

**CITY OF LAURINBURG  
COUNCIL MEETING  
JANUARY 19, 2010  
MUNICIPAL BUILDING  
303 WEST CHURCH ST.  
LAURINBURG, NC  
7:00 P.M.**

**Minutes**

The City Council of the City of Laurinburg held its regular monthly meeting January 19, 2010 at 7:00 p.m. in the council room of the Municipal Building with the Honorable Matthew Block, Mayor, presiding. The following Councilmembers were present: Amanda F. Doerffel, Curtis B. Leak, Thomas W. Parker, III, Herbert M. Rainer, Jr., and Kenton T. Spencer

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

Mayor Block called the meeting to order at 7:00 p.m. Councilmember Rainer gave the invocation.

**PRESENTATION OF CITIZEN POLICE ACADEMY CERTIFICATES**

Laurinburg Police Chief John Evans stated that the second class of the Citizen Police Academy has completed its training. There were eight (8) students to complete the class. Mayor Block presented certificates to the following graduates:

William A. Lammonds  
James Edward Terry  
Gary K'Hill Lesemann  
Eric Stewart Morris  
James Sonny Gibson  
Kevin Paschal Mauldin  
Dayne Gerald Barber  
Zachariah McNeill

Chief Evans also introduced Detective Marc Godwin of the Police Department who conducts and arranges the classes and promotes the academy among the public.

**CONSIDER REQUEST TO REZONE TEN ACRES (10) OF PROPERTY ALONG EMILY DRIVE FROM RESIDENTIAL-15/GENERAL BUSINESS TO RESIDENTIAL-6**

The City Manager stated this item is a request by Withers & Ravenel on behalf of Donald Ray Barringer to rezone a 10 acre tract along Emily Drive from Residential-15/General Business to Residential-6. The Laurinburg Planning Board met on Tuesday, December 15, 2009 and recommended denial of the proposed request by a 5-2 vote. He explained that this item was tabled at the December 22, 2009 meeting at the request of the petitioner; therefore, action should be taken by Council at this time if so desired.

Mr. Steve Futrell, attorney from Rockingham, North Carolina, stated that he was present on behalf of the petitioner and requested that the public hearing be set for the February 16 Council meeting.

Motion was made by Councilmember Leak, seconded by Councilmember Doerffel, and unanimously carried to set a public hearing on the proposed request to be held Tuesday, February 16, 2010 at 7:00 p.m. in the upstairs council room of the Municipal Building located at 303 West Church St., Laurinburg, North Carolina.

**CONSIDER A REQUEST FOR A CONDITIONAL USE DISTRICT FOR THE DEVELOPMENT OF TEN (10) ACRES OF PROPERTY FOR A PLANNED RESIDENTIAL COMMUNITY OF THIRTY (30) DWELLING UNITS ALONG EMILY DRIVE**

The City Manager explained that this item is a request by Withers & Ravenel on behalf of Donald Ray Barringer. He explained that this item was tabled at the December 22, 2009 meeting at the request of the petitioner; therefore, action should be taken by Council if so desired.

Mr. Bill Peele, Zoning Officer, stated that this request is also to call for and set a public hearing to consider granting a conditional use permit for a thirty (30) unit townhouse development along Emily Drive. This matter was considered by the Laurinburg Planning Board at its December 15, 2010 meeting. By a 6-1 vote, the recommendation by the Laurinburg Planning Board was to deny the request. He explained that the preceding request would determine the action on this request because the rezoning would need to be changed in order to proceed with the conditional use permit request.

Motion was made by Councilmember Doerffel, seconded by Councilmember Leak, and unanimously carried to set a public hearing on the proposed request to be held Tuesday, February 16, 2010 at 7:00 p.m. in the upstairs council room of the Municipal Building located at 303 West Church St., Laurinburg, North Carolina.

**RESOLUTION APPROVING THE SALE OF LAND IN CAROLINA PARK**

The City Manager explained that Ms. Estella Lawson would like to purchase Lots 63 (Parcel Id # 01004303063) and 65 (Parcel Id # 01004303065) located on Geneva Street in the Bellaire Subdivision.

Mr. Bill Peele, Zoning Officer, stated that this request involves the sale of property that was originally obtained through the City's Community Development Block Grant program in the mid '90's. Ms. Estella Lawson is requesting to purchase the lots. He stated that these lots have been appraised by Mr. Jim Mason and that a fair price for the properties is \$3,750.00

The Assistant City Attorney stated that the proposed Resolution should be modified to reflect that the appraised value includes both parcels.

Councilmember Parker moved for the adoption of Resolution No. R-2010-01 as amended which approves the sale of land located in Bellaire Subdivision (Lots 63(Parcel Id # 01004303063) and 65 (Parcel Id # 01004303065)) located on Geneva Street to Estella Lawson for the sum of \$3,750.00 Councilmember Doerffel seconded the motion, and it was approved by the following vote:

Ayes: Leak, Doerffel, Rainer, Spencer, Parker

Nays: None

(Resolution No. R-2010-01 on file in the City Clerk's Office)

**RESOLUTION AUTHORIZING THE ADOPTING OF THE PROGRAM INITIATION MANUEL FOR THE FY 09 COMMUNITY DEVELOPMENT BLOCK GRANT**

Mr. Bill Riemer, Community Development Director, explained that this item and the following item are required to continue the Community Development Block Grant for Scottish Glen Phase II. These apartments which are to be located at the corner of West Boulevard and Turnpike Road are being developed by the Laurinburg Housing Authority. He explained that the grant monies will be used for a sewer line, a sidewalk, storm drainage, and a turning lane. He stated that these two items are required by the State in order to proceed with the funding.

Councilmember Leak asked if there is a way to install a street light along the area.

Mr. Riemer stated that if the State would agree to give the City an easement to install a light the City would then be

responsible for the cost of the light and erecting the light.

The City Manager stated that he felt that the light would be inexpensive. He asked if Council would like for him to get a price on installing a street light.

Councilmember Parker suggested that the City Manager obtain a price for the streetlight and to bring that information to Council's retreat.

Councilmember Parker moved for the adoption of Resolution No. R-2010-02 which authorizes the adoption of the Program Initiation Manual for the FY 09 Community Development block Grant. Councilmember Leak seconded the motion, and it was approved by the following vote:

Ayes: Parker, Leak, Doerffel, Rainer, Spencer

Nays: None

(Resolution No. R-2010-02 on file in the City Clerk's Office)

### **ORDINANCE ESTABLISHING A COMMUNITY DEVELOPMENT BLOCK GRANT ACCOUNT PROGRAM PROJECT ORDINANCE**

Mr. Riemer explained that the proposed Ordinance is required by the State for the Community Development Block Grant for the development of Scottish Glen Phase II for the Laurinburg Housing Authority.

Councilmember Parker moved for the adoption of Ordinance No. O-2010-01 which establishes a Community Development Block Grant Account Program Project Ordinance in conjunction with Scottish Glen Phase II. Councilmember Rainer seconded the motion, and it was approved by the following vote:

Ayes: Rainer, Spencer, Parker, Leak, Doerffel

Nays: None

(Ordinance No. O-2010-01 on file in the City Clerk's Office)

### **RESOLUTION ESTABLISHING A CITY OF LAURINBURG YOUTH COUNCIL**

Councilmember Spencer has requested that a City of Laurinburg Youth Council be formed to consider problems affecting youth and to recommend solutions and approaches to these problems. This proposed Resolution establishes the City of Laurinburg Youth Council and sets guidelines for the Youth Council. He stated that the proposed Youth Council will engage young people to be involved in an empowered way that will include their input into the function of government.

He explained that the State of North Carolina has a Youth Council and that 38 municipalities in the state do as well.

He then explained that the proposed Youth Council will also allow partnership with the Scotland County School System through the Leadership Team at Scotland High School. Mrs. Kay Fuller and her staff at Scotland High School are requesting to be part of the Youth Council group.

Councilmember Spencer stated that students who wish to be part of the Youth Council will need to fill out a formal application.

Councilmember Spencer moved for the adoption of Resolution No. R-2010-03 which establishes a City of Laurinburg Youth Council. Councilmember Rainer seconded the motion, and it was approved by the following vote:

Ayes: Spencer, Rainer, Doerffel, Leak, Parker

Nays: None

(Resolution No. R-2010-03 on file in the City Clerk's Office)

## **FIREWORKS DISPLAY**

The City Manager stated that East Coast Pyrotechnics, Inc. (formerly Melrose Pyrotechnics) needs to schedule the date and time for the July 4<sup>th</sup> Fireworks Display. July 4<sup>th</sup> is on a Sunday this year. He then explained that Council should choose the cost of the fireworks display it desires as well as the date if it chooses not to schedule it for Sunday, July 4, 2010. Councilmember Parker stated that he felt that, because of the economic situation and the potential liability issues, he did not favor having a fireworks display event this year.

Motion was made by Councilmember Leak and seconded by Councilmember Doerffel that, contingent upon Scotland County paying one-half (1/2) of the cost, the City Manager be authorized to execute the proposed \$11,000.00 contract with East Coast Pyrotechnics, Inc. (formerly Melrose Pyrotechnics) for a fireworks display to be held on Saturday, July 3, 2010.

The motion passed with Councilmember Parker casting the only dissenting vote.

## **PRIVILEGE LICENSE – INTERNET CAFES AND PRECIOUS METALS**

The City Manager stated that the Tax Collector is recommending the creation of two (2) new privilege license categories – one for precious metals dealers and the other for internet café/cyber sweepstakes.

Ms. Janice Morrison, Tax Collector, stated that she is requesting that Council impose Privilege Licenses fees for precious metal dealers and internet café/cyber sweepstakes. She explained that the proposed ordinance amendment covers the two requested privilege license fees. She stated that Council may set a fee schedule at its discretion.

She stated that currently the privilege license fee for internet cafes/cyber sweepstakes businesses is \$25.00. The recommendation is that the privilege license fee for internet café/cyber sweepstakes be set at \$2,500.00 per establishment.

She also stated that there are currently no special fees for precious metal dealers and that the recommendation is to set the fee at \$100.00.

Ms. Morrison stated that in considering the establishment of such fees she had contacted several municipalities through the list serve and called other municipalities. She explained that \$2,500.00 was the maximum fee of which she was aware for internet café/cyber sweepstakes establishments.

Upon question by the City Manager, Ms. Morrison stated that there was no limit on how many machines a permitted establishment could have and that the privilege fee is currently \$25.00 per establishment.

The Finance Officer stated that the Police Chief had informed the Finance Department (Tax Department falls under this Department) that there was a legal limit of four machines per establishment. She also stated that she was unsure if there was a difference between the video machines and the internet café machines.

Following discussion, motion was made by Councilmember Parker, seconded by Councilmember Spencer, and unanimously carried that a thirty (30) day moratorium be set on the issuance of permits for internet café/cyber sweepstakes in order for Councilmembers to further consider the issue.

Motion was then made by Councilmember Spencer, seconded by Councilmember Parker, and unanimously carried that a thirty (30) day moratorium be set on the issuance of permits to precious metal dealers in order for Councilmembers to further consider the issue.

## **COMMENTS FROM MAYOR AND/OR COUNCILMEMBERS**

There were no comments from the Mayor or Councilmembers.

## **PUBLIC COMMENT**

Mr. Richard Boles, College Park resident, stated that he would request that Council please spend time studying the College Park (Emily Drive) request before a decision is made.

## **CLOSED SESSION**

At 7:40 p.m. motion was made by Councilmember Parker, seconded by Councilmember Leak and unanimously carried to go into closed session pursuant to G.S. 143-318.11(a)(3) to consult with attorneys employed by and/or retained by the City in order to preserve the attorney-client privilege between the attorneys and the town regarding Schoollink, Inc.

At 8:05 p.m., upon returning to the council room, motion was made by Councilmember Parker, seconded by Councilmember Rainer, and unanimously carried to adjourn the closed session and resume the open meeting.

## **RECESS**

Motion was made by Councilmember Parker, seconded by Councilmember Spencer, and unanimously carried to recess the meeting until Friday, January 22, 2010 at 3:00 p.m. to be held in the President's Dining Room at St. Andrews Presbyterian College located at 1500 Dogwood Mile.

The meeting recessed at 8:06 p.m.

---

Matthew Block, Mayor

---

Dolores A. Hammond, City Clerk