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 16, 2019, at 6:00 p.m., in Council Chambers. The following people were present:

Mayor T. Chet Mann
Council Member Jimmy Haire
Council Member James Williams
City Attorney Susan Patterson
City Clerk Bonnie Davis

Council Member Sam Gaskins
Council Member Charles Taylor
City Manager Hal Hegwer
Management Analyst Holly Marosites
Deputy City Clerk Vicki Cannady

Absent:
Mayor Pro Tem Rebecca Wyhof Salmon
Council Member Byron Buckels
Council Member Norman Charles Post, III

CALL TO ORDER
Mayor Mann called the meeting to order. Council Member Williams delivered the invocation and the Pledge of Allegiance was recited.

PUBLIC COMMENT
There were no requests for public comment.

APPROVAL OF AGENDA
Mayor Mann requested that Item 8-D, "Public Hearing on Carr Creek Area D Sewer Extension", be removed and that an item be added under "New Business" as Item 11-J, "Consider Preliminary Assessment Resolution – Carr Creek Sewer Extension Area D." Council Member Gaskins moved to approve the agenda as amended. Seconded by Council Member Williams, the motion was unanimously approved.

CONSENT AGENDA
Approval of Joint Interlocal Committee Meeting Minutes dated February 11, 2019
Approval of City Council Work Session Minutes dated February 12, 2019
Approval of City Council Meeting Minutes dated March 5, 2019
Approval of City Council Meeting Minutes dated March 19, 2019
Approval of City Council Meeting Minutes dated April 2, 2019

Council Member Gaskins moved to approve the consent agenda. Seconded by Council Member Taylor, the motion carried unanimously.
SPECIAL AGENDA
Proclamation Proclaiming April 28, 2019 as Lineman Appreciation Day (Exhibit A)

Mayor Mann read the proclamation and acknowledged the work done by electrical lineman. He noted that a copy would be sent to our Duke Energy regional representative to present to their linemen.

CASES FOR PUBLIC HEARING
Application by the Ruby and Ernest McSwain Worthy Lands Trust for property owned by the Ruby Crumpler McSwain Estate to rezone one vacant 0.50 + acre tract of land with frontage/access off of Woodland Avenue from Residential Mixed (R-12) to Office & Institutional (O&I). The subject property is identified as Tax Parcel 9652-04-1924-00 as depicted on Lee County Tax Maps 9652.09 and 9652.13 and illustrated as Lot 1 on a 1907 survey labeled a Map of Sou. Sanford, N.C. and recorded at Plat Cabinet 2, Slide 314 of the Lee County Register of Deeds Office, along with a portion of W. Spruce Street that was closed by the Sanford Board of Alderman in 1993 per Deed Book 507, Page 912 of the Lee County Register of Deeds Office (Exhibit B)

Zoning Administrator Amy McNeill explained that staff received this application as the first step in marketing or developing this vacant tract in a commercial manner. She reviewed the site location and current zoning and explained that it appears to be suitable for an office or commercial type use, given the location between a day care and convenience store. The proposed zoning of “Office and Institutional” is established to allow for agencies and offices rendering specialized services and traditional institutional functions as shown on the exhibit. Ms. McNeill stated that the recently adopted long range plan identifies the future land use place type as “Neighborhood Transition Area” which has the following characteristics: legacy residential neighborhood that may be transitioning to small offices and service businesses; positioned along a primary transportation route; preserves residential character; and acts as a buffer between downtown and urban neighborhoods. She noted that this site was actually used as the local example in our recently adopted long-range plan as a neighborhood transition area.

Ms. McNeill stated that staff recommends that Council support this request since they found that it appears to be in keeping with the future land use place type per the SanLee Long Range Plan and appears to be reasonable and in the public interest based on the location of the site between two commercial uses with frontage on a city maintained public street and existing public utilities.

Mayor Mann opened the public hearing.

Lynn Blackmon (of 2308 Tramway Road, Sanford), the applicant, spoke in favor of the rezoning and volunteered to answer any questions about the request.

Council Member Taylor agreed that this is a neighborhood transition area where several houses have been converted to offices, particularly law offices.

Mayor Mann closed the public hearing.

Application by the Ruby and Ernest McSwain Worthy Lands Trust, for property owned by the Ruby Crumpler McSwain Estate to rezone one vacant 0.33 + acre tract of land formerly developed with a house addressed as 1015 Woodland Avenue and being a corner lot with frontage/access off of Woodland Avenue and W. Rose Street from Residential Mixed (R-12) to Office & Institutional (O&I). The subject property is identified as Tax Parcel 9642-957483-00 as depicted on Lee County Tax Map
Zoning Administrator Amy McNeill explained that staff received this rezoning application as the first step in marketing or developing this vacant tract in a commercial manner. She reviewed the site location and current zoning and explained that the site appears to be more viable as an office or commercial property, given its location at the intersection of Woodland Avenue and West Rose Street with an office and church on opposite sides. The proposed zoning of “Office and Institutional” is established to provide for offices and agencies rendering specialized services and traditional institutional functions as shown on the attached exhibit. Ms. McNeill stated that the recently adopted long-range plan also identifies this particular location as “Neighborhood Transition Area” which has the following characteristics: legacy residential neighborhood that may be transitioning to small offices and service businesses; positioned along primary transportation routes; preserves residential character; and acts as a buffer between downtown and urban neighborhoods. She noted that in our recently adopted long range plan, this area was used as the local example for this place type.

Ms. McNeill stated that staff recommends that Council support this request since they found that it appears to be in keeping with the future land use place type per the SanLee Long Range Plan and appears to be reasonable and in the public interest based upon the location of the site at the intersection of Woodland Avenue and West Rose Street, opposite an office and a church, with frontage on a city-maintained public street with existing public utilities.

Mayor Mann opened the public hearing.

Lynn Blackmon (2308 Tramway Road), the applicant, spoke in favor of the request and stated that he was available to answer any questions about the request.

Council Member Williams requested confirmation that the adjoining property owners had been contacted and did not oppose the request. Ms. McNeill confirmed they had been notified by mail; legal notice was advertised in The Sanford Herald; and signs were posted on the property. She also confirmed that staff received no inquiries on this or either of the other two rezoning requests.

Mayor Mann closed the public hearing.

Application by Wolfheel Properties, Inc. to rezone two adjoining tracts of land totaling 0.44 + of an acre addressed as 1103 and 1107 Woodland Avenue from Residential Mixed (R-12) to Office & Institutional (O&I). The subject property is identified as Tax Parcels 964295-9360-00 and 9652-05-0239-00 as depicted on Lee County Tax Maps 9642.12 and 9652.09 and illustrated as Lots 2 and 3 on a 1952 survey labeled Map Showing Actual Survey for Redivision of Block #184 of the Monroe Addition to the Town of Sanford, N.C., Lee County recorded at Plat Cabinet 2, Slide 474 of the Lee County Register of Deeds Office (Exhibit D).

Planner Thomas Mierisch explained that this rezoning application was received as the first step in redeveloping this site as an office or commercial type use as they appear to be more viable than residential, given their location on Woodland Avenue. He reviewed the site location and current zoning and explained that the proposed zoning of Office and Institutional is established to allow for offices and offices rendering specialized services and traditional institutional functions as shown on the exhibit. He stated that the newly adopted long-range plan identifies the future land use place type for this tract as “Neighborhood Transition Area” which has the following characteristics: legacy residential
neighbored that may be transitioning to small offices and service businesses; positioned along primary transportation routes; preserves residential character; and serves as a buffer between downtown and urban neighborhoods. Mr. Mierisch noted that this area of Woodland Avenue was used as the local example in our recently adopted long-range plan as a neighborhood transition area. If rezoned, all uses permitted in the Office and Institutional zoning district would be allowed and any future development of the subject property will be required to meet current development standards of the UDO.

Mr. Mierisch stated that staff recommends that Council support this request, as it appears to be in keeping with the future land use plan type for this site per the PlanSanLee Land Use Plan, and appears to be reasonable and in the public interest based upon the location of the site next to an existing commercial use with frontage on a city-maintained public street with existing public utilities.

Mayor Mann opened the public hearing.

Lloyd “Mac” McConnell (of 1915 Wilkins Drive, Sanford), the owner and president of Wolfheel Properties, the applicant, spoke in favor of the rezoning.

Attorney Susan Patterson requested clarification that the request is that the property be rezoned as O&I/Office and Institutional, not C-2/General Commercial. Ms. McNeill confirmed the request is for O&I/Office and Institutional rezoning.

Mayor Mann closed the public hearing.

Carr Creek Area D Sewer Extension (Exhibit E)
This item was removed from the agenda.

DECISIONS ON PUBLIC HEARINGS
There were no decisions on public hearings.

REGULAR AGENDA
There were no items on the regular agenda.

NEW BUSINESS
Grant Project Ordinance – Community Development Block Grant Program 2017 CDBG Neighborhood Revitalization Project (Exhibit F)
Community Development Manager Karen Kennedy explained that this item, along with the next two, concern the new Community Development Block Grant received for property located at 226 Linden Avenue (previously the “Head Start” building). The City is partnering with the Sanford Housing Authority to renovate the property and make infrastructure improvements (curb, gutter, sidewalk) on the opposite side of the street and this item establishes the $750,000 grant project.

Council Member Taylor moved to approve the Grant Project Ordinance – Community Development Block Grant Program 2017 CDBG Neighborhood Revitalization Project. The motion was seconded by Council Member Gaskins and carried unanimously.

Grant Agreement and Funding Approval for 2017 Community Development Block Grant Program (CDBG) – Neighborhood Revitalization Program (Exhibit G)
Community Development Manager Karen Kennedy explained that these two documents are required for grants received through the CDBG program and detail guidelines and deadlines for fund
administration. She noted that an extension has been requested for several items in Section 29(e), for which she has received preliminary approval. She also confirmed that no funding match is required for this project from the City.

Council Member Gaskins moved to approve the Grant Agreement and Funding Approval for 2017 Community Development Block Grant Program – Neighborhood Revitalization Program. The motion was seconded by Council Member Haire and carried unanimously.

Contract for Services Between the City of Sanford and Partners for Impact, LLC (Exhibit H)

Community Development Manager Karen Kennedy explained that the contract with Terry Allebaugh and the NC Coalition to End Homelessness has ended and they suggested we reach out to this company to work with non-profits on capacity building, fundraising and overseeing work done by S3 Housing Connect.

Council Member Gaskins moved to approve the Contract for Services Between the City of Sanford and Partners for Impact, LLC. The motion was seconded by Council Member Williams and carried unanimously.

Reimbursement Resolution – Sanford/Lee County Regional Airport Sewer Extension Project No. S1801 (Exhibit I)

City Engineer Paul Weeks explained that this resolution allows us to reimburse ourselves if we choose to fund the project through installment finance purchase.

Council Member Gaskins moved to approve the Reimbursement Resolution – Sanford/Lee County Regional Airport Sewer Extension Project No. S1801. The motion was seconded by Council Member Williams and carried unanimously.

Resolution Declaring the Intention of the City Council to Consider Closing of an Unopened Portion of Railroad Street from Chisholm Street Southeast 135 Feet (Exhibit J)

City Attorney Susan Patterson explained that planning staff received a request and this resolution directs that the resolution be published for four weeks in The Sanford Herald, after which time it would be presented to Council for a decision on whether to approve the closure as requested.

Council Member Gaskins moved to approve the Resolution Declaring the Intention of the City Council to Consider Closing of an Unopened Portion of Railroad Street from Chisholm Street Southeast 135 feet. The motion was seconded by Council Member Haire and carried unanimously.

City Attorney Susan Patterson noted that the resolution indicated that the date of the public hearing was erroneously shown as April 16 but will not be held for four weeks, on May 21, 2019, and questioned whether Council would authorize this typographical error to be corrected. Council Member Gaskins made a motion to correct the date of the public hearing to May 21, 2019 to approve the resolution. The motion was seconded by Council Member Taylor and unanimously approved.

Resolution in Support of the Temporary Closure of Portions of Several Streets for the Purpose of a 5K Fundraiser Sponsored by Floyd Knight School’s PTSO (Exhibit K)

Transportation Administrator Kris Furmage explained that this request was made by the Floyd Knight School PTSO spokesperson to close portions of several streets as indicated on the exhibit for a 5k fundraiser to benefit the PTSO on Saturday, May 11, from 9:30 a.m. to 1:30 p.m. He confirmed that all appropriate paperwork needed, including the certificate of insurance, has been received.
Council Member Gaskins moved to approve the Resolution in Support of the Temporary Closure of Portions of Several Streets for the Purpose of a 5K Fundraiser Sponsored by Floyd Knight School’s PTSO. Seconded by Council Member Taylor, the motion carried unanimously.

Mr. Furmage informed Council that this year’s Antique Automobile Club of America event will take place on Saturday, June 1, from 6:00 a.m. until 5:00 p.m., and reminded them that last year, Council approved street closures for this event for the next three years. He confirmed that the closures will be the same as last year and that he has received all necessary paperwork, including the certificate of insurance and DOT’s approval for their portion of Charlotte Avenue. The event coordinator, Mr. Bright, informed him that he spoken with Joni Martin (with Progressive Contractors) and Community Development Director Marshall Downey about using a portion of the Buggy Company Building for the event again this year.

Request to Reduce the Membership of the Joint Sanford/Lee County Environmental Affairs Board from Eleven to Seven Members (Exhibit L)

Community Development Director Marshall Downey explained that this request is being made to reduce the membership from eleven to seven. He reminded Council that when the boards were merged about five years ago, membership was reduced from seventeen to eleven members. Since July 2017, the County has struggled to maintain members and they currently have four positions vacant. On an eleven-member board, six are needed for a quorum and there are currently only six members (one City seat is vacant and four County seats are vacant). Current members of the EAB have asked staff to request that the governing bodies reduce membership to seven, with three members from the city, three from the county and one from Broadway; having a seven-member board would reduce the quorum to four. He explained that the reductions would be made through attrition and no members would be removed; board members whose terms are expiring are the only seats that would be eliminated. He noted that three terms will be expiring in June and confirmed that city residents (and previous appointees) could apply for County positions. Since this request must be approved by all three governing bodies and the by-laws require that both municipalities approve revisions first, the proposal will be presented to Broadway later this month and if approved, it will be presented to the County in May. He explained that term limits are subject to rules of each governing body and that the county is in the process of developing a strategic plan for board membership and increasing public interest.

Council Member Taylor moved to approve the request to reduce the membership of the Joint Sanford/Lee County Environmental Affairs Board from eleven to seven members. The motion was seconded by Council Member Gaskins and approved unanimously.

Resolution of the City Council of the City of Sanford, North Carolina, Providing for the Issuance of $2,000,000 General Obligation Parks and Recreation Bonds, Series 2019, of the City of Sanford, North Carolina (Exhibit M)

Financial Services Director Beth Kelly explained that this resolution is one of the final steps in connection with the $2 million General Obligation Parks and Recreation bonds for the splash pad project at Kiwanis Family Park.

Council Member Gaskins made a motion to approve the Resolution of the City Council of the City of Sanford, North Carolina, Providing for the Issuance of $2,000,000 General Obligation Parks and Recreation Bonds, Series 2019, of the City of Sanford, North Carolina. The motion was seconded by Council Member Haire and unanimously approved.
Delegation to Atizapan, Mexico (Exhibit N)

Mayor Mann explained that this item is for information only and that no action is requested. The Sister City Association (SCA) of Sanford has been working with the Jonesboro Rotary Club to form a sister-city relationship with the Las Torres Satellite Rotary Club from central Mexico. This would be Sanford’s second sister-city relationship and would be managed and enhanced by the Jonesboro Rotary Club’s ongoing relationship with the Las Torres club; members of both clubs have already travelled back and forth. From this connection, the SCA is now planning to host a delegation from Atizapan, a suburb of Mexico City with a population of about 450,000, beginning on Monday, April 29 through Sunday, May 5. During their stay, the SCA has planned to showcase our state’s educational and cultural success stories, as well as activities focused on economic development (including tours of local industries and trips to innovative highlights in our region). A Sanford delegation has been invited to attend their Arts and Cultural Festival the week of June 21 through June 28. He and Atizapan’s mayor will sign a Sister City agreement at the opening of their festival on June 22. He reminded everyone that SCA is a non-profit organization and encouraged Council members to attend meetings and events.

Preliminary Assessment Resolution – Carr Creek Sewer Extension Area D (Exhibit O)

Council Member Gaskins made a motion to recuse Council Member Williams (who owns property in the Carr Creek subdivision). Seconded by Council Member Taylor, the motion carried unanimously.

City Engineer Paul Weeks informed Council that a public hearing had been scheduled for tonight on this project but notification to The Sanford Herald was not sent as required; therefore, this resolution sets the public hearing for May 21, 2019, at 6:00 p.m. This project would serve 27 parcels in an area annexed in June of 1991. The estimated construction cost is $254,370 or $2,355 to each property owner under the Council approved program through which the City funds 75 percent of the mainline cost and the cost of the tap if connection is made at the time of construction. Along with the 25 percent estimated construction cost, homeowners would be responsible for the cost of re-routing plumbing to their taps and decommissioning their septic tanks. Signatures have been obtained from 64 percent of the property owners (16 of 25) who own 67 percent of the property (18 of 27 lots). Council Member Taylor questioned whether there was a quorum with Council Member Williams being recused and City Attorney Susan Patterson explained that his recusal did not destroy the quorum and that only a simple majority of those present and voting is needed. She will advise Council if it is determined that a second vote is needed.

Council Member Gaskins made a motion to approve the Preliminary Assessment Resolution – Carr Creek Sewer Extension Area D. The motion was seconded by Council Member Taylor and unanimously approved.

OTHER BUSINESS

Council Member Taylor complimented Waste Industries for their diligence in emptying trash receptacles at the recent Street Fest celebration. He suggested that there are lessons to be learned from “microburst” storms such as the one experienced on Friday, April 12, when there were problems with large and sudden water runoffs on McNeill Road and Spring Lane. He complimented first responders but noted there was only one Public Works employee on call at the time and suggested that areas be “staged” ahead of time with cones and barricades when similar events are anticipated. Mayor Mann encouraged citizens not to drive through standing water or barricaded areas.

Council Member Gaskins thanked everyone involved with the Street Fest celebration.
Council Member Haire reminded everyone that was the eighth anniversary of the tornado that caused a great deal of damage in Sanford in 2011.

City Manager Hegwer announced that he was just informed that the City was awarded a 2019 Urgent Repair Grant for $100,000: only 38 of 58 applications statewide were funded. A $5,000 match will be required from both the City and County.

Mayor Mann announced that the City received the Distinguished Budget Presentation (Exhibit P) award from the Government Finance Officers Association. Mr. Hegwer noted that we are tied with the Town of Cary for the number of times we have received this award. Mayor Mann commented that there was lots of positive feedback on the Street Fest event and reminded everyone of the upcoming Block Party scheduled for April 27 in the Temple Ball Field area.

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

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

Respectfully Submitted,

T. CHET MANN, MAYOR

ATTEST:

BONNIE DAVIS, CITY CLERK