MINUTES OF MEETING OF THE
CITY COUNCIL OF THE CITY OF SANFORD
SANFORD, NORTH CAROLINA

The City Council met at the Sanford Municipal Center, 225 E. Weatherspoon Street, on Tuesday, April 2, 2019, at 6 p.m., in Council Chambers. The following people were present:

Mayor T. Chet Mann
Council Member Byron Buckels
Council Member James Williams
Council Member Charles Taylor
City Attorney Susan Patterson
City Clerk Bonnie Davis
City Manager Hal Hegwer

Mayor Pro Tem Rebecca Wyhof Salmon
Council Member Jimmy Haire
Council Member Norman Charles Post, III
Council Member Sam Gaskins
Management Analyst Holly Marosites
Deputy City Clerk Vicki Cannady

CALL TO ORDER
Mayor Mann called the meeting to order. Council Member Taylor delivered the invocation.

PUBLIC COMMENT – (Exhibit A)
Anne Dougher, residing at 316 Hickory Avenue and 122 Patchen Avenue in Brooklyn, New York, spoke regarding two homes she owns located at 305 and 307 Maple Avenue. She is trying to bring them into compliance with code enforcement. She presented Council copies of receipts for materials purchased to rehab the homes. They are historic homes and she would like to preserve them.

APPROVAL OF AGENDA
Council Member Gaskins made the motion to approve the agenda. Seconded by Mayor Pro Tem Salmon, the motion carried unanimously.

CONSENT AGENDA
There were no items listed on the consent agenda.

SPECIAL AGENDA
Proclamation Proclaiming April 7 – 13, 2019 as Week of the Young Child – (Exhibit B)
Mayor Mann read a proclamation proclaiming the week of April 7 – 13 as Week of the Young Child and encouraged everyone to work to support and invest in early childhood in our city.

Presentation by Grand Master Richard Vincent – Global Open Tae Kwon-Do – (Exhibit C)
Grand Master Richard Vincent, who owns the Black Belt USA in the Jonesboro Area of Sanford, invited Council to the Black Belt World Global Open. He has been teaching for 22 years. The event will be held at the Dennis A. Wicker Civic Center on May 4. This year's event will be bigger than the past three years. They have blocked off 40 rooms at Comfort Suites of which 20 are booked. Friday evening, Black Belt World Global will be hosting its Black Belt Testing for the first time in Sanford, North Carolina. This event is usually held in Knightdale or Charlotte, but decided they need a bigger space so they reserved the Civic Center for two nights. A sparring demonstration was presented by several students.
CASES FOR PUBLIC HEARING
Public Hearing on Cemetery Road Waterline Extension

City Engineer Paul Weeks explained that this is a public hearing for the Cemetery Road Waterline Extension. One hundred percent of the cost of construction will be borne by the property owners. There are eight parcels involved with an estimated construction cost of $32,000, with a cost per lot of $4,000. Based on the petition circulated, seven of the eight property owners signed the petition. Notices of the public hearing were mailed to all the affected parties on March 11, and certified by the city clerk. A publisher’s affidavit has not been received; however, it was advertised. At the end of the public hearing, Council will consider a resolution directing that the project be undertaken.

Mayor Mann opened the public hearing. Tim Smith, residing at 3726 Hiawatha Trail; Darrell Ballard, residing at 3522 Cemetery Road; and Manuel Torres residing at 3518 Cemetery Road, all spoke in favor of the waterline extension petition.

Mr. Gaskins asked that for Mr. Smith to receive water, is the waterline going to extend through the Jones property as it does not go down Hiawatha? Mr. Weeks replied that Mr. Smith accesses Cemetery Road by a driveway that goes down Hiawatha. Mr. Smith has an easement that extends through his property straight up to the north; the intent was to provide him with a utility easement to get him access. Mr. Smith would have one or two options in order to get water.

With no one else requesting to speak, the public hearing was closed.

- Consider Resolution Directing that the Project be Undertaken – (Exhibit D)
  Council Member Post made the motion to approve the resolution. Seconded by Council Member Gaskins, the motion carried unanimously.

DECISION ON PUBLIC HEARING
Application by Keller Investment, LLC - to rezone 35 acres ± off/accessible via Commerce Drive from General Commercial (C-2) and Barrington Park Conditional Zoning District #4 to the South Park Multi-Family Apartment Home & Independent Living Community Conditional Zoning District to allow for the development of a residential community with a mixed of housing types. The subject property is depicted on Lee County Tax Map 9660.01 as the following Lee County Land Records Tax Parcels:

- Tract 1: 9660-37-7933-00 is an 8.0 ± acre portion of a vacant 25.45-acre tract of land with frontage on Commerce Drive and NC 87 Hwy, illustrated as an existing 25.45-acre lot on a 2007 plat labeled Survey for CRD Investors, LLC, Barrington Park recorded as Plat Cabinet 2007, Slide 265 in the Lee County Land Register of Deeds Office, and zoned General Commercial (C-2).
- Tract 2: 9660-38-1040-00 is a vacant 5.5 ± acre tract of land with frontage on Commerce Drive, illustrated as Lot 1 on a 2000 plat labeled Survey for Southpark recorded as Plat Cabinet 9, Slide 45G in the Lee County Land Register of Deeds Office, and zoned General Commercial (C-2).
- Tract 3: 9660-27-6999-00 is a vacant 4.0 ± acre tract of land with frontage on Commerce Drive, illustrated as Lot 2 on a 2000 plat labeled Survey for Southpark recorded as PC 9, Slide 45G in the Lee County Land Register of Deeds Office, and zoned General Commercial (C-2).
This tract of land is illustrated as being included within Lee County Tax Parcel 9660-27-6303-00 on the GIS software accessed by the public on the City of Sanford website.

- **Tract 4:** 9660-27-6006-00 is a 17.25 ± acre portion of a vacant 86 acre tract of land with the frontage on Commerce Drive, illustrated as Tract 5 on a 2007 plat labeled Survey for CRD Investors, LLC, Barrington Park recorded as Plat Cabinet 2007, Slide 265 in the Lee County Land Register of Deeds Office, with the front of the parcel along Commerce Drive being zoned General Commercial (C-2) and the remaining balance to the rear being zoned Barrington Park Conditional Zoning District #4.

This tract of land is identified as being included within Lee County Tax Parcel 9660-27-6303-00 on the GIS software accessed by the public on the City of Sanford website.

- **Tract 5:** 9660-16-4729-00 is a 0.25 ± acre portion of a vacant 19.5-acre tract of land with no road frontage, illustrated as Tract 2 on a 2017 plat labeled Survey for CRD Investors, LLC, Barrington Park recorded as Plat Cabinet 2017, Slide 97 in the Lee County Land Register of Deeds Office, with the front of the parcel along Commerce Drive being zoned General Commercial (C-2) and the remaining balance to the rear being zoned Barrington Park Conditional Zoning District #4. – (Exhibit E)

Zoning Administrator Amy McNeill explained that a public hearing was held on March 19, 2019 and the Planning Board recommended unanimously that Council support the rezoning petition.

**Vote to Approve a Statement on Long Range Plan Consistency as it Relates to this Rezoning Request**

- Mayor Pro Tem Salmon stated the proposed design includes many of the components included within the Plan SanLee “Mixed Use Activity Center” place type, such as multi-family residential zoning as a current and proposed zoning district, multi-family dwellings and attached single-family dwellings as land uses and public water and sewer as utility infrastructure; therefore, she made a motion that the request is consistent with the adopted long-range plan. Seconded by Council Member Buckels, the motion carried unanimously.

- **Consider Vote to Approve or Deny the Rezoning Request – Consider Adoption of Ordinance Amending the Official Zoning Map of the City of Sanford, North Carolina –** (Exhibit F) Council Member Gaskins stated that the proposed zoning map amendment is reasonable and in the public interest because it is consistent with the adopted land use plan and has existing access to public water, sewer, and streets; therefore, he made the motion to approve the request to rezone 35 +/− acres with frontage access off of Commerce Drive from General Commercial (C2) and Barrington Park Conditional Zoning District #4 to the South Park Multi-family Apartment Home and Independent Living Community Conditional Zoning District. Seconded by Council Member Taylor, the motion carried unanimously.

Application by Wynnefield Properties, Inc. - to rezone a 2.36 acre ± portion of a 15 acre ± tract of land addressed as 1732 Westover Drive, from General Commercial (C-2) to the Kendall Creek Multi-family Conditional Zoning District to allow for the development of an apartment community. The property is the same as depicted on Lee County Tax Maps 9631.02 and 9631.01 as Tax Parcel 9631-56-2403-00 Lee County Land Records and is illustrated as Tract 3 on a 2001 plat labeled
Survey for Roy E. Mashburn recorded as Plat Cabinet 9, Slide 79E of the Lee County Register of Deeds — (Exhibit G)

Zoning Administrator Amy McNeill explained that a public hearing was held on March 19, 2019 and the Planning Board recommended unanimously that the Council support the rezoning petition.

Vote to Approve a Statement on Long Range Plan Consistency as it Relates to this Rezoning Request
- Mayor Pro Tem Salmon stated that the proposed design includes many of the components included within the Plan SanLee “Mixed Use Activity Center” place type, such as multi-family residential zoning as a current and proposed zoning district, and multi-family dwellings as a land use and public water and sewer as utility infrastructure; therefore, she made a motion that the request is consistent with the adopted long-range plan. Seconded by Council Member Gaskins, the motion carried unanimously.

Consider Vote to Approve or Deny the Rezoning Request – Consider Adoption of Ordinance Amending the Official Zoning Map of the City of Sanford, North Carolina — (Exhibit H)
- Mayor Pro Tem Salmon made the motion that the proposed zoning map amendment is reasonable and in the public interest because it is consistent with the adopted land use plan and has existing access to public water, sewer (via a proposed main line extension), and streets; therefore, she made the motion to approve the request to rezone a 2.36 acre +/- portion of a 15 1/2- acre tract of land addressed as 1732 Westover Drive from General Commercial (C-2) to the Kendall Creek Multi-family Conditional Zoning District. Seconded by Council Member Gaskins, the motion carried unanimously.

REGULAR AGENDA

There were no items on the regular agenda.

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.
Consider Resolution of the City of Sanford, North Carolina, Directing the Application to the Local Government Commission for Approval of Enterprise Systems Revenue and Revenue Refunding Bonds; Requesting Local Government Commission Approval of the City’s Enterprise Systems Revenue and Revenue Refunding Bonds, Series 2019 and Certain Related Matters — (Exhibit I)

Financial Services Director Beth Kelly explained that the resolution will allow the City to issue new money through bonds in the amount of $13.5 million. Of that $13.5 million, the City will use $7 million for the Moncur Megasite sewer line extension cost; $5 million for the Hawkins Avenue Waterline project cost; $1 million for the Amos Bridges Waterline project cost and about $500,000 of the airport sewer line extension cost. This totals $13.5 million of new money, because that is new debt issued. The balance of that will be refunding and it relates to the Series 2010B Revenue Bonds that Council approved for the WWTP expansion/upgrade. Based on the last estimate, for the time of sale of the bonds, we would save $100,000 annually on debt service payment by refinancing through the remainder of the life of the bonds.

Council Member Buckels made the motion to approve the Resolution of the City of Sanford, North Carolina, Directing the Application to the Local Government Commission for Approval of
Enterprise Systems Revenue and Revenue Refunding Bonds; Requesting Local Government Commission Approval of the City’s Enterprise Systems Revenue and Revenue Refunding Bonds, Series 2019 and Certain Related Matters. Seconded by Council Member Post, the motion carried unanimously.

**Consider Post-Issuance Compliance Policies and Procedures – (Exhibit J)**

Financial Services Director Beth Kelly explained that when Council approved the 2010 Series of bonds, as well as the 2015 General Obligation Bonds, anytime that debt issuance is approved, the City agrees to the bond documents to comply with Securities Exchange Commission (SEC) Rule 15c2-12, - the Post Issuance Compliance and Policies and Procedures. SEC has updated the rule. The City will continue to file information by January 31 of every year, as well as, the City’s CAFR and Budget Report and the list of items in Exhibit B of this Compliance Procedures. Our bond attorneys are recommending that since we are getting ready to issue bonds and this rule has been updated effective the end of February 2019, going forward, not only are we required to file this information annually, but also as we issue any other debt, or lease agreement. We are required to report this information on the Electronic Municipal Market Access (EMMA) website, which is where all the bond investors review and the SEC uses to regulate. It has to be disclosed with the information listed in Exhibit B of this policy within ten days of the closing of any type of document that qualifies. Exhibit A lists any debt outstanding which applies to this currently. Going forward, any debt we issue, whether it be installment purchase or any type of bond, we will be required to disclose on the EMMA website within ten days of any type of closing.

Council Member Gaskins made the motion to approve the Post-Issuance Compliance Policies and Procedures. Mayor Pro Tem Salmon seconded the motion and it carried unanimously.

**Consider Approval of Fireworks Display for the Annual “Downtown StreetFest” – (Exhibit K)**

Alex Collazo stated that staff is seeking approval to obtain permits for the fireworks display for the annual Downtown StreetFest event.

Council Member Taylor made the motion to obtain the permits for the fireworks display. Seconded by Council Member Gaskins, the motion carried unanimously.

**OTHER BUSINESS**

Mayor Pro Tem Rebecca Salmon shared that she had the opportunity to represent the City Council at the 2019 Main Street Awards, where the City of Sanford received the best outdoor space improvement for our mural arts program. The mural arts project has garnered so much public excitement and it was wonderful to see what is going on across the state and those efforts are being recognized. She presented the award to Mayor Mann and City Manager Hegwer to display at City Hall. Mayor Mann stated that there will be a “Before I Die” wall, located on Charlie Watson Lane and it will be dedicated during the StreetFest. The wall was started in Europe and is very popular.

Council Member Gaskins stated that Sanford lost another outstanding citizen, Mary Carolyn Bass O’Neal. She is part of the Reeves family who has done so much for the Kiwanis Park and brought Habitat for Humanity to Sanford. She was a tremendous citizen in both contributions and her volunteer work.
Council Member Taylor stated that the Joint Planning Commission was held last Thursday and they looked at eight amendments that will be forthcoming to Council for approval. He applauded staff for coming to a consensus especially with the attorneys the County hired relative to the amendments.

Mr. Hegwer stated that the County has an effort underway to proliferate broadband service out into the County where there is a lack of fiber optics, DSL or cable service; one of the first areas will Downtown Sanford. We are going to invite someone from the County to Council’s next workshop to explain the project.

Mr. Hegwer referred to Exhibit L, which is a spreadsheet that shows the status of all the projects the City has going on. It is in Excel format and it is a start. We will keep it updated routinely and he asked for feedback for things Council feels is not on the list; staff has looked at software that may work in conjunction with this program and be helpful to the Finance Department and the public. Mayor Mann stated that this is a result of the retreat and there are over 120 projects. Mayor Mann stated that we need to have an updated version in a shared file so Council Members can check on them.

Mr. Taylor mentioned one item that is very popular in Microsoft projects is – Red, Green, Yellow. If it is sitting still and turned yellow, then have some reasons, which gives you more accountability. It would also allow you to drop something off or to stop projects. If it is red, there is a reason why it is red. It ties contingencies back to what is being asked. You can sort by color now on the latest Excel.

Mayor Mann welcomed Commissioner Kirk Smith in the audience and thanked him for allowing broadband to be brought to the community. They had an interesting presentation yesterday at the public policy meeting from Stan Kelly, who is with the Piedmont Triad Economic Development Group. Mr. Kelly is retired and is a volunteer who brought the Carolina Core Presentation. Mr. Gaskins attended a conference in Washington and he tried to move along and endorse the changing of US Highway 421 to Interstate 685. All the megasites, including Moncur, are on this corridor. We have a group of people, led by Mr. Kelly, and a lot of economic development people, including SAGA, that are looking to make the Carolina Core the 21st century version of the Research Triangle Park spread among the 13 counties, of which U. S. Highway 421 goes through with these four megasites. There are some companies looking at the megasites and if any one of these megasites produces, the other three will be the supplier sites. A big OEM will bring between 2,000 and 4,000 jobs. Michael Smith is with this group to push the megasite.

Mayor Mann stated that Council Member Gaskins and City Manager Hegwer attended a TDA Conference this weekend and there were a lot of great points brought back. Mr. Gaskins stated that ten members attended the 365 Conference and it was very informative. He attended due to a resignation recently. They have a greater idea as to what to look for from MSA Marketing.

Downtown StreetFest will be held on April 13 with fireworks, vendors, and food trucks; the Sanford Block Party will be two weekends after Easter. It will be at the Temple Ball field area. Mayor Mann will be holding the National Day of Prayer Breakfast on Thursday, May 2, at the Dennis Wicker Civic Center; this give more room for the public to attend. The Residential Task Force has been a big success. He drove around a large, out-of-town developer for three hours yesterday and when concluded, the developer decided he is coming to Sanford. He has to decide on which different parcels he wants to look at first. SAGA is doing their job and felt the answer is coming with new residential building. We will begin to see companies bringing their families to Sanford.
Mr. Gaskins stated that at the TDA Conference, he learned that VisitNC is part of the Economic Development Partnership of North Carolina. Mr. Gaskins added that he had the opportunity to speak with Chris Chung on several occasions over the two days. Mr. Chung spoke and EDPNC considers that as an important aspect.

ADJOURNMENT
Council Member Gaskins made the motion to adjourn the meeting; seconded by Council Member Buckels, the motion carried unanimously.

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

Respectfully Submitted,

T. CHET MANN, MAYOR

ATTEST:
BONNIE DAVIS, CITY CLERK