1. **MEETING CALLED TO ORDER**

2. **INVOCATION**

3. **PLEDGE OF ALLEGIANCE**

4. **PUBLIC COMMENT**

5. **APPROVAL OF AGENDA**

6. **CONSENT AGENDA**
   A. Approval of Ordinance Amending the Annual Operating Budget of the City of Sanford FY 2019-2020 – (Insurance Premium Related to Cyber Security) – (Pages 5-7)
   
   B. Approval of Ordinance Amending the Annual Operating Budget of the City of Sanford FY 2019-2020 – (Compensation for Inspections Personnel) – (Pages 8-9)
   
   C. Approval of Ordinance Amending the Annual Operating Budget of the City of Sanford FY 2019-2020 – (EDPNC) – (Pages 10-11)

7. **SPECIAL AGENDA**
   A. Special Presentation in Recognition of the Sanford Youth Academy (Page 12)
   
   B. Presentation of Arbor Day Proclamation (Page 13)

8. **CASES FOR PUBLIC HEARING: to be held jointly with the Planning Board.**
   A. Application by Criteria Development - to rezone eleven tracts of land totaling 209.26 acres with frontage/access off of Commerce Drive, located on the south side of Commerce Drive between the Harvey Faulk Road intersection and the terminus of Commerce Drive, from South Park High Density Conditional Zoning District to Laurel Oaks Subdivision Conditional Zoning District to allow for the development of a residential subdivision. The subject property is identified as Lee County tax parcels 9660-18-5664-00, 9660-18-6263-00, 9650-98-9031-00, 9650-97-8129-00, 9650-96-8137-00, 9660-07-7574-00, 9660-16-
B. Consideration of a proposed text amendment to the jointly adopted City of Sanford/Lee County/Town of Broadway Unified Development Ordinance (UDO), Appendix B Specifications of Forms to be Submitted, B-4 Subdivision Plats, to revise the Public Works Certificate – (Pages 102-103)

C. Consideration of (7) seven proposed text amendments to the jointly adopted City of Sanford/Lee County/Town of Broadway Unified Development Ordinance (UDO) as it relates to (a) oil and gas extraction, development and production (“fracking”) and (b) traditional mining and quarrying. More specifically, the proposed amendments include: - (Pages 104-131)

- Amendment #1 – Amend Table 4.6-1, Permitted Use Matrix, to revise rules as to which zoning districts allow oil and gas extraction as well as traditional mining and quarrying.

- Amendment #2 – Create a new section 4.16 Mining Special Use Overlay District (MSUOD) that will establish new rules and procedures for traditional mining and quarrying operations.

- Amendment #3 – Amend Section 5.23, the supplemental design requirements for mining and quarrying, to add additional criteria and standards.

- Amendment #4 – Delete section 5.41 entirely to remove the current supplemental rules for oil and gas extraction.

- Amendment #5 – Amend Appendix A to (a) add new definition for Oil and Gas extraction, development and production and (b) revise current definition for Mining and Quarrying.

- Amendment #6 – Amend section 3.5 to add a new subsection 3.5.4 to allow the County the ability to use a consultant (mutually acceptable to the applicant) to conduct additional study(s) of impacts for certain land uses within the “Industrial and Manufacturing” or “Transportation, Communications and Utilities” land use subcategories as found in the Permitted Use Matrix (Table 4.6-1 of the Sanford/Lee County UDO).

- Amendment #7 – Amendment to Section 13.8 to amend the flood hazard rules to prohibit both (a) oil and gas surface operations and (b) mining and quarrying operations from locating in a flood hazard area (100-year floodplain).

*The Planning Board shall retire to the West End Conference Room.*
D. Public Hearing on an Economic Development Project to be Named Later – (Page 132)

E. Consider Public Hearing on Resolution by the City Council of the City of Sanford (CDBG Program)
   - Consider Adoption of Resolution – (Pages 133-135)

F. Public Hearing on Cliffside Drive Sewer Extension Petition
   - Consider Recommendation to Award a Contract for Cliffside Drive Sewer Extension Project (Pages 136-137)

G. Public Hearing on Application by Jonathan Hart to Extend Corporate Limits - (Pages 138-144)
   - Consider Ordinance to Extend Corporate Limits of the City of Sanford to Jonathan Hart – (Pages 145-147)

9. DECISIONS ON PUBLIC HEARINGS:

10. REGULAR AGENDA
   A. Consider Reimbursement Resolution – Design Work for Site Preparation – (Page 148)

   B. Consider Ordinance Amending the Annual Operating Budget of the City of Sanford FY 2019-2020 – Design Work for Site Preparation – (Pages 149-150)

   C. Consider Reimbursement Resolution – Sewer Extension for Site Preparation – (Page 151)

   D. Consider Ordinance Amending the Annual Operating Budget of the City of Sanford FY 2019-2020 – Sewer Extension for Site Preparation – (Pages 152-153)

   E. Consider Ordinance Amending the Annual Operating Budget of the City of Sanford FY 2019-2020 – (Re-appropriations) – (Pages 154-155)

   F. Consider Recommendation to Award a Contract for 2019-2020 Full Depth Rehabilitation – (Pages 156-158)

   G. Consider Recommendation to Enter Into an Engineering Agreement for Sewer Extension for an Economic Development Project – (Pages 159-172)

   H. Consider Recommendation to Enter Into an Engineering Agreement for Site Development for an Economic Development Project – (Pages 173-174)

   I. Consider Motion to Take From the Table - Consider Appointments to Friends of Sanford, Inc.
      - Consider Appointments to Friends of Sanford, Inc. (Page 175)

   J. Consider Appointments to the Opioid Commission – (Pages 176-192)
K. Consider Ordinance to Amend the Sanford Code of Ordinances to Add Chapter 4-21 Limiting the Number of Dogs and Cats – (Page 193)

11. NEW BUSINESS (Items for discussion and action will only be taken if necessary. Otherwise, these items will be placed on the next agenda for approval.)
A. Consider Ordinance Amending the Annual Operating Budget of the City of Sanford FY 2019-2020 – (Downtown Sanford, Inc.) - (Pages 194-196)

B. Consider Resolution Requesting Prioritization of Transportation Funding for Realignment of Kelly Drive (Page 197)

C. Consider Update on Public Art – (Pages 198-230)

D. Consider Resolution of the Sanford City Council Authorizing Hiring of Outside Counsel – (Pages 231-232)

E. Closed Session (Page 233)

F. Consider Settlement of Litigation (Page 234)

12. OTHER BUSINESS

13. ADJOURNMENT
TO: Sanford City Council

FROM: Holly Marosites, Management Analyst

DATE: August 16, 2019

RE: Cyber Security Risk Insurance

During the August 13 City Council Workshop, the Council came to a consensus to increase the City’s cyber security risk insurance. At the time of that meeting, the policy estimate was $14,200. Since that time, staff has gotten an updated quote in the amount of $15,052. This increase reflects a $852 surplus line tax that was omitted from the original estimate. Staff is in communication with the insurance company regarding a possible price reduction and anticipates having additional information within the next week. At this time, staff suggests moving forward with a budget amendment in the amount of $15,052 to ensure that funds are in place once we receive the final policy premium.

If you have any questions, please let me know.
AN ORDINANCE AMENDING THE ANNUAL OPERATING BUDGET
OF THE CITY OF SANFORD FY 2019-2020

BE IT ORDAINED by the City Council of the City of Sanford, North Carolina in regular session assembled.

Section 1: The following amounts are hereby amended to ordinance 2019-37 per G. S. 159-15 for the continued operation of the City of Sanford, its government, and activities for the balance of the fiscal year 2019-2020.

<table>
<thead>
<tr>
<th>Transfer from the Following Accounts:</th>
<th>Transfer to the Following Accounts:</th>
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</thead>
<tbody>
<tr>
<td>10016650 69900 Contingency 15,052</td>
<td>10014260 65400 Risk Management 15,052</td>
</tr>
</tbody>
</table>

Total Appropriation $15,052

Section 2. This ordinance shall be in full force and effective from and after the date of its adoption.

ADOPTED this, the 20th day of August, 2019.

____________________________________
T. Chet Mann, Mayor

ATTEST:

____________________________________
Bonnie Davis, City Clerk
### 2019-2020 BUDGET ORDINANCE AMENDMENT

**GENERAL FUND**

**Transfer from the Following Funds** - results in decreasing of budget

| Contingency | 15,052 | To transfer contingency funds required to offset expenditures as described below |

**Transfer to the Following Funds** - results in increasing of budget

| Risk Management | 15,052 | Insurance premium related to Cyber Security |
AN ORDINANCE AMENDING THE ANNUAL OPERATING BUDGET
OF THE CITY OF SANFORD FY 2019-2020

BE IT ORDAINED by the City Council of the City of Sanford, North Carolina in regular session assembled.

Section 1: The following amounts are hereby amended to ordinance 2019-37 per G. S. 159-15 for the continued operation of the City of Sanford, its government, and activities for the balance of the fiscal year 2019-2020.

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<tr>
<th>Appropriation of Funds</th>
<th>GENERAL FUND</th>
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<tr>
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<td>Appropriated Fund Balance</td>
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<tr>
<td>10025400 00000</td>
<td>Inspections</td>
</tr>
<tr>
<td>Total Appropriation</td>
<td>$100,000</td>
</tr>
</tbody>
</table>

Section 2. This ordinance shall be in full force and effective from and after the date of its adoption.

ADOPTED this, the 20th day of August, 2019.

T. Chet Mann, Mayor

ATTEST:

Bonnie Davis, City Clerk
## 2019-2020 BUDGET ORDINANCE AMENDMENT

### GENERAL FUND

**Appropriation of Funds** - results in increasing of budget

<table>
<thead>
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<td>100,000</td>
<td>100,000</td>
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<tr>
<td>To appropriate fund balance for item described below</td>
<td>Compensation for Inspections Personnel</td>
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AN ORDINANCE AMENDING THE ANNUAL OPERATING BUDGET OF THE CITY OF SANFORD FY 2019-2020

BE IT ORDAINED by the City Council of the City of Sanford, North Carolina in regular session assembled.

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<td>10016650  69900 Contingency</td>
<td>10014100 00000 Governing Body</td>
</tr>
<tr>
<td>5,000</td>
<td>5,000</td>
</tr>
</tbody>
</table>

Total Appropriation $ 5,000

Section 2. This ordinance shall be in full force and effective from and after the date of its adoption.

ADOPTED this, the 20th day of August, 2019.

____________________________________
T. Chet Mann, Mayor

ATTEST:

____________________________________
Bonnie Davis, City Clerk
2019-2020 BUDGET ORDINANCE AMENDMENT

GENERAL FUND

Transfer from the Following Funds - results in decreasing of budget

Contingency 5,000 To transfer contingency funds required to offset expenditures as described below

Transfer to the Following Funds - results in increasing of budget

Governing Body 5,000 EDPNC Sponsorship
Special Presentation
in Recognition of the Sanford Youth Academy
WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and Arbor Day is now observed throughout the nation and the world; and

WHEREAS, trees reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal; and

WHEREAS, the City of Sanford having met all four criteria by the National Arbor Day Foundation was officially Recertified a Tree City USA on December 4, 2018 by the North Carolina Forest Service and the conducting of an annual Arbor Day is one of the requirements for the continued designation as a Tree City USA;

NOW, THEREFORE, I, T. Chet Mann, Mayor of the City of Sanford, North Carolina, do hereby proclaim September 25, 2019, as Arbor Day in the City of Sanford, and urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands; and

FURTHER, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Proclaimed this the 20th day of August 2019.

T. CHET MANN
Zoning Map Amendment (Rezoning) Application

Circle Jurisdiction That Applies:

City of Sanford  Lee County  Town of Broadway

1. Applicant Name: Criteria Development
2. Applicant Address: 9794 Timber Circle, Daphne, AL
3. Applicant Telephone: 1-270-970-0910
4. Name and Address of Property Owner(s) if different than applicant: CRD Investors, LLC; Van R. Groce, AGA Corporation
5. Location of Subject Property: Off of Commerce Drive
   Lee Co. P.I.Ns. 9660-18-5664-00, 9660-18-6263-00, 9650-98-9031-00, 9650-97-8129-00, 9650-96-8137-00, 9660-07-7574-00, 9660-16-4729-00, 9660-17-4596-00, 9660-15-0255-00, 9660-27-6006-00, 9660-37-7933-00
6. Total Area included in Rezoning Request: 209.263 Acres
7. Zoning Classification: Current: South Park High Density Conditional Zoning District
   Requested: Laurel Oaks Subdivision Conditional Zoning District
8. Existing Land Use(s): undeveloped
9. Reason(s) for Requesting a Zoning Map Amendment (Rezoning): To develop a residential neighborhood with single-family homes and townhomes.
10. Signature(s) of Applicant (and Property Owners if different from Applicant).

   I hereby acknowledge that the information contained herein is true. It is further understood that this application will be reviewed for completeness and accuracy and that it shall not be scheduled for official consideration until all required contents are submitted in proper form to the Sanford/Lee Zoning & Design Review Department.

   [Signature]

   Date: August 5, 2019

Required Attachments/Submittals

A. A completed rezoning application (incomplete applications/submittals will not be accepted or processed.

B. A copy of a current Lee County Tax Map illustrating the location of the area to be rezoned. If the exterior boundary of the area to be rezoned does not follow along existing property boundaries, then the applicant shall be required to submit a metes and bounds (legal) description describing the area requested for rezoning.

C. A copy of the latest deed for the subject property as recorded at the Lee County Register of Deeds Office.

D. A $500.00 Application fee, payable to the City of Sanford is required before processing the application.

E. *If the requested rezoning is for a Conditional Zoning District, a Supplemental Application for Conditional Zoning District must also be included, along with an additional $250.00 fee ($750 total fee for Conditional Zoning).

F. Typically, the submission deadline is the first day of each month at 12:00pm/noon for the rezoning to be heard the following month. Specific dates provided upon request.
$750 FEE
(S750 Total Conditional Rezoning Fee,
No Standard Rezoning Fee Included with this Request.)

Supplemental Application for Conditional Zoning District
(To be submitted with an Application for Zoning Amendment)

Circle Jurisdiction That Applies:

City of Sanford  Lee County  Town of Broadway

1. Type of Conditional Zoning District (Type 1 or Type 2)  **Type 1**

2. Describe in detail the use(s) requested as part of the Conditional Zoning District (use separate sheet if necessary):
   Single-Family homes and Townhomes (See attached.)

3. Describe in detail any additional conditions of development proposed as part of the Conditional Zoning District. Such conditions should include (as applicable):
   - The location on the property of the proposed use(s);
   - The number of dwelling units;
   - The location and extent of supporting facilities such as parking lots, driveways, and access streets;
   - The location and extent of all landscaping areas, buffer areas and other special purpose areas
   - The timing of development;
   - The location and extent of rights-of-way and other areas to be dedicated for public purposes;
   - Details on architectural features and scale of proposed structures; and
   - The location and extent of any pedestrian elements (sidewalks, trails, etc.).

Conditions may be listed on additional, separate sheets if necessary. **Additionally, a scaled site plan shall be submitted illustrating all conditions as described in the text.**

See attached information.

4. Signature(s) of Applicant (and Property Owners if different from Applicant).

   I hereby acknowledge that by submitting this Conditional Zoning application, I am voluntarily requesting that restrictions on the use of land and/or zoning conditions of development be placed upon the subject property as included in this petition. An application fee in the amount of $750.00 (see Fee Schedule), payable to The City of Sanford is required before processing the application. The application submission deadline is the second Friday of the month. The petition will be heard the following month at the scheduled public hearing.

   **Signature (Sign & Print)**

   **Date**

---

L: Forms & Certifications/ CZ Supplemental App (Updated 2018-07-02)
Laurel Oaks Residential Development

Development Overview

The Laurel Oaks development consists of an assemblage of land, approximately two-hundred acres in area, and strategically located on Commerce Drive in Sanford, North Carolina. The proposed community will provide a mix of single-family and townhome dwellings along with extensive open space and community amenities. The single-family home building program will consist of no less than two distinct home series, the “Express” and the “Freedom” Series. As the community is developed, additional home series may be offered. The inclusion of at least three home types will allow for a range of price points and diversity of housing.

The Laurel Oaks neighborhood will offer a range of amenities including no less than one mile of public and private greenways, a neighborhood pool, clubhouse, tot lot, dog park, sport court and picnic area. The trail system will incorporate benches and pet-waste stations at trail heads and key open space locations. The public portion of the greenway will meander along the natural features present on the western boundary of the property. Cross access will be provided to allow for future connections to a regional greenway system. In addition to the greenway system every street will have a sidewalk on at one side of the street. Every street has a designated planting strip with street trees planted at an average rate of fifty feet on center (50’ o.c.). The street tree planting requirements for this neighborhood are attached.

The large amenity area in the Laurel Oaks community will provide the opportunity for an active, healthy lifestyle for the residents, promote a sense of place, and encourage interaction among the residents.

Home Types: As the community is developed, additional home series may be offered. The following home models have been selected, the model names may be changed, but the content will not change.

Express Series Single-Family Home:

The Express Home Series will offer the following items for every home:

- 1,400 SF minimum heated space
- (3) Bedroom, minimum
- Patio
- Two-Car Garage
- Concrete driveways
- Decorative hardware on all garage doors
- High Quality Exterior Materials (i.e. brick, stone, faux stone, vinyl)
- Minimum of two architectural façade types (i.e. brick, stone, faux stone, board and batten, shake, horizontal siding)
- Turf sod lawn for front yard
- (1) Canopy Tree (2” Caliper Size/Every Front Yard)
- (6) Evergreen Shrub and/or Groundcover (3-Gallon Size)
- Ten Foot (10’) aggregate side yard setback
- Twenty Foot (20’) minimum front yard setback

Freedom Series Single-Family Home:

The Freedom Home Series will offer the following items for every home:

- 1,400 SF minimum heated space
- (3) Bedroom, minimum
- Patio
- Two-Car Garage
- Concrete driveways
- Decorative hardware on all garage doors
- Minimum of two high quality exterior materials (i.e. brick, stone, faux stone, cement board, vinyl)
- Minimum of two architectural façade types (i.e. brick, stone, faux stone, board and batten, shake, horizontal siding)
- Turf sod lawn for front and backyards
- (1) Canopy Tree – 2” Caliper in size for every front yard
- (6) Evergreen Shrub and/or Groundcover (3-Gallon Size)
- Ten Foot (10’) aggregate side yard setback
- Twenty Foot (20’) minimum front yard setback

**Express Series Townhome:**

The Express Townhome Series will offer the following items for every home:

- 1,200 SF minimum heated space
- (3) Bedroom, minimum
- Patio
- One-Car Garage, minimum
- Concrete driveways
- Decorative hardware on all garage doors
- High Quality Exterior Materials (i.e. brick, stone, faux stone, cement board, vinyl)
- Minimum of two architectural façade types (i.e. brick, stone, faux stone, board and batten, shake, horizontal siding)
- Turf sod lawn for front yard
- (10) Evergreen Shrub and/or Groundcover (3-Gallon Size)
- (1) Under-Story Tree/every two (2) Townhome dwelling (8’ Height)

Every home type will be part of the larger neighborhood that will governed by a Home Owner Association (HOA). The homebuilder or developer will remain the administrator of the HOA until the neighborhood is 80% built out at a minimum. The HOA will have an Architectural Review Board (ARB) that will review design, materials, site plan and landscaping for each home.

**Amenities**

**Clubhouse:**

- Clubhouse will be a minimum of 1,500 sf. It will include meeting areas, workout facilities and restrooms with changing areas.
- Exterior building materials will consist of cement board and brick.

**Signage**

- The entrance feature will consist of an entrance monument and related signage, landscaping and irrigation. The entrance feature will incorporate water as a component of the design.
LAUREL OAKS MASTER PLAN

1. This plan is conceptual and subject to change.
2. This plan is subject to approval by the City of Sanford, NCDOT, and other governing agencies.
3. This plan utilizes boundary survey information prepared by Timmons Group dated: June 19, 2019. This plan utilizes GIS and other record information. A final comprehensive topographic survey has not yet to be completed for this project site.
4. All streets are local residential streets unless otherwise labeled.

**Notes:**

**Amenity Features Matrix**

<table>
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<th>Feature</th>
<th>Phase 1</th>
<th>Phase 2</th>
<th>Phase 3</th>
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<tr>
<td>Trash Receptacles</td>
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<tr>
<td>Bike Racks</td>
<td>R</td>
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<td>Dog Waste Stations</td>
<td>P</td>
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<tr>
<td>Clubhouse</td>
<td>(1500 s.f. minimum)</td>
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<td>Picnic Area</td>
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**Legend**

- **EXPRESS LOTS (+/- 335 UNITS)**
- **TOWNHOMES (+/- 214 UNITS)**
- **FREEDOM LOTS (+/- 76 UNITS)**
- **TOTAL (+/- 625 UNITS)**

**Amenity Features Matrix**

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- **TOTAL (+/- 625 UNITS)**
*Please note all home elevations and renderings included in this binder are conceptual and subject to change.
Heritage Collection
CHICAGO - 2495 SQ. FT.

Heritage Collection

Elevation-A

Elevation-B

Elevation-D

Elevation-E

First Floor

Second Floor

Master Bedroom
10'6" x 10'6"
(OPT. VAULTED CEILING)

Bedroom 1

Bedroom 2

Bedroom 3

Bedroom 4

First Floor

Dining Room
13'10" x 13'0"

Family Room
14'2" x 19'0"

Entry

Garage

Study or
Opt. Bedroom 5
12'6" x 13'7"

Bath

Kitchen

Breakfast

Opt.

Bath

Deluxe

Bath

Bath

WIC

WIC

WIC

WIC

Laundry

Outlet

Anchorage

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HOLLY - 2546 SQ. FT.

Elevation-A

Elevation-B

Elevation-C

First Floor

- Master Bedroom: 13'6" x 16'0"
- Family Room: 14'2" x 16'2"
- Dining Room: 12'6" x 11'6"
- 2 Car Garage
- Covered Porch

Second Floor

- Bedroom 1: 12'6" x 15'0"
- Bedroom 2: 12'6" x 15'0"
- Bedroom 3: 12'6" x 15'4"
- Loft/Opt. Bedroom 4: 12'2" x 14'9"
- Storage Area

Opt Deluxe Bath

Opt. 2nd Master Bedroom and Bath

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RACHEL - 1392 SQ. FT.

Elevation-B

First Floor

Second Floor

Elevation-A

Elevation-D

Elevation-E

Opt Deluxe Bath

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Carolina Collection
ABERDEEN - 1906 SQ. FT.

Elevation-A

Elevation-B

Elevation-C

Opt Deluxe Bath

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CHARLESTON - 2495 SQ. FT. Carolina Collection

Elevation-A

Elevation-B

Elevation-C

First Floor

Second Floor

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CONCORD - 2060 SQ. FT.

First Floor

- DINING ROOM 10’2” x 13’7”
- BREAKFAST
- KITCHEN
- FAMILY ROOM 14’0” x 19’8”
- COVERED PORCH
- 2 CAR GARAGE

Second Floor

- BEDROOM 3 10’2” x 14’2”
- BEDROOM 2 11’6” x 11’0”
- BEDROOM 4 13’0” x 14’3”
- MASTER BEDROOM 19’0” x 14’4”
  (OPT VAULTED CEILING)
- WIC
- MASTER BATH
- OPT DELUXE BATH
- OPT POWDER BATH

Elevation-A
Elevation-B
Elevation-C

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Disclaimers: * All homes are constructed by D.R. Horton, Inc., NC GC License # 29678. Square foot dimensions are approximate. Home and community information, including pricing, included features, terms, availability and amenities, are subject to change and prior sale at any time without notice or obligation. Pictures, photographs, features, colors and sizes are approximate for illustration purposes only and will vary from the homes as built. Please see a D.R. Horton, Inc. Sales Representative for more information. D.R. Horton, Inc. Copyright © 2017. (Rev. 5/3/17)
Freedom Homes
DOVER

ELEVATION "A2"
1,883 SQ. FT.

1883/39/65/1883/2016.04.28/Rev. 052418
THE ARLINGTON

ELEVATION "A2"
1,588 SQ. FT.

A4AF/39/56/1588/2016.04.28/Rev. 052418
Townhome
Street Cross Sections
MINOR RESIDENTIAL STREET SECTION

PRELIMINARY
NOT APPROVED FOR CONSTRUCTION

6/12/2019
Street Trees Specifications
City of Sanford: Street Tree Standards

**Street Trees**
Trees planted along streets within the right-of-way.

**Street Tree Location**
Street trees shall be centered between the back of curb and sidewalk within the right-of-way; distance between back of curb and sidewalk shall be a minimum of 6’ clear. Where no sidewalk exists trees shall be placed a minimum of 5’ from the back of curb and a minimum of 3’ from paved surfaces. Trees shall be spaced a maximum of 50’ apart. Approved small trees are acceptable near overhead electric lines, and in townhome settings. Where small trees are used in lieu of large trees they shall be spaced a maximum of 30’ apart. Large trees may be planted within site distance triangles provided limbs are removed to a minimum of 8’ height from the top of curb.

**Plant Material Standards**
Specification for all plantings shall be in accordance with the current and most up to date edition of ANSI-Z60.1, The American Standard for Nursery Stock as produced by AmericanHort (formerly American Nursery & Landscape Association).

**Criteria for Recommended Street Tree Species**
- Adapted to the regional and local climate and soil conditions;
- Adapted to harsh conditions created by nearby pavement;
- Branches can be limbed-up to provide clearance at roads and sidewalks;
- Growth range in Zone 7B;
- Natural growth and seasonal characteristics do not obstruct or impede vehicular and pedestrian traffic due to fruit drop, abundant litter from twigs and abundant surface roots;
- No known diseases and pests threaten the tree’s survivability at an epidemic scale (e.g. Emerald Ash Borer, Wooly Adelgid);
- Drought tolerant (see substitutions below);
- Not invasive;
- Thorn-less;
- Are not weak-wooded or structurally unsound;
- Large Trees: Expected to reach 35’ or greater at maturity.
- Small Trees: Expected to reach a maximum height of 30’ at maturity.
- Cultivars of some species within the approved street tree list may vary in height. The chosen cultivar shall meet the height requirements of the category (large tree / small tree) for which it is proposed.

**Restricted Street Trees**
Species are restricted due to invasive characteristics, or characteristics that may obstruct or impede vehicular and pedestrian traffic or routinely fail due to lack of hardiness or structural integrity. Exotic invasive plants found at the USDA National Invasive Species Information Center are also prohibited: [https://www.invasivespeciesinfo.gov/us/north-carolina](https://www.invasivespeciesinfo.gov/us/north-carolina)
**Substitutions**
Street trees must be adaptable to the site conditions in which they are placed. Non-drought tolerant plants are acceptable to use in naturally wet areas and bio-retention areas. The planning administrator may approve the use of trees not listed in the Recommended Street Tree table if the species proposed meet the “Criteria for Recommended Street Tree Species” listed above.

**Planting Standards and Materials**
Large Tree Species: 2½” minimum caliper, 10’ minimum height  
Small Tree Species: 1½” minimum caliper, 6’ minimum height  
Small Tree Species (multi-stemmed): 6’ minimum height, 3-stem minimum; small trees that may be shrub-like in their natural form must be specified as tree-form.

**Mulching Standards**
All trees must be mulched with 2-4” of un-dyed organic mulch.
<table>
<thead>
<tr>
<th>Scientific Name</th>
<th>Common Name</th>
<th>Mature Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acer buergerianum</td>
<td>Trident Maple</td>
<td>35</td>
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<tr>
<td>Acer campestre</td>
<td>Hedge Maple</td>
<td>35</td>
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<tr>
<td>Carpinus betulus</td>
<td>European Hornbeam</td>
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<tr>
<td>Corylus colurna</td>
<td>Turkish Filbert</td>
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<td>Quercus bicolor</td>
<td>Swamp White Oak</td>
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<tr>
<td>Quercus coccinea</td>
<td>Scarlet Oak</td>
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<td>Quercus imbricaria</td>
<td>Shingle Oak</td>
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<tr>
<td>Quercus laurifolia</td>
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<td>Quercus lyrata</td>
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<td>Quercus nuttallii</td>
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<td>Quercus phellos</td>
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<td>Quercus rubra</td>
<td>Red Oak</td>
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<td>Quercus shumardii</td>
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<td>Quercus falcata</td>
<td>Southern Red Oak</td>
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<td>Taxodium distichum</td>
<td>Bald Cypress</td>
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<td>Tilia americana</td>
<td>American Linden</td>
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<td>Ulmus parvifolia</td>
<td>Chinese Elm</td>
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<tr>
<td>Zelkova serrata</td>
<td>Japanese Zelkova</td>
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<tr>
<td>Scientific Name</td>
<td>Common Name</td>
<td>Mature Height</td>
</tr>
<tr>
<td>----------------------------------------</td>
<td>------------------------------</td>
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</tr>
<tr>
<td>Acer palmatum</td>
<td>Japanese Maple</td>
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<tr>
<td>Acer truncatum (A. truncatum x platanoides)</td>
<td>Shantung Maple, Purple Blow Maple</td>
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<tr>
<td>Amelanchier spp.</td>
<td>Serviceberry</td>
<td>25</td>
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<td>Carpinus caroliniana</td>
<td>American Hornbeam, Blue Beach, Ironwood</td>
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<td>Cercis canadensis</td>
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<td>Cercis canadensis var. texensis</td>
<td>Oklahoma' Redbud</td>
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<td>Chionanthus virginicus</td>
<td>Fringe Tree</td>
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<td>Chionanthus retusus</td>
<td>Chinese Fringe Tree</td>
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<tr>
<td>Cornus kousa</td>
<td>Kousa Dogwood</td>
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<tr>
<td>Cornus mas</td>
<td>Cornelian cherry Dogwood</td>
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<tr>
<td>Cotinus coggyria</td>
<td>Smoketree</td>
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<td>Cotinus obovatus</td>
<td>American Smoketree</td>
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<tr>
<td>*Ilex x spp.</td>
<td>Holly hybrid</td>
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<td>*Ilex opaca</td>
<td>American Holly</td>
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<td>Lagerstroemia indica</td>
<td>Crape Myrtle</td>
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<td>Maackia amurensis</td>
<td>Amur Maackia</td>
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<td>Magnolia virginiana</td>
<td>Sweetbay magnolia</td>
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<td>Magnolia stellata</td>
<td>Star magnolia</td>
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<td>Prunus caroliniana</td>
<td>Carolina Cherry laurel</td>
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<td>Styrax japonicus</td>
<td>Japanese Snowbell</td>
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<tr>
<td>Syringa reticulata</td>
<td>Japanese Tree Lilac</td>
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<td>Vitex agnus-castus</td>
<td>Chastetree</td>
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<td>Scientific Name</td>
<td>Common Name</td>
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<tr>
<td>Ailanthus altissima</td>
<td>Tree of Heaven</td>
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<td>Acer x freemanii</td>
<td>Freeman Maple</td>
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<tr>
<td>Acer ginnala</td>
<td>Amur Maple</td>
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<tr>
<td>Acer negundo</td>
<td>Boxelder</td>
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<tr>
<td>Acer nikoense</td>
<td>Nikko Maple</td>
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<tr>
<td>Acer platanoides</td>
<td>Norway Maple</td>
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<tr>
<td>Acer saccharinum</td>
<td>Silver Maple</td>
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<td>Albizia julibrissin</td>
<td>Mimosa</td>
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<td>Alnus glutinosa</td>
<td>Alder</td>
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</tr>
<tr>
<td>Betula papyrifera</td>
<td>Paper Birch</td>
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<td>Carva illinoensis</td>
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<tr>
<td>Castanea dentate</td>
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<tr>
<td>Castanea sativa</td>
<td>Spanish Chestnut</td>
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<tr>
<td>Catalpa spp.</td>
<td>Catalpa</td>
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<tr>
<td>Crataegus spp.</td>
<td>Hawthorn</td>
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</tr>
<tr>
<td>Elaeagnus angustifolia</td>
<td>Russian Olive</td>
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</tr>
<tr>
<td>Elaeagnus pungens</td>
<td>Thorny Elaeagnus</td>
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<tr>
<td>Elaeagnus umbellata</td>
<td>Autumn Olive</td>
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</tr>
<tr>
<td>Fraxinus spp.</td>
<td>Ash</td>
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</tr>
<tr>
<td>Ginkgo biloba (Female)</td>
<td>Ginkgo (Female)</td>
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</tr>
<tr>
<td>Gleditsia triacanthos var. inermis</td>
<td>Thornless Honeylocust</td>
<td></td>
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<tr>
<td>Juglans nigra</td>
<td>Black Walnut</td>
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<td>Laburnum anagyroides</td>
<td>Golden Chain Tree</td>
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<tr>
<td>Ligustrum spp.</td>
<td>Privet</td>
<td></td>
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<tr>
<td>Liquidambar stylociflua</td>
<td>Sweetgum (fruiting only)</td>
<td></td>
</tr>
<tr>
<td>Machura pomifera</td>
<td>Osage Orange</td>
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<tr>
<td>Malus spp.</td>
<td>Crabapple</td>
<td></td>
</tr>
<tr>
<td>Morus spp.</td>
<td>Mulberry</td>
<td></td>
</tr>
<tr>
<td>Melia azedarach</td>
<td>Chinaberry</td>
<td></td>
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<tr>
<td>Paulownia tomentosa</td>
<td>Princess Tree</td>
<td></td>
</tr>
<tr>
<td>Pinus spp.</td>
<td>Pine</td>
<td></td>
</tr>
<tr>
<td>Platanus occidentalis</td>
<td>Sycamore</td>
<td></td>
</tr>
<tr>
<td>Populus spp.</td>
<td>Poplar</td>
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</tr>
<tr>
<td>Prunus spp. (not listed under recommended street trees)</td>
<td>Cherry</td>
<td></td>
</tr>
<tr>
<td>Pyrus spp.</td>
<td>Pear</td>
<td></td>
</tr>
<tr>
<td>Pyrus colleryana</td>
<td>Pear</td>
<td></td>
</tr>
<tr>
<td>Quercus acutissima</td>
<td>Sawtooth Oak</td>
<td></td>
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<tr>
<td>Quercus nigra</td>
<td>Black Oak</td>
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<tr>
<td>Quercus palustris</td>
<td>Pin Oak</td>
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<tr>
<td>Robinia pseudoacacia</td>
<td>Black Locust</td>
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<tr>
<td>Salix spp.</td>
<td>Willow</td>
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<tr>
<td>Sapindus sebiferum</td>
<td>Chinese Tallow Tree</td>
<td></td>
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<tr>
<td>Sorbus spp.</td>
<td>Mountain Ash</td>
<td></td>
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<tr>
<td>Scientific Name</td>
<td>Common Name</td>
<td></td>
</tr>
<tr>
<td>----------------------</td>
<td>----------------------</td>
<td></td>
</tr>
<tr>
<td>Tilia cordata</td>
<td>Little Leaf Linden</td>
<td></td>
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<tr>
<td>Tsuga canadensis</td>
<td>Eastern Hemlock</td>
<td></td>
</tr>
<tr>
<td>Tsuga caroliniana</td>
<td>Carolina Hemlock</td>
<td></td>
</tr>
<tr>
<td>Ulmus olata</td>
<td>Winged Elm</td>
<td></td>
</tr>
<tr>
<td>Ulmus americana</td>
<td>American Elm</td>
<td></td>
</tr>
<tr>
<td>Ulmus pumila</td>
<td>Siberian Elm</td>
<td></td>
</tr>
</tbody>
</table>
June 24, 2019

Amy McNeill
City of Sanford
225 E Weatherspoon Street
P.O. BOX 3729
Sanford, NC 27331
919.718.4656
amy.mcneill@sanfordnc.net

Reference: South Park
Sanford, North Carolina

Subject: Memorandum of Understanding for TIA Report

Dear Ms. McNeill:

The following is a Memorandum of Understanding (MOU) outlining the proposed scope of work and assumptions related to the Traffic Impact Analysis (TIA) for the proposed South Park development, to be located along Commerce Drive in Sanford, North Carolina. Refer to the attached site location map. The proposed development is expected to consist of a maximum of 435 single-family homes and 220 townhomes. It should be noted that the current site plan consists of less residential units than the assumed maximum. Site access will be provided via two (2) full movement intersection along Commerce Drive. Additionally, there are stub outs for connections to future development along Research Drive to the south and east of the site. A preliminary site plan is attached.

Study Area

Based on coordination with the City of Sanford (City) and the North Carolina Department of Transportation (NCDOT), the study area is proposed to consist of the following intersections:

- NC 87 and Commerce Drive (signalized)
- Commerce Drive and Research Drive (unsignalized)

Existing Traffic Volumes

Peak hour turning movement counts were conducted by Ramey Kemp & Associates, Inc. at the study intersections above in May of 2019 during weekday AM (7:00 to 9:00) and weekday PM (4:00 to 6:00) peak hours while schools were in session. It should be noted that no vehicles were observed to utilize Research Drive during the weekday AM and PM peak hours. A traffic volume of 4 will be utilized on all allowable turning movements that had a zero volume per Congestion Management guidelines under existing (2019) traffic conditions. Research Drive currently exists as a dirt road and is expected to be utilized primarily by construction vehicles. Signal information was obtained from the NCDOT. Refer to the attached existing (2018) traffic volumes figure.
Trip Generation

Average weekday daily, AM peak hour, and PM peak hour trips for the proposed development were estimated using methodology contained within the ITE *Trip Generation Manual*, 10th Edition. Refer to Table 1 for a detailed breakdown of the proposed site trip generation.

<table>
<thead>
<tr>
<th>Land Use (ITE Code)</th>
<th>Intensity</th>
<th>Daily Traffic (vpd)</th>
<th>Weekday AM Peak Hour Trips (vph)</th>
<th>Weekday PM Peak Hour Trips (vph)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Enter</td>
<td>Enter</td>
<td>Enter</td>
</tr>
<tr>
<td>Single-Family Homes (210)</td>
<td>435 units</td>
<td>4,030</td>
<td>78</td>
<td>236</td>
</tr>
<tr>
<td>Townhomes (220)</td>
<td>220 units</td>
<td>1,630</td>
<td>23</td>
<td>78</td>
</tr>
<tr>
<td>Total Trips</td>
<td></td>
<td>5,660</td>
<td>101</td>
<td>314</td>
</tr>
</tbody>
</table>

It is estimated that the proposed development will generate approximately 5,660 total site trips on the roadway network during a typical 24-hour weekday period. Of the daily traffic volume, it is anticipated that 415 trips (101 entering and 314 exiting) will occur during the weekday AM peak hour and 536 trips (338 entering and 198 exiting) will occur during the weekday PM peak hour.

Trip Distribution and Assignment

The primary site trips are distributed based on the locations of existing traffic patterns, population centers adjacent to the study area, and engineering judgment. A summary of the overall distributions is below:

- 80% to/from the north via NC 87
- 20% to/from the south via NC 87

Analysis Scenarios

All capacity analyses will be performed utilizing Synchro (Version 10.3). All study intersections will be analyzed during the weekday AM and PM peak hours under the following proposed traffic scenarios:

- Existing (2019)
- Background (2024)
- Combined (2024)

Background Traffic Volumes

Based on a review of traffic growth patterns and adjacent development information, background traffic volumes will be determined by projecting existing (2019) traffic volumes to the build-out year using a proposed 1% annual growth rate. It was also determined, through coordination with the NCDOT, that the growth rate would capture any adjacent developments expected within the vicinity of the site.
Report

The TIA report will be prepared based on the City and NCDOT requirements.

If you find this memorandum of understanding acceptable, please let me know so that we may include it in the TIA report. If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,
Ramey Kemp & Associates, Inc.

Joshua Reinke, P.E.
Transportation Engineer

Attachments: Site Location Map
            Preliminary Site Plan
            Existing (2019) Traffic Volumes Figure
            Site Trip Distribution Figure
LEGEND
- Proposed Site Location
- Study Intersection
- Study Area

PROPOSED SITE
- Commerce Drive
- Research Drive

South Park
Sanford, NC

Site Location Map
Scale: Not to Scale
The image contains a diagram of a traffic study for South Park, Sanford, NC. The diagram includes a legend indicating signalized and unsignalized intersections. The traffic data includes weekday AM and PM peak hour traffic volumes in thousands of vehicles.

Legend:
- Unsignalized Intersection
- Signalized Intersection

Traffic Data:
- Commerce Drive:
  - AM Peak Hour:
    - Weekday: 15/31
    - Weekday: 0/0
  - PM Peak Hour:
    - Weekday: 46/15
    - Weekday: 0/0

- Research Drive:
  - AM Peak Hour:
    - Weekday: 0/0
  - PM Peak Hour:
    - Weekday: 130/77
    - Weekday: 31/47

- NC 87:
  - AM Peak Hour:
    - Weekday: 23/25
    - Weekday: 0/0
  - PM Peak Hour:
    - Weekday: 837/1728
    - Weekday: 46/15

- Existing (2019) Peak Hour Traffic:
  - Weekday: 1736/504

The diagram is not to scale.
LEGEND

○ Unsignalized Intersection

Red Green Signalized Intersection

X% ➔ Entering Trip Distribution

(Y%) ➔ Exiting Trip Distribution

XX% Regional Trip Distribution

SITE

South Park
Sanford, NC

Site Trip Distribution

Scale: Not to Scale
CITY OF SANFORD
CITY COUNCIL AND PLANNING BOARD
PUBLIC HEARING INFORMATION
AUGUST 20, 2018

APPLICATION# 2019-08101 TO AMEND THE SANFORD ZONING MAP

Applicant: Criteria Development
Owner: AGA Corporation, Van R. Groce Sr., and Copper Ridge Development LLC
Request: Rezone from South Park High Density Conditional Zoning to Laurel Oaks Subdivision Conditional Zoning District to allow the development of a residential community. This is a site plan specific conditional zoning district with unique conditions that are legally binding on the land even in the event of a transfer of ownership.
Location: 209 ± acres with frontage/access off of Commerce Drive, located on the south side of Commerce Drive between the Harvey Faulk Road intersection and the terminus of Commerce Drive
Township: Jonesboro
Tax Parcel: 9660-18-5664-00, 9660-18-6263-00, 9650-98-9031-00, 9650-97-8129-00, 9650-96-8137-00, 9660-07-7574-00, 9660-16-4729-00, 9660-17-4596-00, 9660-15-0255-00, 9660-27-6006-00, 9660-37-7933-00

Adjacent Zoning:
North: South Park Village Conditional Zoning District – Opposite Commerce Drive
   Residential Single-family (R-14)
   Residential Mixed (R-10) with a Mobile Home Park Overlay District
South: Barrington Park Conditional Zoning District-South and Residential Agricultural (RA)
East: Barrington Park Conditional Zoning District-South and General Commercial (C-2)
West: Residential Agricultural (RA) and Residential Restricted (RR)

Introduction: Planning staff has received a rezoning application from Criteria Development as the first step in the proposed development of a new residential community off of Commerce Drive. The applicant is requesting to rezone to the Laurel Oaks Subdivision Conditional Zoning District to establish the overall design and density for this proposed residential subdivision with conditions and plans submitted for consideration by the Planning Board and City Council. The information provided as supplemental information with the rezoning application will allow the boards to view the site plans, architectural elevations, and other details for the project to ensure that the proposed density and vision for this residential community aligns with the board’s overall vision for the area.

Area and Site Description: Commerce Drive is located in the southeastern area of the City of Sanford off of NC Hwy 87 South and was originally proposed to be developed as the South Park Industrial Park, which evolved into the South Park Business Park, and has continued to evolve into what now an area developed with the Park at Southpark Village apartment community, an assisted living facility, and a day treatment center. The evolution of this area appears to have been market driven, with residential development being what is currently in demand in this area. The land included within this rezoning request is located south of and accessed off of Commerce Drive.
Surrounding Land Uses:
North of the site, opposite Commerce Drive, is the Park at Southpark Village apartment community, vacant land, an assisted living facility, and a day treatment facility. South of the site is vacant land that is part of the Barrington Park Conditional Zoning District – South, which does not appear to be moving forward and is currently for sale. East of the site are vacant tracts of land, which front NC Hwy 87 South and are zoned General Commercial (C-2). West of the site is a residential single-family subdivision (Woodbridge Pointe) accessed via Lee Avenue and a mobile home park.

Zoning District Information:
Existing Zoning: South Park High Density Conditional Zoning District is a stand-alone district with its own unique concept plan and conditions as follows:

- All roads will be City maintained public streets with a 50ft right-of-way.
- Tract A is 10.9 acres with detached single-family homes that have a minimum of 80ft of frontage.
- Tract B is 24.3 acres with detached single-family homes that have a minimum of 65ft of frontage.
- Tract C is 40.4 acres with detached single-family homes that have a minimum lot size of 6,500sf.
- Tract D is 50.3 acres with open space and an amenity center (gym & splash pool)
- Tract E is 8.1 acres with townhomes with a max of 10 units per acre on 25ft wide lots.
- Tract F is 13.7 acres with townhomes with a max of 10 units per acre on 35ft wide lots.
- Tract G is 18.3 acres with open space and an amenity center (gym & splash pool)
- Tract H is 42.3 acres with open space, detention ponds, and 100-year floodplain.
- Tract I is 3.5 acres with commercial development.
- These acreages are approximate and include roadways.

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- All lots have a max building height of 35ft.
- Sidewalls will be provided on one side of the street, except for cul-de-sacs.
- Open space shall be owned & maintained by the HOA.

The concept plan for the current zoning is labeled “Preliminary Zoning Master Plan, South Park High Density” and is included within the agenda for your reference.

Proposed Zoning: Laurel Oaks Subdivision Conditional Zoning District is a stand-alone district with its own unique conditions. Under a Conditional Zoning District Type 1, an applicant would have the freedom to develop his/her own unique list of permitted uses and design standards. It is also understood that such a district would need to be designed so as to maintain the integrity and characteristics of the surrounding community as well as conform to the spirit and intent of the Zoning Ordinance. This type of zoning is suitable in situations where none of the current conventional zoning districts accommodate the desired uses and the applicant has a clear vision as to how the property is to be developed.
The applicant shall specify the uses of the property and shall propose additional conditions to ensure compatibility between the development and the surrounding neighborhood. The conditions shall include all of the following, as applicable:

- The location on the property of the proposed use(s);
- The number of dwelling units;
- The location and extent of supporting facilities (parking lots, driveways, and access streets);
- The location and extent of buffer areas and other special purpose areas;
- The timing of development;
- The location and extent of rights-of-way and other areas to be dedicated for public purposes;
- And any other such conditions the applicant may wish to propose.

The application shall include a site plan and detailed narrative text that specifies the conditions that will govern the development and use of the property. If approved, this information is legally binding on the land; therefore, the site has to be developed as per the approved plans and conditions even if a property transfer were to take place. Any item not specifically addressed in the rezoning process must comply with the UDO standards.

As reminder, the conditional zoning process is a negotiated zoning process and, as such, the Planning Board and/or City Council may request that certain conditions be considered or altered. However, the petitioner must accept such conditions before inclusion in the conditional zoning district.

The information submitted for this rezoning request was reviewed by the Sanford/Lee County/Broadway Technical Review Committee (TRC) on July 25th and the board was amenable with the request moving forward for review and a decision by the Planning Board and the City Council. All outstanding TRC revisions must be addressed prior to the development of the site in the manner proposed and the conceptual plans and conditions that are approved in conjunction with this project must comply with the technical specifications and requirements of all governmental agencies.

Reference the supplemental information submitted with the rezoning application to view the written description (labeled “Project Overview”), the conceptual site plan (labeled “Laurel Oaks Master Plan”), architectural elevations of the single-family homes and the townhomes, street cross sections, street tree standards, and traffic information (a letter with the subject line “Memorandum of Understanding for TIA Report) for this project.

**In general, the following design standards are applicable for the Laurel Oaks Subdivision Conditional Zoning District:**

**Housing:** The Laurel Oaks subdivision will be comprised of several neighborhoods with each neighborhood being governed by a Home Owners Association (HOA) that will have an Architectural Review Board (ARB) to review design, materials, site plan and landscaping for each home. The housing types will include single-family homes and townhomes. The building program will consist of no less than two distinct home series, the “Express” and “Freedom” series, with the inclusion of at least three home types within each series. As the community develops, additional home series may be included.
**Express Series single-family homes**
- 355 +/- lots of this housing type
- 1,400sf minimum of heated space
- 3 bedrooms minimum
- patio
- concrete driveway
- two-car garage with decorative hardware on all garage doors
- exterior materials (brick, stone, faux stone, vinyl)
- minimum of two architectural facade types (brick, stone, faux stone, board and batten, shake, horizontal siding)
- front yard with turf sod lawn
- front yard with one canopy tree (2” caliper), six evergreen shrubs and/or groundcover (3 gallon size)
- 10 foot aggregate side yard setback, which means that there will be 10 feet of spacing between homes that may be a combination of various feet in order to obtain the aggregate 10 feet of separation (for example, two adjoining homes may both be 5 feet from the side property lines or one home may be 8 feet from the side property line with the adjoining home being 2 feet from the property line to comply the aggregate 10 feet proposed minimum building setback)
- 20 feet minimum front yard setback

**Freedom Series single-family homes**
- 76 +/- lots of this housing type
- 1,400sf minimum of heated space
- 3 bedrooms minimum
- patio
- concrete driveway
- two-car garage with decorative hardware on all garage doors
- minimum of two exterior materials (brick, stone, faux stone, cement board, vinyl)
- minimum of two architectural facade types (brick, stone, faux stone, board and batten, shake, horizontal siding)
- front yard and back yard with turf sod lawn
- front yard with one canopy tree (2” caliper), six evergreen shrubs and/or groundcover (3 gallon size)
- 10 foot aggregate side yard setback, which means that there will be 10 feet of spacing between homes that may be a combination of various feet in order to obtain the aggregate 10 feet of separation (for example, two adjoining homes may both be 5 feet from the side property lines or one home may be 8 feet from the side property line with the adjoining home being 2 feet from the property line to comply the aggregate 10 feet proposed minimum building setback)
- 20 feet minimum front yard setback

**Express Series townhomes**
- 214 +/- units of this housing type
- 1,200sf minimum of heated space
- 3 bedrooms minimum
- patio
• concrete driveway
• one-car garage with decorative hardware on all garage doors
• high quality exterior materials (brick, stone, faux stone, cement board, vinyl)
• minimum of two architectural facade types (brick, stone, faux stone, board and batten, shake, horizontal siding)
• front yard with turf sod lawn
• 10 evergreen shrubs and/or groundcover (3 gallon size)
• One understory tree for every two townhome dwelling (8ft height)

Lots:
355 +/- lots of Express Series single-family homes
76  +/- lots of Freedom Series single-family homes
214 +/- units of Express Series townhomes
625 +/- units total

Amenities: The Laurel Oaks subdivision will offer a range of amenities including no less than one mile of public and private greenways, a neighborhood pool, clubhouse, tot lot, dog park, sport court and picnic area. The clubhouse will be a minimum of 1,500sf and will include meeting areas, workout facilities, and restroom with changing areas. The trail system will incorporate benches and pet-waste stations at trail heads and key open space locations. The public portion of the greenway will meander along the natural features along the western boundary of the property with cross access provided to allow for future connections to a regional greenway system. In addition to the greenway system, every street will have a sidewalk on one side of the street. Every street has a designated planting strip with street trees planted at an average rate of 50 feet on center and additional information regarding street trees is included as supplemental information submitted with the rezoning application. Reference the Amenity Feature Matrix in the lower right corner of the concept site plan for information regarding what specific amenities (benches, bike racks, etc.) will be located in specific areas.

Signage: The entrance feature will include a monument sign with landscaping/irrigation and will incorporate water as a component of the design.

Roadways/Traffic: All roadways within the Laurel Oaks subdivision are proposed to be City maintained. Commerce Drive is a combination of NCDOT and City maintained. NCDOT maintains the front segment of Commerce Drive near the signalized intersection at NC Hwy 87 with the City maintaining the balance. The overall development is planned to gain access via two points along the existing Commerce Drive. Information regarding how this project may impact traffic in this area was included as supplemental information submitted with the rezoning application, specifically a letter with the subject line “Memorandum of Understanding for TIA Report”. NCDOT will require a Traffic Impact Analysis (TIA) to be completed for this project, which may trigger roadway improvements in the area.

Water Source: The Laurel Oaks subdivision is proposed to be serve by public City maintained water. Per GIS, there is a 12-inch City maintained public water main line in the right-of-way of Commerce Drive. The applicant is currently in conversation with the City of Sanford Public Works Dept. regarding how best to serve the site.
**Wastewater Method:** The Laurel Oaks subdivision is proposed to be serve by public City maintained sanitary sewer. Per GIS, there is an 8-inch City maintained public sewer main line in the right-of-way of Commerce Drive. The applicant is currently in conversation with the City of Sanford Public Works Dept. regarding how best to serve the site.

**Overlay Districts & Area Plans**

**Flood Hazard Area:** There is an area of 100-year floodplain along the western property line that adjoins Gasters Creek. This area also contains wetland, both of which are illustrated on the conceptual site plan. No development is proposed within this area.

**Long Range Plan:** The Plan SanLee Land Use Plan identifies two future land use place types for this land included within this rezoning request.

The first is “Mixed Use Activity Center”, which has the following characteristics:
- Facilitate development of large scale integrated mix of uses
- Single master-planned unit, but contextually integrated into surrounding development pattern including strong mobility linkages
- Close proximity to highway interchanges and major arterials
- A local example is the US 1 /Spring Lane interchange area in Sanford

Land use designations include civic, open space, employment, commercial, and residential. Forms of transportation include automobiles and public transit with sidewalks and on-street bike lanes and transit routes accommodating trucking. The proposed zoning districts are General Commercial, O&I Office & Institutional, and Multi-family residential. Suggested infrastructure is public water and wastewater/sewer. The preferred character is a two to four land urban street network, core grid street network, 3.500ft block length sidewalks & street trees, on street & rear parking, and landscaped off-street parking. Reference the attached information from the Plan SanLee Land Use Plan.

The second is “Suburban Neighborhood”, which has the following characteristics:
- Residential areas on the outskirts of a core urbanized area
- Facilitates large scale development of single-family residential
- Walkable, with a high degree of transportation connectivity between neighborhoods and surround network thoroughfares
- A local example is the Westlake Valley neighborhood in Sanford.

Land use designations include open space, civic, and residential. The proposed zoning districts are medium density residential (primary) and low density residential (secondary). Suggested infrastructure is public water and wastewater/sewer. The preferred character are interconnected curvilinear streets with 600ft block lengths, curb & gutter & sidewalks with street trees. Reference the attached information from the Plan SanLee Land Use Plan.

**Conformance with the Long Range Plan**
The Plan SanLee Land Use Plan identifies this area as “mixed use activity center” and “suburban neighborhood”. It appears that the Laurel Oaks subdivision incorporates the characteristics of the “Suburban Neighborhood” in that it is a residential area on the outskirts of a core urbanized area, it is large scale single-family residential development, and it is walkable within the interior of the subdivision.
Public Information Meeting
A public information meeting for this rezoning request was held on August 8, 2019 with one staff person, three project representatives and a property owner representative in attendance. No adjoining property owners or other members of the public attended.

Staff Recommendation
Staff has reviewed several iterations of this subdivision. The overall design has been revised to address many of our concerns. Design features have been incorporated to create an integrated residential community. Streets have been stubbed to the property lines in several locations to allow for future connectivity when/if there is development on adjoining lots, which is beneficial for emergency services and connecting neighborhoods to one another, goods/services, and institutional uses, such as parks and schools.

Staff has consistently expressed concern about diversity of housing stock. The current design does include three product types (two detached single-family products and townhomes). However, Council and Planning Board should be aware that these products and lot sizes are mostly targeted for entry level home buyers. While staff recognizes the need for affordable housing and certainly our community would welcome workforce housing, staff is concerned that the entire community appears to be targeted for this type of product.

In summary, staff supports the project’s overall design. Staff also understands the developer’s desire to meet market demand. However, staff suggests that Council and Planning Board give reasonable consideration to the impact of 625 new housing units essentially targeting the same entry level market.

As a reminder, the conditional zoning process is a negotiated zoning process and, as such, the Council and/or Planning Board may request that certain conditions be considered or altered; however, the petitioner must accept such conditions before inclusion in the conditional zoning district. Also, information as presented at the public hearing may provide additional information that should be considered regarding a final decision on the requested zoning map amendment.
REZONING APPLICATION 2019-0801: Application by Criteria Development to rezone one 209+/- acres off of Commerce Drive from Southpark High Density CZ District to Laurel Oaks Subdivision CZ District.

This is a graphic illustration and not a legal document.
REZONING APPLICATION 2019-0801: Application by Criteria Development to rezone one 209+/- acres off of Commerce Drive from Southpark High Density CZ District to Laurel Oaks Subdivision CZ District.

This is a graphic illustration and not a legal document.
REZONING APPLICATION 2019-0801: Application by Criteria Development to rezone one 209 +/- acres off of Commerce Drive from Southpark High Density CZ District to Laurel Oaks Subdivision CZ District.

This is a graphic illustration and not a legal document.
**MIXED USE ACTIVITY CENTER**

- Facilitate development of large scale integrated mix of uses
- Single master-planned unit, but contextually integrated into surrounding development pattern including strong mobility linkages
- Within close proximity to highway interchanges and major arterials

**Local Example - US 1 / Spring Lane Interchange Area in Sanford**
SUBURBAN NEIGHBORHOOD

- Residential areas on the outskirts of a core urbanized area
- Facilitates large scale development of single family residential
- Walkable, with high degree of transportation connectivity between neighborhoods and surrounding network thoroughfares

Local Example - Westlake Valley Neighborhood in Sanford

**Development Density**
- 4-7 dwelling units / acre
- Moderate Building Setbacks
- 35 Foot Height Limit

**Utility Infrastructure**
- Public Water
- Public Wastewater

**Preferred Character**
- Interconnected Curvilinear Streets
- 600 Foot Block Lengths
- Curb & Gutter + Sidewalks
- Street Trees

**Current Districts**
- R-20
- R-14
- R-12SF (Primary)
- R-12 (Secondary)

**Proposed Districts**
- Medium Density Residential (Primary)
- Low Density Residential (Secondary)
PRELIMINARY ZONING MASTER PLAN
SOUTH PARK HIGH DENSITY
COMMERCE DRIVE
SANFORD, NC 27330

PREVIOUSLY APPROVED BY SANFORD CITY COUNCIL IN DECEMBER 2018. PROVIDED FOR REFERENCE.
ADJOINING PROPERTY OWNERS LIST

REQUEST: Rezone 211+ acres from Barrington Park CZ District zoned South Park High Density CZ District for the purpose of developing a residential subdivision

LOCATION: Vacant land off of/south of/accessed via Commerce Drive, Sanford, NC 27332

PINs: See Public Information Letter

DATE: August 2, 2019

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(0) = Vacant, no addressed structures on the parcel.
MEMORANDUM

TO: City of Sanford City Council
    Sanford Planning Board
    Hal Hegwer, City Manager

FROM: Amy J. McNeill, Zoning Administrator

DATE: August 20, 2019

REF: UDO Text Amendment Revising the Public Works Certificate on Subdivision Plats
     Public Hearing – One Amendment

As per the request of the City of Sanford Public Works Director, Vic Czar, the language in the Public Works Certificate that is on final subdivision plats within the jurisdictions of Sanford and Broadway is proposed to be revised to replace the vague reference of the City/Town accepting “streets, utilities, and other required public improvements” with the more specific reference of the City/Town accepting “public water, sewer and/or streets”. The rationale for this revision is to clarify specifically what improvements the City of Sanford and the Town of Broadway will be responsible for maintaining within a subdivision. The certificate for Lee County already has the proper language.

PROPOSED AMENDMENT to Appendix B. Specifications for Forms to be Submitted

Draft language for consideration of amending Appendix B. Specifications for Forms to be Submitted, B-4 Subdivision Plats, (d) Requirements for a Final Plat, (16) to revise the wording as follows:

Current UDO

(c.1) CERTIFICATE OF APPROVAL OF DESIGN AND INSTALLATION OF STREETS, UTILITIES AND OTHER REQUIRED PUBLIC IMPROVEMENTS.
    (Use for City of Sanford/Town of Broadway only, if applicable)

I hereby certify that all streets, utilities and other required public improvements have been installed in an acceptable manner and according to the (City/Town) specifications and standards in the __________________ Subdivision or that a guarantee of the installation of the required improvements in an amount or manner satisfactory to the (City of Sanford/Town of Broadway) has been received.

_________________________________________  __________________
Director of Public Works                     Date
Proposed Changes

(c.1) CERTIFICATE OF APPROVAL OF DESIGN AND INSTALLATION OF PUBLIC WATER, SEWER AND/OR STREETS.
(Use for City of Sanford/Town of Broadway only, if applicable)

I hereby certify that all public water, sewer, and streets (where applicable) have been installed in an acceptable manner and according to the (City/Town) specifications and standards in the ______________ Subdivision or that a guarantee of the installation of the required improvements in an amount or manner satisfactory to the (City/Town) has been received.

____________________________________  __________________
Director of Public Works  Date
MEMORANDUM

TO: City of Sanford City Council
   Sanford Planning Board
   Hal Hegwer, City Manager

FROM: Marshall Downey, Planning Director

DATE: August 20, 2019

REF: UDO Text Amendments Regarding Oil & Gas Extraction and Traditional Mining & Quarrying
     Public Hearing – Seven Amendments

As the City Council may recall, the City and County agreed to work with Chatham County and jointly retain the services of a third-party legal consultant to review options for land use regulations for oil and gas extraction (more commonly known as “fracking”). Staff was also to seek third-party assistance to review current rules for traditional mining and quarrying to ensure such regulations are comprehensive and up to date.

In January of 2018, work began in earnest with Mr. Glenn Dunn and his team from the firm Poyner Spruill, LLP. An overview of this work included many hours reviewing our current regulations in comparison with all applicable State laws and State rules. Additionally, in the case of mining and quarrying, a set of proposed changes as submitted by a Lee County citizen (Mr. Jerry Merritt) was also included in the review and revision process.

Staff presented the draft amendments to the Joint Planning Commission (JPC) in January of this year at the Dennis Wicker Civic Center. This was a joint meeting as all governing boards and planning boards were also invited to attend and view the presentation.

The final set of amendments was presented to the JPC in late April and the members of the Joint Planning Commission voted unanimously to move forward to public hearing with all three jurisdictions. The Lee Count Board of Commissioners approved the text amendments in June of 2019. The Broadway Board of Commissioners will consider these text amendment on August 26th.

Attached you will find the seven (7) amendments as proposed.
Amendment 1. Amend Article 4. Table 4.6-1 Permitted Use Matrix

This amendment proposes to revise our Permitted Use matrix to create two distinct land use categories – one for traditional mining and a new category for oil and gas extraction.

Our current UDO now includes three categories:

- Mining and Quaries (unincorporated Lee County and City of Sanford only)
- Mining and Quaries EXCEPT Oil and Gas Extraction (Town of Broadway only)
- Mining and Quaries, Oil and Gas Extraction (Town of Broadway only)

This section of the Use Matrix was last updated in 2015 through a set of amendments introduced in an attempt to add new regulations for oil and gas extraction. These amendments were adopted only by the Town of Broadway, resulting in the three categories. Lee County tabled the item and passed a moratorium to give it time to study the issue instead. The City of Sanford also did not adopt the 2015 amendments.

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**Mining and quarrying**: Traditional mining and quarrying, as proposed, would require a two-step approval process. The first step includes a new legislative process in which an applicant would be required to apply for a “Mining Special Use Overlay District” (MSUOD). This new overlay district which can be applied only on parcels already zoned RA, LI or HI. The Special Use Permit is still required (which is how it is regulated now), but only after a legislative action by the governing board to apply the MSUOD. Note that the specifics of the MSUOD will be discussed as part of Amendment #2.

**Oil and Gas Exploration, Development and Production (all jurisdictions)**: As proposed, this use would be allowed in RA, LI and HI with the issuance of a Special Use Permit.
**Gas Compressor Station (all jurisdictions):** This category is to address off-site compressor equipment which compresses the gas to a pressure necessary to allow it to continue traveling along the pipeline to the intended recipient. As it is an off-site activity with noise potential, it is listed here as a stand-alone land use. Like oil and gas exploration, this use would be allowed in RA, LI and HI with the issuance of a Special Use Permit.
Amendment 2. Add a new section to Article 4, titled, “4.16 Mining Special Use Overlay District (MSUOD)”.

4.16.1 PURPOSE

Mining and quarrying are industries which may play an important part in the county’s economy. Mining and quarrying are peculiar land uses in that the location of mineral, stone and other deposits will, in part, be determined only after exploration and discovery in the future. Consequently, the precise location of zoning districts wherein mining may take place cannot always be predetermined. In addition, mineral extraction involves several methods—quarrying, open-pit, drilling, tunneling, etc.—each of which would affect the surrounding environment differently. Therefore, the governing board of Lee County concludes that the fundamental purposes and procedures of zoning would be served best by adopting a Mining Special Use Overlay District, which can be applied to certain underlying districts if approved by the respective governing board, and that the Board of Adjustment should consider each location proposed to be mined to determine whether, and under what conditions or safeguards, they should authorize mining and quarrying by the issuance of a Special Use Permit.

4.16.2 APPLICABILITY

4.16.2.1 Establishment. The Mining Special Use Overlay Districts (MSUOD) is hereby established as a district which may be overlaid on the following underlying zoning districts to permit mining and quarrying in the MSUOD.

- RA Residential Agricultural
- LI Light Industrial
- HI Heavy Industrial

4.16.2.2 Special Use Permit Required. If a MSUOD is approved, no mining or quarrying may commence until a Special Use Permit is also approved. The Special Use Permit shall conform to the specific standards of Section 5.23 as well as the general development standards of this UDO.

4.16.2.3 Definition. For the purposes of this Ordinance, “Mining and Quarrying” shall include any operation or land activity as defined under the category Mining and Quarrying in Appendix A of this Ordinance.

4.16.3 DEFINITIONS

The following additional definitions apply to this Section 4.16:

“Affected land” means the surface area of land that is mined or quarried, the surface area of land associated with a mining activity so that soil is exposed to accelerated erosion, the surface area of
land on which overburden and waste is deposited, and the surface area of land used for processing or treatment plant, stockpiles, nonpublic roads, and settling ponds.

“Land” shall include submerged lands underlying any river, stream, lake, sound, or other body of water.

“Minerals” means soil, clay, coal, stone, gravel, sand, phosphate, rock, metallic ore, and any other solid material or substance of commercial value found in natural deposits on or in the earth.

“Overburden” means the earth, rock, and other materials that lie above the natural deposit of minerals.

“Reclamation plan” shall mean that plan required by the state as part of an application for a mining permit and defined in N.C. Gen. Stat. § 74-49.

“Refuse” means all waste soil, rock, mineral, scrap, tailings, slimes, and other material directly connected with the mining, cleaning, and preparation of substances mined and shall include all waste materials deposited on or in the permit area from other sources.

“Site” means the affected land and any buffer yards.

### 4.16.4 APPROVAL PROCEDURES

4.16.4.1 An application for a MSUOD shall be considered an Initiation of a Zoning Map Amendment and shall be processed in accordance with Sections 3.3.2 through 3.3.4 of this Ordinance.

4.16.4.2 The exterior perimeter of the proposed MSUOD may not be located within:

- One-half (1/2) mile of an existing school, library, day care facility, healthcare facility, park, and/or religious institution; or
- One thousand (1,000) feet of an existing dwelling unit (located in a residential zoning district and not located on the same property as the use).

### 4.16.5 SPECIAL USE PERMIT

4.16.5.1 As noted in Section 4.16.2.2, a Special Use Permit is also required upon successful rezoning and application of a MSUOD. As such, application for the Special Use Permit shall be in accordance with Section 3.5 of this Ordinance.

4.16.5.2 To aid in the interpretation of the word “harmony” in Section 3.5.3.4 as applied to an application for Special Use Permit for mining and quarrying, the following guidelines may be used:

- The operation will not constitute a substantial physical hazard to a neighboring residence, school, church, hospital, commercial, or industrial building, public road, or public property;
• The operation will not have a significantly adverse effect on the purposes of a publicly owned park, forest, or recreation area;
• The operation will not have an adverse effect on public, community, or private water supplies, surface or ground waters, including but not limited to water supply watershed areas as designated in the Watershed Protection Map of Lee County, North Carolina.

4.16.5.3 A special use approval granted by the Board of Adjustment will not become effective until a mining permit, if required by the North Carolina Department of Environmental Quality, and all other state and federal permits required for mining are issued.

4.16.5.4 If the applicant makes a material and substantial change to the Site Plan or any of the other components submitted to the Board of Adjustment, a new special use permit application shall be submitted to the Board of Adjustment.

4.16.5.5 A special use permit will automatically expire if, at any time after it is approved by the Board of Adjustment, the state mining permit is revoked or terminated and may be reactivated upon reissuance of the state mining permit unless there is a material and substantial change requiring a new special use permit application according to Section 4.16.5.4 above.

4.16.5.6 APPLICATION REQUIREMENTS

4.16.5.6.1 The special use permit application shall also include two (2) copies of all other applications for federal and state permits required for mining. Such copies shall be complete and include all required supporting documentation as required for said permits.

4.16.5.6.2 The special use permit application shall include complete copies of any required land disturbing permits as required by State and Federal agencies (such as Sedimentation and Erosion Control, Wetlands, etc.). Such copies shall be complete and include all required supporting documentation as required for said permits.

4.16.5.6.3 The special use permit application shall include complete copies of NCDOT driveway permits and/or other permits related to roadway access and construction. Such copies shall be complete and include all required supporting documentation as required for said permits.

4.16.5.6.4 The special use permit application shall also include a traffic impact study by a qualified consultant that will enable the Board of Adjustment to assess the impact of the proposed land use on the highway system when that system is at or near capacity or a safety problem exists. Its purpose is to ensure that the proposed land use does not adversely affect the highway network and to identify any traffic problems associated with access from the proposed site to the existing transportation network. The study shall also identify improvements to resolve traffic problems and present solutions that may be incorporated in the Site Plan. The study shall also include information sufficient to demonstrate compliance with the Road and Traffic Standards in this section.

4.16.5.6.5 If the proposed affected land is greater than ten (10) contiguous acres, the special use permit application shall include a Phase I Environmental Site Assessment of the proposed affected
land completed not earlier than 12 months before the special use permit application date and prepared in accordance with the American Society for Testing and Materials.

4.16.5.6.6 The special use permit application shall include a major site plan as set forth in Appendix B-5 of this Ordinance. In addition to the site plan, the application shall also include an Operations Plan that details:

- Details on how the mine will operate (where will initial excavation begin, where will overburden be placed, etc.)
- Hours of operation
- Number of employees, including details on shifts if applicable
- Details on the function of each proposed structure or piece of equipment
- Location of permanent roads (those to be used in excess of one year) and non-permanents roads

4.16.5.6.7 The special use permit application shall include a copy of the mining reclamation bond as required by NCGS 74-51 and 74-54 and as submitted to the NC Department of Environmental Quality (NCDEQ).

4.16.6 PERMITTED USES (UNDERLYING ZONING DISTRICTS)

A Mining Special Use Overlay District will be an overlay on an underlying zoning district required specifically for mining and quarrying. All other uses permitted in any such underlying district, whether by right or as a Special Use, shall be permitted in the MSUOD according to the procedures established for such uses.
Amendment 3. Revise Article 5, Section 5.23 “Mining and Quarries” as follows:

5.23.1 APPLICABILITY

This section applies to any area as defined in the land use categories: Mining and Quarrying (Unincorporated Lee County only) and Mining and Quarrying (City of Sanford and Town of Broadway only) as set forth in Table 4.6-1 Permitted Use Matrix of this Ordinance. This Section 5.23 establishes additional design criteria that shall be required for Mining and Quarrying operations as defined in Appendix A of this Ordinance.

5.23.2 STANDARDS

5.23.2.1 Minimum lot area - five (5) acres.

5.23.2.2 Buffer Yard – In accordance with Section 7.5.4.5 of this Ordinance, complete visual separation is required along the exterior of this affected land.

5.23.2.3 The site may have one (1) ground sign at each entrance. Such sign shall not exceed fifty (50) square feet in area. If lighted, such sign may include indirect lighting or non-flashing illumination. Such sign shall be located on the same lot or parcel as the mining or quarrying operation.

5.23.2.4 Any excavated area shall be surrounded with a six (6) foot high security fence.

5.23.3 ROAD AND TRAFFIC STANDARDS

5.23.3.1 ACCESS. Mining and quarrying operations shall be located such that public roads which will provide access to said operations are constructed to NCDOT (or other controlling public agency) standards for the width and rated tonnage of the trucks that will be using the operation. Ingress to and egress from the site shall be along a road or driveway that intersects directly with a publicly maintained road. Traffic to and from such mining and quarrying operations may not be through a residential subdivision where the streets are primarily intended to provide access to adjacent residences.

5.23.3.2 LEVEL OF SERVICE. The additional truck traffic to the site may not cause roads providing access to the site to drop to a level of service below “D” as defined by NCDOT standards.

5.23.3.3 PERMANENT ROADS. Permanent roads, defined as those to be used in excess of one year, within the site shall be surfaced with a dust free material such as bituminous asphalt, concrete, or other similar impervious material. Roads other than permanent roads shall be treated with dust inhibitors, to be specified in the Operations Plan, which will reduce to a minimum the generation of dust from the road surfaces as a result of wind or vehicular action.

5.23.4 NOISE LIMITATIONS.
5.23.4.1 Activities, such as blasting, drilling, or crushing, may only be conducted on weekdays between the hours of 8:00 AM and 6:00 PM.

5.23.4.2 All other activities shall be subject to the applicable noise ordinance standards of the governmental agency having jurisdiction.
Amendment 4. Delete Section 5.41 “Mining and Quarries, Oil & Gas Extraction” entirely from Article 5.

This language was added to the UDO through a set of amendments in 2015 in an attempt to add new regulations for oil and gas extraction. These amendments were adopted only by the Town of Broadway. Lee County tabled the item and passed a moratorium instead. The City of Sanford also did not adopt these amendments. Based on review of the State Oil and Gas Conservation Act and accompanying regulations, these “supplemental” design standards should be removed. This section will simply be held in “reserve” for other land uses.

5.41 — MINING & QUARRIES, OIL & GAS EXTRACTION
(TOWN OF BROADWAY ONLY)

5.41.1 — APPLICABILITY

This section applies to properties engaged in the surface extraction of subsurface petroleum, shale oil and/or natural gas. Activities include exploration for crude petroleum and natural gas; drilling, completing, and equipping wells; operation of separators, emulsion breakers, de-silting equipment, and field gathering lines; storage yards and other related mining activities. This category includes establishments that produce crude petroleum, that mine and extract oil from shale, that produce natural gas, and that recover hydrocarbon liquids from oil and gas field gases.

5.41.2 — COMPLIANCE WITH STATE REGULATIONS

All oil and gas extraction operations shall maintain compliance with North Carolina Administrative Code Title 15A, Subchapter 5H Oil and Gas Conservation (as amended).

5.41.3 — ADDITIONAL STANDARDS

5.41.3.1 Minimum well pad area is five (5) acres. Well pad shall include the area that is cleared or prepared for the drilling of one or more oil or gas wells. The minimum acreage for the well pad area shall be calculated based on total cumulative acreage assembled via ownership or lease across one or more parcels.

5.41.3.2 Such uses shall have direct access to a paved publicly maintained street with a minimum 50-foot right-of-way. Such access shall be connected via an all weather surface constructed and maintained in accordance with Section 15A NCAC 05H.1503 (as amended).

5.41.3.3 Where abutting residentially zoned or developed parcels, the well pad area shall be screened with a Type D screening buffer yard as set forth in Article 7.

5.41.3.4 Only one (1) ground sign per entrance to the well pad is permitted. Such sign shall not exceed fifty (50) square feet in area. If lighted, such sign may include indirect lighting or non-flashing illumination. Such sign shall also conform to the requirements of Section 15A NCAC 05H.1615 (as amended).

5.41.3.5 Exhaust from any internal combustion engine or compressor, stationary or mounted on wheels, used in connection with the drilling of any well or for use on any production equipment
shall not be discharged into the open air unless equipped with an exhaust muffler, or mufflers or an exhaust muffler box constructed of noncombustible materials sufficient to suppress noise and disruptive vibrations and prevent the escape of obnoxious gases, fumes or ignited carbon or soot.

5.41.3.6 All drilling and production operations shall be conducted in such a manner as to minimize, dust, vibration, or noxious odors. All equipment used shall be constructed and operated so that vibrations, dust, odor or other harmful or annoying substances or effects are minimized by the operations carried on at any drilling or production site or from anything incident thereto to avoid injury to or annoyance of persons living in the vicinity. The site or structures shall not be permitted to become dilapidated, unsightly or unsafe.

5.41.3.7 Exterior lightning shall be designed and installed such that all lighting is directed inward to the well pad area and travel areas and creates minimum impact on surrounding properties.

5.41.4 OIL OR GAS WELL PLUGGING AND ABANDONMENT BOND.

5.41.4.1 When oil or gas wells are to be plugged or abandoned, the permittee (person or corporation to whom the North Carolina Department of Environment and Natural Resources has issued an oil or gas well permit) shall submit to the jurisdiction having zoning authority an oil or gas well plugging and abandonment bond in the amount of five thousand dollars ($5,000) plus one dollar ($1.00) per linear foot as drilled for the permitted oil or gas well.

5.41.4.2 The process for abandonment or permanent plugging of an oil or gas well shall comply with 15A North Carolina Administrative Code 05H .1618 as well as the reclamation rules as set forth in 15A North Carolina Administrative Code 05H .2100.

5.41.4.3 The permittee may request this bond to be released when final site reclamation is completed in accordance with 15A North Carolina Administrative Code 05H .2100 and for which the oil or gas well is permanently plugged and abandoned in accordance with 15A North Carolina Administrative Code 05H .1618. Determination of final site reclamation shall be under authority of the North Carolina Department of Environment and Natural Resources.
Amendment 5. Amend Appendix A “Definitions” as follows.

a. Revise the current definition of mining to reflect updated State definition,

MINING AND QUARRYING

"Mining and Quarrying" means any of the following: (i) the breaking of the surface soil in order to facilitate or accomplish the extraction or removal of minerals, ores, or other solid matter; (ii) any activity or process constituting all or part of a process for the extraction or removal of minerals, ores, soils, and other solid matter from their original location; or (iii) the preparation, washing, cleaning, or other treatment of minerals, ores, or other solid matter so as to make them suitable for commercial, industrial, or construction use.

“Mining and Quarrying” does not include: a) Those aspects of deep mining not having significant effect on the surface, where the affected land does not exceed one acre in area.; b) Mining operations where the affected land does not exceed one acre in area; c) Plants engaged in processing minerals produced elsewhere and whose refuse does not affect more than one acre of land; d) Excavation or grading when conducted solely for on-site construction for purposes other than mining; e) Removal of overburden and mining of limited amounts of any ores or mineral solids when done only for the purpose and to the extent necessary to determine the location, quantity, or quality of any natural deposit, provided that no ores or mineral solids removed during exploratory excavation or mining are sold, processed for sale, or consumed in the regular operation of a business, and provided further that the affected land resulting from any exploratory excavation does not exceed one acre in area; f) Excavation or grading where all of the following apply:

- The excavation or grading is conducted to provide soil or other unconsolidated material to be used without further processing for a single off-site construction project for which an erosion and sedimentation control plan has been approved in accordance with Article 4 of Chapter 113A of the General Statutes.
- The affected land, including nonpublic access roads, does not exceed five acres.
- The excavation or grading is completed within one year.
- The excavation or grading does not involve blasting, the removal of material from rivers or streams, the disposal of off-site waste on the affected land, or the surface disposal of groundwater beyond the affected land.
- The excavation or grading is not in violation of any local ordinance.
- An erosion and sedimentation control plan for the excavation or grading has been approved in accordance with Article 4 of Chapter 113A of the General Statutes.

b. Add new definition for Oil & Gas Exploration, Development and Production

OIL & GAS EXPLORATION, DEVELOPMENT AND PRODUCTION
Defined as any activity relating to oil and gas exploration, development and/or production including horizontal drilling and hydraulic fracturing and all other operations and/or activities for the exploration for or drilling of an oil or gas well that requires entry upon surface estate and the production operations directly related to the exploration or drilling as defined and regulated by NCGS Chapter 113, Subchapter V, Oil and Gas Conservation.

c. Add new definition for Compressor Station,

**GAS COMPRESSOR STATION**

A facility located along a gas pipeline which compresses the gas to a pressure necessary to allow it to continue traveling along the pipeline to the intended recipient.
Amendment 6. Revise Article 3, Section 3.5 “Special Use Permit”

This amendment proposes to add new language under a new subsection 3.5.4 that will allow the County to require additional study of potential impacts for certain land uses. The County may retain the services of a consultant mutually acceptable to it and the applicant to conduct a study of such impacts as related to the above criteria under 3.5.3 (Special use permit). The applicant would pay a fee as part of the special use permit application for the cost of the consulting services incurred by the County. Note that this additional study option would apply only to those land uses requiring (1) a Special Use Permit and (2) those land uses as listed within the “Industrial and Manufacturing” or “Transportation, Communications and Utilities” land use subcategories as found in the Permitted Use Matrix (§ 4.6, Table 4.6-1 of this Ordinance). Please refer to the attached copy of Table 4.6-1 to view the land uses as highlighted in yellow.

Proposed draft amendment language

3.5 SPECIAL USE PERMITS

3.5.1 APPLICABILITY.

3.5.1.1 The purpose of this Section is to establish procedures and standards for the processing and approval of Special Use Permits. Special Use permits provide a form of approval for certain uses which are generally compatible with the land uses permitted by right in a zoning district, but which require individual review of their location, design, and configuration. Special Uses ensure the appropriateness of the use at a particular location within a given zoning district.

3.5.1.2 If a Special Use Permit is required as set forth in the Permitted Use Matrix (§ 4.6, Table 4.6-1 of this Ordinance), the application shall be submitted to the Board of Adjustment.

3.5.2 APPROVAL PROCEDURE

3.5.2.1. No special use permit shall be authorized, developed, or otherwise carried out until the applicant has secured approval of the special use by the Board of Adjustment and approval of a final site plan by the Administrator.

3.5.2.2. Applications for special use permit approvals shall be filed with the Administrator. Pre-application meetings with the Administrator prior to filing are required.

3.5.2.3. Major site plan applications (see Appendix B) shall be filed concurrently with special use permit applications. The information shall be provided to the Board of Adjustment during their deliberations.

3.5.2.4. The Board of Adjustment shall conduct a quasi-judicial hearing in accordance with the requirements of § 3.1.7 of this Ordinance. The Board of Adjustment shall deny the request, approve the request; or approve the request with conditions.
3.5.2.5. The Board of Adjustment may place conditions on the use as part of the approval to assure that adequate mitigation measures are associated with the use. The conditions shall become a part of the special use permit approval and shall be included in the final site plan application.

3.5.2.6. Violations of any of the conditions shall be treated in the manner as set forth in § 1.6 of this Ordinance.

3.5.2.7. An application for a special use permit that has been denied may be resubmitted only if there has been a substantial change in circumstances, as determined by the Administrator, or if substantial revisions have been made to the application for development approval (see § 3.5.6 for further restrictions on reapplication).

3.5.2.8. Minor field alterations or minor revisions to approved special uses may be approved by the Administrator if the special use still meets the intent of the standards established with the original approval. Minor alteration/revisions shall be limited to changes that do not increase the intensity, density, or character of the use. If the Administrator determines that the change is not minor, the Applicant shall apply for a revised Special Use Permit. The applicant may appeal the decision of the Administrator to the Board of Adjustment.

3.5.3  APPROVAL CRITERIA.

Uses permitted subject to Special Use review shall be permitted only if the applicant demonstrates to the Board of Adjustment that:

3.5.3.1 The use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved,

3.5.3.2 The use meets all required conditions and specifications,

3.5.3.3 The use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity, and

3.5.3.4 The location and character of the use, if developed according to the plan submitted and approved, will be in harmony with the area in which it is located and in general conformity with all adopted land use plans.

3.5.3.5 The Board may impose additional conditions upon granting the Special Use Permit so long as said conditions are reasonable and appropriate.

3.5.4  ADDITIONAL STUDIES FOR CERTAIN LAND USES.

3.5.4.1 Upon determining that the proposed use will have particular impacts potentially inconsistent with any of the above approval criteria, the County may retain the services of a consultant mutually acceptable to it and the applicant to conduct a study of such impacts as related to the above criteria. The applicant shall pay a fee as part of the special use permit application for the cost of the consulting services incurred
by the County, and the report of the study results shall be submitted to and approved by the County prior to issuance of the special use permit.

3.5.4.2 This section 3.5.4 shall apply only to those land uses requiring a Special Use Permit and as listed within the “Industrial and Manufacturing” or “Transportation, Communications and Utilities” land use subcategories as found in the Permitted Use Matrix (§ 4.6, Table 4.6-1 of this Ordinance).

3.5.5 VOTING.

A majority of the members of the Board of Adjustment shall be required to decide on whether or not to grant a Special Use Permit. For the purposes of this subsection, vacant positions on the board and members who are disqualified from voting on a quasi-judicial matter shall not be considered members of the board for calculation of the requisite majority if there are no qualified alternates available to take the place of such members.

3.5.6 SCOPE OF APPROVAL.

3.5.6.1 The approval of a Special Use permit shall authorize the applicant to apply for final site plan approval pursuant to § 3.6 of this Ordinance. All approvals of Special Use permits require approval of the site plan. Any Special Use permit approval shall become null and void if a required site plan is not approved within 24 months after the date of the approval. No Zoning Clearance Permit may be issued until the final major site plan and Special Use permits are approved. Approval of a Special Use permit does not authorize any development activity.

3.5.6.2 Minor field alterations or minor revisions to approved Special Uses may be approved by the Department of Community Development if the Special Use still meets the intent of the standards established with the original approval. Minor alteration/revisions shall be limited to changes that do not increase the intensity, density, or character of the use. If the Department of Community Development determines that the change is not minor, The Applicant shall apply for a revised Special Use Permit. The applicant may appeal the decision of the Department of Community Development to the Board of Adjustment.

3.5.6.3 Violations of any of the conditions shall be treated in the manner as set forth in § 1.6 of this Ordinance.

3.5.7 RECORDATION

The applicant shall obtain certification of the approved Special Use Permit from the Clerk to the Board and shall record this Order in the office of the register of deeds of Lee County. The Applicant must provide the Department of Community Development a copy of the recorded notification, affixed with the Register's seal and the date, book and page number of recording in order to receive approval of the application for a zoning clearance.

3.5.8 SUBSEQUENT APPLICATIONS
In the event that an application for a Special Use Permit is denied by the Board of Adjustment, the Board of Adjustment shall refuse to accept another application for the same amendment on the same property or any portion of the same property within one (1) year of the original hearing. However, the Board of Adjustment may consider such application within that time if relevant evidence that was not reasonably available at the time of the original hearing is presented.
Table 4.6 – 1 PERMITTED USE MATRIX:

Key: "P" means permitted as of right, "S" means permitted as a special use, "D" means development regulations apply (see Article 5), "A" means permitted only as an accessory use, "-" means prohibited. Section numbers as provided in the use column (i.e. § 5.1) provide additional reference regarding the supplemental design standards as found within other sections of this Ordinance.

Refer to Appendix A or the sources referred to under "Land Use Coding" for specific definitions of uses.

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### Accommodations and Group Living

**Bed and breakfast inn** (see § 5.4)  
**Boarding house/Room Renting**  
**Dormitories for the students of colleges, commercial schools, staff of hospitals**  
**Family Care Homes** (see NCGS § 168-21) (see § 5.12)  
**Group Home/Residential Care Facility, Level I**  
**Group Home/Residential Care Facility, Level II**  
**Group Home/Residential Care Facility, Level III**  
**Group Home/Residential Care Facility, Level IV**  
**Hotel, Motel, and tourist court** (see § 5.17)  
**Child and Youth Services**  
**Nursing, Supervision, Adult Care Homes, Group Care Facilities and other rehabilitative services**

### General Sales or Service

**ABC Store (liquor Sales), incorporated areas only**  
**Administrative Services, Travel Arrangement and Reservation Services, Investigation and Security Services (locksmiths)**  
**Agricultural equipment, sales and service**  
**Animal Hospitals, Veterinary services, Animal Shelters, Kennels / Animal Pet Services** (see § 5.3)  
**Antique Shops**  
**Appliance Sales, Repair and Maintenance, (no outside storage)**  
**Art dealers, supplies, sales and services**  
**Auction sales, general merchandise (no vehicular sales)**  
**Auction Sales, vehicular sales**  
**Bakeries, retail, including manufacturing of goods for sale on the premises only**  
**Bicycle (non motorized) Sales and/or Repair**  
**Books, Magazines, music, etc.**  
**Building, Mixed Use - Mixed commercial and residential use where commercial use is primary on first floor, with dwellings occupancy second floors or above (no unenclosed storage)**

### Key

"P" means permitted as of right, "S" means permitted as a special use, "D" means development regulations apply (see Article 5), "A" means permitted only as an accessory use, and "-" means prohibited. Section numbers as provided in the use column (i.e. § 5.1) provide additional reference regarding the supplemental design standards as found within other sections of this Ordinance.

Refer to Appendix A or the sources referred to under "Land Use Coding" for specific definitions of uses.
### Use

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<td>Hardware, home centers, lumber yard, heating and plumbing etc., outside storage</td>
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<td>Heavy Equipment, sales and service</td>
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<td>Leasing, Commercial and Industrial Machinery and</td>
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Key: "P" means permitted as of right, "S" means permitted as a special use, "D" means development regulations apply (see Article 5), "A" means permitted only as an accessory use, "-" means prohibited. Section numbers as provided in the use column (i.e. § 5.1) provide additional reference regarding the supplemental design standards as found within other sections of this Ordinance. Refer to Appendix A or the sources referred to under “Land Use Coding” for specific definitions of uses.

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<td>Motor Vehicles, (automobiles), Boats, RV’s Sales and/or Leasing/Rental (see § 5.24)</td>
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<td>Pharmacy or Drugstore, without drive through facility</td>
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<td>Pharmacy or Drugstore, with drive through facility</td>
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<td>Printing and Publishing Services</td>
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<td>Professional Services (Legal, Accounting, Architectural, Graphic, Consulting Services, Research and Development, Advertising, etc.)</td>
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<td>Repair of any goods, equipment or vehicles, the manufacture, assembly or sales of which are permitted in that zoning district</td>
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<td>Restaurants, with drive-in or drive-through facilities</td>
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<td>Restaurants, no drive-in or drive-through facilities</td>
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<td>Retail sales or service establishments, not listed elsewhere, and conducted within an enclosed building</td>
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<td>Services to buildings and dwellings (Extermination, Janitorial, Landscaping, Carpet and Upholstery cleaning, Packing and crating, etc.), no outside storage</td>
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<td>Services to buildings and dwellings (Extermination, Janitorial, Landscaping, Carpet and Upholstery cleaning, Packing and crating, etc.), with outside storage</td>
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<td>Shopping Center/Superstore, 25,000 - 100,000 sq. ft. (see § 10.2)</td>
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<td>Tattoo Parlor/Tattoo Studio and/or Body Piercing</td>
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<td>Wholesale trade, generally, with operations conducted and merchandise stored entirely within a building and not otherwise listed</td>
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**Key:** "P" means permitted as of right, "S" means permitted as a special use, "D" means development regulations apply (see Article 5), "A" means permitted only as an accessory use, "-" means prohibited. Section numbers as provided in the use column (i.e. § 5.1) provide additional reference regarding the supplemental design standards as found within other sections of this Ordinance. Refer to Appendix A or the sources referred to under "Land Use Coding" for specific definitions of uses.
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<td>Finished nonmetallic mineral products (brick, refractories, ceramics,</td>
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<td>glass, cement, etc.)</td>
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<td>Food and Beverage manufacturing</td>
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<td>Brewery (Regional Brewery and Large Brewery)</td>
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<td>Furniture and Related Products Manufacturing</td>
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<td>Junkyard / Automobile Salvage Yard</td>
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<td>Landfills, LCID (2 acres or less in size) (see § 5.19)</td>
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<th>R-6 Residential Multifamily</th>
<th>R-12SF Residential Commercial</th>
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### Arts, Recreation & Entertainment

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### Education, Public Administration, Health Care, and Institutional

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<td>Religious Complex (more than 305 seats), new site</td>
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<td>Schools, Pre-K – Secondary (nursery and preschool, grade schools, elementary, middle, and high school), new site</td>
<td>6110-6123</td>
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Transportation, Communication, and Utilities

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<td>Railroad freight yards, repair shops/sheds and marshalling yards</td>
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<td>Sewage treatment and Water treatment plants</td>
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**Agriculture**

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<td>Livestock sales and markets</td>
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**Signs** - See Article 11 of this Ordinance

**Temporary Uses** - See § 5.34 of this Ordinance
Amendment 7. Amend Article 13. Flood Hazard Area Regulations

This amendment proposes to revise the flood hazard regulations to add oil and gas exploration as well as mining and quarrying to the list of land uses as prohibited from being located within a flood hazard area (100-year flood plain).

13.8.1.10 New solid waste disposal facilities and sites, hazardous waste management facilities, salvage yards, chemical storage facilities, oil and gas exploration, development and/or production operations, and mining and quarrying operations shall not be permitted, except by variance as specified in Section 13.7.10. A structure or tank for chemical or fuel storage incidental to an allowed use or to the operation of a water treatment plant or wastewater treatment facility may be located in a Special Flood Hazard Area only if the structure or tank is either elevated or floodproofed to at least the regulatory flood protection elevation and certified according to Section 13.4.4 of this ordinance.
Pursuant to North Carolina General Statute §158-7.1, the City of Sanford proposes to participate in the cost of an economic development project with a company to be named later.

The City proposes to participate in the cost of the project, which consists of construction of an industrial building and the purchase of machinery and equipment in the amount of up to $170,900,000 (One hundred seventy million, nine hundred thousand dollars) in taxable investment in Sanford, Lee County, North Carolina, with the City of Sanford sharing up to $4,372,483 (Four million, three hundred seventy-two thousand, four hundred eighty-three dollars) of the cost of the project, which includes up to $1.3 million for site preparation, (including, but not limited to, acquisition of road right-of-way, clearing, grading, and preparation of a site pad), and grants of up to $2,072,483 (Two million, seventy-two thousand, four hundred eighty-three dollars) over the 10 (ten) year life of the project, with revenues from the City’s General Fund. The project is estimated to create approximately 460 (Four hundred sixty) new jobs with an average annual wage of $51,780 (Fifty one thousand, seven hundred eighty dollars) over the ten-year length of the project.

This project will stimulate the local economy, promote additional business activity, create a substantial number of new jobs and increase payroll in Lee County.

A public hearing on the proposed economic development incentive investments for this project will be held on Tuesday, August 20, 2019 at 6:00 p.m., or as soon thereafter as the matter can be reached on the meeting agenda, in the Council Chambers, Sanford Municipal Building, at 225 E. Weatherspoon St., Sanford, N.C. All interested persons are invited to attend and present their views.

Bonnie D. Davis, City Clerk
RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SANFORD

WHEREAS, Title I of the Federal Housing and Community Development Act of 1974, as amended, has established the U.S. Housing and Urban Development (HUD) Community Development Block Grant (CDBG) Program, and has authorized the making of grants to aid eligible units of government in funding the cost of construction, replacement, or rehabilitation of water and wastewater infrastructure, and that the North Carolina Department of Environmental Quality (NCDEQ) Division of Water Infrastructure (DWI) was delegated the authority by the state legislature to administer the water and wastewater infrastructure portion of the state grant monies received from the U.S. HUD CDBG program by Session Law 2013-360, Section 15.15(a) as amended by Section 5.3 of Session Law 2013-363, and

WHEREAS, The City of Sanford has need for and intends to construct a wastewater collection system project described as the replacement of aged sewer lines in a project boundary from Weatherspoon to Rose, Chatham to Seventh, and

WHEREAS, The City of Sanford intends to request state grant assistance for the project,

NOW THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF SANFORD:

That City of Sanford, the Applicant, will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system.

That the Applicant will provide for efficient operation and maintenance of the project on completion of construction thereof.

That the City Manager, Phillip Hal Hegwer, the Authorized Official, and successors so titled, is hereby authorized to execute and file an application on behalf of the Applicant with the State of North Carolina for a grant to aid in the construction of the project described above.

That the Authorized Official, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the Applicant has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 20th of August, 2019 at Sanford, North Carolina.

________________________________________
(Signature of Chief Executive Officer)

T. Chet Mann, Mayor
CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified and acting Deputy City Clerk of the City of Sanford does hereby certify:
That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the Sanford City Council duly held on the 20th day of August, 2019 and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this ______ day of _______________, 20__.

________________________________________
(Signature of Recording Officer)

Bonnie Davis, City Clerk

________________________________________
(Title of Recording Officer)
MEMORANDUM

TO: Mayor Mann and Members of Council

FROM: Paul M. Weeks Jr., P.E.

DATE: August 12, 2019

SUBJECT: Recommendation to award a contract for “Cliffside Drive Sewer Extension”

Bids were due for this project on June 20th by 10:00 am. Since we did not receive three bids, the project was re-advertised. On July 11th at 10:00 am staff opened two bids for this project. The results are tabulated below and the certified bid tabulation is attached:

<table>
<thead>
<tr>
<th>Contractor</th>
<th>Bid Bond</th>
<th>Bid Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thomas Construction Company</td>
<td>Yes</td>
<td>$48,240.00</td>
</tr>
<tr>
<td>Sandhills Contractors, Inc.</td>
<td>Yes</td>
<td>$52,294.00</td>
</tr>
</tbody>
</table>

The apparent low bidder is Thomas Construction Company. Their bid documents have been checked for accuracy and we have received an executed E-Verify form. They have performed work for the City in the past and we have found their work to be acceptable.

The bid amount is above the engineer’s estimate of $29,900. In discussions between Staff and the Contractor, we able to reduce the project to $45,828.00.

Therefore, Staff recommends that Council award the project to Thomas Construction Company in the negotiated amount of $45,828.00.
# Bid Tabulation

**Bid Tabulation (Bid Opening - 7/11/2019)**

<table>
<thead>
<tr>
<th>LINE ITEM</th>
<th>WORK ITEM DESCRIPTION</th>
<th>EST. QUANTITY</th>
<th>UNIT</th>
<th>UNIT PRICE</th>
<th>EXTENDED PRICE</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>BASE BID</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Mobilization</td>
<td></td>
<td>LS</td>
<td>$4,099.00</td>
<td>$4,099.00</td>
</tr>
<tr>
<td>2</td>
<td>Traffic Control</td>
<td></td>
<td>LS</td>
<td>$4,005.00</td>
<td>$4,005.00</td>
</tr>
<tr>
<td>3</td>
<td>8-inch DIP Sanitary Sewer (Standard Installation)</td>
<td>60</td>
<td>LF</td>
<td>$95.00</td>
<td>$5,700.00</td>
</tr>
<tr>
<td>4</td>
<td>8-inch PVC Sewer (Standard Installation)</td>
<td>142</td>
<td>LF</td>
<td>$68.00</td>
<td>$9,656.00</td>
</tr>
<tr>
<td>5</td>
<td>Standard 4-foot Dia. Sanitary Sewer Manhole</td>
<td>1</td>
<td>EA</td>
<td>$5,064.00</td>
<td>$5,064.00</td>
</tr>
<tr>
<td>6</td>
<td>Doghouse 5-foot Dia. Sanitary Sewer Manhole</td>
<td>1</td>
<td>EA</td>
<td>$7,734.00</td>
<td>$7,734.00</td>
</tr>
<tr>
<td>7</td>
<td>Sanitary Sewer Services</td>
<td>1</td>
<td>EA</td>
<td>$1,673.00</td>
<td>$1,673.00</td>
</tr>
<tr>
<td>8</td>
<td>6-inch DIP Water Main Pipe Replacement (w/ MJ Fittings)</td>
<td>20</td>
<td>LF</td>
<td>$360.00</td>
<td>$7,200.00</td>
</tr>
<tr>
<td>9</td>
<td>Asphalt Pavement Patch (Roadway)</td>
<td>21</td>
<td>SY</td>
<td>$101.00</td>
<td>$2,121.00</td>
</tr>
<tr>
<td>10</td>
<td>Asphalt Pavement Patch (Driveway)</td>
<td>15</td>
<td>SY</td>
<td>$110.00</td>
<td>$1,650.00</td>
</tr>
<tr>
<td>11</td>
<td>Temporary Wattle (In Ditch)</td>
<td>2</td>
<td>EA</td>
<td>$271.00</td>
<td>$542.00</td>
</tr>
<tr>
<td>12</td>
<td>Temporary Wattle Barrier</td>
<td>50</td>
<td>LF</td>
<td>$37.00</td>
<td>$1,850.00</td>
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<tr>
<td>13</td>
<td>Permanent Seeding and Mulching</td>
<td>500</td>
<td>SY</td>
<td>$2.00</td>
<td>$1,000.00</td>
</tr>
</tbody>
</table>

**BIDS RECEIVED**

<table>
<thead>
<tr>
<th>WORK ITEM DESCRIPTION</th>
<th>BASE BID</th>
<th>SANDHILLS CONTRACTORS, INC</th>
<th>THOMAS CONSTRUCTION COMPANY OF LEE COUNTY INC</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>UNIT PRICE</td>
<td>UNIT PRICE</td>
</tr>
<tr>
<td></td>
<td></td>
<td>EXTENDED PRICE</td>
<td>EXTENDED PRICE</td>
</tr>
<tr>
<td><strong>BASE BID</strong></td>
<td></td>
<td>$52,294.00</td>
<td>$48,240.00</td>
</tr>
<tr>
<td><strong>ALTERNATE BID 01</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td></td>
<td>8-inch DIP Sanitary Sewer (Bore and Jack Installation)</td>
<td>60</td>
</tr>
<tr>
<td><strong>ALTERNATE BID 02</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15</td>
<td></td>
<td>Permanent Sod</td>
<td>500</td>
</tr>
</tbody>
</table>

*An error was found on the Bid Form (Item #9 and #10) provided by Thomas Construction Company of Lee County. The instructions on the Bid Form (S (G)) indicate that discrepancies in the multiplication of units of work and unit prices shall be resolved in the favor of unit prices.*
Annexation Report for the
City of Sanford and John Hart
August 20, 2019

Authority. NC G.S. 160A-31 provides that a city may annex by ordinance any area contiguous to existing city boundaries upon presentation to the governing body of a petition signed by the owners of the real property located within such area.

Procedure. On April 17, 2018, the City of Sanford received a petition from Jonathan Hart of Sanford, NC and an annexation boundary survey map prepared by Matthews Surveying, P.A., for annexation of 2.93± acres more or less of land, located at the corner of Lee Ave. and Snyder Street, and further identified as Lee County Tax Parcels 9651-85-4200-00 and 9651-85-4041-00. The property will be the future location of J.A. Hart Construction & Remodeling.

The following owners of real property have signed the petition:

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jonathan Hart of Sanford, NC</td>
<td>1852 St. Andrews Church Rd. Sanford, NC 27332</td>
</tr>
</tbody>
</table>

On August 6, 2019, the City Council of Sanford adopted a resolution directing the City Clerk to investigate the sufficiency of the petition, and the petition was deemed sufficient. In addition, on August 6, 2019, the Council adopted a resolution setting the date for a public hearing on the question of annexation of the property for August 20, 2019, at 6 p.m. in the Council Chambers of the Sanford Municipal Building.

Public Notice. Notice of the public hearing was given by publication in the Sanford Herald on August 8, 2019. At the conclusion of the public hearing, the City Council can consider adoption of an ordinance annexing the property into the City.

Contiguousness. The proposed annexation would be contiguous by nature to its proximity to a 3.21± acre tract located across Snyder St., where Stillwood Ammunition Systems at 3308 Lee Ave is located.

Consistency with “PlanSanLee” Future Land Use Plan. The proposed area for annexation is identified in the Future Land Use Plan as Maker District Place Type, which is typically appropriate for a wide range of small-scale light industrial uses such as previously prepared materials, products or parts - may include processing, fabrication, assembly, packaging, incidental storage, sales, and distribution; not industrial processing. Therefore, the current use as a construction office is in conformance with the Future Land Use Plan.

Rural Fire Protection District. The annexation area lies in the Carolina Trace Rural Fire Protection District. N.C.G.S. 160A-31.1 requires a city to pay annually a proportionate share of any payments due on any debt (including principal and interest) relating to facilities or
equipment of the rural fire department, if the debt was existing at the time of submission of
the petition for annexation to the city. The annual payments from the city to the rural fire
department shall be calculated by multiplying the percentage of the assessed valuation of the
annexed area to the assessed valuation of the entire rural fire district times the debt of the fire
department. Each valuation is fixed on the date the annexation ordinance becomes effective.
A payment is not required when during any calendar year the total of payments for all
annexations under this part is $100 or less. A request for financial information was sent to the
Carolina Trace Rural Fire Department on July 29, 2019. Assessed value of the area to be
annexed is $303,200.00.

Provision of City Services. City services will be extended to the new area, if it is annexed, in
the same manner and on substantially the same basis that they are provided to the rest of the
City. Below is a list of the major City services that will be provided.

  Water and Sewer. The site has access to public water and will be served by public
  sewer after annexation. Any/all utility extensions will need to be reviewed and
  approved by the City of Sanford Public Works Department to verify compliance with
  all applicable regulations.

  Streets. The proposed annexation site has access to existing roads of Lee Ave. and
  Snyder St. Any/all street connections will need to be reviewed and approved by
  NCDOT and the City of Sanford Public Works Department to verify compliance with
  all applicable regulations.

  Solid Waste. The City shall provide garbage, recyclables, leaf and limb, and bulk
  trash collection.

  Police Protection. Service to the proposed annexation area can be accommodated by
  current City of Sanford Police Department staffing and resources.

  Fire Protection. The City’s Fire Department will provide service to the annexation
  area out of Station #2 at 2220 Woodland Avenue, approximately 1.7 miles from the
  property, with an estimated response time of 5 minutes.

Estimated Costs incurred by the City.

The Lee County Tax Office shows the total assessed valuation for the Carolina Trace Rural
Fire Protection District area to be $403,237,800 as of 2019. The assessed value of the
proposed annexation area is $303,200.00.

\[
\text{Annual Debt payment} \times \frac{\text{Value of property to be annexed}}{\text{Value of rural fire department}} = \text{payment}
\]

\[
\begin{align*}
$73,928.80 & \times \frac{$303,200.00}{$403,237,800} = 55.99
\end{align*}
\]
Revenue. The assessed valuation of the annexation area as noted above is $303,200.00. At the City’s current tax rate of $.62/100, annual revenues of $1,879.84 could be anticipated ($303,200.00/100 = $3032.00 x .62 = $1,879.84).

Rezoning of Annexed Area. Pursuant to NCGS 160A-360(f), if the subject property is annexed, the City has up to 60 days to assign a City designated zoning district. The subject property is already located within the ETJ, and therefore does not need to be rezoned.
Petition for Contiguous Annexation
Of Hart Property

Tax PIN: 9651-85-4200-00

Tax PIN: 9651-85-4041-00
PETITION REQUESTING CONTIGUOUS ANNEXATION OF PROPERTY TO THE CITY OF SANFORD

Date: 4/17/18

To the City Council of the City of Sanford:

1. We the undersigned owners of real property respectfully request that the area described in Paragraph 2 below be annexed to the City of Sanford, NC.

2. The area to be annexed is contiguous to the City of Sanford and the boundaries of such territory are as follows:

   (Insert Metes and Bounds Description of Boundaries)

3. We acknowledge that any zoning vested rights acquired pursuant to G.S. 160A-385.1 of G. S. 153A-344.1 must be declared and identified on this petition. We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property. (If zoning vested rights are claimed, indicate below and attach proof.)

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Jonathan Hart</td>
<td>1852 St Andrews Church Rd, Sanford NC 27332</td>
<td></td>
</tr>
<tr>
<td>2. Deanna Hart</td>
<td>1852 St Andrews Church Rd, Sanford, NC 27332</td>
<td>Deanna Hart</td>
</tr>
</tbody>
</table>

* The City of Sanford requires that the petitioner submit an annexation boundary survey of the property to be annexed along with a metes and bounds description.
Attachment to Petition for City of Sanford

Contiguous Annexation Boundary for Jonathan Hart

Jonesboro Township, Lee County, NC

TRACT 1 (Jonesboro Township)

Beginning at a North Carolina Geodetic Survey Station (Concrete Monument Named) “JONESBORO 2 RESET” with a NAD 83/2011 Grid Coordinate of North 622,113.13’ feet and East 1,955,685.48’ feet; thence South 20 degrees 47 minutes 59 seconds East and a Grid Distance of 7,219.14’ feet (To the POINT OF BEGINNING) Described at an Existing Solid Iron on the Sanford City Limits line also being in the Southern Right of Way of Snyder Street marked as CONTROL #1 with a Grid Coordinate of Northing 615,364.57’ feet and Easting 1,958,248.97’ feet NAD 83/2011 on hereafter referred map; thence with the Sanford City Limits and the Southern Right of Way of Snyder Street North 82 degrees 06 minutes 24 seconds East distance 229.68’ feet to an Existing Aluminum Right of Way Disk on Southern Right of Way of Snyder Street a corner of the Sanford City Limits marked as CONTROL #2; thence South 42 degrees 36 minutes 46 seconds East distance 84.26’ feet to an Existing Aluminum Right of Way Disk on the Western Right of Way of Lee Avenue; thence South 10 degrees 53 minutes 45 seconds East distance 250.95’ feet to an Existing Aluminum Right of Way Disk on the Western Right of Way of Lee Avenue; thence North 79 degrees 06 minutes 15 seconds East distance 5.44’ feet to an Existing Aluminum Right of Way Disk on the Western right of way of Lee Avenue; thence South 11 degrees 02 minutes 57 seconds East distance 149.84’ feet to an Existing Concrete Monument on the Southern Right of Way of Lee Avenue known as CONTROL “A” with Grid Coordinates of Northing 614,941.70’ feet and Easting 1,958,614.97’ feet NAD 83/2011; thence South 82 degrees 02 minutes 40 seconds West distance 278.26’ feet to an Existing Solid Iron known as CONTROL “B”; thence North 11 degrees 05 minutes 31 seconds West distance 156.58’ feet to an Existing Solid Iron; thence North 11 degrees 05 minutes 31 seconds West distance 313.64’ feet to the POINT OF BEGINNING containing 2.93 acres total more or less.
AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE
CITY OF SANFORD, NORTH CAROLINA

WHEREAS, The City Council of the City of Sanford, North Carolina has been petitioned under G.S. 160A-31 to annex 2.93± acres of property owned by Jonathan Hart, more particularly described below; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, the City Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held in the Council Chambers of the Sanford Municipal Building at 6:00 PM on August 20, 2019, after due notice by publication in The Sanford Herald on August 8, 2019; and

WHEREAS, the City Council finds that the petition meets the requirements of 160A-31;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Sanford, North Carolina that:

Section 1. By virtue of the authority granted by 160A-31, the following described territory is hereby annexed and made part of the City of Sanford, North Carolina, as of August 20, 2019:
CITY OF SANFORD LEGAL DESCRIPTION FOR
Contiguous Annexation Boundary for John Hart
Jonesboro Township, Lee County, NC

Beginning at a North Carolina Geodetic Survey Station (Concrete Monument Named) “JONESBORO 2 RESET” with a NAD 83/2011 Grid Coordinate of North 622,113.13’ feet and East 1,955,685.48’ feet; thence South 20 degrees 47 minutes 59 seconds East and a Grid Distance of 7,219.14’ feet (To the POINT OF BEGINNING) Described at an Existing Solid Iron on the Sanford City Limits line also being in the Southern Right of Way of Snyder Street marked as CONTROL #1 with a Grid Coordinate of Northing 615,364.57’ feet and Easting 1,958,248.97’ feet NAD 83/2011 on hereafter referred map; thence with the Sanford City Limits and the Southern Right of Way of Snyder Street North 82 degrees 06 minutes 06 seconds East distance 229.68’ feet to an Existing Aluminum Right of Way Disc on Southern Right of Way of Snyder Street a corner of the Sanford City Limits marked as CONTROL #2; thence South 10 degrees 53 minutes 45 seconds East distance 250.95’ feet to an Existing Aluminum Right of Way Disk on the Western Right of Way of Lee Avenue; thence North 79 degrees 06 minutes 15 seconds East distance 5.44’ feet to an Existing Aluminum Right of Way Disc on the Western right of way of Lee Avenue; thence South 42 degrees 36 minutes 46 seconds East distance 149.84’ feet to an Existing Concrete Monument on the Southern Right of Way of Lee Avenue known as CONTROL “A” with Grid Coordinates of Northing 614,941.70’ feet and Easting 1,958,614.97’ feet NAD 83/2011; thence South 11 degrees 02 minutes 57 seconds East distance 313.64’ feet to the POINT OF BEGINNING containing 2.93 acres total more or less.

Section 2. Upon and after August 20, 2019, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Sanford and shall be entitled to the same privileges and benefits as other parts of the City of Sanford. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the City of Sanford shall cause to be recorded in the office of the Register of Deeds of Lee County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Lee County Board of Elections, as required by G.S. 163-288.1.

Adopted this 20th day of August, 2019.

___________________________________
T. Chet Mann, Mayor
LEE COUNTY
NORTH CAROLINA

I, Angela M. Baker, A Notary Public for said County and State, do hereby certify that Bonnie Davis personally appeared before me this day and acknowledged that she is the City Clerk of the City of Sanford, North Carolina, a corporate body, and that by authority duly given and as the act of the City, foregoing instrument was signed in its name by its Mayor, T. Chet Mann, Sealed with its corporate seal, and attested by herself, as its City Clerk.

Witness my hand and official seal this, the _______ day of _______________.

______________________________
Angela M. Baker, Notary Public

My Commission Expires: ______________________
REIMBURSEMENT RESOLUTION

DESIGN WORK FOR SITE PREPARATION

WHEREAS, the Finance Officer has described to the Council the desirability of adopting a resolution, as provided under federal tax law, to facilitate the unit’s using financing proceeds to restore the unit’s funds when the unit makes capital expenditures prior to closing on a bond issue or other financing.

BE IT RESOLVED by the City of Sanford as follows:

Section 1: The project authorized is for design work for site preparation related to incentive in the amount of $260,400.

Section 2: The project is to be financed. Currently, the expected type of financing is installment purchase proceeds and the expected maximum amount of installment purchase proceeds to be issued or contracted for the project is $260,400.

Section 3: Funds that have been advanced, or may be advanced, from the General Fund for project costs are intended to be reimbursed from the financing proceeds.

Section 4: The adoption of this resolution is intended as a declaration of this unit’s official intent to reimburse project expenditures from financing proceeds.

ADOPTED this, the 20th day of August, 2019.

_______________________  
T. Chet Mann, Mayor

ATTEST:

______________________________  
Bonnie Davis, City Clerk
AN ORDINANCE AMENDING THE ANNUAL OPERATING BUDGET OF THE CITY OF SANFORD FY 2019-2020

BE IT ORDAINED by the City Council of the City of Sanford, North Carolina in regular session assembled.

Section 1: The following amounts are hereby amended to ordinance 2019-37 per G. S. 159-15 for the continued operation of the City of Sanford, its government, and activities for the balance of the fiscal year 2019-2020.

<table>
<thead>
<tr>
<th>REVENUES</th>
<th>EXPENDITURES</th>
</tr>
</thead>
<tbody>
<tr>
<td>100045 54000</td>
<td>Fund Balance</td>
</tr>
</tbody>
</table>

Total Appropriation $260,400

Section 2. This ordinance shall be in full force and effective from and after the date of its adoption.

ADOPTED this, the 20th day of August, 2019.

______________________________________
T. Chet Mann, Mayor

ATTEST:

______________________________________
Bonnie Davis, City Clerk
2019-2020 BUDGET ORDINANCE AMENDMENT

GENERAL FUND

**Appropriation of Funds** - results in increasing of budget

**Revenues**

| Fund Balance | 260,400 | To appropriate fund balance for item described below |

**Expenditures**

| Public Building | 260,400 | Design work for site preparation related to incentive |
REIMBURSEMENT RESOLUTION
SEWER EXTENSION FOR SITE PREPARATION

WHEREAS, the Finance Officer has described to the Council the desirability of adopting a resolution, as provided under federal tax law, to facilitate the unit’s using financing proceeds to restore the unit’s funds when the unit makes capital expenditures prior to closing on a bond issue or other financing.

BE IT RESOLVED by the City of Sanford as follows:

Section 1: The project authorized is for sewer extension for site preparation related to incentive in the amount of $400,000.

Section 2: The project is to be financed. Currently, the expected type of financing is installment purchase proceeds and the expected maximum amount of installment purchase proceeds to be issued or contracted for the project is $400,000.

Section 3: Funds that have been advanced, or may be advanced, from the Utility Fund for project costs are intended to be reimbursed from the financing proceeds.

Section 4: The adoption of this resolution is intended as a declaration of this unit’s official intent to reimburse project expenditures from financing proceeds.

ADOPTED this, the 20th day of August, 2019.

T. Chet Mann, Mayor

ATTEST:

Bonnie Davis, City Clerk
AN ORDINANCE AMENDING THE ANNUAL OPERATING BUDGET
OF THE CITY OF SANFORD FY 2019-2020

BE IT ORDAINED by the City Council of the City of Sanford, North Carolina in regular session assembled.

Section 1: The following amounts are hereby amended to ordinance 2019-37 per G. S. 159-15 for the continued operation of the City of Sanford, its government, and activities for the balance of the fiscal year 2019-2020.

GENERAL FUND
APPROPRIATION OF FUNDS

<table>
<thead>
<tr>
<th>REVENUES</th>
<th>EXPENDITURES</th>
</tr>
</thead>
<tbody>
<tr>
<td>300945 54000 Retained Earnings</td>
<td>400,000</td>
</tr>
<tr>
<td>30098280 00000 Sewer Capital</td>
<td>400,000</td>
</tr>
</tbody>
</table>

Total Appropriation $400,000

Section 2. This ordinance shall be in full force and effective from and after the date of its adoption.

ADOPTED this, the 20th day of August, 2019.

______________________________
T. Chet Mann, Mayor

ATTEST:

______________________________
Bonnie Davis, City Clerk
2019-2020 BUDGET ORDINANCE AMENDMENT

UTILITY FUND

Appropriation of Funds - results in increasing of budget

Revenues

Retained Earnings 400,000 To appropriate retained earnings for item described below

Expenditures

Sewer Capital 400,000 Sewer extension for site preparation related to incentive
AN ORDINANCE AMENDING THE ANNUAL OPERATING BUDGET
OF THE CITY OF SANFORD FY 2019-2020

BE IT ORDAINED by the City Council of the City of Sanford, North Carolina in regular session assembled.

Section 1: The following amounts are hereby amended to ordinance 2019-37 per G. S. 159-15 for the continued operation of the City of Sanford, its government, and activities for the balance of the fiscal year 2019-2020.

<table>
<thead>
<tr>
<th>GENERAL FUND</th>
<th>APPROPRIATION OF FUNDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>REVENUES</td>
<td></td>
</tr>
<tr>
<td>100045 54000</td>
<td>Appropriated Fund Balance</td>
</tr>
<tr>
<td>10014410 00000</td>
<td>Finance</td>
</tr>
<tr>
<td>10014280 00000</td>
<td>Risk Management</td>
</tr>
<tr>
<td>10014700 00000</td>
<td>Legal</td>
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<td>10015000 00000</td>
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<td>Police</td>
</tr>
<tr>
<td>10025400 00000</td>
<td>Inspections</td>
</tr>
<tr>
<td>10035800 00000</td>
<td>Street</td>
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<tr>
<td>10055450 00000</td>
<td>Code Enforcement</td>
</tr>
<tr>
<td>10054900 00000</td>
<td>Community Development</td>
</tr>
<tr>
<td>10055460 00000</td>
<td>Planning / HPC</td>
</tr>
<tr>
<td>10025300 00000</td>
<td>Fire</td>
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</table>

Total Appropriation $ 831,756

<table>
<thead>
<tr>
<th>UTILITY FUND</th>
<th>APPROPRIATION OF FUNDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>REVENUES</td>
<td></td>
</tr>
<tr>
<td>300945 54000</td>
<td>Retained Earnings</td>
</tr>
<tr>
<td>30094200 00000</td>
<td>UF Administration</td>
</tr>
<tr>
<td>30098110 00000</td>
<td>Water Filtration</td>
</tr>
<tr>
<td>30098130 00000</td>
<td>Distribution and Collection</td>
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<td>30098180 00000</td>
<td>Water Capital</td>
</tr>
<tr>
<td>30098280 00000</td>
<td>Sewer Capital</td>
</tr>
</tbody>
</table>

Total Appropriation $1,191,799

Section 2. This ordinance shall be in full force and effective from and after the date of its adoption.

ADOPTED this, the 20th day of August, 2019.

T. Chet Mann, Mayor

ATTEST:

Bonnie Davis, City Clerk
2019-2020 BUDGET ORDINANCE AMENDMENT

GENERAL FUND

Appropriation of Funds - results in increasing of budget

Revenues
Appropriated Fund Balance 831,756 To re-appropriate funds earmarked for expenditures that were not complete or received by June 30, 2019.

Expenditures
Finance 7,390 OPEB and LEO Separation Allowance Study
Risk Management 3,478 ADA Compliance Consulting Fees
Legal 4,428 Legal counsel
Public Building 6,777 Design of Depot Building
Police 9,209 Uniforms and CAD Server / Message Switch
Inspections 16,069 Energov
Street 24,799 Banners and Brackets
Street Capital 642,957 Street resurfacing and downtown utilities
Code Enforcement 51,347 Energov and demolition of houses
Community Development 46,654 Energov, Rapid Rehousing, Partners for Impact, Race to Read
Planning / HPC 16,272 Signage Phase IV fabrication and installation
Fire 2,376 Smoke detector grant

UTILITY FUND

Appropriation of Funds - results in increasing of budget

Revenues
Retained Earnings 1,191,799 To re-appropriate funds earmarked for expenses that were not complete or received by June 30, 2019.

Expenditures
UF Administration 65,582 Legal services, ADA compliance consulting fee, Tyler Notify, Tyler Citizen Self Serve, Rafteris, Revenue Bonds feasibility study, trustee fees, and bond rating
Water Filtration 42,600 Chemicals, entry sign, coating basin walls, radio and antenna
Distribution and Collection 14,500 Repair fence and relocate waterline
Water Capital 115,466 Contractual services, and paint Cool Springs water tank
Sewer Capital 953,651 Contractual services, Little Buffalo lift station, Moncure sewer extension, sewer rehabilitation, Goldenleaf grant writing and grant administration, and engineering services
MEMORANDUM

TO: Paul M. Weeks Jr., P.E., City Engineer

FROM: Michael Lamping, P.E., Civil Engineer

DATE: August 13, 2019

SUBJECT: Recommendation to award a contract for “2019-2020 Full Depth Rehabilitation”

On June 20th bids were due for this project. As only one bid was received, it was again rebid and advertised. On August 8th at 10:00 AM two bids were opened for this project. The results were reviewed, and the tabulation is as follows:

<table>
<thead>
<tr>
<th>Contractor</th>
<th>Bid Bond</th>
<th>Bid Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Turner Asphalt</td>
<td>yes</td>
<td>$686,247.94</td>
</tr>
<tr>
<td>2 ST Wooten</td>
<td>yes</td>
<td>$1,696,692.50</td>
</tr>
</tbody>
</table>

The low bidder is Turner Asphalt, Inc. Their bid documents have been checked for accuracy. We have verified references and received an E-Verify form as well.

Therefore, Staff recommends the award of the contract to Utility Service Co., Inc. in the amount of $686,247.94.
## 2019-2020 Full Depth Rehabilitation

<table>
<thead>
<tr>
<th>Item Number</th>
<th>Description</th>
<th>Quantity</th>
<th>Unit</th>
<th>Unit Price</th>
<th>Amount</th>
<th>Unit Price</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2&quot; SPS-60 Asphalt Concrete Surface Course (Minimum 2&quot; Thickness)</td>
<td>24,157</td>
<td>SYD</td>
<td>$12.10</td>
<td>$292,299.70</td>
<td>$38.00</td>
<td>$917,966.00</td>
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<tr>
<td>2</td>
<td>Portland Cement Additive</td>
<td>670</td>
<td>TONS</td>
<td>$148.00</td>
<td>$99,160.00</td>
<td>$180.00</td>
<td>$127,300.00</td>
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<tr>
<td>3</td>
<td>Aggregate for Soil Cement Base</td>
<td>1,400</td>
<td>TONS</td>
<td>$28.50</td>
<td>$39,900.00</td>
<td>$15.00</td>
<td>$21,000.00</td>
</tr>
<tr>
<td>4</td>
<td>Soil Cement Base</td>
<td>24,157</td>
<td>SYD</td>
<td>$8.32</td>
<td>$200,986.24</td>
<td>$24.00</td>
<td>$579,768.00</td>
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<tr>
<td>5</td>
<td>Concrete Curbing</td>
<td>200</td>
<td>LF</td>
<td>$34.50</td>
<td>$6,900.00</td>
<td>$50.00</td>
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<tr>
<td>6</td>
<td>Manhole Adjustment with Extension Ring</td>
<td>6</td>
<td>EA</td>
<td>$500.00</td>
<td>$3,000.00</td>
<td>$200.00</td>
<td>$1,200.00</td>
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<tr>
<td>7</td>
<td>Manhole Frame and Cover Adjustment with Brick &amp; Mortar</td>
<td>5</td>
<td>EA</td>
<td>$750.00</td>
<td>$3,750.00</td>
<td>$600.00</td>
<td>$3,000.00</td>
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<tr>
<td>8</td>
<td>Manhole Frame and Cover to Replace and Adjust Any Replaced</td>
<td>5</td>
<td>EA</td>
<td>$750.00</td>
<td>$3,750.00</td>
<td>$850.00</td>
<td>$4,250.00</td>
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<tr>
<td>9</td>
<td>Valve Box Adjustment w/ Extention Ring</td>
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<td>EA</td>
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<td>$4,800.00</td>
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<tr>
<td>10</td>
<td>Valve Box Raise &amp; Adjust Box</td>
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<td>EA</td>
<td>$300.00</td>
<td>$1,500.00</td>
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<tr>
<td>11</td>
<td>Valve Box &amp; Lid Replacement w/adjustment</td>
<td>5</td>
<td>EA</td>
<td>$550.00</td>
<td>$2,750.00</td>
<td>$750.00</td>
<td>$3,750.00</td>
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<tr>
<td>12</td>
<td>Double Yellow Center Line (Thermo Plastic)</td>
<td>1,492</td>
<td>LF</td>
<td>$6.00</td>
<td>$8,932.00</td>
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<td>$9,325.00</td>
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<tr>
<td>13</td>
<td>4&quot; White Stripping-Thermo Lane Dividers-Skip Lanes</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>a. Crosswalk</td>
<td>100</td>
<td>IF</td>
<td>$6.00</td>
<td>$600.00</td>
<td>$6.25</td>
<td>$625.00</td>
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<tr>
<td></td>
<td>b. Railroad Crossing</td>
<td>2</td>
<td>EA</td>
<td>$1,000.00</td>
<td>$2,000.00</td>
<td>$1,000.00</td>
<td>$2,000.00</td>
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<tr>
<td></td>
<td>c. Lane Dividers</td>
<td>500</td>
<td>LF</td>
<td>$3.00</td>
<td>$1,500.00</td>
<td>$3.25</td>
<td>$1,625.00</td>
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<td></td>
<td>d. Parking</td>
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<td>LF</td>
<td>$1.00</td>
<td>$300.00</td>
<td>$3.00</td>
<td>$300.00</td>
</tr>
<tr>
<td>14</td>
<td>Stop Bars Thermoplastic</td>
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<td>LF</td>
<td>$15.00</td>
<td>$1,500.00</td>
<td>$20.00</td>
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<tr>
<td>15</td>
<td>Thermoplastic Turn Arrow</td>
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<td>$225.00</td>
<td>$1,125.00</td>
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<td>16</td>
<td>Thermoplastic Handicap Parking Symbol</td>
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<td>$200.00</td>
<td>$1,000.00</td>
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<td>17</td>
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<td>$2,658.50</td>
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<tr>
<td>18</td>
<td>Incidental Stone</td>
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<td>T/H</td>
<td>$68.00</td>
<td>$6,800.00</td>
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<td>$3,000.00</td>
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</table>

Grand Total: $686,247.94

**Date of Completion:** May 30, 2020

**Certification:** The tabulated bids were opened and read aloud on August 8th, 2019 at 10:00 am at the City of Sanford Municipal Building at 225 E. Weatherspoon Street. The tabulation is correct in that it contains the bid prices as presented on the original bid form of each bidder.

Michael Lamping, P.E.  
Civil Engineer
**FULL DEPTH RECLAMATION LIST 2019-2020**

<table>
<thead>
<tr>
<th>Street</th>
<th>Begin</th>
<th>End</th>
</tr>
</thead>
<tbody>
<tr>
<td>Woodland</td>
<td>W Rose St</td>
<td>S Horner Blvd</td>
</tr>
<tr>
<td>Millstone</td>
<td>Brookfield Cir</td>
<td>Cul De Sac</td>
</tr>
<tr>
<td>Stoneridge</td>
<td>Rockwood Dr</td>
<td>Cool Springs Rd</td>
</tr>
<tr>
<td>Thirteenth</td>
<td>Charlotte Av</td>
<td>Dead End</td>
</tr>
<tr>
<td>Weatherwood</td>
<td>Knollwood Dr</td>
<td>Cul De Sac</td>
</tr>
<tr>
<td>Woodyhill</td>
<td>Smoketree Ct</td>
<td>Cul De Sac</td>
</tr>
<tr>
<td>Church</td>
<td>Crestview St</td>
<td>S Vance St</td>
</tr>
<tr>
<td>Beal</td>
<td>N Horner Blvd</td>
<td>Private Property</td>
</tr>
<tr>
<td>Erwin</td>
<td>N Currie Dr</td>
<td>Stuart Dr</td>
</tr>
</tbody>
</table>

**Total** 1.6 Miles
MEMORANDUM

TO: Mayor Mann and Members of Council

FROM: Paul M. Weeks Jr., P.E.

DATE: August 14, 2019

SUBJECT: Recommendation to enter into an engineering agreement for Sewer Extension for an Economic Development project

On August 2nd at 10:00 am proposals were received from Freese and Nichols, MS Consultants and WithersRavenel for this project. Upon completion of the review process, Freese and Nichols was selected.

Staff recommends entering into the agreement with Freese and Nichols in the amount of $339,650.
### Sewer Extension: RFQs due 10 am on August 2, 2019

<table>
<thead>
<tr>
<th></th>
<th>MS Consultants</th>
<th>Freese and Nichols</th>
<th>Withers and Ravenel</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 the firm’s and assigned personnel’s experience with municipal work</td>
<td>14</td>
<td>15</td>
<td>15</td>
</tr>
<tr>
<td>2 Qualifications and abilities of staff assigned to the project</td>
<td>13</td>
<td>15</td>
<td>14</td>
</tr>
<tr>
<td>3 Experience working for the City of Sanford. Knowledge of the City will be a consideration</td>
<td>12</td>
<td>15</td>
<td>14</td>
</tr>
<tr>
<td>4 Ability to perform the work on a schedule most beneficial to the City</td>
<td>11</td>
<td>14</td>
<td>12</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>50</strong></td>
<td><strong>59</strong></td>
<td><strong>55</strong></td>
</tr>
</tbody>
</table>

scale: 1-5
AGREEMENT FOR PROFESSIONAL SERVICES

STATE OF NORTH CAROLINA

COUNTY OF LEE

This Agreement is entered into by the City of Sanford, North Carolina, hereinafter called “Owner” and Freese and Nichols, Inc., hereinafter called “FNI.” In consideration of the Agreements herein, the parties agree as follows:

I. EMPLOYMENT OF FNI: In accordance with the terms of this Agreement: Owner agrees to employ FNI; FNI agrees to perform professional services in connection with the Project; Owner agrees to pay to FNI compensation. The Project is described as follows: Sewer Extension for an Unnamed Party.

II. SCOPE OF SERVICES: FNI shall render professional services in connection with Project as set forth in Attachment SC - Scope of Services and Responsibilities of Owner which is attached to and made a part of this Agreement.

III. COMPENSATION: Owner agrees to pay FNI for all professional services rendered under this Agreement in accordance with Attachment CO - Compensation which is attached hereto and made a part of this Agreement. FNI shall perform professional services as outlined as Basic Services in the “Scope of Services” for a not to exceed fee of $339,650. The not to exceed fee shall be billed on hours worked and the attached fee schedule. Details concerning the fee are included in Attachment CO.

If FNI’s services are delayed or suspended by Owner, or if FNI’s services are extended for more than 60 days through no fault of FNI, FNI shall be entitled to equitable adjustment of rates and amounts of compensation to reflect reasonable costs incurred by FNI in connection with such delay or suspension and reactivation and the fact that the time for performance under this Agreement has been revised.

IV. TERMS AND CONDITIONS OF AGREEMENT: The Terms and Conditions of Agreement as set forth as Attachment TC shall govern the relationship between the Owner and FNI.

Nothing under this Agreement shall be construed to give any rights or benefits in this Agreement to anyone other than Owner and FNI, and all duties and responsibilities undertaken pursuant to this Agreement will be for the sole and exclusive benefit of Owner and FNI and not for the benefit of any other party.

This Agreement constitutes the entire Agreement between Owner and FNI and supersedes all prior written or oral understandings.

This contract is executed in two counterparts.
IN TESTIMONY HEREOF, they have executed this Agreement, the day of, 20_.

ATTEST:

City of Sanford
(Owner)

By:

Print Name and Title

Freese and Nichols, Inc.
(FNI)

By:

Print Name and Title
SCOPE OF SERVICES AND RESPONSIBILITIES OF OWNER

In anticipation of potential industrial development in an undisclosed location, the City of Sanford is beginning preparations for service to the area with utilities and access. A major piece of this effort is the evaluation, design and implementation of sanitary sewer facilities. Various alternatives have been evaluated and considered. The preferred alternative includes the construction of approximately 9,000 LF of 12-inch Gravity Main, 16,300 LF of 18/20-inch Force Main and modifications to the Gum Fork Creek Lift Station (GFCLS). Specifically, the components of the project include:

- Gum Fork Creek Lift Station (GFCLS) Modifications – Modifications to the GFCLS to accommodate additional flow from the proposed gravity sewer and associated flows as described below.
- Gravity Sewer (GS) – Construction of approximately 9,000 LF of 12-inch Gravity Main.
- Intermediate Force Main (IFM) – Construction of approximately 16,300 LF of 18/20-inch Force Main from the Gum Fork Creek Lift Station to the Little Buffalo Lift Station. This line was designed as a 16-inch line under a separate project but delayed due to funding. As part of this project, FNI will verify the design, modify the plans, specifications and permits as applicable and assist with bidding and the construction phase the project.

Freese and Nichols, Inc. (FNI) proposes to provide consulting services for preliminary and final design along with bidding and construction assistance of the proposed improvements. A detailed scope of work is provided below:

ARTICLE I

BASIC SERVICES: FNI shall render the following professional services in connection with the development of the Project:

A. Preliminary Design Phase

1. Project Management: FNI will prepare a written project work plan, which outlines the project scope and protocol for conducting the Project. The work plan will include the following items:
   - Objectives of project
   - Scope of services
   - Schedule
   - Deliverables
   - Review Schedules
   - Project team directory
   - Inventory of baseline information and data

FNI will track the budget and schedule on a monthly basis. FNI will meet with OWNER’S project manager monthly for up to six (6) months to update the schedule, progress of work and potential changes to the scope of work.
2. Kickoff Meeting: FNI will conduct a kickoff meeting with OWNER staff to discuss project goals, deliverables and schedule. This meeting will also establish protocol and lines of communications, gather all available documents pertinent to the Project and discuss project scope and schedule. FNI will document the results of the meeting in the form of meeting minutes.

3. Field Reconnaissance: FNI will conduct field reconnaissance to ascertain existing site conditions along the pipeline routes.

4. IFM / GFCLS / Hydraulic Analysis: FNI will conduct a hydraulic analysis of the GFCLS and corresponding force main. FNI will evaluate options to utilize the existing 8-inch force main or combine the GFCLS discharge with the IFM. In addition, FNI will evaluate the potential capacity of the existing GFCLS with the force main alternatives and will evaluate required modifications to the Intermediate Lift Station (ILS) based on the evaluated alternatives.

5. Alignment evaluation: It is anticipated that the GS will be constructed adjacent to Gum Fork Creek. FNI will evaluate and determine a preferred route along this corridor. FNI will determine requirements for appurtenances, permanent and construction easement requirements and other applicable requirements. In addition, FNI will coordinate with the OWNER and their consultants for final connection location and elevation near the industrial site. A schematic layout of the recommended alignment with appropriate exhibits to indicate the recommended alignment assessing sizing, recommended permanent and temporary construction easement requirements, final design criteria, updated design and construction schedule and OPCC will be included in the Preliminary Design Report.

6. Prepare a Preliminary Design Report (PDR) summarizing the recommendations for the GFCLS and associated force main as well as the IFM and ILS. Also included in the PDR will be a summary of the recommended final gravity main alignment. A Preliminary Opinion of Probable Construction Cost (OPCC) will be included.

B. Final Design Phase

Upon approval of the final draft of the preliminary design report, FNI will provide the following as part of the final design phase:

1. Prepare front end documents, general conditions, and special conditions for the construction contracts. Meet with the OWNER to resolve review comments, and revise documents accordingly.

2. 60% Review: Furnish OWNER three (3) copies of preliminary (60%) plans and specifications marked “Preliminary” for approval by OWNER. FNI will meet with the OWNER to present the preliminary plans and specifications and receive comments. Review documents will include dimensional layout drawings, plans, sections and elevations of the facilities for all of the trades, typical details, and most special details. The drawings will be in sufficient development to show the overall layouts and design intent, but will lack many notes and minor details. The specifications will include the front-end documents and draft specifications for major equipment items.
3. 90% Review: Furnish OWNER three (3) copies of preliminary (90%) plans, specifications, and bid proposals marked “Preliminary” for approval by OWNER. FNI will meet with the OWNER to present the preliminary plans and specifications and receive comments. Review documents will include all drawing sheets and specifications with some minor corrections and notes still remaining.

4. Prepare bidder’s proposal forms (project quantities) of the improvements to be constructed.

5. Prepare revised opinion of probable construction cost at 60% and 90% Reviews.

6. Based on OWNER comments and coordination, FNI will prepare final construction plans, specifications, contract documents, and updated opinion of probable construction cost for the project. The plans and specifications will be used for the Bidding and Construction Phase.

C. Permitting

FNI will assist the OWNER in acquiring the necessary permits and approvals for construction of the project. The OWNER will pay fees associated with the permits. The following are anticipated:

a. NCDEQ Authorization to Construct (ATC) – FNI will prepare the necessary permit application and submit along with the plans for approval. FNI will coordinate with the agency and address questions and comments until an Authorization to Construct is received.

b. Erosion Control Permitting – It is anticipated that an erosion control permit will be required for the project. FNI will include erosion control measures and details in the plans. FNI will submit a permit application to the DEQ Division of Energy, Mineral, and Land Resources, and will coordinate with the agency to address questions and comments until approval of the application.

c. USACE Section 404 Permitting – It is anticipated that the project will be designed to fall within the requirements of a Nationwide 12 permit with pre-construction notification. If it is determined that an individual permit is required, FNI will notify the Owner immediately.

d. IFM Permit Updates – Permits were received previously for the IFM. As part of this project, FNI will coordinate with the permitting agencies, update and modify as applicable the associated permits.

D. Survey Services

FNI will subcontract with a surveying firm to provide surveying services. The services listed below are based upon traditional topographic survey for the entire pipeline corridor and the preparation of up to 12 easement documents along the alignment as applicable. A detailed scope of work is described below.

1. Ownership Data - Research property ownership of the affected parcels and obtain copies of deeds, subdivision plats, right-of-way maps and ownership addresses along the route. Prepare a landowners Excel spreadsheet to include parcel number and landowner’s name and address. Prepare a deed plot of all ownerships, subdivisions, and rights-of-way within one hundred feet either side of the proposed pipeline alignment. All properties shall be numbered to match the corresponding list of landowners in the Excel spreadsheet.

2. Ownership Map – Locate property corners of parcels that are affected by the proposed pipeline alignment. Calculate property lines, easement lines, and right-of-way lines of existing streets and utilities.
3. Easements - Prepare an exhibit and boundary easement description for each tract that the proposed pipeline will cross. The legal descriptions and plats shall meet the criteria stated below. Easements shall be signed and sealed by a Registered Professional Land Surveyor, currently registered in the State of North Carolina. Each easement shall have attached to it a copy of the corresponding deed for that property and a closure computation sheet for the easement tract. A draft copy of each easement shall be submitted. After review by the Owner, Consultant shall incorporate comments as appropriate and submit one final copy of the easements and deeds to the Owner. This proposal is based upon preparation of 12 easement documents. Legal descriptions shall include sufficient information to identify the location, boundaries, monumentation, and area of the described tract, as well as its relationship to the parent tract out of which it is surveyed. Each legal description shall be accompanied by an exhibit plat which depicts the worded description. Legal descriptions and Exhibit Plats shall be reproduced on 8.5”x11” size paper. All must be legible. The Exhibit Plat or Legal Description should be able to stand alone.

4. Traditional Topographic/Design Survey – Traditional topographic survey will locate all improvements within a 50-foot-wide corridor along the pipeline alignment. Elevations of all tops and toes of slope and at all vertical changes within 50 feet either side of the proposed final pipeline centerline will be located. This information shall be sufficient to generate a contour model (DTM) of the proposed pipeline route. For purposes of this scope, it is anticipated that up to 9,000 linear feet of traditional topographic survey will be provided.

E. Geotechnical Investigation

The proposed geotechnical scope of work will consist of field exploration, laboratory testing, engineering analysis, and reporting as presented below.

Field Exploration

1. Select appropriate locations for exploratory borings within the vicinity of each proposed segment of line to be installed by other than open cut methods. FNI will notify One Call of the planned borings and coordinate with the Owner prior to commencement of the field exploration activities in order to locate existing underground utilities within the area.

2. Subcontract with a drilling contractor to drill the Up to four (4) borings to an approximate depth of 25-feet. The exact location will be determined upon approval of the final route.

a. The borings will be advanced using standard rotary drilling equipment with continuous-flight augers (solid or hollow stem) or rotary wash methods. Subsurface samples will be collected using 3-inch diameter Shelby tubes for cohesive soils and a 2-inch diameter split-spoon sampler in conjunction with the Standard Penetration Test (SPT) for intermediate and non-cohesive soils. Rock and rock-like materials will be cored using an NX core barrel and/or tested in situ, as appropriate for the material.

b. Groundwater observations within the borings will be recorded at the time of drilling and at the completion of drilling and sampling.

c. The borings will be backfilled with auger cuttings upon completion of drilling and sampling.

Laboratory Testing

1. Testing shall be performed on samples obtained from the borings to determine soil classification and pertinent engineering properties of the subsurface materials.

L:\Resources\OLCR\S\Sanford, NC\Gravity Sewer Extension

SC-4

FNI

OWNER
2. The Engineer will select samples for laboratory testing, assign tests, and review the test results.

3. Laboratory tests will be appropriately assigned for the specific subsurface materials encountered during exploration, but are expected to include:
   i. Classification tests (liquid and plastic limits and percent passing the no. 200 sieve or gradation)
   ii. Moisture content
   iii. Unit dry weight
   iv. Unconfined compressive strength
   v. One-dimensional swell (restrained and unrestrained)

F. Environmental Assessment

1. Wetland and Waters of the U.S. Delineation, Documentation, and Permitting

   a. Wetlands and Waters of the U.S. Delineation

      Waters of the U.S., including wetlands regulated under Section 404 and 401 of the Clean Water Act (CWA) as well as wetlands and waters regulated by the State of North Carolina (e.g., isolated wetlands) have not been delineated within the Project Area. FNI will delineate waters of the U.S., including wetlands, regulated under Section 404 and 401 CWA as well as wetlands and waters regulated by the State of North Carolina (e.g., isolated wetlands) within the Project Area in accordance with:
      • USACE April 2012 Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Eastern Mountains and Piedmont Region (USACE 2012)
      • Subsequent regulatory guidance

      FNI will identify and determine the boundaries of the jurisdictional features, assess stream channels, and collect data to support the delineation within the Project Area. The boundaries of the jurisdictional features will be marked with sequentially numbered flagging placed on vegetation at the jurisdictional boundaries at 25 to 50 foot intervals or as necessary to maintain visual reference between flags. Data will be collected to complete the USACE Wetland Determination Data Forms – Eastern Mountains and Piedmont Region, USACE Stream Quality Assessment, and North Carolina Division of Water Resources (NCDWR) Stream Classification forms.

   b. FNI will evaluate opportunities to avoid and minimize permanent impacts to jurisdictional waters. We anticipate that permanent impacts will not exceed the allowable thresholds under Nationwide Permit (NWP) 12 (Utility Line Activities). FNI will prepare the permit application consisting of the PreConstruction Notification (PCN) and supporting documentation, and coordinate with the regulatory agencies. The permit application will also include an Avoidance and Minimization Analysis.

G. Easement Acquisition Assistance

FNI shall acquire the services of a right of way acquisition specialist in support of the project. It is anticipated that up to twelve (12) separate easements may be required for the project, depending on the approved alignment. The specialist shall perform the following services:
1. Route Analysis: Perform preliminary analysis of feasibility of obtaining easements for the selected route. This analysis will be used in determining the final route recommendation.

2. Easement Appraisal: appraisals will be prepared for up to two properties. If additional appraisals are required, FNI will coordinate with the OWNER for additional services.

3. Easement Acquisition Services: Negotiate the easement for the OWNER based on the easement appraisal. These services do not include services in support of condemnation proceedings. Services for condemnation can be provided as an additional service.

4. Title Searches: FNI will complete title searches for properties where easements are to be acquired.

**H. Bid and Award Phase Assistance**

Upon completion of the design services and approval of “Final” plans and specifications by OWNER, FNI will proceed with the performance of services in this phase as described below:

1. Assist OWNER in securing bids, issuing notice to bidders and notifying selected plan rooms. The notice to bidders will be furnished to OWNER for publication in the local news media. The cost for publications shall be paid by OWNER.

2. Distribute plans to bidders using a web-based bidding site. Cost for any bidder’s requests for hard copies of bid documents will be paid for by bidder. Keep a record of prospective bidders and plan rooms and other parties to whom the bidding documents have been distributed. Advertise for bids on FNI’s website, and keep the website updated with addenda information, plan holder lists, and bidding information.

3. Attend a pre-bid conference.

4. Issue Addenda as appropriate to clarify, correct, or change the bidding documents.

5. Assist OWNER in the opening, tabulation, and analysis of the bids received and furnish recommendations on the award of contracts as appropriate.

6. Assist OWNER in the preparation of documents for execution of the construction contracts. FNI will conformance the contract documents, make six original copies for execution. FNI will also make ten conformed copies of the plans and specifications for use by the Contractor and OWNER and Engineer.

7. The Bid and Award phase will be considered complete upon execution of the construction contracts and distribution of the conformed copies of the plans and specifications.

**ARTICLE III**

**TIME OF COMPLETION:** FNI is authorized to commence work on the Project upon execution of this Agreement and agrees to complete the services in accordance with the following schedule:

- Preliminary Design Phase – Completed within 60 days from NTP
- Final Design Phase – Completed within 120 days from NTP
- Permitting – Permit applications will be submitted within 120 days from NTP. Approval times will vary.

L:\Resources\OLCRIS\Sanford, NC\Gravity Sewer Extension

SC-6

FNI

OWNER
If FNI's services are delayed through no fault of FNI, FNI shall be entitled to adjust contract schedule consistent with the number of days of delay. These delays may include but are not limited to delays in Owner or regulatory reviews, delays on the flow of information to be provided to FNI, governmental approvals, etc. These delays may result in an adjustment to compensation as outlined on the face of this Agreement and in Attachment CO.

ARTICLE IV

RESPONSIBILITIES OF Owner: Owner shall perform the following in a timely manner so as not to delay the services of FNI:

A. Designate in writing a person to act as Owner’s representative with respect to the services to be rendered under this Agreement. Such person shall have contract authority to transmit instructions, receive information, interpret and define Owner’s policies and decisions with respect to FNI’s services for the Project.

B. Provide all criteria and full information as to Owner’s requirements for the Project, including design objectives and constraints, space, capacity and performance requirements, flexibility and expandability, and any budgetary limitations; and furnish copies of all design and construction standards which Owner will require to be included in the drawings and specifications.

C. Assist FNI by placing at FNI’s disposal all available information pertinent to the Project including previous reports and any other data relative to design or construction of the Project.

D. Arrange for access to and make all provisions for FNI to enter upon public and private property as required for FNI to perform services under this Agreement.

E. Examine all studies, reports, sketches, drawings, specifications, proposals and other documents presented by FNI, obtain advice of an attorney, insurance counselor and other consultants as Owner deems appropriate for such examination and render in writing decisions pertaining thereto within a reasonable time so as not to delay the services of FNI.
ARTICLE V

DESIGNATED REPRESENTATIVES: FNI and Owner designate the following representatives:

Owner's Designated Representative — Paul M. Weeks, Jr., P.E.
City Engineer
City of Sanford
P.O. Box 3729
225 E. Weatherspoon
Sanford, NC 27330
(919) 777-1119
Paul.weeks@sanfordnc.net

FNI's Designated Representative — Bryan C. Jann, P.E.
1017 Main Campus Drive, Suite 1200
Raleigh, NC 27606
(919) 582-5856
bcj@freese.com

FNI's Accounting Representative — Stephanie Kirchstein
2711 North Haskell Ave, Suite 3300
Dallas, Texas 75204
(214) 217-2212
Stephanie.Kirchstein@freese.com
COMPENSATION

FNI proposes to furnish our services as described herein for an hourly not-to-exceed fee of Three Hundred Thirty Nine Thousand Six Hundred Fifty dollars ($339,650). If FNI sees the Scope of Services changing so that Additional Services are needed, including but not limited to those services described as Additional Services as described herein, FNI will notify CITY for CITY's approval before proceeding. Additional Services shall be computed based on the Schedule of Charges.

Schedule of Charges:

<table>
<thead>
<tr>
<th>Position</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Professional - 1</td>
<td>107</td>
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<tr>
<td>Professional - 2</td>
<td>140</td>
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<tr>
<td>Professional - 3</td>
<td>146</td>
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<tr>
<td>Professional - 4</td>
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<td>Professional - 5</td>
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<tr>
<td>Construction Manager - 1</td>
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<td>CAD Technician/Designer - 3</td>
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<td>139</td>
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<tr>
<td>Intern/Coop</td>
<td>53</td>
</tr>
<tr>
<td>Senior Advisor</td>
<td>200</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Bulk Printing and Reproduction</th>
<th>B&amp;W</th>
<th>Color</th>
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<tbody>
<tr>
<td>Small Format (per copy)</td>
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<tr>
<td>Large Format (per sq. ft.)</td>
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<tr>
<td>Bond</td>
<td>$0.25</td>
<td>$0.75</td>
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<tr>
<td>Glossy/Mylar</td>
<td>$0.75</td>
<td>$1.25</td>
</tr>
<tr>
<td>Vinyl/Adhesive</td>
<td>$1.50</td>
<td>$2.00</td>
</tr>
<tr>
<td>Mounting (per sq. ft.)</td>
<td>$2.00</td>
<td></td>
</tr>
<tr>
<td>Binding (per binding)</td>
<td>$0.25</td>
<td></td>
</tr>
</tbody>
</table>

Travel

Standard IRS Rates

OTHER DIRECT EXPENSES:

Other direct expenses are reimbursed at actual cost times a multiplier of 1.10. They include outside printing and reproduction expense, communication expense, travel, transportation and subsistence away from the FNI office and other miscellaneous expenses directly related to the work, including costs of laboratory analysis, test, and other work required to be done by independent persons other than staff members. For Resident Representative services performed by non-FNI employees and CAD services performed in-house by non-FNI employees where FNI provides workspace and equipment to perform such services, these services will be billed at cost times a multiplier of 2.0. This markup approximates the cost to FNI if an FNI employee was performing the same or similar services.

These rates will be adjusted annually in February.

NC18
1. **DEFINITIONS:** The term Owner as used herein refers to the City of Sanford, NC. The term FNI as used herein refers to Freese and Nichols, Inc., its employees and agents; also its subcontractors and their employees and agents. As used herein, Services refers to the professional services performed by Freese and Nichols pursuant to the AGREEMENT.

2. **CHANGES:** Owner, without invalidating the AGREEMENT, may order changes within the general scope of the WORK required by the AGREEMENT by altering, adding to and/or deducting from the WORK to be performed. If any change under this clause causes an increase or decrease in FNI's cost of, or the time required for, the performance of any part of the Services under the AGREEMENT, an equitable adjustment will be made by mutual agreement and the AGREEMENT modified in writing accordingly.

3. **TERMINATION:** The obligation to provide services under this AGREEMENT may be terminated by either party upon ten days' written notice. In the event of termination, FNI will be paid for all services rendered and reimbursable expenses incurred to the date of termination and, in addition, all reimbursable expenses directly attributable to termination.

4. **CONSEQUENTIAL DAMAGES:** In no event shall FNI or its subcontractors be liable in contract, tort, strict liability, warranty, or otherwise for any special, indirect, incidental or consequential damages, such as loss of product, loss of use of the equipment or system, loss of anticipated profits or revenue, non-operation or increased expense of operation or other equipment or systems.

5. **INFORMATION FURNISHED BY OWNER:** Owner will assist FNI by placing at FNI's disposal all available information pertinent to the Project including previous reports and any other data relative to design or construction of the Project. FNI shall have no liability for defects or negligence in the Services attributable to FNI's reliance upon or use of data, design criteria, drawings, specifications or other information furnished by Owner and Owner agrees to indemnify and hold FNI harmless from any and all claims and judgments, and all losses, costs and expenses arising therefrom. FNI shall disclose to Owner, prior to use thereof, defects or omissions in the data, design criteria, drawings, specifications or other information furnished by Owner to FNI that FNI may reasonably discover in its review and inspection thereof.

6. **INSURANCE:** FNI shall provide to Owner certificates of insurance which shall contain the following minimum coverage:

<table>
<thead>
<tr>
<th>Coverage</th>
<th>Minimum Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial General Liability</td>
<td>$2,000,000</td>
</tr>
<tr>
<td>Automobile Liability (Any Auto)</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>Workers' Compensation</td>
<td>Each Accident $1,000,000</td>
</tr>
<tr>
<td>Professional Liability</td>
<td>$3,000,000 Annual Aggregate</td>
</tr>
</tbody>
</table>

7. **SUBCONTRACTS:** If, for any reason, at any time during the progress of providing Services, Owner determines that any subcontract for FNI is incompetent or undesirable, Owner will notify FNI accordingly and FNI shall take immediate steps for cancellation of such subcontract. Subletting by subcontractors shall be subject to the same regulations. Nothing contained in this AGREEMENT shall create any contractual relation between any subcontractor and Owner.

8. **OWNERSHIP OF DOCUMENTS:** All drawings, reports data and other project information developed in the execution of the Services provided under this AGREEMENT shall be the property of the Owner upon payment of FNI's fees for services. FNI may retain copies for record purposes. Owner agrees such documents are not intended or represented to be suitable for reuse by Owner or others. Any reuse by Owner or by those who obtained said documents from Owner without written verification or adaptation by FNI will be at Owner's sole risk and without liability or legal exposure to FNI, or to FNI's independent associates or consultants. Any such verification or adaptation will entitle FNI to further reasonable compensation. FNI may reuse all drawings, report data and other project information in the execution of the Services provided under this AGREEMENT in FNI's other activities. Any reuse by FNI will be at FNI's sole risk and without liability or legal exposure to Owner, and FNI shall indemnify and hold harmless Owner from all claims, damages, losses and expenses including attorneys' fees arising out of or resulting therefrom.

9. **POLLUTANTS AND HAZARDOUS WASTES:** It is understood and agreed that FNI has neither created nor contributed to the creation or existence of any hazardous, radioactive, toxic, irritant, pollutant, or otherwise dangerous substance or condition at the site, if any, and its compensation hereunder is in no way commensurate with the potential risk of injury or loss that may be caused by exposures to such substances or conditions. The parties agree that in performing the Services required by this AGREEMENT, FNI does not take possession or control of the subject site, but acts as an invitee in performing the services, and is not therefore responsible for the existence of any pre-existing pollutant present on or migrating from the site. Further, FNI shall have no responsibility for any pre-existing pollutant during clean-up, transportation, storage or disposal activities. FNI shall not use, generate, manufacture, store, treat, dispose of or release any Hazardous Substance on, under, about or from each Project site; and all of FNI's such activity shall be conducted in compliance with all applicable federal, state, and local laws, regulations and ordinances, including without limitation all Environmental Laws. FNI agrees to indemnify, defend, and hold harmless Owner against any and all claims, losses, liabilities, damages, penalties, and expenses which Owner may.
directly or indirectly sustain or suffer resulting from a breach of this section of the Master Agreement or as a consequence of any use, generation, manufacture, storage, disposal, or release caused by FNI. The provisions of this section of the Master Agreement, including the obligation to indemnify and defend, shall survive the termination of the Agreement.

10. **OPINION OF PROBABLE COSTS:** FNI will furnish an opinion of probable project development cost based on present day cost, but does not guarantee the accuracy of such estimates. Opinions of probable cost, financial evaluations, feasibility studies, economic analyses of alternate solutions and utilitarian considerations of operations and maintenance costs prepared by FNI hereunder will be made on the basis of FNI’s experience and qualifications and represent FNI’s judgment as an experienced and qualified design professional. It is recognized, however, that FNI does not have control over the cost of labor, material, equipment or services furnished by others or over market conditions or contractors' methods of determining their prices.

11. **CONSTRUCTION REPRESENTATION:** If required by the AGREEMENT, FNI will furnish Construction Representation according to the defined scope for these services. FNI will observe the progress and the quality of work to determine in general if the work is proceeding in accordance with the Contract Documents. In performing these services, FNI will endeavor to protect Owner against defects and deficiencies in the work of Contractors; FNI will report any observed deficiencies to Owner, however, it is understood that FNI does not guarantee the Contractor's performance, nor is FNI responsible for the supervision of the Contractor’s operation and employees. FNI shall not be responsible for the means, methods, techniques, sequences or procedures of construction selected by the Contractor, or the safety precautions and programs incident to the work of the Contractor. FNI shall not be responsible for the acts or omissions of any person (except his own employees or agent) at the Project site or otherwise performing any of the work of the Project. If Owner designates a person to serve in the capacity of Resident Project Representative who is not a FNI’s employee or FNI’s agent, the duties, responsibilities and limitations of authority of such Resident Project Representative(s) will be set forth in writing and made a part of this AGREEMENT before the Construction Phase of the Project begins.

12. **PAYMENT:** Progress payments may be requested by FNI based on the amount of services completed. Payment for the services of FNI shall be due and payable upon submission of a statement for services to OWNER and in acceptance of the services as satisfactory by the OWNER. Statements for services shall not be submitted more frequently than monthly. Any applicable new taxes imposed upon services, expenses, and charges by any governmental body after the execution of this AGREEMENT will be added to FNI's compensation.

13. **ARBITRATION:** No arbitration arising out of, or relating to, this AGREEMENT involving one party to this AGREEMENT may include the other party to this AGREEMENT without their approval.

14. **SUCCESSIONS AND ASSIGNMENTS:** OWNER and FNI each are hereby bound and the partners, successors, executors, administrators and legal representatives of OWNER and FNI are hereby bound to the other party to this AGREEMENT and to the partners, successors, executors, administrators and legal representatives (and said assigns) of such other party, in respect of all covenants, agreements and obligations of this AGREEMENT.

Neither OWNER nor FNI shall assign, sublet or transfer any rights under or interest in (including, but without limitation, moneys that may become due or moneys that are due) this AGREEMENT without the written consent of the other, except to the extent that any assignment, subletting or transfer is mandated by law or the effect of this limitation may be restricted by law. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this AGREEMENT. Nothing contained in this paragraph shall prevent FNI from employing such independent associates and consultants as FNI may deem appropriate to assist in the performance of services hereunder.

15. **PURCHASE ORDERS:** If a Purchase Order is used to authorize FNI's Services, only the terms, conditions/instructions typed on the face of the Purchase Order shall apply to this AGREEMENT. Should there be any conflict between the Purchase Order and the terms of this AGREEMENT, then this AGREEMENT shall prevail and shall be determinative of the conflict.
MEMORANDUM

TO: Mayor Mann and Members of Council

FROM: Paul M. Weeks Jr., P.E.

DATE: August 12, 2019

SUBJECT: Recommendation to enter into an engineering agreement for Site Development for an Economic Development project

On August 2nd at 10:00 am proposals were received from Freese and Nichols, McGill Associates and WithersRavenel for this project. Upon completion of the review process, WithersRavenel was selected.

Staff recommends entering into the agreement with WithersRavenel in the amount of $260,400.
<table>
<thead>
<tr>
<th>Site Development: RFQs due 10 am on August 2, 2019</th>
<th>McGill</th>
<th>Freese and Nichols</th>
<th>Withers and Ravenel</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 the firm's and assigned personnel's experience with municipal work</td>
<td>13</td>
<td>14</td>
<td>15</td>
</tr>
<tr>
<td>2 Qualifications and abilities of staff assigned to the project</td>
<td>12</td>
<td>12</td>
<td>13</td>
</tr>
<tr>
<td>3 Experience working for the City of Sanford. Knowledge of the City will be a consideration</td>
<td>14</td>
<td>12</td>
<td>15</td>
</tr>
<tr>
<td>4 Ability to perform the work on a schedule most beneficial to the City</td>
<td>10</td>
<td>9</td>
<td>14</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>49</strong></td>
<td><strong>47</strong></td>
<td><strong>57</strong></td>
</tr>
</tbody>
</table>

scale: 1-5
Appointment is needed for the seven (7) members on the Friends of Sanford, Inc., Board of Directors:

<table>
<thead>
<tr>
<th>Position</th>
<th>Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mayor</td>
<td>T. Chet Mann</td>
<td>P.O. Box 3729 Sanford, NC 27331</td>
</tr>
<tr>
<td>Council Member</td>
<td></td>
<td>P.O. Box 3729 Sanford, NC 27331</td>
</tr>
<tr>
<td>Council Member</td>
<td></td>
<td>P.O. Box 3729 Sanford, NC 27331</td>
</tr>
<tr>
<td>Finance Director COS</td>
<td>Beth Kelly</td>
<td>P.O. Box 3729 Sanford, NC 27331</td>
</tr>
<tr>
<td>Citizen at Large</td>
<td></td>
<td></td>
</tr>
<tr>
<td>CEO SAGA or designee</td>
<td>Mike Smith</td>
<td>P.O. Box 519 Sanford, NC 27330</td>
</tr>
<tr>
<td>Pres. Lee County Arts Council</td>
<td>Joann Thaxton</td>
<td>144 S. Steele Street Sanford, N.C. 27330</td>
</tr>
</tbody>
</table>
### COMMISSION ON THE OPIOID ABUSE EPIDEMIC

<table>
<thead>
<tr>
<th>Position</th>
<th>Effective Date</th>
<th>Reappointed Date</th>
<th>Term Expires</th>
</tr>
</thead>
<tbody>
<tr>
<td>At Large Appointment:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vacant</td>
<td>08-20-19</td>
<td></td>
<td>06-30-2020</td>
</tr>
<tr>
<td>Vacant</td>
<td>08-20-19</td>
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<td>06-30-2021</td>
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<tr>
<td>Vacant</td>
<td>08-20-19</td>
<td></td>
<td>06-30-2022</td>
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<tr>
<td>Liaison: City Council Member:</td>
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<tr>
<td>City Council Member:</td>
<td></td>
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<tr>
<td>Treatment Facility Representative:</td>
<td></td>
<td></td>
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<tr>
<td>Vacant</td>
<td>08-20-19</td>
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<td>Sheriff Department Representative:</td>
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<td>06-30-2021</td>
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<td>Police Department Representative:</td>
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<tr>
<td>Medical Community Representative:</td>
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<tr>
<td>Vacant</td>
<td>08-20-19</td>
<td></td>
<td>06-20-2022</td>
</tr>
</tbody>
</table>

**Purpose**

The general purpose of the Commission on The Opioid Abuse Epidemic is to recommend a plan for education & prevention, treatment & rehabilitation and enforcement to combat the opioid epidemic in the City of Sanford, which is of great concern to the health, safety and welfare of the Citizens of Sanford, and to advise the City on strategies to address the opioid epidemic.

**Appointment Authority**

Effective June 18, 2019, and under the authority granted in Chapter 160A-146 of the North Carolina General Statutes and Resolution No. 2019-34, dated June 18, 2019, the City of Sanford created a Commission on The Opioid Abuse Epidemic, in an effort to develop a strong team of advisors, with representatives from the community, City of Sanford, Lee County Sheriff’s Department, Sanford Police Department, Treatment facilities and the Medical Community.

The Commission on The Opioid Abuse Epidemic shall be comprised of seven (7) voting members: three (3) appointed At Large by the Sanford City Council, one representative (1) from the Lee County Sheriff’s Department, one (1) representative from the Sanford Police Department, one (1) representative from a Treatment Facility and one (1) representative from the Medical Community. In addition, two representatives of the Sanford City Council, who serve at the appointment of the Council, shall be ex-officio, non-voting members.
The initial terms of the Commission shall be as follows:

One (1) member At Large appointed by the City Council, and one (1) member appointed from the Medical Community, shall be appointed for a three year term;

One (1) member At Large appointed by the City Council, one (1) member appointed from the Sanford Police Department, and one (1) member appointed from the Lee County Sheriff’s Department, shall be appointed for a two year term; and

One (1) member At Large appointed by the City Council, and one (1) member appointed from a Treatment Facility, shall be appointed for a one year term.

Thereafter, all appointments or reappointments will be for three-year terms.

**Authority of Board**
To advise on the opioid abuse epidemic.

**Duties**
The specific duties of the Commission include: 1) advising the City of Sanford on the opioid epidemic; 2) educating the public and local officials about opioid abuse issues; 3) performing special studies and projects on the opioid epidemic; 4) preparing a report for the City Council addressing prevention, treatment, and enforcement to address the opioid epidemic; 5) facilitating citizen participation; 6) remaining informed about changes in laws and regulations affecting the City (and informing the public and local officials about such changes); 7) seeking funding, fundraising and grant opportunities and 8) promoting the State/City and public/private cooperation and coordination. This list is not exhaustive, and the Commission shall construe its duties broadly. The Commission shall not have authority to enforce any regulations, rules, ordinances, or laws.

**Meeting Time and Location**
The Commission shall meet at least every other month and shall meet at the call of the Chairman or at the written request of two (2) members. Meetings may be held at City Hall or may be called anywhere within Lee County. All meetings shall be open to the public.
NAME OF APPLICANT: Emilia Guerrero

COMPLETE ADDRESS (including zip code): 3134 Parkwood Drive, Sanford, NC 27332

DAYTIME PHONE: 919-888-0440  EVENING PHONE: ___________

MARITAL STATUS: SINGLE  SPOUSE'S NAME: ___________

E-MAIL: eigr5170@gmail.com

I AM A REGISTERED VOTER IN WARD _______, WHICH IS LOCATED WITHIN THE SANFORD CITY LIMITS.

I WISH TO BE CONSIDERED FOR APPOINTMENT TO THE FOLLOWING BOARD/COMMISSION/COMMITTEE: (list only one)

List any experience/qualifications you have relevant to the above board/commission/committee:

Since working in Safety, Health, & Workers' compensation for the NC Office of State Human Resources, I have read many nurses' adjusters, consultants.

List all boards and commissions on which you are currently serving:

Americans with Disabilities Advisory Board, Parks & Recreation.

List below your second choice board/commission/committee, if applicable: (list only one)

List any experience/qualifications you have relevant to the second preference:

I certify that all of the information contained in this application is true to the best of my knowledge. This the _____ day of July, 2019.

(Signature of Applicant)

Please return completed application via one of the following: Mail to City Clerk, P. O. Box 3729, Sanford, NC 27331-3729; fax to 919-775-8205; or email to bonnie.davis@sanfordnc.net. If you have any questions, please call City Clerk Bonnie Davis at 919-777-1111.
CITY OF SANFORD
APPLICATION FOR
BOARDS/COMMISSIONS/COMMITTEES

NAME OF APPLICANT: Armunda Hancock
COMPLETE ADDRESS (including zip code): Willow Ridge Dr, Sanford NC

DAYTIME PHONE: 910-476-5506 EVENING PHONE: 919-775-2581

MARITAL STATUS: M SPOUSE'S NAME: Audrey Hancock

E-MAIL: armundahancock@gmail.com

I AM A REGISTERED VOTER IN WARD 5, WHICH IS LOCATED WITHIN THE SANFORD CITY LIMITS.

I WISH TO BE CONSIDERED FOR APPOINTMENT TO THE FOLLOWING BOARD/COMMISSION/COMMITTEE: (list only one)

LIST ANY EXPERIENCE/QUALIFICATIONS YOU HAVE RELEVANT TO THE ABOVE BOARD/COMMISSION/COMMITTEE:

LIST ALL BOARDS AND COMMISSIONS ON WHICH YOU ARE CURRENTLY SERVING:

LIST BELOW YOUR SECOND CHOICE BOARD/COMMISSION/COMMITTEE, IF APPLICABLE: (list only one)

LIST ANY EXPERIENCE/QUALIFICATIONS YOU HAVE RELEVANT TO THE SECOND PREFERENCE:

I CERTIFY THAT ALL OF THE INFORMATION CONTAINED IN THIS APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE. THIS THE DAY OF 2019

(Signature of Applicant)

(Please return completed application via one of the following: Mail to City Clerk, P. O. Box 3729, Sanford, NC 27331-3729; fax to 919-775-8205; or email to bonnie.davis@sanfordnc.net). If you have any questions, please call City Clerk Bonnie Davis at 919-777-1111.)
Boards & Commissions Application

If you have any questions, please call City Clerk Bonnie Davis at 919-777-1111.

<table>
<thead>
<tr>
<th>First Name of Applicant</th>
<th>Brad</th>
</tr>
</thead>
<tbody>
<tr>
<td>Last Name of Applicant</td>
<td>Kelly</td>
</tr>
<tr>
<td>Address</td>
<td>1004 Stoney Brook Drive</td>
</tr>
<tr>
<td>City</td>
<td>Sanford</td>
</tr>
<tr>
<td>State</td>
<td>NC</td>
</tr>
<tr>
<td>Zip Code</td>
<td>27330</td>
</tr>
<tr>
<td>Daytime Phone</td>
<td>9198950677</td>
</tr>
<tr>
<td>Evening Phone</td>
<td>9198950677</td>
</tr>
<tr>
<td>Marital Status</td>
<td>Married</td>
</tr>
<tr>
<td>Spouse's Name</td>
<td>Emily Colebrook Kelly</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:bmichaelkelly8321@gmail.com">bmichaelkelly8321@gmail.com</a></td>
</tr>
<tr>
<td>Registered Voter in Ward</td>
<td>Ward 1</td>
</tr>
<tr>
<td>I Wish to Be Considered for Appointment to the Following Board / Commission / Committee</td>
<td>Commission on the Opioid Abuse Epidemic</td>
</tr>
<tr>
<td>List Any Experience / Qualifications You Have Relevant to the Above Board / Commission / Committee</td>
<td>I am an addict in recovery since May 9th 2013. I have been through many experiences that I never thought I would have caused myself to go through and think that these experiences may be used to help others through this commission. I survived 6 years of opioid abuse and in the process buried one of my best friends and saw many others die tragically. To be able to use my experiences for good is an opportunity worth applying for.</td>
</tr>
</tbody>
</table>
List Below Your Second Choice Board / Commission / Committee, if Applicable
N/A

List Any Experience/Qualifications You Have Relevant to the Second Preference
N/A

I Certify That All of the Information Contained in This Application is True to the Best of My Knowledge.
Brad Kelly

Date
7/22/2019

Email not displaying correctly? View it in your browser.
CITY OF SANFORD
APPLICATION FOR
BOARDS/COMMISSIONS/COMMITTEES

NAME OF APPLICANT: Rhonda G. McNeill

COMPLETE ADDRESS (including zip code):
______________________________________________
3718 Cox Mill Rd, Sanford, NC 27332

DAYTIME PHONE: (919) 770-4677 EVENING PHONE: Same

MARRITAL STATUS: M SPouse'S NAME: Harold

E-MAIL: rhgmcneill@hotmail.com

I AM A REGISTERED VOTER IN WARD _____, WHICH IS LOCATED WITHIN THE SANFORD CITY LIMITS.

I WISH TO BE CONSIDERED FOR APPOINTMENT TO THE FOLLOWING BOARD/COMMISSION/COMMITTEE:
(list only one)

Opioid Commission

LIST ANY EXPERIENCE/QUALIFICATIONS YOU HAVE RELEVANT TO THE ABOVE BOARD/COMMISSION/COMMITTEE:
Parent of addict

LIST ALL BOARDS AND COMMISSIONS ON WHICH YOU ARE CURRENTLY SERVING:
none

LIST BELOW YOUR SECOND CHOICE BOARD/COMMISSION/COMMITTEE, IF APPLICABLE: (list only one)
none

LIST ANY EXPERIENCE/QUALIFICATIONS YOU HAVE RELEVANT TO THE SECOND PREFERENCE:
none

I CERTIFY THAT ALL OF THE INFORMATION CONTAINED IN THIS APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE. THIS THE ___ DAY OF JUNE, 2019.

(Signature of Applicant)

(Please return completed application via one of the following: Mail to City Clerk, P. O. Box 3729, Sanford, NC 27331-3729; fax to 919-775-8205; or email to bonnie.davis@sanfordnc.net). If you have any questions, please call City Clerk Bonnie Davis at 919-777-1111.)
**Boards & Commissions Application**

If you have any questions, please call City Clerk Bonnie Davis at 919-777-1111.

<table>
<thead>
<tr>
<th>First Name of Applicant</th>
<th>Robin</th>
</tr>
</thead>
<tbody>
<tr>
<td>Last Name of Applicant</td>
<td>Nutting</td>
</tr>
<tr>
<td>Address</td>
<td>5067 Niagara Carthage Rd</td>
</tr>
<tr>
<td>City</td>
<td>Southern Pines</td>
</tr>
<tr>
<td>State</td>
<td>NC</td>
</tr>
<tr>
<td>Zip Code</td>
<td>28387</td>
</tr>
<tr>
<td>Daytime Phone</td>
<td>910-638-5570</td>
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<tr>
<td>Evening Phone</td>
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<tr>
<td>Marital Status</td>
<td>Married</td>
</tr>
<tr>
<td>Spouse's Name</td>
<td>James</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:nuttro@gmail.com">nuttro@gmail.com</a></td>
</tr>
<tr>
<td>Registered Voter in Ward</td>
<td>Field not completed.</td>
</tr>
<tr>
<td>I Wish to Be Considered for Appointment to the Following Board / Commission / Committee</td>
<td>Opioid Abuse Epidemic Committee</td>
</tr>
<tr>
<td>List Any Experience / Qualifications You Have Relevant to the Above Board / Commission / Committee</td>
<td>Grew up in Sanford and have lost too many from this addiction. Would like to help make a difference.</td>
</tr>
<tr>
<td>List Below Your Second Choice Board / Commission / Committee, if Applicable</td>
<td>Field not completed.</td>
</tr>
</tbody>
</table>
List Any
Experience/Qualifications
You Have Relevant to the Second Preference

I Certify That All of the Information Contained in This Application is True to the Best of My Knowledge.

Robin Nutting

Date 6/21/2019

Email not displaying correctly? View it in your browser.
Boards & Commissions Application

If you have any questions, please call City Clerk Bonnie Davis at 919-777-1111.

<table>
<thead>
<tr>
<th>First Name of Applicant</th>
<th>Rebecca</th>
</tr>
</thead>
<tbody>
<tr>
<td>Last Name of Applicant</td>
<td>Whitaker</td>
</tr>
<tr>
<td>Address</td>
<td>309 Green Street</td>
</tr>
<tr>
<td>City</td>
<td>Sanford</td>
</tr>
<tr>
<td>State</td>
<td>NC</td>
</tr>
<tr>
<td>Zip Code</td>
<td>27330</td>
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<tr>
<td>Daytime Phone</td>
<td>9197704587</td>
</tr>
<tr>
<td>Evening Phone</td>
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<tr>
<td>Marital Status</td>
<td>single</td>
</tr>
<tr>
<td>Spouse's Name</td>
<td>n/a</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:whitaker.becky@gmail.com">whitaker.becky@gmail.com</a></td>
</tr>
<tr>
<td>Registered Voter in Ward</td>
<td>Ward 4</td>
</tr>
<tr>
<td>I Wish to Be Considered for Appointment to the Following Board / Commission / Committee</td>
<td>Commission on the Opioid Abuse Epidemic</td>
</tr>
</tbody>
</table>

List Any Experience / Qualifications You Have Relevant to the Above Board / Commission / Committee

Unfortunately, I have more experience and qualifications for appointment to this board than I would ever want. In November 2017, I lost my younger brother to an opioid overdose. I have learned much more about addiction and opioids than I ever thought I would. In addition, I am an attorney and previously worked in criminal defense. Many of the cases I handled were drug-related and many of my clients suffered from the disease addiction. These factors combined have given me an understanding of the extremely complex nature of opioid use.
and addiction. This cause has become one near and dear to my heart and it is my desire to do all I possibly can to help end this epidemic and to make sure other families do not have to experience what mine has.

| List Below Your Second Choice Board / Commission / Committee, if Applicable | Field not completed. |
| List Any Experience/Qualifications You Have Relevant to the Second Preference | Field not completed. |
| I Certify That All of the Information Contained in This Application is True to the Best of My Knowledge. | Rebecca B. Whitaker |

| Date | 6/25/2019 |

Email not displaying correctly? [View it in your browser.](#)
CITY OF SANFORD
APPLICATION FOR
BOARDS/COMMISSIONS/COMMITTEES

NAME OF APPLICANT: Daniel Maurer

COMPLETE ADDRESS (including zip code): 400 W Weatherspoon St, Sanford NC 27300


MARITAL STATUS: Married SPouse'S NAME: Jennifer Lee

E-MAIL: Daniel.j.maurer22.civ@mail.mil

I AM A REGISTERED VOTER IN WARD 4, WHICH IS LOCATED WITHIN THE SANFORD CITY LIMITS.

I WISH TO BE CONSIDERED FOR APPOINTMENT TO THE FOLLOWING BOARD/COMMISSION/COMMITTEE:
(list only one)

Opioid Commission

LIST ANY EXPERIENCE/QUALIFICATIONS YOU HAVE RELEVANT TO THE ABOVE BOARD/COMMISSION/COMMITTEE:
I am a licensed clinical psychologist who has extensive experience in substance abuse treatment. From 2009-2015, I worked within the Federal Bureau of Prisons (BOP). During my time in the BOP, I ran both residential and non-residential substance abuse programs. These programs used evidenced based and empirically supported treatments for substance abuse (i.e. Cognitive Behavioral Therapy and Modified Therapeutic Community).

I currently work for U.S. Army Medical Command as a Health Psychologist. I work extensively with chronic pain management and assisting patients reducing their use of pain medication (i.e opioids).

See attached for my CV

LIST ALL BOARDS AND COMMISSIONS ON WHICH YOU ARE CURRENTLY SERVING: N/A

LIST BELOW YOUR SECOND CHOICE BOARD/COMMISSION/COMMITTEE, IF APPLICABLE: N/A

LIST ANY EXPERIENCE/QUALIFICATIONS YOU HAVE RELEVANT TO THE SECOND PREFERENCE: N/A


(Signature of Applicant)

(Please return completed application via one of the following: Mail to City Clerk, P. O. Box 3729, Sanford, NC 27331-3729; fax to 919-775-8205; or email to bonnie.davis@sanfordnc.net). If you have any questions, please call City Clerk Bonnie Davis at 919-777-1111.
Daniel J. Maurer  
Curriculum Vitae

400 W Weatherspoon St  
Sanford, NC 27330

910-907-8140  
daniel.j.maurer22.civ@mail.mil

EDUCATION

Saint Louis University (St. Louis, MO)  
- Doctorate of Philosophy, Clinical Psychology, 2010  
- Master's of Science, Clinical Psychology, 2008

American University (Washington DC)  
- Bachelor's of Arts, Psychology and Sociology, 2005

PROFESSIONAL EXPERIENCE

Integrated Behavioral Health Consult (11/2015 - current)  
Womack Army Medical Center  
Department of Family Medicine  
Supervisor: MAJ Mark Hooste

- Assisted in the development of policies/programs regarding the mental health treatment of Active-duty services members who identified as Transgender.  
- Served as the Behavioral Health Champion for the Transition Gender Care Team.  
- Worked within a primary care clinic, serving as mental health expert. Routinely consulted and made recommendations to physicians, nurses, pharmacists, and surgeons regarding the behavioral health component to medical problems.  
- Performed case management functions such as connecting patient with community resources, monitoring adherence with primary care treatment plans, and consulting with off-post providers.  
- Provided individual and group therapy within a healthcare setting, provided services across a wide range of ages (2-100) and problems with an emphasis on health psychology.  
- Developed, taught and provided oversight of classes that promoted education and skill-building to enhance psychological and physical health. Classes included Chronic Pain Management, Diabetes Management, Sleep Education, Nicotine Cessation and a Geriatric Support/Psychoeducational group.  
- Screened and interviewed patients, and provided targeted assessment and evaluation in accordance with the DSM V.  
- Provided feedback to the Primary Care Manager regarding consultations findings and recommendations.  
- Determined the appropriateness of patient receiving services in the primary care setting, assisting in the development and implementation of treatment plans.

Integrated Behavioral Health Consult (IBHC) Expert Trainer (11/2017 - current)  
Womack Army Medical Center  
Department of Family Medicine  
Supervisor: MAJ Mark Hooste
• Duty assigned in addition to my role as Internal Behavioral Health Consultant
• Trained recently hired psychologists and social workers in the Primary Care Behavioral Health Model (the IBHC role)
• Conducted evaluations recently hired psychologists and social workers to determine their ability to operate within the Primary Care Behavioral Health Model.
• Served a mentor to new IBHC’s to provide additional training in the areas (1) improving fidelity to the PCBH model, (2) building a clinical practice, (3) maintaining a clinical practice and (4) professional development on Health Psychologist relates issues.

**Brief Behavior Treatment for Insomnia (BBTI) Expert Trainer (11/2018- current)**

**Womack Army Medical Center**

**Department of Family Medicine**

Supervisor: MAJ Mark Hooste

• Duty assigned in addition to my role as Internal Behavioral Health Consultant
• Trained a variety of medical staff (psychologists, social workers, nurses, medics, etc) on Brief Behavioral Treatment for Insomnia (BBTI)
• Conducted phone and in person consultations to other medical staff who are practicing BBTI in order to (1) improve fidelity to the BBTI model and (2) improve effective and treatment outcomes
• Collaborated with the Center of Deployment Psychology (CDP) to (1) identify areas of weakness within the training protocol, (2) developed/updated the protocol addressing areas of weakness, and (3) providing feedback to the CDP on effectiveness of changes made.

**Chief Psychologist (07/2013 – 09/2015)**

**United States Penitentiary – Lee County (Jonesville, VA)**

Supervisor: Christopher Zych, Warden

• Served as the Prison Rape Elimination Act (PREA) Manager. This required tracking and monitoring paperwork, supervising the work of Department Heads across a range of disciplines, and ensuring compliance to Federal Guidelines.
• Served as Workplace Violence Coordinator. This required conducting preliminary investigations into all allegations of workplace violence (including sexual harassment), conducting interviews with all parties involved, writing reports based off evidence presented and making formal suggestions to the Warden if further investigation was necessary.
• Directly supervised three (3) doctoral level clinicians, two of which were also supervisors.
• Provided post-doctoral supervision to doctoral level clinicians seeking licensure.
• Supervision provided to doctoral level clinicians included evaluating work performance, identifying training needs, dealing with employees, and assigning/reviewing work.
• Served as the mental health expert and provided expert opinion to Executive Staff, Health Services staff, and Custody staff on inmates with mental health problems, emotional problems and substance use disorders.
• Provided individual and group therapy to an inmate population. Conducted and wrote psychological and psychoeducational reports which required the use of standardized objective assessment tool such as the PAI, TOMM, WAIS, etc.
Supervised the Suicide Prevention Program. Investigated all claims of suicidal ideation, suicide attempts and self-harm behaviors. Conducted mental health evaluations and wrote reports for all inmates who claimed suicidal ideation or engaged in any form of self-harm behavior.

Designed and implemented the following new programs:
  - A Bibliotherapy program for inmates housed in the Segregated Housing Unit (SHU). The program has since been implemented at all Bureau institutions.
  - A pilot study of “Seeking Strength” which was the first such program to be offered to high security inmates. Evaluated and recorded outcomes, identified obstacles and communicated findings to Central Office staff.
  - Coordinated with local AA/NA volunteers to develop a program in which releasing inmates are provided an AA/NA mentor immediately upon release. The mentor would work with the halfway house to provide inmate with increased access to classes/program for substance use disorders.

Reason for leaving: Job offer from Womack, ready to work outside of prison system

Interim Associate Warden Programs (09/2014 – 02/2015)
United States Penitentiary – Lee County (Jonesville, VA)
Supervisor: Christopher Zych, Warden

- Served as Assistant Labor Management Relationships Chairperson
  - Effectively negotiated several local procedures and supplements with local Union leadership
- Have approximately 1000 hours of experiences as the Associate Warden (Programs). Was responsible for all duties of the duties Associate Warden (Programs) and Chief Psychologist during this time.
- Planned, organized, supervised and evaluated all departments under Programs which included: Religious Services, Psychology Services, Unit Management, Correctional Services, Inmate Systems, and Reentry Affairs.
- Served as an advisor and assistant to the Warden. Played a major role in the determination and establishment of policies and programs involved in the institutional operations.
- Determined departmental goals and monitored/evaluated progress in meeting such goals for all departments in the Programs Division.
- Supervision provided to department heads included evaluating work performance, identifying training needs, dealing with employees, and assigning/reviewing work.
- Reason for leaving: Temporary Position

Drug Abuse Program Coordinator (11/2011 – 07/2013)
United States Penitentiary – Lee County (Jonesville, VA)
Supervisor: Scott Forbes, Ph.D.

- Developed, implemented, coordinated, and evaluated treatment programs for substance abuse treatment. The two primary programs were a one week Drug Education class and a 6 month Nonresidential Drug Treatment Program.
- Supervised the work of a Master’s level clinician. Trained staff to how to recognize and deal with emotional, behavioral, and personality disorders and specifically, the problems of substance abuse.
- Conducted group and individual therapy addressing substance abuse treatment and criminality.
Coordinated with the Reentry Activities Coordinator (RAC) to develop individualized packets on Reentry information that was made accessible to both inmates in the general population and Segregated Housing Unit (SHU). The contribution from a psychological perspective included modules on subjects such as Budgeting, Interpersonal Skills, Impulse Control, Developing a Healthy Social Support Network, and Stress Management.

Coordinated with outside volunteers to develop weekly AA/NA meetings.

Conducted diagnostic interviews to assess appropriateness for a Residential Drug Abuse Program.

Designed and implemented an original series of classes that directly addressed Reentry needs and Life Skills for a maximum security inmate population.

Administration, scoring, and interpretation of a wide variety of psychological testing instruments and procedures using instruments that assess cognitive ability, personality styles, interpersonal styles, malingering, and psychopathology.

Reason for leaving: Promotion

United States Penitentiary – Lee County (Jonesville, VA)
Supervisor: Scott Forbes, Ph.D.

- Designed and implemented an original series of classes that directly addressed Reentry needs and Life Skills for a maximum security inmate population that address the following topics: Anger Management, Stress Management, Interpersonal Skills, Healthy Values, Victim Impact, Budgeting and Exit Strategies.
- Tracked and monitored inmates on psychotropic medication, and organized telepsychiatry clinics.
- Organized and facilitated both individual and group therapy.
- Assisted in the classification of inmates by identifying behavioral, emotional, drug/alcohol, or personality problems and the subsequent development of appropriate programs on an individual basis.
- Completed reports for institutional staff on inmates who may manifest sudden bizarre behavior or thoughts, suicidal preoccupations, depression, anxiety or situational crises.
- Provided periodic appraisal and monitoring of changes in attitudes, personality dynamics, and overall performance of inmates as a result of participating in current or new institutional programs or projects.
- Responsible for the management and treatment decisions of referred inmates and made decisions concerning the referral of inmates to medical staff for medical problems or for transfer to more appropriate placement with the Bureau of Prisons.
- Responsible for providing assessment and referral services for staff referred to psychology services by their supervisors or for staff personally requesting assistance with problems of alcohol use, drug use, or emotional problems which are affecting job performance.
- Provided individual and group therapy addressing criminal behavior and a variety of mental health issues.

REWARDS/HONORS

- 2015 - Quality Step Increase
- 2014 - Regional Director’s Special Recognition Award
• 2014 - Quality Step Increase
• 2013 - Supervisor of the Quarter
• Have received a total of ten (12) Time Off Awards

ADDITIONAL DUTIES

• Behavioral Health Champion within the Transgender Treatment Team (11/2015 – present)
• Prison Rape Elimination Act (PREA) Compliance Manager (07/2013 – 09/2015)
• Employee Assistance Program (EAP) Coordinator (10/2012 – 09/2015)

RELEVANT TRAINING

• BBTI Train the Trainer (2018)
• Evidence Based Practice in Mental Health – BBTI (2018)
• Evidence Based Practice in Mental Health – PE (2018)
• Evidence Based Practice in Mental Health – CPT (2018)
• Evidence Based Practice in Mental Health – EMDR Phase 2 (2017)
• Evidence Based Practice in Mental Health – EMDR Phase 1 (2016)
• Evidence Based Practice in Mental Health – Dialectical Behavior Therapy (2014)
• Chief Psychologist Familiarization/Training (2014)
• Principles of Leadership Training II (2014)
• Principles of Leadership Training I (2013)
• Crisis Management Team (2013)
• New Psychologist Training (2011)
AN ORDINANCE
TO AMEND THE SANFORD CODE OF ORDINANCES
TO ADD CHAPTER 4-21
LIMITING THE NUMBER OF DOGS AND CATS

BE IT ORDAINED by the City Council of the City of Sanford that the Sanford City Code shall be amended as follows to add a new Section 4-21 to read as follows:

Sec. 4-21. Limiting the number of dogs and cats.

a. It shall be unlawful to maintain in one household more than a total of eight dogs and/or cats, in any combination, over the age of four months.
b. This section shall not be construed to limit the right of any landlord to impose more restrictive limits on the number of pets which may be possessed at any leased premises.
c. This section shall not apply to any Animal Hospital, Veterinary Services, Animal Shelters, Kennel/Animal Pet Services, operating within a properly zoned area.
d. In any area in which the applicable zoning regulations are more restrictive as to the keeping of pets than the requirements of this section, the zoning regulations shall control.

This ordinance shall be in full force and effect from and after the date of adoption.

Adopted this 20th day of August, 2019.

____________________________________
T. Chet Mann, Mayor

ATTESTED BY:

____________________________________
Bonnie Davis, City Clerk
FOR YOUR INFORMATION

TO: Mayor and Council Members

FROM: Hal Hegwer, City Manager

DATE: August 16, 2019

SUBJECT: Additional Security in Downtown Sanford

In order to provide additional security in Downtown Sanford, Inc. (DSI), I have included a budget amendment for your consideration to transfer funds from our Fund Balance to Downtown Sanford, Inc.’s budget. DSI will utilize these funds to acquire services of off-duty police officers and/or security personnel at its discretion. After consulting with DSI, they are recommending coverage of approximately 55 man-hours per week, which totals approximately 2,860 hours per year. This equates to a necessary budget of approximately $97,600. Obviously at this point, this is the guess by DSI and these numbers may need to be adjusted in the future. This budget amount covers workers comp and general liability coverage.

Please feel free to call me if you have questions regarding this matter.
BE IT ORDAINED by the City Council of the City of Sanford, North Carolina in regular session assembled.

Section 1: The following amounts are hereby amended to ordinance 2019-37 per G. S. 159-15 for the continued operation of the City of Sanford, its government, and activities for the balance of the fiscal year 2019-2020.

GENERAL FUND
APPROPRIATION OF FUNDS

<table>
<thead>
<tr>
<th>REVENUES</th>
<th>EXPENDITURES</th>
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<tbody>
<tr>
<td>100045 54000 Fund Balance</td>
<td>17,652</td>
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<tr>
<td><strong>Total Appropriation</strong></td>
<td><strong>$ 17,652</strong></td>
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GENERAL FUND
TRANSFER OF FUNDS

Transfer from the Following Accounts:
10016650 69900 Contingency 79,948
Transfer to the Following Accounts:
10016650 00000 Contribution - DSI 79,948

**Total Appropriation** $ 79,948

Section 2. This ordinance shall be in full force and effective from and after the date of its adoption.

ADOPTED this, the 20th day of August, 2019.

_______________________________
T. Chet Mann, Mayor

ATTEST:

_______________________________
Bonnie Davis, City Clerk
2019-2020 BUDGET ORDINANCE AMENDMENT

GENERAL FUND

Appropriation of Funds - results in increasing of budget

Revenues

Fund Balance 17,652 To appropriate fund balance for item described below

Expenditures

Contribution - DSI 17,652 Contractual services for downtown security

GENERAL FUND

Transfer from the Following Funds - results in decreasing of budget

Contingency 79,948 To transfer contingency funds required to offset expenditures as described below

Transfer to the Following Funds - results in increasing of budget

Contribution - DSI 79,948 Contractual services for downtown security
RESOLUTION REQUESTING PRIORITIZATION OF TRANSPORTATION FUNDING FOR THE REALIGNMENT OF KELLY DRIVE

WHEREAS, the realignment of Kelly Drive to bypass Central Carolina Community College (CCCC) consistently ranks as the highest transportation project priority amongst local county officials; and,

WHEREAS, the City of Sanford is a member of the Triangle Area Rural Planning Organization (TARPO) that is responsible for developing a transportation project list for priority consideration to be evaluated by the North Carolina Department of Transportation (NCDOT); and,

WHEREAS, the Sanford City Council has consistently supported efforts by TARPO that prioritize the realignment of Kelly Drive in their list of road improvement recommendations to the NCDOT including Board Resolutions passed in 2015 and 2017 endorsing TARPO's project recommendation list that included the Kelly Drive project as Lee County's highest priority; and,

WHEREAS, Kelly Drive, which bi-sects the CCCC campus, is a primary and frequently used roadway connection between the 421 Bypass and Horner Boulevard (HWY 421/87) through the City of Sanford; and,

WHEREAS, in 2018, the completion of new facilities and the expansion of programs offered at CCCC has significantly increased traffic on and thru campus, which increases the safety risk to growing pedestrian traffic as students frequently cross over Kelly Drive to access classrooms and parking; and,

WHEREAS, CCCC plans additional facility expansions with the Large Animal Vet Tech Facility construction starting later in 2019 and proposed projects for a new Library and Lee Early College classrooms that will further exacerbate growing safety concerns related to increased vehicular and pedestrian traffic on and through campus; and,

WHEREAS, design and development plans for approved and prospective campus expansion projects may include funding support for the Kelly Drive realignment project; and,

WHEREAS, the City Council strongly believes the realignment of Kelly Drive to bypass the CCCC campus is essential to preserve the safety of CCCC students and faculty, as well as the safety of drivers in Lee County that use Kelly Drive.

NOW, THEREFORE BE IT RESOLVED, that the Sanford City Council requests that the NCDOT allocate funding as soon as possible to support the realignment of Kelly Drive in Lee County.

Adopted this 20th day of August 2019.

T. Chet Mann, Mayor

ATTEST:

Bonnie Davis, City Clerk

Susan C. Patterson, City Attorney
Public ARTS Update
August 20, 2019
City Council Meeting

$17,221.53

- $1,000.00 (Installation- All Aboard) = $16,221.53
- $1,200.00 (Sanford Area Photography Club) = $15,021.53
  - $8,000.00 (3 Selfie Installations) = $7,021.53
- $4,500.00 Street Pianos (3 pianos) $750.00 stipends for artists to paint them
  Piano dollies to move them and covers approximate cost $1,500 each (approx.) = $2,521.53
Public Art appeared on the October 2012 Appearance Commission Agenda as a discussion topic.

First presentation to Appearance Commission was January 2013.

First installation 2 years 5 months later, Completed May 2015.

4 years and 3 months we have accomplished the following:

10 Murals

- Sanford Spinners $6,489.00
- Visionary Builders $8,538.00
- Tribute to service men and women $9,389.00
- Silent Wings $7,789.00
- Herb Thomas and the Fabulous Hudson Hornet $8,006.00
- Jonesboro Cornet Band $9,516.00
- Fairview Dairy $35,335.00
- DREAM $23,900.00
- Tobacco Mural $12,400.00
- Bringing the ARTs Together $20,400.00

$141,762.00

All Aboard - Scavenger Hunt $8,988.00
Growing Volunteers Sculpture $23,500.00
Utility Box Wraps $2,609.73
Restoration of 4 Coca Cola signs $12,377.00
Restoration of three Ghost signs:
  - Sanford Business College $6,700.00
  - Lee Furniture Co. $6,700.00
  - Snowdrift $6,800.00
Train People Sculptures $8,000.00
Before I Die wall $6,000.00

$81,674.00 $223,436.00

Funded Arts Projects

- Dr. Mary Margaret McLeod mural $12,400.00
- Farm Bureau mural – Agriculture form Mtns to Coast $13,900.00 $249,736.00
Upcoming Public ARTS Projects

4.- 9. All Aboard Train Sculptures
10. OTOCAST – Applied for a grant from the TDA
11. Dr. Mary Margaret McLeod Mural
12. Performance ART – Roots and Branches September 22, 2020 Applying for Grants to Fund this event
   The Song of Lee County – B. T. Bullock Elementary Choir
   Tommy Edwards
   Rod Brower & ‘Together N Unity’ Gospel Choir
   World premier of Chamber Ensemble Bleeding of the Pines Opera
13. Agriculture Mural from the Mountains to the Coast cutting through Sanford
14. Selfie Stations
15. Street-Pianos
16-22. Splash Park
   17. Master Plan
   18. Bike Sculpture
   19. Entrance Portal to walking path
   20. Sea Life
   21. Love Locks
   22. Gear Wall - Freestanding
23.-24. Moore Street Railroad Wall
   24. Railroad cars (buildings) for wall
25. Yarnbombing
26. Masonic Lodge Windows
27. State Motto Mural
28. Captain Rod Sullivan Mural
29. Coloring Book
30. Restoration on rear of S. Steele Street Building (4 ghost signs, Hubbard Shoes, Oliver’s, Kammer’s, and sign behind Added Accents sign)
31. IMPULSE StreetFest Celebration 2021
   Adult seesaws that make music when used
32. Sanlee Theater
33. CIP Projects
   Charlie Watson
   Stone Cutter
   Mosaic Wall
Railroad House Museum Board on May 13, 2019 unanimously approved the installation of these sculptures.

- Hobo
- Conductor
- Passengers
- Growing Volunteers Sculpture
OTOCAST

App you down load to your phone

It will pull up the city of Sanford (once all set up first and then the closest other art installations in other towns). It will also do the same if you pull up another town that has the app and then all the others come up too in order of what is closest to the location you are currently in.

For example, as of now we do not have OTOCAST, so Salisbury comes up, then other towns in order to what is closest to Salisbury come in order.

Dr. Mary Margaret McLeod Mural
Funded – Completion target date is April 17, 2019
Dedication target date is April 25, 2019

Proposals due September 6, 2019
Performance ART  
Roots and Branches  

September 22, 2020

The Song of Lee County – B. T. Bullock Elementary Choir  
Tommy Edwards  
Rod Brower & ‘Together N Unity’ Gospel Choir  
World premier of chamber ensemble Bleeding of the Pines opera  

The Railroad House Museum will be doing an exhibit on the  
Turpentine Industry for the month of September to coincide with this celebration of our  
musical heritage and the importance of the Longleaf Pine Forests to Sanford and Lee County.
Agricultural Industry - Mountains to the Coast
Will cut through Sanford/Lee County
99% sure it’s Funded will know September
Muralist has been selected.
Installation Fall 2020
SELFIE STATIONS

Sanford, NC

Conceptual
Street-Pianos

Pianos will be painted will be wheeled in and out of stores on a daily basis
Splash Park

Master Plan shows 4 opportunities for Public Art Installations

#1 Entrance Island – Bicycle Tower

#2 Upcycled Gear Wall (free standing) with Gong

#3 LOCKS of LOVE

#4 Sea Animals
Entrance Island

Conceptual
ENTRANCE
PORTAL
TO
WALKING
PATH
SEA LIFE
Locks of Love

CONCEPTUAL

LOVE
Gear ART - Freestanding
Waterbury Vermont, Railroad Wall
Moore Street Railroad Wall

Engine #12
SanLee Theater
Jonesboro Methodist Church (demolished)
Old City Hall
Railroad House Museum
W. B. Wicker School
Jonesboro Academy
AME Zion Baptist Church
Dr. Blue’s Office
County Courthouse
Wilrik Hotel
Dinky - Caboose

CONCEPTUAL
Yarnbombing

Conceptual
State Motto Mural

Esse quam videri
To be, rather than to seem
Captain Rod Sullivan Mural

Route of the China Clipper

First Officer Capt. R. O. D. Sullivan
Maiden Flight of the China Clipper

Conceptual
Public ARTS Coloring Book

Coloring book of the murals, sculptures, utility boxes etc. The history of each Public ARTS project will be provided. Color Photograph will be included in case you want to color a realistic painting.
GHOST SIGN RESTORATION

Restoration of west facing ghost signs on S. Steele Street Buildings
Hubbard Shoes, Oliver’s, Kammer’s, sign behind Added Accents sign and
Perry Building sign on 136 N. Steele Street, facing south wall.
The installation of Impulse is an interactive Work comprising a series of 30 seesaws With light and sound that changes when in motion. The seesaws from units of light and sound that can be activated by the public to creat an ever-changing composition. By playing on the seesaws, you create a dynamic light and sound wave giving a pulse to your days and nights.


alexandre.lemieux@creos.io
1-844-992-7367 ext. 101
SANLEE THEATER MURAL
Capitol Improvement Projects

Stone Cutter
Depot Park between the stage and the taxi stand
Estimated cost $100,000

Charlie Watson
Charlie Watson Lane in the sitting area
Estimated cost $100,000

Mosaic Wall
Sandra's Bakery Alley
Estimated cost $50,000
MEMORANDUM

TO: Mayor and Council Members
   City Manager

FROM: Susan C. Patterson
       City Attorney

DATE: August 20, 2019

SUBJECT: Outside Counsel

There has been a new case decided at the North Carolina Court of Appeals wherein the court dismissed a case due to the lack of a resolution by the City Council authorizing the hiring of outside counsel and the filing of the law suit. Thus, the North Carolina Municipal Attorneys Association recommends each city pass a resolution until this result can be corrected legislatively or through case law.

Attached is such a resolution for your consideration.

Call if you have any questions.

SCP: stm
RESOLUTION OF THE
SANFORD CITY COUNCIL
AUTHORIZING HIRING OF OUTSIDE COUNSEL

WHEREAS, the City of Sanford believes it is in the best interest of the citizens of Sanford to engage outside counsel to represent the City of Sanford in certain matters; and

WHEREAS, the North Carolina Court of Appeals has recently decided the case of State ex rel. City of Albemarle v. Nance et al. 2019 N.C. App. LEXIS 608 and indicated that a Resolution was needed for a city to hire outside counsel; and

WHEREAS, the Sanford City Council has hired the firms of Parker Poe Adams & Bernstein; Yarborough Winters & Neville, P.A.; Cranfill Sumner & Hartzog, LLP; Teague Campbell Dennis & Gorham; Lewis & Roberts; and Harrington, Gilleland, Winstead, Feindel & Lucas, L.L.P.; to represent the City of Sanford and file suits on its behalf.

NOW, THEREFORE, BE IT RESOLVED, that the Sanford City Council has authorized the hiring of Parker Poe Adams & Bernstein; Yarborough Winters & Neville, P.A.; Cranfill Sumner & Hartzog, LLP; Teague Campbell Dennis & Gorham; Lewis & Roberts; and Harrington, Gilleland, Winstead, Feindel & Lucas, L.L.P.; to represent the City of Sanford and file suits on its behalf.

Adopted this 20th day of August, 2019.

CITY OF SANFORD

BY

T. Chet Mann, Mayor

ATTEST:

Bonnie Davis, City Clerk
Closed Session
Consider Settlement of Litigation