

**CITY OF LAURINBURG  
COUNCIL MEETING  
JULY 18, 2006  
MUNICIPAL BUILDING  
7:00 P.M.**

**Minutes**

The City Council of the City of Laurinburg held its regular monthly meeting July 18, 2006 at 7:00 p.m. in the council room of the Municipal Building. 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.

Mayor Ann B. Slaughter arrived at 7:20 p.m.

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

Mayor Pro Tem Rembert DeBerry called the meeting to order at 7:08 p.m. Councilmember Parker gave the invocation.

**APPROVAL OF MINUTES**

Motion was made by Councilmember Leak, seconded by Councilmember Griswold, and unanimously carried to approve the proposed minutes from the budget meetings held June 5, 2006 and June 12, 2006; the regular meeting held June 20, 2006; and the special meetings held June 27, 2006 and June 29, 2006.

**PUBLIC HEARING ON AN ORDINANCE WHICH EXTENDS THE CORPORATE LIMITS OF THE CITY OF LAURINBURG**

Mayor Pro Tem DeBerry explained that this public hearing is to consider a request for voluntary annexation of property located on Turnpike Road known as Shadow Woods Condominiums. He then declared the public hearing open.

There was no one present to speak in favor of or against the request.

Councilmember Griswold moved for the adoption of Ordinance No. O-2006-09 which extends the corporate limits of the City of Laurinburg to incorporate property located on Turnpike Road and known as Shadow Woods Condominiums. Councilmember Parker seconded the motion, and it was approved by the following vote:

Ayes: Griswold, Parker, DeBerry, Leak

Nays: None

(Ordinance No. O-2006-09 on file in the City Clerk's Office)

**PUBLIC HEARING ON AN ORDINANCE TO REZONE PROPERTY LOCATED AT 1512 BIGGS STREET**

Mayor Pro Tem DeBerry explained that this public hearing is to consider a request to rezone from General Business to Residential-6 Mobile Home property located at 1512 Biggs Street.

Mr. Clarence Coughenour appeared before Council and explained that he is the owner of the property and is asking that it be rezoned from General Business to Residential-6 Mobile Home. He then explained that he has owned the property for 30-35 years and that a mobile home had always been located on the property. He stated that he was unaware of the General Business zoning classification. He then stated he would like to continue renting the property for mobile home use.

Councilmember Parker asked Mr. Coughenour if representatives of the church across the street had approached him about purchasing the property.

Mr. Coughenour stated that representatives of the church had contacted him but that he has not considered selling the property. He explained that he also owned the lot next to the property in question along with a number of other lots in the area and that he is not interested in selling the property.

Councilmember Leak questioned Mr. Bill Peele, City Zoning Officer, about the zoning of the area.

Mr. Peele stated that there is an assortment of zoning classifications in the area that consist of Commercial and Residential-6 Mobile Home. He explained that during research of this particular request, he found that the 1968 zoning map indicated that the lot was zoned commercial even though a mobile home had been located on the property for some period. He explained that the reason Mr. Coughenour is required to request the rezoning is that the nonconforming use status of the property had expired. He then explained that the nonconforming use status allows the continuance of the nonconforming use if the nonconforming use is discontinued for a period but resumed within 180 days. Following the removal of the last mobile home on the property, a replacement mobile home was not placed upon the property within 180 days. Therefore, the nonconforming use status was lost. Under the General Business zoning classification, mobile homes are not allowed.

Pastor Gary Wilson of the Laurinburg Pentecostal Church appeared before Council to speak in opposition of the request. Pastor Wilson stated that, as a resident of the area, he feels that the area is already too congested with houses and trailers. He explained that the Church is planning to expand and has offered to purchase the property from Mr. Coughenour. He explained that he had talked with Mr. Coughenour about purchasing the property, but that Mr. Coughenour was not interested in selling the land. Pastor Wilson stated that for the beautification of Laurinburg and the area, that it was in the best interest of the community and the Church that the property not be rezoned.

Councilmember Parker expressed his hope that maybe the two parties could try to work out a resolution that would benefit both.

*Mayor Slaughter arrived at 7:20 p.m. and apologized for being late.*

Mr. Dave Wilkins appeared before Council and stated that he is opposed to the request because the property is zoned for business, and as a businessperson, the present zoning brings a sense of vitality to that particular area. He also stated that last winter he had sold property in the area to the Church for its expansion. He explained that the reason he sold the property is that the area needs a solid anchor for Christian people to come to in that area. He expressed his concern about the beautification of Mr. Coughenour's property. He concluded by stating that the best interest of Laurinburg will be served by keeping the present zoning in place.

Mr. Frank Burroughs of 1506 Biggs St. appeared before Council and stated that he is also opposed to the request. He cited the poor condition and appearance of other properties that Mr. Coughenour owns in the area. He exhibited several pictures of other properties in the area owned by Mr. Coughenour and concluded by stating that the decision should be made considering the whole community and not just one certain lot.

Councilmember Leak stated that he understands the situation and has had the opportunity to ride through the area. He then stated that he feels that the area is a part of our community that Council needs to address in the future because part of the area is an eyesore. He concluded by stating that he would like to address the concerns of the area at Council's retreat in the fall.

Following a brief discussion, the Assistant City Attorney responded to question about tabling the matter until the next Council meeting that Council act on the request at this meeting.

Councilmember Leak moved to deny the request to rezone from General Business to Residential-6 Mobile Home property located at 1512 Biggs St. Councilmember DeBerry seconded the motion, and it was approved by the

following vote:

Ayes: Leak, DeBerry, Parker, Griswold

Nays: None

## **PUBLIC HEARING ON AN ORDINANCE TO REZONE PROPERTY LOCATED ADJACENT TO US HIGHWAY 74 BYPASS, EAST OF SOUTH CALEDONIA ROAD**

Mayor Slaughter explained that this public hearing is to consider a request to rezone from Residential-20 to General Business 150 acres of property located adjacent to US Highway 74 Bypass, East of South Caledonia Road, as well as to rezone from Residential-20 and Residential-20 Mobile Home to Office/Institutional an additional adjoining 191.32 acres. She then declared the public hearing open.

Mr. Doug Hyler of Hobbs Upchurch & Associates appeared before Council and stated that he represents Mr. Greg Hodgson, a developer from Florida, who has requested this rezoning. He explained that Mr. Hodgson is interested in developing this area with businesses, offices, and houses. He then explained that there is no definite plan for this area at this time, but that the design criteria is for mixed use.

Upon question by Councilmember DeBerry, Mr. Hyler stated that there are plans, ultimately, to annex the property into the city limits.

Brenda Compton, a commercial real estate broker and consultant, appeared before Council and stated that she was asked by the Gibson-Bachelor family, owners of the property, to evaluate the highest and best use of the property. She explained that when she was asked to evaluate the property, the family wanted to make sure that any development would be good for the community. She then explained that with Highway US 74 becoming a major artery in the community, it has created a unique situation for this particular property. She continued by stating that this area is becoming the epicenter of the community because of the location of the hospital and the surrounding buildings and that the surrounding area is poised for growth. She then explained that, upon the conclusion of the evaluation, Greg Hodgson, a developer from Florida, came to Laurinburg, looked at the property, consulted with Hobbs, Upchurch & Associates, and has developed a concept that he believes would add to Laurinburg's community base.

Mr. Greg Hodgson, President of SCH Properties of Tampa, Florida, appeared before Council and stated that, prior to his offer to purchase of the property, he had talked with Mr. Peele, City Zoning Officer, regarding the city's needs for the community. He stated that he was informed that mixed use was needed, i.e. more retail, more restaurants. He continued by stating that his plan would be to bring more retail, restaurants, apartments, and single family residences in a nicely set community to the area. He explained that the rezoning would provide him with latitude to consider either a more commercial or residential concept for the area based upon the demands of the market. He also stated that the intent is to annex the property into the City. He then continued by stating that the next step, upon Council approval, would be to go forward with a master plan for a mixed use development. He concluded by stating that, upon the master plan design, it would be presented to Council.

Upon question by Councilmember Leak, Harold Smith, Public Works Director, stated that the electric service could be provided either by the City of Laurinburg or Progress Energy and that would be by customer choice.

There was no one to speak against the request.

Following the closing of the hearing, Councilmember Parker moved for the adoption of Ordinance No. O-2006-11 which rezones 150 acres of property from Residential-20 to General Business and 191.32 acres of property from Residential-20 and Residential-20 Mobile Home to Office/Institutional said property being located adjacent to US Highway 74 Bypass, East of South Caledonia Road. Councilmember Leak seconded the motion, and it was approved by the following vote:

Ayes: Parker, Leak, Griswold, DeBerry

Nays: None  
(Ordinance No. O-2006-11 on file in the City Clerk's Office)

## **JUNIOR SERVICE LEAGUE**

The Mayor welcomed members of the Junior Service League, thanked them for attending the meeting, and presented them with a City pin.

## **SPECIAL RECOGNITION - MR. RAY MELTON - RETIRED ELECTRIC SERVICES TECHNICIAN**

Mayor Slaughter explained that Mr. Ray Melton, former electric services technician, retired from his position with the City after 20 years of service. Mayor Slaughter presented Mr. Melton with a Certificate of Appreciation for his service to the city and community.

## **ORDINANCE TO AMEND THE CITY OF LAURINBURG CODE OF ORDINANCES**

The City Manager explained that during Council's April 2005 meeting, a resolution was adopted regarding a schedule of discounts to be applied to City taxes. This resolution was sent to the North Carolina Department of Revenue for approval, and it was approved. At that time, the amendment to the ordinance was not brought before Council. This proposed ordinance will amend the Code of Ordinances by deleting the July 2% discount. This change action was brought about because of discussions concerning possible City and County tax consolidation with the consensus being that, if tax consolidation took place, the same discounts should apply to both entities.

The Assistant City Attorney suggested that if Council is inclined to take action on the proposed ordinance that Council delete the existing section 34-1 in its entirety. His suggestion is to insert in replacement thereof a new section 334-1 that provides as follows:

Discount for advance payment of ad valorem taxes.

The following discount shall be allowed for payment of ad valorem taxes prior to the due date of such taxes:

If paid on or before August 31 of the fiscal year for which the tax is levied, the discount shall be one percent.

He explained that the proposed ordinance as originally proposed states "discounts" when there is only one discount and the way the proposed ordinance reads, if paid during August, the discount would be one percent. Therefore, technically, if someone paid during the month of July, he would not be entitled to the discount.

Councilmember Parker moved for the adoption of Ordinance No. O-2006-12 which amends Chapter 34, Taxation, Section 34-1 of the Code of Ordinances for the City of Laurinburg with the changes as suggested by the Assistant City Attorney. Councilmember Griswold seconded the motion, and it was approved by the following vote:

Ayes: Parker, Griswold, Leak, DeBerry

Nays: None

(Ordinance No. O-2006-12 on file in the City Clerk's Office)

## **RESOLUTION AMENDING THE CITY OF LAURINBURG'S SOLID WASTE POLICY**

The City Manager explained that the proposed resolution reflects the change in the recycling program from every week pickup to every other week pickup for the City.

The City Manager stated that the change in the recycling program would be effective beginning August 7, 2006.

Councilmember Parker stated that he had received several calls concerning the change in the recycling program. He then stated that he hoped that the program would be monitored to see if the same tonnage is being collected. He

concluded by stating that, in the next budget session, Council should review the program to be sure that citizens are being provided adequate service.

The City Manager stated that he would provide Council with a six-month comparison. He explained that a new recycling truck was projected to be included in next year's budget. He explained that the six-month comparison would help determine if purchasing a new recycling truck is the direction that the City needs to go.

Councilmember Parker also stated that he would like to challenge staff to look at the schedule and that, if a district needs more time for pickup, that staff should find a way to complete the cycle in a timely manner.

The City Manager stated that Harold Haywood, Sanitation Superintendent, has advised him that the only concern is the Monday route. He then stated that Mr. Haywood would closely monitor that day to see how it works out.

Councilmember Parker moved for the adoption of Resolution No. R-2006-24 which amends the City's solid waste policy to reflect the change in the recycling program from every week pickup to every other week pickup. Councilmember Griswold seconded the motion and it was approved by the following vote:

Ayes: Parker, Griswold, DeBerry, Leak

Nays: None

(Resolution No. R-2006-24 on file in the City Clerk's Office)

## **AGREEMENT BETWEEN THE CITY OF LAURINBURG AND THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

The City Manager explained that this proposed resolution would allow the City to apply for funding for the demolition of the former Scotland Memorial Hospital. This is funding that Representative Robin Hayes helped to acquire, and the proposed resolution is a formality required to receive the sum of \$247,500.00 from the US Dept. of Housing and Urban Development.

Councilmember Parker moved for the adoption of Resolution No. R-2006-25 which authorizes the Mayor and City Clerk to execute an agreement between the City of Laurinburg and the US Department of Housing and Urban Development to receive funding of \$247,500.00 for the demolition of the former Scotland Memorial Hospital. Councilmember Griswold seconded the motion, and it was approved by the following vote:

Ayes: Parker, Griswold, Leak, DeBerry

Nays: None

(Resolution No. R-2006-26 on file in the City Clerk's Office)

## **RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INSTALLMENT FINANCING CONTRACT WITH RBC CENTURA BANK**

The City Manager explained that as part of the 2006/07 FY Budget process, the City Council agreed to budget for a 100' ft. platform/pumper truck for the Fire Department. The City has found a refurbished truck in New York for \$511,000. Members of our Fire Department have gone and inspected the truck and found that it meets our requirements on condition and specifications for use. (Note, the cost of a new truck is approximately \$850,000.) The City has budgeted \$75,000 in this year's budget for the down payment for the lease/purchase of the truck (with financing of \$456,000 for seven years @ 3.99%).

Six bids were received on the financing proposal, with Centura submitting the lowest bid for financing. In order to secure the financing for the truck, the attached Resolution R-2006-26 will need to be approved.

The Assistant City Attorney advised Council that in talking with the City Manager there is a contingency upon the purchase of the truck and that is it must pass a certified pump test. He suggested that on the first page of the resolution where it reads that the governing body of the Unit does hereby find and determine, it read as follows:

The City of Laurinburg, contingent upon the passage of a certified pump test, proposes the acquisition of certain equipment (1997 Sutphen Custom 100' Ladder Truck).

He also stated that in the last line of section d, the third sentence, it says "then" amount whereas it should read "the" amount.

Upon question by Councilmember Parker, the Assistant City Attorney stated that Parker's ownership of stock in the Centura bank would not create a conflict keeping him from voting on this matter.

Councilmember DeBerry asked if there was a warranty on this refurbished truck.

Harold Smith, Interim Fire Chief, stated that there is a thirty-day warranty and the company would deliver the truck. He also stated that a representative from Triad Fire had inspected the truck and found it to be a sound truck.

Councilmember Parker moved for the adoption of Resolution No. R-2006-26 which authorizes the execution and delivery of an installment financing contract with RBC Centura Bank for a 100-foot platform/pumper truck for the Laurinburg Fire Department (with the changes as suggested by the Assistant City Attorney.) Councilmember Leak seconded the motion, and it was approved by the following vote:

Ayes: Parker, Griswold, Leak, DeBerry

Nays: None

(Resolution No. R-2006-26 on file in the City Clerk's Office)

## **LAURINBURG/SCOTLAND COUNTY AREA CHAMBER OF COMMERCE TRANSPORTATION COMMITTEE**

The City Manager explained that the Laurinburg/Scotland County Area Chamber of Commerce Transportation Committee is in the process of formulating the County's transportation priorities for the upcoming year. These projects may be either large projects for the Transportation Improvement Plan (TIP) such as completion of I-74 or smaller urban projects such as the completion of Lauchwood Drive.

He stated that he currently serves as Chairman of the Committee and that he has sent out letters to all of the municipalities and the County to ask for their formal input in helping formulate the priority needs list. Enclosed in each Councilmember's agenda packet was a copy of the letter that was sent out, with a response being requested by July 31. He stated that, after considering the responses, a list of priorities would be compiled and sent to the Lumber River Planning Organization. He added that, if the Council has additional projects or priorities to be included on the list (other than those set forth in the letter), he needs to know at this time so that they can be included.

Councilmember Leak suggested that, because there is a new convenience store located near Scotland High School, the City should check traffic flow to see if there is a need for other traffic warnings before school opens.

Councilmember DeBerry stated that on Caledonia Rd., from Church St. to the railroad track, there are overgrown bushes that need to be addressed. The City Manager stated that, because Caldeonia Rd. is a state road, he would contact the North Carolina Department of Transportation about the concern.

There was a consensus among Councilmembers to approve the recommendations of the Laurinburg/Scotland County Area Chamber of Commerce Transportation Committee to be sent to the Lumber River Rural Planning Organization.

## **APPOINTMENTS**

### *Laurinburg Housing Authority*

Mayor Slaughter explained that Ms. Sarah Whittaker's term on the Laurinburg Housing Authority has expired and that she has expressed her desire in continuing to serve. This appointment is a five-year term that will expire July 1, 2011.

This being a mayoral appointment, Mayor Slaughter reappointed Ms. Whittaker to the Laurinburg Housing Authority.

Council concurred with the Mayor's appointment.

### **PUBLIC COMMENT PERIOD**

There was no one present to speak during the Public Comment Period.

### **ADJOURNMENT**

Motion was made by Councilmember Deberry, seconded by Councilmember Leak, and unanimously carried to adjourn the meeting.

The meeting was adjourned at 8:28 p.m.

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Ann B. Slaughter, Mayor

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Dolores A. Hammond, MMC, City Clerk