

**CITY OF LAURINBURG
COUNCIL MEETING
MAY 21, 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 May, 2013 at 7:00 p.m. in the Council Chambers 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. Tippet, City Clerk; and William P. Floyd, Jr., City Attorney.

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

The invocation was given by Councilmember Willis.

APPROVAL OF AGENDA

Mayor Parker explained that the agenda needed to be amended to add a closed session prior to the City Manager Reports.

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

COMMENT PERIOD

Mr. Darrell "B.J." Gibson, of 413 Avery Street, explained that he represented the Scotland County Civic League. He explained that the purpose of the group is to work with elected officials to make Laurinburg a great place to live. He discussed an incident involving a request for information from one of the League's members regarding the Police Chief hiring process, and the lack of follow-up from City staff. He then requested that Council allow the Interim City Manager to carry out his responsibilities and select the new Police Chief because of the need for stability in the Police Department.

Ms. Annie Steele appeared expressed concern about the requirement for utility deposit and a refund of a prior utility deposit. She added that this matter had been lingering since February and she felt that she was receiving conflicting information from City staff.

Mrs. Carpenter explained that City staff had met with Ms. Steele numerous times and had attempted to explain the utility deposit requirement and how a deposit from another location where Ms. Steele had resided had been applied to the final bill for that location. She also explained that the \$15.00 transfer fee was for City staff to go out and read the electric meter and transfer the account from the current account holder to Ms. Steele.

Following further discussion, Mayor Parker urged Ms. Steele to bring someone with her and meet with the Interim City Manager to discuss this matter.

Mayor Parker then explained to Mr. Gibson that City staff did respond to the Scotland County Civic League's request for information; however, the information was never picked up from the City.

OATH OF OFFICE FOR NEW FIREFIGHTER

Mayor Parker, assisted by Fire Chief Randy Gibson, administered the Oaths of Office to Firefighters Bruce Simms and Brent Webb.

CONSENT AGENDA

The Interim City Manager presented the Consent Agenda as follows:

- a) Approve minutes of January 15, 2013 agenda meeting; January 17, recessed meeting; January 22, 2013 regular meeting; January 28, 2013 reconvened meeting; February 12, 2013 agenda workshop; February 19, 2013 regular meeting; March 6, 2013 reconvened meeting; and March 7 reconvened/joint meeting
- b) Set public hearing to be held June 18, 2013 at 7:00 p.m. in the council room of the Municipal Building located at 303 W. Church St. on the proposed 2013-2014 Fiscal Year Budget
- c) Consider Ordinance No. O-2013-09 amending Chapter 40 Utilities Article 1, Section 40-1 Definitions; Article III, Section 40-127 Discontinuance of service when bill not paid by due date; and Article V, Section 40-380 Discontinuance of service
- d) Consider Ordinance No. O-2013-10 rescinding Ordinance No. O-2012-40 authorizing loan to Laurinburg-Maxton Airport Commission in the amount of \$200,000
- e) Consider Ordinance No. O-2013-11 condemning the property located at 409 Fourth Street and authorizing the City Building Inspector to demolish and remove the structure
- f) Consider Resolution No. R-2013-08 authorizing the sale of PIN Lot ID 0105801184 on Lincoln Street to Ms. Doris McLaughlin for the appraised value of \$1,750.00
- g) Consider Resolution No. R-2103-09 which provides a qualified governmental defined contribution plan for employees and authorizes the Mayor and City Clerk to execute agreement with The Prudential Insurance Company of America (no cost to the City)

Councilmember Leak moved to approve the Consent Agenda as presented. Councilmember Spencer seconded the motion and it was approved by the following vote:

Ayes: Leak, Spencer, Adams, Williamson, Willis

Nays: None

PUBLIC HEARING

CONSIDER ELECTRIC RATE STRUCTURE CHANGES

Mr. Bruce Fowler of McGavran & Associates presented a PowerPoint regarding the proposed Electric Rate Structure Changes with highlights as follows:

- McGavran & Associates was engaged by the City to conduct an Electric Rate Study as the last Electric Rate Study was conducted in 1992.
- The City has not raised electric rates since 2009.
- The proposed changes will reduce the average electric bill by \$32.00 annually for each residential customer.

- The proposed changes will reduce the average electric bill for commercial, church and school demand users by \$675.00 per year.
- The total effect of these rate changes is a reduction in revenue of approximately \$99,000.00 per year, approximately 0.6% of the City's annual electric revenue.
- The primary reason for the rate structure changes is because of the anticipated annual rate increases from the North Carolina Eastern Municipal Power Agency (NCEMPA) of 3.5% beginning in 2013 through 2020.

Mayor Parker opened the public hearing.

There being no one present to speak for or against the proposed electric rate structure changes, Mayor Parker closed the public hearing.

Upon questions by Councilmember Leak, Mr. Fowler explained that if the proposed electric rate structure changes are adopted, then the City will need to increase its electric rates by 3.3% per year. He also explained that if the peak demand is lowered, then the City would experience a lower cost of power since off-peak power costs less than peak power.

Following further discussion, Councilmember Williamson moved to approve Ordinance No. O-2013-12 and Ordinance No. O-2013-13 which amend the City of Laurinburg Electric Rate Structure and Service Regulations. Councilmember Spencer seconded the motion and it was approved by the following vote:

Ayes: Williamson, Spencer, Willis, Adams, Leak

Nays: None

(Ordinance Nos. O-2013-12 and O-2013-13 on file in City Clerk's office)

DELEGATIONS

SCOTLAND COUNTY HUMANE SOCIETY

Mr. Phillip Laurent, Scotland County Humane Society Board Chair, presented the Humane Society's funding request of \$90,000.00 for FY 2013-2014. He discussed the care animals receive in the shelter including vaccinations and the Spay/Neuter Program.

Upon questions by Councilmember Leak, Mr. Laurent stated that the County budgeted \$100,000.00 and Wagram and Gibson had no funding in their budgets for the Humane Society.

Upon question by Councilmember Leak, Mr. Laurent explained that the Board hired an employee to conduct marketing and fund-raising, and part of that individual's responsibilities is to raise their own salary, salary for one (1) animal worker and for educational programs. Mr. Laurent added that the Humane Society would be focusing more on assessment of animals for adoption and education of pet ownership responsibility.

Upon question by Councilmember Willis, Mr. Laurent explained that the facility is aging and the dog pens are subject to caustic cleaning materials which result in degradation of the concrete and fencing; therefore the building repair and maintenance costs are increasing.

Mayor Parker thanked Mr. Laurent for the information and said that the request would be considered during budget discussions.

LAURINBURG-DOWNTOWN REVITALIZATION CORPORATION

Mr. Jim Willis, Chairman of the Laurinburg-Downtown Revitalization Corporation (LDRC), appeared before Council and provided an update on LDRC's activities including the following:

- Clean up and renovations downtown
- Shared the cost of an environmental study on the Exxon station on the corner of Church and South Main Streets
- Work with the School Board to make improvements to the fountain at the A.B. Gibson Center and to save the Davey Poplar tree
- Possible location of a sports museum downtown

Discussion ensued concerning the adoption of a color pallet.

Upon question by Councilmember Spencer, Mr. Willis explained that the renovations are being completed in Phases and at some point every property in the Central Business District will be affected.

Mayor Parker thanked Mr. Willis for his efforts.

LAURINBURG-MAXTON AIRPORT COMMISSION

Mrs. JoAnn Gentry, Executive Director of the Laurinburg-Maxton Airport Commission (LMAC), explained that the LMAC Budget for 2013-2014 was approved by the Board on April 26, 2013. She added that it included a 1.5% cost of living adjustment for employees and an increase of 5% for water and sewer rates. She then presented an update on activities at LMAC for the prior year.

Upon questions by Councilmember Willis, Mrs. Gentry explained that line item for Inspections and Testing had been reduced because some tests were being eliminated. She added that the Equipment Leases line item was increasing because a pickup truck and riding lawn mower were being replaced.

Upon question by Councilmember Adams, Mrs. Gentry explained that the LMAC Board has to approve its budget in April in order to present to the City and to the Town of Maxton in May; therefore, the cost of living adjustments were approved prior to the budget being set by the City and the Town of Maxton.

Motion was made by Councilmember Leak, seconded by Councilmember Williamson, and unanimously carried to accept the 2013-2014 Proposed Budget of the Laurinburg-Maxton Airport Commission.

LAURINBURG/SCOTLAND COUNTY AREA CHAMBER OF COMMERCE

Ms. Tonia Stephenson, President of the Laurinburg/Scotland County Area Chamber of Commerce appeared before Council and explained that the Chamber is the voice of the business community. She then discussed the services and programs offered by the Chamber to improve the community, including the following:

- Member Ribbon Cuttings and After Hours events to showcase members
- Active Green Committee
- Quality of life events such as Laurinburg After Five, the Annual Oyster Roast and the Christmas Parade
- Shop Local Campaign
- Leadership and Jr. Leadership Scotland

- Workforce Development Grant
- Prison Reentry Council
- Young Entrepreneurs Academy (YEA)
- Committee of 100

She then introduced Emily Shepherd, a participant in the YEA Program.

Ms. Shepherd explained that the YEA Program was one of the most enjoyable experiences during high school as it allowed her to meet people that she might not have met and to also become more involved in the community.

Mrs. Stephenson explained that the Chamber was requesting the same funding as last year, \$12,500.00 as well as \$1,500.00 scholarship for the YEA Program.

Upon question by Councilmember Williamson, Mrs. Stephenson explained that the Committee of 100 would be unveiled when Commerce Secretary Decker visits Laurinburg.

Mayor Parker presented Ms. Shepherd and Mrs. Stephenson with City pins.

CLOSED SESSION

At 8:26 p.m. Councilmember Spencer moved to go into closed session pursuant to North Carolina General Statute 143-318.11(a)(3) for the purpose of consulting with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the City and the attorney and pursuant to North Carolina General Statute 143-318.11(a) (6) for the purpose of considering the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee. The motion was seconded by Councilmember Adams and carried unanimously.

At 9:45 p.m. motion was made by Councilmember Willis, seconded by Councilmember Williamson, and unanimously carried to adjourn the closed session and resume the open meeting.

CITY MANAGER REPORTS

The Interim City Manager explained that the Resolution No. R-2013-10 which provides Findings of Fact from the public hearing held on April 16, 2013 to consider request for a Conditional Use Permit to operate a Photovoltaic Solar Array on a portion of a 181-acre tract on US Hwy 501/Johns Road.

The City Attorney explained that he had reviewed all of the information from the quasi-judicial hearing held on April 16, 2013 and produced the Findings of Fact and conclusions for Council to consider. He added that after the public hearing was concluded, motion was made by Councilmember Spencer to deny the request for two (2) reasons: 1) the proposed use would materially damage the property values of surrounding property; and 2) the proposed solar farm would not be in harmony with the area in which it was to be located. He further added that the proposed Resolution/Findings of Fact would satisfy the City's obligations to file a written Finding of Fact.

Upon question by Councilmember Leak, the City Attorney clarified that the solar arrays would be approximately 10 feet high, based upon information submitted by Strata Solar and from the Planning Board minutes.

Councilmember Spencer moved to approve Resolution No. R-2013-10 which accepts the Findings of Fact for the public hearing held on April 16, 2013 to consider a request for a Conditional Use Permit to operate a Photovoltaic Solar Array on a portion of a 181-acre tract on US Hwy 401/Johns Road. The motion was seconded by Councilmember Williamson, and the vote was as follows:

Ayes: Spencer, Williamson, Willis, Adams,

Nays: Leak

(Resolution No. R-2013-10 on file in the City Clerk's office)

COMMENT BY COUNCIL

Upon question by Councilmember Willis, discussion ensued regarding continuance of budget discussions.

It was consensus of Council to continue budget discussions until May 28, 2013.

Councilmember Willis requested that Council be provided with total overtime broken down by department and for staff to reinvestigate upgrading technology in the Council Chambers.

Councilmember Spencer requested that at least 30 minutes be set aside for Council to talk about how the budget integrates into a strategic plan for the next 3-5 years for the City.

Councilmember Adams requested the dollar amount spent by the City on the 401k benefit and how much employees contributed.

Councilmember Williamson explained that he would like information on how the different capital projects being undertaken or to be undertaken will impact the City in the upcoming year as well as future years.

Upon question by the City Manager, Mayor Parker explained that Department Heads were welcome to be at the meeting at 6:00 p.m. but did not have to be present until 7:00 p.m.

RECESS

Motion was made by Councilmember Willis, seconded by Councilmember Spencer, and unanimously carried to recess the meeting to Tuesday, May 28, 2013 at 6:00 p.m. in the Council Chambers of the Municipal Building.

The meeting recessed at 10:01 p.m.

Thomas W. Parker III, Mayor

Jennifer A. Tippett, City Clerk