

**CITY OF LAURINBURG
COUNCIL MEETING
DECEMBER 20, 2005
MUNICIPAL BUILDING
7:00 P.M.**

Minutes

The City Council of the City of Laurinburg held its regular monthly meeting December 20, 2005 at 7:00 p.m. in the council room of the Municipal Building with the Honorable Ann B. Slaughter, Mayor, presiding. The following Councilmembers were present: Rembert DeBerry, Lisa D. Griswold, Curtis B. Leak, and Thomas W. Parker, III. Councilmember Herbert M. Rainer, Jr. was absent.

Also present were: Craig F. Honeycutt, City Manager, Dolores A. Hammond, City Clerk, and Charles L. Hicks, Jr., Assistant City Attorney.

Councilmember DeBerry gave the invocation.

Councilmember DeBerry then stated that it was the City Manager's birthday and then "Happy Birthday" was sung to him.

APPROVAL OF MINUTES

Motion was made by Councilmember Griswold, seconded by Councilmember Leak, and unanimously carried to approve the proposed minutes of the organizational meeting held November 22, 2005 and the regular meeting held November 22, 2005.

PUBLIC HEARING ON PROPOSED DEBT FINANCING FOR THE CITY OF LAURINBURG IN ORDER TO PURCHASE THE LAUREL HILL WATER SYSTEM

Mayor Slaughter explained that the purpose of this public hearing is for citizen input on the proposed financing agreement as required by the Local Government Commission in order to finance the purchase of the Laurel Hill Water System. She stated that the City of Laurinburg has been approached by Z.V. Pate, Inc./Laurel Hill Water Company about the possibility of purchasing its water system. She concluded by explaining that since the City would possibly incur debt if it chose to purchase the system, the North Carolina Local Government Commission (LGC) requires a public hearing on any proposed debt financing. She then declared the public hearing open.

There was no one to speak for or against the matter.

The Assistant City Attorney explained that this matter should be deferred to the next regular council meeting so that the proposed contract could be completed.

ECONOMIC INVESTMENT POLICY

Mayor Slaughter explained that the purpose of this public hearing is for citizen input on the proposed Economic Investment Policy for the City of Laurinburg. She stated that in discussions with Jim Frank Henderson of the Laurinburg/Scotland County Chamber of Commerce and the with the County Manager, it was felt that the City should look at formalizing its Economic Investment Policy into a document that will show potential developers the joint commitment to economic development by the City and County.

Mr. Jim Frank Henderson, President of the Laurinburg/Scotland County Chamber of Commerce, appeared before Council and stated that the Board of Directors of the Chamber had unanimously approved moving ahead with the

proposed Economic Investment Policy at its regular November meeting. He explained that having a uniform policy from the City and the County to present to potential industrial clients will be a tool to work with and to hand to a potential client or existing industry.

There was no one to speak against this request.

The Assistant City Attorney stated that a typographical error in the first paragraph should be corrected by deleting the comma at the end of the paragraph.

Motion was made by Councilmember Parker, seconded by Councilmember Griswold, and unanimously carried to approve the Economic Investment Policy as amended by the change suggested by the Assistant City Attorney.

CONGRESSMAN ROBIN HAYES

Mayor Slaughter explained that Congressman Hayes had been invited to attend the Council meeting in order to recognize him for his efforts in obtaining federal grants for the demolition of the old Scotland Memorial Hospital. Mr. Gary Mitchell appeared on behalf of Congressman Hayes to accept a certificate of appreciation and a key to the City. Mayor Slaughter read the following certificate of appreciation:

CERTIFICATE OF APPRECIATION
TO
CONGRESSMAN ROBIN HAYES
DECEMBER 20, 2005

For recognition in his dedication to the best interests of the community and for his efforts for the betterment of its economic and aesthetic development.

The City Council for the City of Laurinburg does hereby express our sincere appreciation and thanks, as well as that of our citizens, for his distinguished service to the community.

CENTRAL SCHOOL PROJECT

Mrs. Nancy Walker, Laurinburg Housing Authority Director, appeared before Council to provide an update on the Central School Project. The following actions have been taken:

- A market study was conducted to determine the need for elderly housing units.
- Testing for lead and asbestos was conducted and an abatement plan prepared.
- The building was inspected by a structural engineer and report prepared on the structural condition of the building.
- A historic preservation consultant has assessed the building and provided a report on structural components that will need to be maintained and/or restored.
- An architect and a construction company have been selected. The architect has prepared preliminary sketches and a work write up. The construction company has prepared cost estimates.
- A preliminary operational budget is being worked on.
- The developer consultant has prepared preliminary development budgets, possible sources of funds and a 20-year pro-forma to determine the financial feasibility.

Mrs. Walker explained that the project will be eligible for tax credits and that the preliminary application will be submitted in January 2006. She added that thus far \$21,582.52 has been expended on getting ready for the application process. On December 1, 2005, the City Manager and Mrs. Walker met with staff of the North Carolina Housing Finance Agency, the Department of Commerce, and the Community Housing Equity Corporation.

WASTE MANAGEMENT

Mr. Greg Peverall, Project Consultant with Waste Management Inc., appeared before Council to update the City Council on Waste Management's proposal to the Scotland County Board of Commissioners for a Regional Subtitle D Landfill to be possibly be located within Scotland County and the impact that such a facility might have on the City. Mr. Peverall stated that Waste Management is currently working on securing a franchise agreement which will specify the size of the site, the years that the site must operate, the service area and the characteristics of the waste accepted. Mr. Peverall outlined the landfill's advantages which include increased revenue and economic development, greater control over waste management decisions, long-term disposal solutions, and industrial recruitment opportunities.

Upon question by Councilmember Parker, Mr. Peverall stated that state agency representatives have reconfirmed that, to their knowledge, there has never been a failure of a lining in a modern landfill.

Following further discussion, Mayor Slaughter thanked Mr. Peverall for the information and his presentation.

CIVIL WAR TRAILS

Jim Livingston, Executive Director of the Laurinburg Downtown Revitalization Commission, appeared before Council to make a request for location of a Civil War Trail sign at the James Lot at the corner of Church and Mai Streets. Mr. Livingston explained that the Civil War Trails is a national effort through the Federal Department of Transportation. Because of the potential for tourist traffic, the Scotland County Tourism Development Authority is contributing \$1,100 for each marker and the federal government is contributing \$4,400 per marker. There will be five markers installed in Scotland County. The other four markers will be installed at Old Laurel Hill Presbyterian Church, the Temperance Hall in Wagram, the Malloy House, and Richmond Mill Pond.

Following discussion, motion was made by Councilmember Parker, seconded by Councilmember Griswold, and unanimously carried to approve location of a Civil War Trail sign at the James Lot.

CERTIFICATION OF FIREFIGHTERS

The City Manager explained that the certified list determines eligibility for the \$50,000 line-of-duty death benefit as well as eligibility for Pension Fund credit as required by General Statute 58-86-25. The Interim Fire Chief recommends the following individuals be certified:

Alan Barnhill	David Arnold Evans	David Laviner	Christopher Sessoms
Jeff Braswell	John Thomas Evans	Robert Gene Lewis, Jr.	Paul Sessoms
Walter Brown	Michael Eugene Evans	Donald Locklear	Harold W. Smith
Rodney Trent Byrd	Bryan James Garrigus	James Albert Lytch	Neil Smith
Randy D. Chavis	Randall Moore Gibson	William D. Lytch, Jr.	Brian T. Spear
Jimmy Comer	Joshua E. Glenn	Hamp McIntyre	Alonzo Spruill
Beverly DeBerry	Christopher Jackson	Jimmy R. McPherson	James T. Tippet
Chad Donaldson	Jerry Jernigan	James Medlin	Robert Trawick
Charles Drennan	John Johnson	Bobby D. Pittman	James W. Weaver
Matthew James Ellis	Albert M. Lane	Mark W. Renick	Chad Edward Wright

Motion was made by Councilmember Parker, seconded by Councilmember Griswold, and unanimously carried to certify the list of firefighters as recommended by the Interim Fire Chief.

AUTHORIZE CITY MANAGER TO EXECUTE AGREEMENT BETWEEN THE CITY OF LAURINBURG AND MELROSE SOUTH PYROTECHNICS, INC. FOR A FIREWORKS DISPLAY

The City Manager explained that this is the same company that has provided the fireworks display for the City for the past few years. He stated that the company has agreed to conduct the same type display as in previous years for a total contract price of \$10,000.00. He then stated that the fireworks display would be held Tuesday, July 4, 2006.

Councilmember Leak requested that the City Manager contact Scotland County to find out if the County would like to participate in this event by jointly financing this project.

Motion was made by Councilmember Griswold, seconded by Councilmember Parker, and unanimously carried to authorize the City Manager to execute an agreement between the City of Laurinburg and Melrose South Pyrotechnics, Inc. for a fireworks display on July 4, 2006 at a cost of \$10,000.00.

ORDINANCE TO AMEND THE LAURINBURG CODE OF ORDINANCES ARTICLE IV, DIVISION 4. SEWER USE, CHAPTER 40, SECTION 40-267, FATS, OILS, AND GREASES

The City Manager explained that in 2003 the Environmental Management Commission, Department of Environment and Natural Resources, issued the City a system wide wastewater collection permit. He further explained that the permit requires the City to maintain an educational and enforcement program that helps prevent fats, oils, and grease from entering into its wastewater collection system. He stated that Council adopted an ordinance as recommended by staff to comply with DENR.

He then explained that staff has found that in implementing this ordinance most of the food service facilities complied with the requirements of the current ordinance and were complying before the ordinance was passed. He also explained that staff's recommendation is to reduce some of the requirements of the ordinance such as obtaining an annual permit. He concluded by stating that the proposed ordinance will better serve the City's customers and citizens.

Councilmember Parker moved for the adoption of Ordinance No. O-2005-11 which amends the Laurinburg Code of Ordinances Article IV, Division 4. Sewer Use, Chapter 40, Section 40-267, Fats, Oils, and Greases. Councilmember Griswold seconded the motion, and it was approved by the following vote:

Ayes: Parker, Griswold, Leak, DeBerry

Nays: None

(Ordinance No. O-2005-11 on file in the City Clerk's Office)

ORDINANCE TO AMEND THE LAURINBURG CODE OF ORDINANCES ARTICLE IV, DIVISION 4. SEWER USE, CHAPTER 40, SECTION 40-266, VIOLATIONS; PENALTIES

The City Manager explained that in reviewing the City's Fats, Oils, and Greases (FOG) Ordinance, it was discovered that the City needed to be able to terminate service to those facilities that fail to comply with the city sewer use ordinance and/or refuse to pay penalties and costs. He added that the Assistant City Attorney had suggested some revisions to the ordinance prior to the meeting and those changes have been incorporated into the proposed ordinance.

Councilmember Griswold moved for the adoption of Ordinance No. O-2005-12 as amended, which amends the Laurinburg Code of Ordinances Article IV, Division 4. Sewer Use, Chapter 40, Section 40-266, Violations; Penalties. Councilmember Leak seconded the motion, and it was approved by the following vote:

Ayes: Griswold, Leak, DeBerry, Parker

Nays: None

(Ordinance No. O-2005-12 on file in the City Clerk's Office)

CITY OF LAURINBURG SCHEDULE OF FEES REVISION

The City Manager explained that the current schedule of fees does not list the residential water tap fee that the City currently charges for a 1" tap or the fee for a sewer tap for industry and other large users. He stated that this revision would include these fees.

He further explained that the revision would also reflect the elimination of the Grease Discharge Permit fee for the City's grease control program. He then stated that it also clarifies that the charge is a per incident fee for violation of the discharge limit and the demand monitoring fee. He concluded by stating that this will bring the schedule of fees in

line with the revisions brought about by the amendment to the City of Laurinburg Code of Ordinances.

Motion was made by Councilmember Griswold, seconded by Councilmember Parker, and unanimously carried to revise the current schedule of fees as stated above.

AN ORDINANCE TO AMEND THE 2005-2006 BUDGET APPROPRIATION ORDINANCE

The City Manager explained that this ordinance would amend the 2005-2006 Budget Appropriation Ordinance. He further explained that the Laurinburg Police Department was awarded the Edward Byrne Memorial Justice Assistance Grant in order to acquire a K-9 drug detecting and tracking animal. This ordinance amends the 2005-2006 Budget Appropriation Ordinance by allocating monies to the appropriate line items to receive and expend funds.

Councilmember Parker moved for the adoption of Ordinance No. O-2005-13 which amends the 2004-2005 Budget Appropriation Ordinance in order to accept grant money for the Laurinburg Police Department. Councilmember Griswold seconded the motion and it was adopted by the following vote:

Ayes: Parker, Griswold, Leak, DeBerry

Nays: None

(Ordinance No. O-2005-13 is on file in the City Clerk's Office).

Mayor Slaughter stated that last week she went to Durham with Sgt. Fred McQueen and Vickie Freeman, Chief Telecommunicator, to receive an award for the City for traffic safety. She stated it was a very impressive ceremony and a rewarding experience.

AN ORDINANCE TO AMEND THE 2005-2006 BUDGET APPROPRIATION ORDINANCE

The City Manager explained that this ordinance would amend the 2005-2006 Budget Appropriation Ordinance. He further explained that at last month's Council meeting, Council authorized the Mayor to execute a Settlement Release Agreement between the City of Laurinburg and Rentavision of Brunswick, Inc. for unpaid franchise fees, unpaid pole attachment fees and for other alleged deficiencies not related to pole attachment fees or franchise compliance. He stated that this ordinance amends the annual appropriation ordinance by allocating monies to the appropriate line items in order to receive and expend funds.

Councilmember Parker moved for the adoption of Ordinance No. O-2005-14 which amends the 2004-2005 Budget Appropriation Ordinance in order to accept these funds from Rentavision of Brunswick, Inc. Councilmember Griswold seconded the motion and it was adopted by the following vote:

Ayes: Parker, Griswold, Leak, DeBerry

Nays: None

(Ordinance No. O-2005-14 is on file in the City Clerk's Office).

NORTH CAROLINA EASTERN MUNICIPAL POWER AGENCY ELECTRIC RATE INCREASE

The City Manager explained that at the November City Council meeting, the City Council was notified of a possible fuel surcharge increase between 6-10% being considered by NCEMPA. He stated that at its December 6, 2005 rate committee meeting, the NCEMPA rate committee recommended a 10% increase in the wholesale cost to the NCEMPA Board of Commissioners, which agreed to the increase at its December 15 meeting.

He further explained that the City Staff, in looking at rate options, recommends to City Council that retail electric rates increase by at least 8.585% as of January 1, 2006 in response to the rate adjustment by NCEMPA.

The City Manager also discussed the electric system margin which is the dollars of revenue over the cost of power. NCEMPA recommends a margin of 25%, and the City's margin is currently only 13.74% which is well below the minimum recommended.

Upon question by Councilmember Leak, the City Manager stated that staff's recommendation of an 8.585% increase is below what the City's electric consultant, Ned Fowler, recommended. Mr. Fowler recommended an increase of 9.493%. Mr. Fowler is concerned about the City's margin being the lowest in history. Staff is concerned about the margin and the City's dependency on the Electric Fund for transfers.

Councilmember Parker expressed concern about the system margin. He suggested that rates be increased now and that rates be re-evaluated in three months.

Following discussion, motion was made by Councilmember Parker, seconded by Councilmember Leak, and unanimously carried to adopt Rider G-1 Fuel/Energy Rate Adjustment at a rate of 9.039% effective January 1, 2006 for bills to be rendered in February 2006.

CLEANING SERVICES CONTRACT UPDATE

The City Manager stated that at Council's last meeting, staff presented the City Council a proposal to look at the possibility of contracting out janitorial service. He explained that five bids had been received and opened on November 23, and that in looking at the bids versus the cost of continuing to do the service in-house, the cost of doing it in-house was within \$1,000.00 of the cost of outsourcing the service.

He explained that he had sent City Council a memo on December 6 with the findings and recommended to the Council that the City fill the position since there was not a lot of savings. He also noted that it would be beneficial to have the service performed by a person on staff. He then stated that the City Council at that time by individual consensus had given him permission to move forward to fill the position as soon as possible. He concluded by stating that interviews are being conducted.

SUBDIVISION SPEED LIMIT STUDY UPDATE

The City Manager explained that at the July Council meeting, Council requested staff to begin looking at a traffic study of City streets that do not have much traffic other than the persons who live in the area. This action resulted from a Camellia Acres speed limit reduction request. He stated that Chief Malloy has been working with the State to obtain equipment with which to perform the traffic study.

Chief Malloy reported that the State has informed him that, hopefully, funds will soon be forthcoming in order to purchase the equipment necessary to do the traffic study.

SCHEDULE MINI RETREAT

The City Manager explained that City Council needs to look at a time in January to hold its mini-retreat to go over the responses from the input sessions on the City's 10-year plan and to begin to set priorities for the upcoming budget. He stated that the dates of January 6, 19 or 24, 2006 at 6:00 p.m. are available.

Following discussion, it was consensus of Council to schedule a mini-retreat to be held Friday, January 6, 2006 at 6:00 p.m. in the upstairs council room of the municipal building.

CITY/COUNTY JOINT MEETING

The City Manager explained that currently a joint meeting has been scheduled with the City Council and the Scotland County Board of Commissioners on January 12, 2006 in the Council chambers. He stated that proposed agenda had been included in the agenda packet for Council to review and to approve. He then stated that the proposed agenda has been reviewed by the County, and they are agreeable to the agenda.

Motion was made by Councilmember DeBerry, seconded by Councilmember Griswold, and unanimously carried to accept the proposed agenda.

CITY MANAGER REPORT

The City Manager stated that he had attended the Lumber River Rural Transportation Planning Organization meeting on November 29. The widening project of Lauchwood Drive to three lanes has begun with the right-of-way acquisition and utility relocation being done now. The contract is expected to be let in June 2006. The I-74 project should be constructed by November 2008. The City Manager added that the problems with the stoplight at Plaza Road and 401 were discussed. DOT will continue to monitor the four-way stop at Produce Market and Lee's Mill Roads.

The City Manager stated that the North Carolina League of Municipalities Regional meeting will be held in Southern Pines on Wednesday, April 26. He also stated that if any council members are interested in attending they should let him or the City Clerk know by April 7.

The City Manager concluded his report by thanking the 2nd grade class of South Scotland Elementary School and the 3rd grade class of Washington Park Elementary who toured the City facilities on December 19 and 20. He added that the kids and teachers were wonderful and he wished them all a Merry Christmas.

APPOINTMENT TO THE CITY OF LAURINBURG BOARD OF ADJUSTMENT

Mayor Slaughter explained that Mr. David Ellison, Jr. and Mr. Jim Jewell's terms on the Board of Adjustment will expire December 31, 2005. Mr. David Ellison and Mr. Jim Jewell have both expressed interest in being reappointed to the Board and have been so appointed by the Mayor. She stated that these new terms will expire December 31, 2008.

ADVISORY COMMITTEE (CHANNEL 17)

Mayor Slaughter explained that one appointment needs to be made to the Community Access Channel Advisory Committee. She also explained that the appointment is a three-year term ending August 31, 2008 on the Community Access Channel Committee.

Motion was made by Councilmember Parker, seconded by Councilmember Griswold, and unanimously carried to appoint John Carpenter to the Community Access Channel Committee to a three-year term expiring August 31, 2008.

PUBLIC COMMENT PERIOD

Councilmember DeBerry stated that a citizen had expressed concern over the lighting at the shopping center on the north side of town. He stated that it was dark at the entranceway to the shopping center.

The City Manager stated that he would investigate this concern.

Mayor Slaughter stated that the Employee Christmas Party would be held Thursday, December 22nd at St. Andrews Presbyterian College.

ADJOURNMENT

Motion was made by Councilmember DeBerry, seconded by Councilmember Griswold, and unanimously carried to adjourn the meeting.

The meeting was adjourned at 8:43 p.m.

Ann B. Slaughter, Mayor

Dolores A. Hammond, City Clerk