evacuation.

Mayor Pro Tem Buckels led the invocation. The Pledge of Allegiance was recited.

PUBLIC COMMENT – (Exhibit A)

Mayor Mann stated that public comments are limited to three minutes.

Randy Johnson, residing at 15 Arden Court in Lillington, North Carolina. He grew up on McIver Street and Goldsboro Avenue. He spoke regarding 223 Hillcrest Drive. Attorney Patterson stated that this is public comment period and not the public hearing for the case on Hillcrest Drive. Mr. Johnson agreed to wait and speak at the public hearing.

Kim Lilly, residing at 1101 Wynns Road, Sanford, N.C. She is here to ask to expedite the permitting and the zoning with regards to WBFT - TV46. They are moving towers due to the FCC removing them from the spectrum of 46 to 36. They are relocating from where they have been for 31 years. She is asking that when this matter comes up, it will be Crown Castle, and if they can move it, she is less than a 30-day deadline with the FCC to try to get the station back on the air. It has taken her an entire year to find a tower that could meet the budget needs for the TV Station.

APPROVAL OF AGENDA

Mayor Mann requested that a Closed Session be added under Other Business and to add an under New Business as Item 11-K-1, Resolution Expanding Membership of the Commission on the Opioid Abuse Epidemic.

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

CONSENT AGENDA

Consider Approval of Meeting Minutes – Electronic Council Meeting of April 7, 2020 (Filed in Minute Book 101)

Consider Approval of Meeting Minutes – Electronic Council Meeting of May 5, 2020 (Filed in Minute Book 101)

Consider Approval of Meeting Minutes – Special Electronic Council Meeting of May 11, 2020 (Filed in Minute Book 101)

Consider Approval of Meeting Minutes – Electronic Council Meeting of May 19, 2020 (Filed in Minute Book 101)

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

SPECIAL AGENDA

No items under Special Agenda.

CASES FOR PUBLIC HEARING

Consider Ordinance Directing the Code Enforcement Supervisor to Demolish the Abandoned Building or Structure located at 2208 Buchanan Street, Sanford, NC, and to Award to Edi Sons, Inc. Grading Contractors the Amount of \$4,675 for Demolition of the Structure, Removal of Debris, Grading and Seeding (Exhibit B)

Code Enforcement Officer Barbara McMillian explained that the property is vacant, abandoned and unsecured. There is evidence of trespassing and vandalism. There have been nuisance violations for overgrown grass that has been abated by the City. Code Enforcement has received no response from the owner, nor has the owner taken any action to abate any of the violations. Therefore, staff is requesting approval of an ordinance for demolition of the structure.

Mayor Mann opened the public hearing. The case has been on-going since 2014, at which time, she became the Code Enforcement Supervisor. It has been vacant for at least ten years. With no one requesting to speak, the public hearing was closed.

Council Member Gaskins made the motion to approve the Ordinance Directing the Code Enforcement Supervisor to Demolish the Abandoned Building or Structure located at 2208 Buchanan Street, Sanford, NC, and to Award to Edi Sons, Inc. Grading Contractors the Amount of \$4,675 for Demolition of the Structure, Removal of Debris, Grading and Seeding. Council Member Rebecca Salmon seconded the motion and it carried unanimously.

Consider Ordinance Directing the Code Enforcement Supervisor to Demolish the Abandoned Building or Structure located at 223 Hillcrest Drive, Sanford, NC, and to Award to Edi Sons, Inc. Grading Contractors the Amount of \$11,950 for Demolition of the Residential Structure, Removal

of Debris, Grading and Seeding. The repair or demolition of the retaining wall is estimated to be \$51,275 and will be awarded at a later date. (Exhibit C).

Code Enforcement Officer Barbara McMillian explained that the property is located in the Rosemount-McIver Historic District. It is a fire damaged structure that has been vacant for several years; there is evidence of trespassing and criminal activity. There is a retaining wall on the property that is structurally unstable. Although Code Enforcement has had some response from two of the heirs of the deceased owner; to date, they have not taken any action to either repair or demolish this structure. Staff has had to secure the building on at least two occasions. Staff is requesting approval of an ordinance to demolish the dwelling structure and to either repair or demolish the retaining wall, whichever action is determined to be most feasible. We hired a consultant engineer to prepare a preliminary cost estimate for repair of the retaining wall and he is present for any questions.

Mayor Mann opened the public hearing.

Nancy Gustafson, residing at 217 Hillcrest Drive stated that she and her husband have lived next to this house and over eleven years ago, this house suffered its third fire. Over a year, this house has suffered three fires. Since that time, the owner, Kristine, told her on six separate occasions that she had a buyer for the property. After Christine's death, her daughter, Rachel, told her on one occasion that she also had a buyer, and then on a second occasion, that she and her husband could not decide whether to sell the property or fix it up themselves. None of these plans came to fruition. On two occasions, she had the opportunity to speak to the contractor considering purchase. Both contractors told her that the house would require too much financial cost to repair and bring it back to historic standards and, therefore, it was not financially feasible for them to purchase. Both contractors told her the house would cost too much to repair. During the last eleven plus years, they have had to call the police on numerous occasions due to people entering the house illegally. Litters of kittens have been dropped off at least three times and they have been startled/awakened twice by noises that upon further inspection in the morning, turned out to be large heaps of trash dumped on the sidewalk in front of the property. The property has been an eyesore and there are a lot of safety concerns. She asked Council to demolish the property.

Randy Johnson, residing at 15 Arden Court, Lillington, North Carolina, stated that he has a friend/investor and they were out riding around and he saw the house. They did not know the story about the house and he understands that it has been going on for a long time. He has seen old homes brought back to life and restored. This property needs restoration and there is a buyer. He is not directly involved with the sellers. A local attorney is working on getting the details worked out so that they can move forward with restoring the home. He is seeking a 90-day stay where they can make something happen. He has a gentleman that has actually restored four homes in Lee County and two of the homes were burned. The potential buyer bought a home on 618 Oakwood Avenue that was in disrepair and restored it. He bought the home for \$18,000 and sold it for \$120,000. Everything was brand new in the house. This gentleman repaired another home at 2409 Dover Street, 215 Circle Avenue and another fire damaged home at 909 Tanbarkway. Mr. Johnson stated that he would not be involved with this project at 223 Hillcrest Drive other than help expedite the process of changing hands and getting the right person to restore the home and bring it back to its historical significance. Mr. Johnson went in the home about 35 years ago when he worked with Terminix and he did free home inspections. The house has good "bones"

in it and has floor joists that are 12 inches on center. There is a lot of material in this house counting the brick and lumber. You will lose the tax base if it is demolished and not restored. If demolished, this property becomes a burden on the City with the cost of demolishing it and repairing the retaining wall. The gentleman who would like to purchase it is ready to move forward; however, they need time to resolve the paperwork. A local attorney is working on the process now. They are requesting a 90 day stay. The majority of people he has spoken with would like to see it restored.

Council Member Taylor said that he used to live on Summitt Drive and is very familiar with the home. In the past, Council has allowed some grace with some homes and it did not work well. He heard 90 days and six to seven months to complete it; what assurances are there that it will be resolved in 90 days and are you prepared on the 91st day that if it is not restored, that we can proceed with tearing it down. Mr. Johnson replied that within 90 days, the dead/damaged trees and lot will be cleaned up and will give time for the individual to get the proper permits and start on the project. There are a lot of things in the house that need to be hauled out but the gentleman is ready to start as soon as he gets a clear title. There is an offer to purchase on the property. Mr. Johnson said that he cannot guarantee what someone else will do but he can only speak on what he has seen this gentleman do in the past. This purchaser brings in multiple crews and works hard to get it done quickly because he does it for a living and makes a profit on it. He felt the title issue should be cleared up within 30 days and the purchaser can start working.

Mr. Taylor stated that this house has been an eyesore for eleven years, and he also believes we should preserve historic structures whenever possible. However, he is not sure that it is feasible when looking at the numbers. Is the purchaser aware that the home is located within a historic district and he has to go before the Historic Preservation Commission to get things approved in the process? Mr. Johnson said he felt the purchaser was aware of it and it will cost quite a bit of money to repair this home. As far as assurances, he has a lot of faith in the purchaser to renovate the home.

Mr. Taylor asked Mr. Johnson if the guidelines are not met within 30 days, are they prepared to tear the house down? Mr. Johnson replied that once you take possession of the home, you get the permits you need and start the process. If you have 90 days to get the renovation started and you get the ball rolling, you should get the project complete.

Council Member Gaskins asked if the potential investor has a rough estimate as to what it will cost to restore the building? James Siler, residing at 1624 Crepe Myrtle Drive and a local real estate agent, has been working with the investor for a while to purchase the house. Mr. Siler felt the investor has an estimate; this is what the investor does. Mr. Gaskins asked what is the cost? Mr. Siler replied that he has not been told any figures to rehab the house. He has no numbers to share tonight. Mr. Gaskins felt if it would cost \$250,000 to restore the house, he would like for a bond to be issued to protect the City on failure. Mr. Gaskins felt if the investor puts \$250,000 in the house; he did not see how that investment would be rewarding to the individual if he has to sell it for \$300,000 or more in that particular location. Mr. Siler noted that the bones of the house are solid. There are specific areas where the house has been burned but when you walk in the basement, you can see the floor joists and they are not even charred or burned. Mr. Siler

asked Council to ride down Circle Avenue and he won't even have to give the address; you will know the house the investor rehabbed by the way it looks.

Mayor Mann requested Engineer Ken Bright to address the wall. Mr. Bright, stated that about 20 to 25 years ago, he went to see the same wall and it started to fail at that particular time. Now, the wall has failed by about 60 percent – 90 feet along the wall. It appears that they took the block in the wall and stacked them with a mortar to help hold the bank back. You don't really see anything behind the wall that would indicate that it has moved recently. This wall has been moving for 25 years and it may have moved five inches or so. The problem is they do not know how the wall is constructed because water has gotten underneath the foundation and behind the wall; tree roots may be pushing out on the wall itself. The sidewalk in that area slopes from the street side down to the bottom of the wall, so it would appear that the settling along with the wall and maybe some of the foundation materials have washed out. There is no way to tell unless you start to work on it. He got an estimate from some contractors and Butch Oldham was one of them. The wall will eventually fail.

Community Development Director Marshall Downey clarified that 223 Hillcrest Drive is in the Historic District because they had to take this item to the Historic Preservation Commission for their approval for staff to demolish the house.

Mr. Taylor clarified that if we demolish the house at a cost of \$11,950 and repair the retaining wall at a cost of \$51,275; would it be a lien against the property and Mr. Downey replied yes. Staff filed a lis pendens with the Register of Deeds Office so if someone was interested in doing anything with this property, they would be put on notice that this action was going forward with consideration by this Council for a demolition order.

Ron Gustafson, residing at 217 Hillcrest Drive, reiterated the comments made by his wife, Nancy Gustafson. He requested that the structure be demolished. They live next door to 223 Hillcrest.

Bob Hildreth, residing at 41 Knollwood Lane, Broadway, North Carolina, noted that he and his wife have just moved to Sanford because they love it. One of the things he loves about it is that he can come and speak to Council and explain to them that he can see 223 Hillcrest being a beautiful beacon of light on top of the lot. They have the best guy to renovate it as far as fire damage and stone work, and he is ready to go. The investor has been through the house. Mr. Hildreth added that he has been through this house with a guy that is a contractor and he noted that 70 percent of the bones of this house are solid. Attorney Eddie Winstead is working on finishing up the paperwork. He knows that eleven years is a long time but he felt the history and value of this property to this city is valuable. All they are saying that in 90 days and on day 75, he would like to invite Council to visit the property and he would take them for a tour. If you cannot see from the lot outside and walking through it that they are making progress, then he will bring the first sledge hammer. He is requesting 90 days to make it happen. When Council asked for assurances, he can give them his word and that is a lot; his word has always been his bond.

Jennifer St. Clair, residing at 213 Hillcrest Drive, requested that the house be demolished and the City repair the retaining wall. The house is two doors down from where she lives with her

husband and kids. She stated that no one has taken care of the structure, retaining wall, and trees. For nearly eleven years, people have had to deal with an abandoned, boarded up, unsightly property, but also unwanted pets are being abandoned there, squatters, kids breaking into the house and criminal activity.

Billy Liggett, residing at 213 Hillcrest Drive and husband to Jennifer St. Clair, reiterated a lot of the facts that this wife just stated. He is speaking on behalf of the entire historic district; it is not only this house but there is drug activity that they see in the neighborhood. He said 90 days does not sit well with them because it does not give them a sense of security that they are going to follow through with the project. Ninety days means more meetings, going before the Historic Commission and then 90 days becomes a year and eventually, they are at 20 years and the house is still standing. He asked that the house be demolished.

Mr. Taylor added that he is not opposed to the bond that Mr. Gaskins mentioned, because they need some type of assurance that the work will be done in 90 days. If not, the house is coming down and the bond is forfeited.

Mayor Pro Tem Buckels noted that he respects everyone's opinion and Mr. Johnson canvassed the area and had some opposition and most were okay with it, but he wished the individuals who are okay with it, would have come and talked with him. All of the people he has spoken with are in opposition because it has been eleven years, and now someone is asking for an extension.

Mr. Taylor asked counsel about the question of having a bond for the renovation from the requestor. Attorney Patterson replied that as she understands it, the requestor has no interest in the property at this time. He has no deed to the property and is not in the chain of title. So, this would be a third party asking for you to grant an extra time in order to get into those shoes. One of the reasons it took so long, is there are title issues with the property. There was a deceased; there were issues with heirs and finding heirs and getting them served. In order to do this process, Mrs. McMillian has to have a hearing, issue a finding-of-fact, have them ordered to do something about it, and when they fail to do it, staff will seek action to get these steps in place. If the property changes hands to a new order, the process would be repeated so Ms. McMillian would have to start over with the finding-of-fact and order. Ms. McMillian said in this case, they filed a memorandum of lis pendens in the clerk's office which puts any subsequent buyer on notice of the pending action and the violations that need to be corrected, whether or not the process would have to start over, is not clear to her from the minimum housing and unsafe structure statute. It is her understanding that it would not, because they have been put on notice, but she would refer it back to the City Attorney to look at it and see the status. It does put any perspective purchaser on notice of the conditions and the outstanding order of the code enforcement officer.

Mr. Taylor thought that Council had set a precedent with a previous property in the last year and asked if there was any danger with setting a precedent. Attorney Patterson noted that each case stands on its own merits; it is entirely in the discretion of Council as to whether you grant a stay. Mr. Taylor questioned whether you could hold them to a bond that could be forfeited if the criteria has not been met. Attorney Patterson replied that she is not familiar with a bond used in this instance other than a demolition bond, which is a small bond in the amount of \$500. It sounds

like Mr. Taylor is asking for a contract-sponsored bond and she would have to look into it to see if it is an appropriate tool in this instance. Attorney Patterson replied that she is not comfortable in saying Council can proceed with this type bond. Mayor Mann asked how would you determine the amount of that bond? Attorney Patterson replied that it depends on what you want it to back/cover. The insurance company would have to say that they are indebted to the City of Sanford for the amount to insure the progress or work. It is almost like a performance bond. Mr. Taylor added that it would give an assurance that the work would be done and secondly, he did not see the property being a sellable lot with \$51,000 plus to repair the wall and remove trees if the buyer fails to renovate the property.

City Clerk Bonnie Davis stated that Sharon Spence submitted a letter (in the agenda packet) requesting that the property be demolished.

Bob Hildreth stated that there is one piece of paper that a sibling in Pennsylvania has to sign and Eddie Winstead is handling this matter. If that piece of paper is not signed within two weeks, then we process for the heir who is here, Rachel, to have full possession of the property. She has a hand-written will.

Phillip Leak, residing at 1001 Garden Street, stated he is present to speak on behalf of cultural people primarily African-American people. Mayor Mann informed Mr. Leak that this public hearing is for the demolition of the property on 223 Hillcrest Drive. Mayor Mann stated that Mr. Leak could come back at another meeting and speak or asked to be on the agenda to make a presentation. Mr. Leak replied okay and he would be back.

Shay Benton, residing at 549 Summitt Drive, stated that her driveway faces the house. She would like to see the house restored but she is very spectacted because there have been 4,000 days and yet to see any reproof that the house will be restored. She asked is there any business plan; do we know the financing is secure; do we know if the Historic Commission will approve the plan in place? There are a lot of unopened questions that this house will be restored.

Randy Johnson stated that they were not present six months ago and were not involved in it; however, he has complete confidence in the person who is wanting to purchase the property that it will be restored. He cannot make a promise for someone else because this is not his money but he has some time in it. He loves old houses and would love to see the home restored. They just need more time to get the deed signed and the purchaser can move forward.

Council Member Taylor suggesting tabling the issue to the next Council meeting because he has heard two weeks to get the deed signed; he would like to know about a construction bond to fall back on that would be forfeited if the purchaser does not come through with his request; and he would like to see what two weeks would do. After two weeks, then make a decision.

Mayor Mann closed the public hearing.

Council Member Buckels made the motion to approve the Ordinance Directing the Code Enforcement Supervisor to Demolish the Abandoned Building or Structure located at 223 Hillcrest Drive, Sanford, NC, and to Award to Edi Sons, Inc. Grading Contractors the Amount of \$11,950

for Demolition of the Residential Structure, Removal of Debris, Grading and Seeding. The repair or demolition of the retaining wall is estimated to be \$51,275 and will be awarded at a later date. Council Member Gaskins seconded the motion.

Council Member Taylor made a subsequent motion to table the matter until two weeks for a proof of a bond and or information regarding a bond and a resolution of the deed. Council Member Williams seconded the motion. Mr. Gaskins stated that Council does not have a rough estimate on what it would cost to refurbish the house and make repairs and he cannot imagine the cost being reasonable. He would demand to have a construction bond. Mr. Taylor stated that he can amend his motion that if we do not have that information to move forward with the construction bond within two weeks, that Council move forward with demolition.

Council Member Taylor amended his motion to include that if we do not have the information to move forward with a construction bond in two weeks, that we move forward with demolition. Mayor Mann stated that we have a subsequent motion and a second to table for two weeks to allow information on a construction bond and a resolution of the deed that would then lead to demolition in lieu of. The motion failed with a three to four vote. Members voted in favor of Mr. Taylor's motion were James Williams, Jimmy Haire and Charles Taylor. Members voted against the motion were Byron Buckels, Rebecca Salmon, Norman Charles Post III, Sam Gaskins. The mayor took a vote on the original motion by Mayor Pro Tem Buckels and seconded by Council Member Gaskins; the vote to demolish the structure passed with a five to two vote. Council Members Williams and Taylor voting against the motion to demolish. Voting in favor to demolish the home were Byron Buckels, Rebecca Salmon, Norman Charles Post III, Sam Gaskins and Jimmy Haire.

Mayor Mann called for a five-minute recess at 7:20 P.M.

Consider Ordinance Directing the Code Enforcement Supervisor to Demolish the Abandoned Building or Structure located at 116 McGill Street, Sanford, NC, and to Award to Edi Sons, Inc. Grading Contractors the Amount of \$5,300 for Demolition of the Structure, Removal of Debris, Grading and Seeding (Exhibit D)

Code Enforcement Officer Barbara McMillian explained that the property is a vacant, abandoned residential structure. There is evidence of trespassing and vandalism. The City has had to abate numerous nuisance violations for overgrown grass and assess liens. Code Enforcement has received no response from the owner, nor has the owner taken any action to abate any of the violations. Therefore, staff is requesting approval of an ordinance for demolition of the structure.

Mayor Mann opened the public hearing. With no one speaking in favor or in opposition, the public hearing was closed. Council Member Gaskins made the motion to approve the Ordinance Directing the Code Enforcement Supervisor to Demolish the Abandoned Building or Structure located at 116 McGill Street, Sanford, NC, and to Award to Edi Sons, Inc. Grading Contractors the Amount of \$5,300 for Demolition of the Structure, Removal of Debris, Grading and Seeding. Seconded by Council Member Taylor, the motion carried unanimously.

Consider Ordinance Directing the Code Enforcement Supervisor to Demolish the Abandoned Building or Structure located at 1015 San-Lee Drive, Sanford, NC, and to Award to Edi Sons, Inc.

Grading Contractors the Amount of \$8,450 for Demolition of the Structure, Removal of Debris, Grading and Seeding (Exhibit E)

Code Enforcement Officer Barbara McMillian explained that the property is a vacant, abandoned, and unsecured and there is evidence of trespassing and structural damage as the floors are collapsing. The City has had to abate numerous nuisance violations for overgrown grass and assess liens. Although Code Enforcement has had contact from the owner and he participated in one of the hearings by telephone, he indicated that he was unable to financially repair or demolish the structure. Therefore, staff is requesting approval of an ordinance for demolition of the structure.

Mayor Mann opened the public hearing. With no one speaking in favor or in opposition, the public hearing was closed. Council Member Gaskins made the motion to approve the Ordinance Directing the Code Enforcement Supervisor to Demolish the Abandoned Building or Structure located at 1015 San-Lee Drive, Sanford, NC, and to Award to Edi Sons, Inc. Grading Contractors the Amount of \$8,450 for Demolition of the Structure, Removal of Debris, Grading and Seeding Seconded by Mayor Pro Tem Buckels, the motion carried unanimously.

Consider Ordinance Directing the Code Enforcement Supervisor to Demolish the Abandoned Building or Structure located at 520 Oakwood Avenue, Sanford, NC, and to Award to Edi Sons, Inc. Grading Contractors the Amount of \$5,800 for Demolition of the Structure, Removal of Debris, Grading and Seeding (Exhibit F)

Code Enforcement Officer Barbara McMillian explained that the property is vacant, abandoned, and unsecured and there is evidence of trespassing, as well as, structural damage, including work without permits. Although the owners have attended one of the hearings scheduled by Code Enforcement, they have indicated that they are financially unable to either repair or demolish the structure. Therefore, staff is requesting approval of an ordinance for demolition of the structure.

Mayor Mann opened the public hearing. With no one speaking in favor or in opposition, the public hearing was closed. Mayor Pro Tem Buckels made the motion to approve the Ordinance Directing the Code Enforcement Supervisor to Demolish the Abandoned Building or Structure located at 520 Oakwood Avenue, Sanford, NC, and to Award to Edi Sons, Inc. Grading Contractors the Amount of \$5,800 for Demolition of the Structure, Removal of Debris, Grading and Seeding. Seconded by Council Member Salmon, the motion carried unanimously.

DECISIONS ON PUBLIC HEARINGS

There were no decisions on public hearings.

REGULAR AGENDA

There were no items under regular agenda.

NEW BUSINESS

Consider Capital Project Ordinance Amendment – to Close Amos Bridges Water Main Project No. W1803 (Exhibit G)

Financial Services Director Beth Kelly explained that the ordinance transfers a total of \$168,807 from three accounts to the project account to close the Amos Bridges Water Main Project

No. 1803 out for financial purposes for the audit. The proceeds that were left/unused of this bond proceeds will be moved into the next item – Hawkins Avenue Waterline Improvements Project W1303 since those bond proceeds are restricted to be used towards the four/five projects that we issued the debt for. It closes out and finalizes this project.

Council Member Gaskins made the motion to approve the Capital Project Ordinance Amendment – to Close Amos Bridges Water Main Project No. W1803. Seconded by Council Member Taylor, the motion carried unanimously.

Consider Capital Project Ordinance Amendment – Hawkins Avenue Waterline Improvements Project W1303 (Exhibit H)

Financial Services Director Beth Kelly explained that the ordinance transfers the remaining proceeds from the Amos Bridges Water Main Project No. 1803 in the amount of \$177,735, along with the appropriating interest income earned through this project of \$62,766; this will be used towards the Hawkins Avenue Waterline Improvements Project W1303.

Council Member Gaskins made the motion to approve the Capital Project Ordinance Amendment – Hawkins Avenue Waterline Improvements Project W1303. Seconded by Council member Williams, the motion carried unanimously.

Consider Ordinance Amending the Annual Operating Budget Fiscal Year 2019-2020 – Cleanup Amendment – (Exhibit I)

Financial Services Director Beth Kelly explained that this ordinance is a cleanup budget amendment for departments that will need money before the month end. Staff reviewed each department and these are funds that will be needed for close out of year end 2019-2020.

Council Member Gaskins made the motion to adopt the Ordinance Amending the Annual Operating Budget Fiscal Year 2019-2020 – Cleanup Amendment. Seconded by Council Member Williams, the motion carried unanimously.

Consider Resolution for Wastewater Treatment Plant Flood Protection Project – Big Buffalo Water Reclamation Facility Flood Prevention – Grant/Loan Application (Exhibit J)

City Engineer Paul Weeks explained this item and the next item together. Staff was putting together a grant/loan application for the Little Buffalo Creek sewer line rehabilitation. We had some sanitary overflows on Third Street and this will help us address up to the two-year storm. In the process of putting the applications together for the next item, it became apparent that we could prepare the same application for this item which is the Wastewater Treatment Plant Flood Prevention, (which is a berm). It would raise the berm to a height that would help prevent some of the flooding we have seen before. We currently believe we can be funded by FEMA; but we are trying to pursue all avenues because we might be able to receive a different type of grant/loan which is more beneficial to the City. These applications are due tomorrow; therefore, staff will need to deliver signed resolutions tomorrow. The current berm is at an elevation of about 233; when Hurricane Florence hit, it came up to 235. We are looking at different levels of mediation where we need to move up in order to move forward. We have engineers working on that particular project to design the height.

Council Member Salmon made the motion to approve Resolution for Wastewater Treatment Plant Flood Protection Project – Big Buffalo Water Reclamation Facility Flood Prevention – Grant/Loan Application. Seconded by Council Member Gaskins, the motion carried unanimously.

Consider Resolution for Little Buffalo Creek Sewer Line Rehabilitation Project Grant/Loan Application (Exhibit K)

Mayor Pro Tem Buckels made the motion to approve the Resolution for Little Buffalo Creek Sewer Line Rehabilitation Project Grant/Loan Application. Seconded by Council Member Taylor, the motion carried unanimously.

Consider Reimbursement Resolution – Project Forge – Infrastructure Improvements (Exhibit L)

City Engineer Paul Weeks explained this item (Item F) and the next two items (Items G & H) are the financial instruments that are necessitated by Items I and J on the agenda.

Financial Services Director Beth Kelly explained that this reimbursement resolution would allow the City to issue debt and reimburse ourselves for up to \$1,615,000 related to this project.

Council Member Gaskins made the motion to approve the Reimbursement Resolution – Project Forge – Infrastructure Improvement. Seconded by Mayor Pro Tem Buckels, the motion carried unanimously.

Consider Ordinance Amending the Annual Operating Budget Fiscal Year 2019-2020 – Contribution to Project Forge Infrastructure Improvements (Exhibit M)

Financial Services Director Beth Kelly explained that this ordinance amendment would appropriate retained earnings in the amount of \$1,615,000 to this project.

Mayor Pro Tem Buckels made the motion to approve the Ordinance Amending the Annual Operating Budget Fiscal Year 2019-2020 – Contribution to Project Forge Infrastructure Improvements. Seconded by Council Member Gaskins, the motion carried unanimously.

Consider Grant Project Ordinance Amendment – Project Forge – Infrastructure Improvements (U2001) – (Exhibit N)

Financial Services Director Beth Kelly explained that this ordinance amendment shows the contribution of \$1,615,000 to this project, as well as the CDBG Grant of \$1,250,000, and Industrial Development Grant U-512 in the amount of \$500,000 towards this project.

Council Member Salmon made the motion to approve the Grant Project Ordinance Amendment – Project Forge – Infrastructure Improvements. Seconded by Council Member Gaskins, the motion carried unanimously.

Consider Award of Guaranteed Maximum Price for Project Forge Roadway/Waterline (Exhibit O)

City Engineer Paul Weeks explained that this is the award of a guaranteed maximum price for Project Forge Waterline and access road. As Council recalls for this particular part of the project, the City will be installing the road and waterline. We received a \$964,600 grant from the Department of Transportation (DOT) for the roadway. He has contacted the DOT about their

funding issues and they said they cannot look at reimbursing us before January 1, 2021. In December 2019, Council awarded the guaranteed maximum price on just the designer fees to Sanford Contractors. They completed the design; staff and the DOT reviewed it and we asked for more information, which is how the process works. They came back with a revised guaranteed maximum price is \$2,359,009.22; of this amount, Council previously approved \$45,000 for engineering. Therefore, staff recommends that Council award the construction portion of the Guaranteed Maximum price in the amount of \$2,314,009.22; \$964,600 of the \$2,314,009.22 is from the DOT economic grant.

Mayor Pro Tem Buckels made the motion to award the Guaranteed Maximum Price for Project Forge Roadway/Waterline. Seconded by Council Member Gaskins, the motion carried unanimously.

Consider Award of Project Forge Sewer Extension – Intermediate Force Main Extension, Phase II (Exhibit P)

City Engineer Paul Weeks explained that on February 27, 2020, staff opened bids for the Project Forge Intermediate Force Main Extension Phase II. This is to extend the force main from the airport lift stations to Little Buffalo, which frees up capacity in the Gum Fork lift station. These two are the last two projects for Project Forge. There were four bidders. ELJ, Inc. was the low bidder for the 20-inch force main at a bid price of \$3,348,395.40. Staff recommends going with a 20-inch force main.

Council Member Salmon made the motion to award Project Forge Sewer Extension – Intermediate Force Main Extension, Phase II to ELJ, Inc for \$3,348,395.40. Seconded by Mayor Pro Tem Buckels, the motion carried unanimously.

Consider Resolution of the Sanford City Council Expanding Membership of the Commission on the Opioid Abuse Epidemic – (Exhibit Q)

Council Member Charles Taylor explained that they have had some good dialogue and thanked Council Member Post for his work on this committee. They did a SWAT analysis and they still need to look at it. Two areas that are understated and evident in the SWAT analysis is they have a component with education, whether it be a guidance counselor, a teacher or someone in the school system and that position is not represented on the Opioid Commission. If you are going to reach kids, you need this conduit. Dr. Mauer as done a great job as the treatment representative; however, we do not have a post-treatment representative. We have three qualified applicants on the agenda tonight. Renee Bullard Liles meets the criteria for the post-treatment follow up representative but we need to have the education position. We need to cap the commission members at nine members. This resolution adjusts the voting membership on the Opioid Commission from seven to nine voting members, which will add two members.

Council Member Post made the motion to adopt the Resolution of the Sanford City Council Expanding Membership of the Commission on the Opioid Abuse Epidemic. Seconded by Council Member Salmon, the motion carried unanimously.

Consider Appointments to Various Boards, Commissions and Committees - (Exhibit R)

City Attorney Susan Patterson explained the process of appointments. She stated that you open the floor for nominations. Nominations do not have to be seconded. At some point, you move to close the nominations and then you will have a motion to either appoint someone, which will take a second and a vote, or you can ask for a vote on each nominated party.

ABC Board

Council Member Post nominated Oscar “Buddy” Keller III. Council Member Gaskins moved the nominations be closed and to appoint Mr. Keller by acclamation. Seconded by Council Member Post, the motion carried unanimously.

ADA Committee

Council Member Gaskins nominated Elizabeth Bray. Council Member Post moved to close the nominations and appoint Ms. Bray by acclamation. Seconded by Council Member Gaskins, the motion carried unanimously.

Appearance Commission

Mayor Pro Tem Buckels nominated Kamilah Davis. Council Member Salmon nominated David Schau and Jason Pate. Council Member Post moved to close the nominations and appoint Kamilah Davis, David Schau and Jason Pate by acclamation. Seconded by Council Member Gaskins, the motion carried unanimously.

Board of Adjustment/Housing Board of Appeals

No applications were received.

Historic Preservation Commission

Council Member Taylor nominated Brian John Mitchell and Charles Petty. Council Member Post made the motion to close the nominations and appoint Brian John Mitchell and Charles Petty by acclamation. Seconded by Council Member Gaskins, the motion carried unanimously.

Commission on the Opioid Abuse Epidemic

Council Member Taylor made the motion to nominate Nathaniel Cochrane for the at-large appointment; Dr. Danny Maurer as Treatment Facility Representative and Renee Bullard Liles as the Post-Treatment representative. Council Member Post made the motion to close the nominations and appoint Nathaniel Cochrane at-large, Dr. Danny Maurer (treatment facility representative), and Renee Bullard Liles (post-treatment), by acclamation. Seconded by Council Member Salmon, the motion carried unanimously.

Planning Board

Council Member Post nominated Ken Britton. Council Member Taylor nominated Richard Oldham. Council Member Post moved to close the nominations and appoint Ken Britton and Richard Oldham by acclamation. Seconded by Mayor Pro Tem Buckels, the motion carried unanimously.

Sanford Housing Authority

Mayor Pro Tem Buckels nominated Linda Scott as the resident commissioner. Council Member Post made the motion to close the nominations and appoint Ms. Scott as resident commissioner by acclamation. Seconded by Council Member Salmon and the motion carried unanimously.

Sanford Tourism Development Authority

Mayor Mann stated that the Sanford Tourism Development Authority consists of different sectors of our community and created by the North Carolina General Statute. We have two business/tourism appointments and Council must appoint a chairman from the TDA members. Kevin Brown would like to remain as Chairman.

Council Member Gaskins made the motion to reappoint Kevin Brown as chairman of the TDA. Seconded by Mayor Pro Tem Buckels, the motion carried unanimously.

Council Member Taylor nominated Angela Minnick as the hotelier representative and David Foster as the Business/Tourism Representative. Council Member Post nominated John Lipscomb as a Business/Tourism Representative. Council Member Post made the motion to close the nominations. Seconded by Mayor Pro Tem Buckels and the motion carried unanimously.

Council Member Post amended his motion to appoint Angela Minnick, David Foster and John Lipscomb by acclamation, Seconded by Council Member Salmon, the motion carried unanimously.

OTHER BUSINESS

Mayor Mann announced the dedication of the Love Locks project at the Kiwanis Family Park on July 9, at 9:30 A.M.

Mayor Mann stated that we have all had our heartfelt for the Black Lives Matter Movement and some of the social justice causes. We have tried to be responsive and do different things for the community. He is trying to put together a forum/town hall meeting to hear from residents to see what we can do to impact the community in a positive way. He has a confirmation that we can have a Town Hall Community Meeting at the Dennis Wicker Business and Civic Center on Monday, July 13, in the afternoon. The Civic Center can accommodate up to 250, under the new state order. It would be a joint meeting with all elected officials; it would not be our meeting but we would sponsor it. He invited the County Commissioners to join in to make this event happen. He is putting together a steering committee together just to facilitate that the meeting happens and the people who want to be a part of that meeting can have a good, orderly forum. Council Members Salmon, Post, Taylor and Mayor Pro Tem Buckels, have said they will help. He would like to get the top five priorities of the community to make a difference in Sanford. Mr. Taylor added that he is waiting on confirmation of the facilitator. Mr. Gaskins commented that we need to be cautious with four members of Council as will need prior notification. Council Member Salmon added that she will be the alternate member.

Mr. Hegwer advised Mayor Mann that July 13 is the day we have planned for public hearings to be held at the Civic Center. The Planning Board will be present for the July 13 meeting. Mayor Mann replied that an alternate date is July 16.

Mayor Mann informed the public that each Council Member has 120 cloth masks. They came from a company named Bella+Canvas, which is a California company producing 100 million masks each week. They are part of the White House Coronavirus response. He also like to launch a campaign called Be Safe & Strong Sanford; it is part of the Masks for Mayors Initiative. He has 2,500 masks in bundles of 120. The Coronavirus will be something that will be around for a while. Numbers in Sanford are increasing and half the ventilators in the hospital are being used now. He will leave them at City Hall for individuals to use. He encouraged everyone to use a mask in public. We are not requiring an individual to wear a mask; we are just trying to educate the public.

Closed Session – City Attorney Susan Patterson read the motion to go into closed session in accordance with North Carolina General Statute 143.318.11.(a)(4) to discuss matters relating to location or expansion of an industry or other businesses in the area served by the public body and (6) personnel matter. So moved by Mayor Pro Tem Buckels and seconded by Council Member Rebecca Salmon, the motion carried unanimously.

RETURN TO REGULAR SESSION AND ADJOURNMENT

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