

**SANFORD CITY COUNCIL
SPECIAL WORK SESSION**
Tuesday, August 30, 2022
West End Conference Room-
225 East Weatherspoon Street, Sanford, NC

The City Council held a work session on Tuesday, August 30, 2022, in the West End Conference Room at City Hall. The following people were present:

Mayor Rebecca Wyhof Salmon
Council Member Mark Akinosho
Council Member Linda Rhodes
Mayor Pro Tem Charles Taylor
City Manager Hal Hegwer
City Clerk Bonnie Davis

Council Member Byron Buckels
Council Member James Williams
Management Analyst Holly Marosites
Deputy City Clerk Vicki Cannady
City Attorney Susan Patterson

Absent:

Council Member Jimmy Haire

Call to Order

Mayor Salmon called the work session to order.

Consider Discussion of Proposed 2022 CDBG-NR Grant Application

Community Development Manager Karen Kennedy explained that she will be conducting the first of two required public hearings at the City Council Meeting, on September 6, 2022, for the proposed 2022 CDBG Community Development Block Grant application. The second public hearing, which will be in partnership with Brick Capital for the Washington Avenue project, will be scheduled for the September 20, 2022, City Council Meeting. There is \$950,000 available through this grant, and Lee County and the City of Sanford have agreed to a commitment of \$850,000 each for this project.

Consider Construction Manager at Risk Agreement for Triangle Innovation Point Water and Sewer Improvements (Exhibits A)

Public Works Utilities and Engineering Director Paul Weeks reviewed the recommendation to enter into a Construction Manager at Risk Agreement for Triangle Innovation Point Water and Sewer Improvements and the CMAR agreement between the City of Sanford and the Haskell Company. Mr. Weeks explained the difference between the Design Build and CMAR processes. The disadvantage of using the Design Build Process is it takes a long time to complete the design and determine the market price. The City is on a time crunch for this project and we need to know the market price as soon as possible. The CMAR Process method can assist us with this effort. Freese and Nichols is the designer for this project and our advisors for the CMAR process. Mr. Weeks explained that the CMAR contractor can advise on when to procure supplies so that the project can move faster, and they have knowledge of how to break projects into fragments in order to be more productive. Staff is very confident that the CMAR process will be a collaborative effort with staff to get this project completed in the required timeframe. Mr. Weeks explained that this agreement is for Phase I, pre-construction services in the amount of \$804,038, which is being financed by The Golden Leaf Foundation and not from City funds. Mr. Weeks added that Council can expect additional contracts to be added as the project progresses.

Council reached a consensus to place the Construction Manager at Risk Agreement for Triangle Innovation Point Water and Sewer Improvements on the September 6, 2022, City Council Meeting consent agenda.

Consider Procurement Policy for Triangle Innovation Point Water and Sewer Improvements (Exhibit B)

Public Works Utilities and Engineering Director Paul Weeks explained that the proposed procurement policy for Triangle Innovation Point Water and Sewer Improvements will be used by The Haskell Company to recruit the first-tier contractors.

The consensus of Council was to place the Triangle Innovation Point Water and Sewer Improvements Procurement Policy on the September 6, 2022, City Council Meeting Consent Agenda.

Consider Corinth Road Sewer Extension – VinFast

This item was removed from the agenda. (Removal of this item was due to staff not receiving the final release of funds from the State.)

Consider Resolution for Little Buffalo Creek Revitalization Stormwater Construction Grant (Exhibit C)

Public Works Utilities and Engineering Director Paul Weeks explained that this resolution is required for the application of grant funds to assist with the cost associated with the work being done between Charlotte Avenue and Weatherspoon Street to relocate the stream to a more natural flow.

Consider Discussion of U.S. Department of Transportation's New Grant Program – Safe Streets and Roads Action Plan (Exhibit D)

Community Development Director Marshall Downey explained that the US Department of Transportation has established a new funding program to support planning, infrastructure behavioral, and operational initiatives to prevent death and serious injury on roads and streets and develop a Comprehensive Safety Acton Plan identifying areas where significant fatalities are occurring and develop strategies to prevent serious injuries in the future. The Triangle J Council of Government (TJCOG) is proposing to prepare an application on behalf of rural or small communities in our region. Lee County and the Town of Broadway have expressed interest in participating in a joint plan for the entire county and other communities in the region. The total cost is expected to be \$200,000 with a 20 percent local match. Applications are due for this grant September 15, 2022.

The consensus of Council was to place this item on the September 6, 2022, City Council Meeting consent agenda.

Consider Discussion of Enhanced Zoning Enforcement

Code Enforcement Supervisor Barbara McMillen commented that they were in the early stages of developing software and training for the Zoning Enforcement officers. The goal is to have auto forms with software making code enforcement more efficient. The newly approved Zoning Enforcement position will create a full-time position for code enforcement, and there will also be cross-training among the officers.

Mayor Salmon recessed the meeting at 7:00 p.m. for dinner and the meeting was reconvened at 7:20 p.m.

Consider Discussion of the Scheduling of Workshops and Council Meetings – (Exhibit E)

City Manager Hal Hegwer noted that recently Council has had some long meetings that lasted late in the night due to the large amount of activity with public hearings. Due to growth, we will

experience more long meetings and Mr. Hegwer suggested Council review the schedule of workshops and council meetings to find ways to minimize some of the time spent in meetings.

Community Development Director Marshall Downey distributed a handout to Council Members regarding research Planning staff conducted with surrounding municipalities (Raleigh, Cary and Apex) concerning how they conduct public hearings. Staff created some suggestions for improvements or strategies that Council could consider, such as time limits for public speakers; deny rezonings that are poorly designed and require a substantial waiting period prior to resubmittal; consider moving up the start time of meetings and conduct regular business prior to the 6:00 p.m. public hearings; possibly look into increases of fees for rezoning; consider incorporating a prescribed review timeline that would allow longer evaluation for rezoning petitions; and transition responsibility of conducting neighborhood meetings to the applicant.

The consensus of Council was to change the meeting time for workshops to Tuesdays at 1:00 p.m., following lunch at 12:00 p.m.; move the regular City Council meetings to 5:00 p.m. and begin the meeting with review of the regular agenda items. Regardless of whether Council has completed review of the regular agenda items, the public hearings are to be started at 6:00 p.m. (if any regular agenda items have not been reviewed by 6:00 p.m., they will be discussed following the public hearings); Tuesday public hearings on the second of the month and potentially fourth week if necessary; potentially limit public hearing speakers to three minutes; sign-up sheets are to be given to the Mayor at the beginning of the public hearings, and citizens that have not signed up to speak before 6:00 p.m. will not be allowed to speak; staff is to prepare the form for the sign-up sheet for public hearings.

Council members are to contemplate other strategies to optimize public hearings, such as denying, as opposed to tabling, rezonings that are poorly designed and require a substantial waiting period prior to resubmittal; possibly look into increases of fees for rezoning; consider incorporating a prescribed review timeline that would allow longer evaluation for rezoning petitions; transition responsibility of conducting neighborhood meetings to the applicant. City Council will revisit these strategies at a later date.

Consider Liaisons for Boards and Commissions (Exhibit F)

Mayor Salmon referenced a spreadsheet exhibiting information on the various boards and commissions, and noted that it would be beneficial for her to know the interests of Council members in serving as liaisons on these board and commissions. She asked Council to review this report and get back with her as soon as possible during the next week. She suggested that when serving on these boards, liaisons should consider interests in any particular area that needs attention and have these particular boards incorporate those interests into their plans, which can be presented to Council for review during Council Retreat.

Consider Discussion of Meeting Minutes and Efficiency

City Manager Hal Hegwer commented that he has observed that the Council Meeting minutes have become more detailed over time. The meetings are longer; therefore, the minutes are long, and it has become a burden for staff to get them done in a timely manner, and if the current level of activity continues, we are going to need additional staff. Mr. Hegwer noted that the meetings are videoed and archived and can be retrieved; therefore, he suggested that Council consider shorting the minutes by summarizing the information more. Mr. Hegwer noted that the only requirement for minutes is a record of the attendance and the votes.

The consensus of Council was to move forward with shortening the minutes by summarizing them more and to look into purchasing software that would assist in the process of transcribing minutes.

Consider Update on Parks and Fee Structure (Exhibit G)

Parks Administrator Nick Fortune reviewed the details of labor, equipment, and material cost of each park in the last fiscal year, as well as the volume of participation in the amenities that are offered at each park. Mr. Fortune acknowledged the \$100,000 contribution given by Senator Burgin for Sanford's parks, out of his allotment of funds for Lee County. Mr. Fortune described the proposed fee structure for rental use of the parks and streamlining the approval of use of the parks.

The consensus of Council was that the fee structure needs more clarity and the policy should be as simple as possible and consistent for anyone desiring to use the park facilities. Mayor Salmon would like input from DSI and the Parks and Recreation Committee.

Consider Street Closing for J. D. McDuffie Mural Dedication – (Exhibit H)

Parks Administrator Nick Fortune noted that the temporary street closing request of Gulf Street between Carthage and Wicker Streets for the unveiling of the J.D. McDuffie Mural is September 5, 2022. City Attorney Patterson noted that since this is the day before the City Council meeting, Council could allow them to close the street and ratify this action at the City Council Meeting, September 6, 2022.

The consensus of Council was positive for the street closing.

Consider Architectural Selection and Contractual Agreement for Depot Park Renovation- removed

This item was removed from the agenda because the architect did not submit the information in time for this meeting.

Consider Charah, LLC, Appeal of Hearing Officer's Decision

City Attorney Patterson informed Council that they have an obligation to have a hearing on an appeal from our sewer pre-treatment ordinance and one part of the hearing will require Council to act as an impartial decision maker and their decision must be based on the facts presented at the hearing. Council cannot discuss this subject matter; however, it is related to someone involved in the pre-treatment program that was cited for a violation of our sewer ordinance and they have appealed. There has already been one hearing on this matter and the party did not agree with the decision made by the hearing officer; thus, this is the reason for the second appeal to City Council. If the individual does not agree with the decision rendered by Council, they will pursue a court decision. Attorney Patterson said a date will be selected for this hearing in September, and she stressed the point that Council members are not allowed to discuss this matter with each other or anyone else.

Consider ABC Travel Policy

City Manager Hal Hegwer informed Council that the local ABC board by statute must have Council approve their travel policy; they need a letter from Council annually stating that they have adopted the City of Sanford's travel policy. This will be an item on the City Council Meeting consent agenda.

Other Business

It was noted that there has been a successful music series at Depot Park; there is great synergy in music in Sanford and it is vital to support Depot Park events. The recent visit of Senator Tillis was a great success; Lee County and the City of Sanford had an opportunity to stand out. Attorney Patterson

mentioned that the newly elected and re-elected Council members are required to attend an ethics class within the first year of service.

Closed Session

City Attorney Susan Patterson read the statute to go into closed session in accordance with NCGS 143.318.11(a)(4) to discuss matters relating to the location or expansion of industry or other business in the area served by the public body. Council Member Buckels made the motion to go into closed session; seconded by Council Member Rhodes, the motion carried unanimously.

Return to Regular Session and Adjournment

Mayor Pro Tem Taylor made the motion to adjourn the meeting; seconded by Council Member Rhodes, the motion carried unanimously.

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


Rebecca Wyhof Salmon, Mayor

Attest:


Bonnie Davis, City Clerk