

**CITY OF LAURINBURG
COUNCIL MEETING
JANUARY 22, 2013
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 on January 22, 2013 at 7:00 p.m. in the council room of the Municipal Building with the Honorable Thomas W. Parker, III, Mayor, presiding. The following Councilmembers were present: Mary Jo Adams, Curtis B. Leak, Kenton T. Spencer, Andrew G. Williamson, Jr. and J. D. Willis.

Also present were: Harold W. Haywood, Interim City Manager; Jennifer A. Tippett, City Clerk; and William P. Floyd, Jr., Assistant City Attorney.

Mayor Parker called the meeting to order at 7:00 p.m.

The invocation was given by Councilmember Adams.

APPROVAL OF AGENDA

Mayor Parker explained that Carl Head, Auditor, would not be present and therefore the agenda needed to be amended to delete Item 5 from the agenda.

Motion was made by Councilmember Adams, seconded by Councilmember Leak, and unanimously carried for Carl Head to be present at the February Council meeting to present the audit findings.

Motion was made by Councilmember Spencer, seconded by Councilmember Adams, and unanimously carried to adopt the agenda as amended.

PUBLIC COMMENT PERIOD

Councilmember Willis thanked the Nichols family for cleaning up North Main Street from Railroad Street to Aberdeen Road.

Mayor Parker thanked City staff for cleaning up Hillside Avenue from the Fire Station to Gill Street.

INTRODUCTION OF NEW OFFICER

Officer Kris Singletary introduced new Police Officer Shane Butler.

CONSENT AGENDA

The Interim City Manager presented the Consent Agenda as follows:

- a) Consider minutes of September 18, 2012 regular meeting; September 20, 2012 Retreat
- b) Consider Ordinance No. O-2013-01 condemning the property located at 309 Douglas Street and authorizing the Building Inspector to demolish and remove the structure
- c) Authorize Mayor to execute Memorandum of Understanding between the City of Laurinburg and the Town of Maxton authorizing the City to install fiber optic cable to the Laurinburg-Maxton Airport
- d) Set public hearing to be held Tuesday, February 19, 2013 at 7:00 p.m. to consider a request for a Conditional Use Permit to operate a carnival at 900 US Hwy 401 Bypass
- e) Set public hearing to be held Tuesday, February 19, 2013 at 7:00 p.m. to consider a request to rezone from Residential-6 to Office/Institutional property located at 328 Douglas Street and adjoining lot
- f) Consider Ordinance No. O-2013-02 amending Chapter 16, Article IV Abandoned, Nuisance and Junked Motor Vehicles, Section 16-01. Definitions of the City Code of the City of Laurinburg
- g) Consider First Amendment to Fiber Optic Lease Agreement with LMK Communications, LLC and authorize the Mayor and City Clerk to execute said document
- h) Consider First Amendment to Water Tower Lease Agreement with Cellco Partnership d/b/a Verizon Wireless and authorize the Mayor to execute said document

Councilmember Willis moved to amend the Consent Agenda as presented. Councilmember Williamson seconded the motion and it was approved by the following vote:

Ayes: Willis, Williamson, Leak, Spencer, Adams

Nays: None

PUBLIC HEARINGS

CONSIDER REQUEST REZONING FROM RESIDENTIAL-20 MOBILE HOME TO INDUSTRIAL APPROXIMATELY 56.59 ACRES ON HECK NORTON RD.

Mayor Parker opened the public hearing.

Mrs. Brandi Deese, City Zoning Officer, explained that the Scotland County Economic Development Corporation has requested that approximately 56.59 acres on Heck Norton Road be rezoned from Residential-20 Mobile Home to Industrial for potential industry or other businesses that might locate on this property. She added that the surrounding properties are zoned Industrial and Residential-20 Mobile Home. Staff feels that the City's buffering requirements would not cause any adverse impact to the surrounding property. She further added that Planning Board considered this request at its December 11, 2012 meeting and voted 3-3 on the request, resulting in no recommendation from Planning Board.

Mr. Greg Icard, Scotland County Economic Development Director, explained that the rezoning request is for future development of the property.

Ms. Dannie Hill of 17540 McFarland Road appeared before Council to express her opposition to the request based on the condition of the current buffers for other commercial property in the area, the noise and odor that may be created by development.

Upon question by Councilmember Spencer, Ms. Hill stated that she would be opposed to the development of a mobile home park on the subject property.

Mrs. Deese explained that staff will investigate Ms. Hill's concern about current buffering to determine if the City can require improvements.

A brief discussion ensued concerning the zoning of property surrounding the subject property.

Mr. William Wallace of 17640 Heck Norton Road explained that he was opposed to the rezoning request because he purchased the properties of 17620, 17640 and 17660 Heck Norton Road for his grandchildren to have a safe place to play, and he felt a business would not maintain that safety. He also expressed concern about the buffering of his residence from a business.

Mayor Parker closed the public hearing.

Upon question by Councilmember Spencer, Mr. Icard explained that it would be difficult to market the property if the two (2) parcels were separated and only one (1) was rezoned to Industrial.

Upon question by Councilmember Willis, Mr. Icard explained that the purpose of the rezoning request was to promote the industrial park to bring additional industry into Scotland County and the City.

Upon question by Councilmember Williamson, Mrs. Deese explained that buffer requirements.

Mayor declared public hearing reopened.

Ms. Hill reiterated her concern that buffers around commercial property in the vicinity are insufficient. She also expressed concern about traffic issues.

Following further discussion regarding buffer requirements, Councilmember Williamson moved to approve Ordinance No. 0-2013-03 which rezones from Residential-20 Mobile Home to Industrial approximately 56.59 acres on Heck Norton Road as it is:

- Consistent with other development in the area;
- Advances the public health and safety or welfare; and
- Provides a positive impact to the public at large.

The motion was seconded by Councilmember Spencer and the vote was as follows:

Ayes: Williamson, Spencer, Willis, Leak, Adams

Nays: None

(Ordinance No. O-2013-03 on file in the City Clerk's office)

Mayor Parker explained to Ms. Hill and Mr. Wallace that since the subject property is located within the City's Extra Territorial Jurisdiction, buffers have to be approved by City staff. He added that their comments will be taken into consideration.

DELEGATIONS

OAKLEY-COLLIER ARCHITECTS-SPACE NEEDS ANALYSIS

Ms. Ann Collier of Oakley-Collier Architects explained that her firm had been hired to conduct a Space Needs Analysis to determine current and future space needs. She described the process utilized in performing the study and explained that based on current needs, the City has a shortfall of 9,000 square feet. She then presented Council the following two (2) options for consideration:

OPTION ONE

- Renovate City Hall and build a completely new Police Department behind the current City Hall building towards McLean Street. Move all departments from the Barrett Building to City Hall upon completion of the new Police Department building. Estimated cost of \$5,372,600.00 which includes construction of the new Police Department building, renovations to City Hall and other soft costs such as furniture, fixtures, permitting, testing, etc.
- Pros of this option include: improved building safety, bringing Barrett Building and City Hall staff together; public meeting space is on ground floor
- Cons of this option include: temporary facility cost; limited parking expansion; higher operating costs due to age of City hall infrastructure; inefficient layout because of load-bearing walls; public perception; removal of existing park; funding

OPTION 2

- Build one new facility. Separate entrance for Police Department for security reasons. Main entrance off Church Street with Police entrance from McLean Street. Create more parking spaces than currently exists. New construction is easier than renovation and there is less inefficient space. Estimated cost of \$5,264,600 including construction and other soft costs such as furniture, fixtures, permitting, testing, etc.
- Pros of this option include: Security; no disruption of staff because they will remain in current buildings until new facility is completed; shared amenities; identifiable front door; new infrastructure to meet technology needs; healthy working environment
- Cons of this option include: public perception; removal of existing park; funding source(s)

Upon question by Councilmember Spencer, Ms. Collier explained that the both options include designing to current code standards to reduce the City's energy footprint.

Upon question by Councilmember Leak, Ms. Collier explained that the old Winn Dixie site was not considered as an option by her company.

Mr. Oakley added that the study did not look at buildings that the City did not currently own.

Further discussion ensued concerning considering the Winn Dixie site.

Upon question by Councilmember Williamson, Ms. Collier explained that the primary source for municipalities to construct new facilities is through US Department of Agriculture (USDA) which offers small grants and low interest loan packages.

Mayor Parker thanked Ms. Collier and Mr. Oakley for the information.

CITY MANAGER REPORT

SEWER ISSUE – HOLLY LANE

The Interim City Manager explained that at the January 15th agenda workshop, Council instructed staff to research options for assisting Mr. Ladson with his septic tank issue. Mr. Ladson's property is located below the City's sewer line and Mr. Ladson cannot tie into the City's sewer system and utilizes a septic tank. The septic tank is old and has to be pumped frequently with the frequency increasing. Mr. Ladson was advised by Mr. Brian Lowry of the Scotland County Health Department to install a new septic tank in his rear yard. Mr. Ladson received estimates of installing a new septic tank ranging from \$1,275 to \$1,400.

The Interim City Manager explained that staff recommended consideration of installation of a pump to allow Mr. Ladson to tie into the City sewer line as a better long-term solution. The cost to purchase a pump and other materials necessary is estimated to be \$537.79. Labor for installation would be additional and Mr. Ladson would need to hire a plumber to install the pump since the City cannot work on private property. He added that if a customer is tied into City sewer, they must also tie into City water. The tap fees are as follows:

Water tap:	\$ 650
Sewer tap:	<u>\$ 900</u>
Total	\$1,550

The Interim City Manager explained that the base sewer charge per month is \$8.65 and the base water charge is \$9.76 per month. A typical household is charged for up to 4,000 gallons per month. At 4,000 gallons per month, the monthly sewer charge would be \$10.36 and the monthly water charge would be \$13.15, for a total of \$23.51. Over a 12 month period, this would total \$282.12, so in less than 2 years the City would recoup its expense of purchasing the pump and necessary materials. Therefore, staff recommends authorization to expend up to \$550.00 to

purchase the pump and necessary materials to allow Mr. Ladson to tie into the City water and sewer system. Mr. Ladson would pay for installation, tap fees and thereafter, the monthly water and sewer charges based upon usage.

Following discussion, motion was made by Councilmember Spencer, seconded by Councilmember Adams and unanimously carried to authorize the expenditure of up to \$550.00 to enable Mr. Ladson to tie into the City sewer, and to work with Mr. Ladson regarding this matter.

APPOINTMENT

BEAUTIFICATION COMMITTEE

Mayor Parker explained that Mr. Ron Riggins no longer wishes to represent the Tourism Development Authority (TDA) on the Beautification Committee. The TDA Board has recommended Cory Hughes be appointed to the Beautification Committee to fill the unexpired term of Ron Riggins, which term expires May, 2013.

Motion was made by Councilmember Williamson, seconded by Councilmember Willis, and unanimously carried to appoint Cory Hughes to the Beautification Committee to fill the unexpired term of Ron Riggins, which term expires May, 2013.

COMMENTS FROM MAYOR AND/OR COUNCILMEMBERS

Councilmember Willis requested that Council consider paying off some of its current debt financing due to the size of the Fund Balance. He requested that the Finance Director provide Council with recommendations.

Mayor Parker requested that the Interim City Manager and Finance Director have information for Council to consider at the February agenda meeting to review debt options.

CLOSED SESSION

At 8:22 p.m. Councilmember Spencer moved to go into closed session pursuant to North Carolina General Statutes 143-318.11(a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the City, and pursuant to North Carolina General Statute 143-318.11(a)(4), to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations. The motion was seconded by Councilmember Williamson, and unanimously carried.

At 9:51 p.m., motion was made by Councilmember Willis, seconded by Councilmember Adams, and unanimously carried to adjourn the closed session and resume the open meeting.

CONSIDER APPROVING BID TO CAROLINA METER & SUPPLIES FOR WATER METER INSTALLATION, TESTING AND READING EQUIPMENT SUPPLIES

Motion was made by Councilmember Spencer, seconded by Councilmember Willis, and unanimously carried to authorize the appropriate City officials to execute a proposal and amendment from McGavran Engineers to approve bid to Carolina Meter & Supplies for large water meter installation, testing and reading equipment supplies and to authorize the appropriate City officials to execute a proposal to approve bid to Shealy Electric Wholesales, Inc. to purchase electric demand meters for a total not to exceed \$143,200.00.

A brief discussion ensued concerning meter reading devices. Council directed staff to work with McGavran Engineers to develop a contingency plan regarding meter reading devices.

RECESS

Motion was made by Councilmember Williamson, seconded by Councilmember Willis, and unanimously carried to adjourn the meeting to Monday, January 28, 2013 at 6:00 p.m. in the Council chambers of the Municipal Building.

The meeting recessed at 10:00 p.m.

Thomas W. Parker III, Mayor

Jennifer A. Tippet, City Clerk