

**CITY OF LAURINBURG
RECONVENED CITY COUNCIL MEETING/RETREAT
SEPTEMBER 23, 2013
MUNICIPAL BUILDING
303 WEST CHURCH ST.
4:00 p.m.**

The City Council of the City of Laurinburg reconvened its September 17, 2013 meeting on September 23, 2013 at 4:00 p.m. in the Council Chambers of the Municipal Building with the Honorable Thomas W. Parker, III, presiding. The following Councilmembers were present: Mary Jo Adams, Curtis B. Leak, Andrew G. Williamson, Jr. and J. D. Willis.

Also present were Charles D. Nichols III, City Manager; Jennifer A. Tippet, City Clerk; Cindy Carpenter, Finance Director; Harold W. Haywood, General Services Director; Stacey McQuage, Public Utilities Director; Robert Ellis, Water/Wastewater Treatment Director; Brandi Deese, Planning & Community Development Director; Randy Gibson, Fire Chief; Darwin Williams, Police Chief; Amy Martin, Human Resources Director; Robert Smith, Electric Services Director; Tim Pierce, GIS Administrator; and Mac McInnis, Planning/Code Enforcement Officer.

Mayor Parker reconvened the September 17, 2013 meeting on September 23, 2013 at 4:02 p.m. The Invocation was given by Councilmember Willis.

APPROVAL OF AGENDA

Mayor Parker suggested that the agenda be amended to move the Update on Fire Tower before Council Decorum.

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

DIVERSITY DISCUSSION

Mayor Parker explained that he had requested Mrs. Martin report on diversity hiring in the City. He added that she was leaving the City for a much larger municipality. He thanked Mrs. Martin for her contributions to the City.

Mrs. Martin presented a PowerPoint presentation, a copy of which is attached to and incorporated into these minutes, concerning diversity among City employees:

- Council expressed to her need to focus on diversity hiring in the City and she feels that this goal has been accomplished.
- There is a plan in place to continue to improve diversity recruitment and the Human Resources Administrative Assistant has been trained.
- Hiring and promoting of African-Americans: In 2011, 10% of hires or promotions were African-American; in 2012 15% of hires and promotions were African-American; and to date in 2013, 25% have been African-American. The goal for Human Resources this year is 35% of hires and promotions to be African-American.
- Hiring and promoting of American Indians: In 2011, 0% of hires or promotions were American Indian; in 2012, 15% of hires or promotions were American Indian; and to date in 2013, 16% have been American Indian.

- Most impressive accomplishment is that the City is focusing on all diversity and not targeted diversity. In 2011, 90% of hires and promotions were Caucasian. Today, that percentage is closer to 50%.
- Another diversity focus is on females. In 2011, 10% of hires or promotions were female; in 2012 23% of hires or promotions were female; and in 2013 14% of hires or promotions were female. Since females are 50% of the population, a good goal for improvement is 14% of hires to be female.
- The Police Department was one of the main focus areas. In 2011 and 2012 almost 100% of the City's Police Officer hires were Caucasian. To date in 2013, that has improved as shown on the PowerPoint presentation attached.

Upon question by Councilmember Leak, Mrs. Martin explained that approximately 52% of the City's population is African-American and the City's employees do not match the diversity with regard to African-Americans, American Indians and females, and the City is under-represented in all three (3) groups.

Councilmember Leak expressed concern about the lack of African-American diversity in the W. Charles Barrett Administrative Building.

Mayor Parker thanked Mrs. Martin and stated that the diversification accomplished thus far was a good start.

Upon question by Councilmember Williamson, Mrs. Martin stated that her last day at the City of Laurinburg was October 16, 2013. She added that she will be working some days of that week.

Councilmember Williamson thanked Mrs. Martin for her work and stated that her expertise had helped a great deal.

CODE ENFORCEMENT ISSUE

Mayor Parker explained that he did not quite agree with Mrs. Deese's report on this code enforcement issue regarding manufactured homes and a travel trailer which had existed since 2006 on McColl Road behind Countryside Diner. He explained that he personally made a decision, or helped make a decision, that he thought would move the City forward and be fair to a citizen. He added that he was willing to do whatever Council wished. He explained that his recommendation was to stick with the agreement made with the citizen, but that decision rests with Council. He further added that if Council wanted this issue on the October 22, 2013 agenda, then that was fine with him.

A lengthy discussion ensued concerning the need for the City's Unified Development Ordinance (UDO) to be adhered to and if any compromise was to be made, it should be a Council decision or the UDO should be changed.

Mrs. Deese provided a brief history of the code enforcement issue. She explained that when this property was annexed into the City in 1994, the existing non-conforming use was grandfathered. However, because the electricity was discontinued for over 180 days, the use of this property for manufactured homes lost its grandfathered status.

Motion was made by Councilmember Willis as follows:

- 1) Council honor the agreement made by the Mayor, the City's Zoning Department and Ms. Myrtle Bostick regarding the code enforcement issue on McColl Road behind Countryside Diner; and

- 2) In the future, no individual (Mayor or Councilmember) intervene in a code enforcement issue, instead it should be a Council decision; and
- 3) This matter not be included on the October 22, 2013 agenda.

Upon question by Councilmember Williamson, Mrs. Deese explained that if Ms. Bostick did not honor the agreement, staff would issue another zoning violation, and if the violation did not cease, the City would proceed with condemnation procedures on the manufactured home and the travel trailer.

Upon question by Councilmember Willis, Mrs. Deese explained that she and Mr. McInnis had spent over a year on this one (1) particular violation and staff wanted Council to vote on how to resolve this issue so they could move on to other issues.

Upon question by Councilmember Adams, Mrs. Deese clarified that Ms. Bostick did not accept the agreement offered by the City.

The City Manager added that Ms. Bostick wants all of the manufactured homes and the travel trailer to remain on her property.

Upon question by Councilmember Adams, Mr. McInnis explained that one (1) manufactured home had been removed.

Mrs. Deese explained that the electricity cannot be turned on at the manufactured homes; however, it is difficult for the City to enforce because Progress Energy provides power to this location. She added that the electric meters have been removed so that in order to reconnect power, the County would have to inspect any newly installed meters. She further added that staff has communicated with Scotland County Building Inspections regarding this matter so that electricity is not provided until the property complies with the UDO.

Upon question by Councilmember Williamson, Mrs. Deese explained that Ms. Bostick could apply for a variance through the Board of Adjustment; however, since that is a quasi-judicial hearing, Ms. Bostick would be wasting her time and filing fee of \$125.00.

Councilmember Williamson explained that he knew that the Mayor meant well in working out the agreement, and he then seconded Councilmember Willis' motion. Further discussion ensued concerning this issue including where Ms. Bostick lived, unpaid taxes and tax foreclosure procedures.

At this point, Mayor Parker called for a vote on Councilmember Willis' motion, duly seconded by Councilmember Willis, to wit:

- 1) Council honor the agreement made by the Mayor, the City's Zoning Department and Ms. Myrtle Bostick regarding the code enforcement issue on McColl Road behind Countryside Diner; and
- 2) In the future, no individual (Mayor or Councilmember) intervene in a code enforcement issue, instead it should be a Council decision; and
- 3) This matter not be included on the October 22, 2013 agenda.

The motion carried unanimously.

Mayor Parker apologized for making this decision and putting Council and staff in an awkward position.

MCGIRTS BRIDGE ROAD AREA

Councilmember Leak explained that he had been approached by citizens along McGirts Bridge Road about the possibility of developing a partnership between the citizens and the City in order to clean up the neighborhood; however the citizens were concerned about trespassing on others' property. He further explained that the citizens do not mind picking up trash or trimming trees and shrubbery, but they would like for the City to partner with them and send notices to property owners explaining that the area will be cleaned up.

Following a brief discussion, Mayor Parker directed the City Manager, Police Chief Williams, Mrs. Deese and Mr. McInnis to work out a solution with citizens along McGirts Bridge Road to clean up the area.

Councilmember Leak stated that he would provide the City Manager with a contact person in the neighborhood.

LOT CUTTING FEES

Upon question by Councilmember Adams, Mrs. Carpenter explained that when the Lot Cutting Fees were established, Council was informed that the ordinance and collection of fines would be difficult to enforce. She explained the difficulty in collecting the fees and possible collection methods if the City has adequate information such as the individual's Social Security Number or the individual's bank account information.

Discussion ensued concerning the fine amount, payment/non-payment and the benefit to the community including health and safety issues. Mrs. Deese explained that research showed that although some property owners will not pay, the higher fine will scare some property owners that they will mow their property to avoid the fine.

Mr. McQuage explained that there are some property owners that the City is aware that they will not pay the fine and other property owners that once they are fined by the City, they will take care of their property after one (1) fine. He added that he felt it better to have a penalty in the fine greater than just covering the City's expenses.

Mayor Parker requested that the City Manager consider this matter and report to Council on a final solution to this matter.

UPDATE ON FIRE TOWER

The City Manager explained that he met with Mr. Skipper of the Scotland County Firefighters Association regarding the fire tower. He added that Mr. Skipper and the Association want a training facility at some location. He further explained that the current structure is located in the AE flood plain, and in order to construct a fire tower at the current location, an engineer would have to set the base flood level and the structure would have to be built two (2) feet above the base flood level. He stated that staff was looking for Council's direction on whether to look at building the fire tower at a different location or tear down the current fire tower and properly rebuild at same location.

Upon question by Councilmember Willis, the City Manager explained that the existing fire tower must be disassembled. He added that he and Fire Chief Randy Gibson looked at the City's property at Public Works and there is a suitable site not in a flood zone and near a fire hydrant. He further added that the fire tower would be built in a manner to honor Matt Ellis.

Following a lengthy discussion, motion was made by Councilmember Willis, seconded by Councilmember Williamson, and unanimously carried for the Fire Chief, the City Manager and a representative from the Scotland County Firefighters Association develop a plan to include location and estimated costs for constructing a fire tower built to NC Building Code standards.

COUNCIL DECORUM

Mayor Parker explained that there have been times when the Council's behavior has been less than desirable. He added that Council needs to be more respectful of each other and how it conducts the public's business.

UPDATE ON GANG UNIT AND OTHER POLICE DEPARTMENT ACTIVITIES

Chief Darwin Williams provided the following information concerning Police Department activities:

- The Gang Unit will have four (4) members and they all should be in place by October 11, 2013.
- The Detectives Division will have an identified liaison for families of homicide victims and will meet with the families once a month.
- He received a call from TNT Network regarding the possibility of its show "Cold Cases" coming to Laurinburg to assist in solving unsolved murders.
- There has been a lot of turnover in the Detective Division. He has worked closely with Mrs. Martin to fill positions.
- Cliff Sessoms was named Assistant Police Chief and Terry Chavis is the Captain.
- One critical personnel issue coming up in December is the retirement of the CSI. That position has been filled in-house with Lt. Rodney Strickland.

Upon question by Councilmember Adams, Chief Williams explained that with the new Gang Unit he hopes to provide education; however he cautioned that gangs are constantly changing and it is difficult to keep track of their colors and patterns. He added that the Gang Unit's main mission will be to turn young people's lives around.

Mrs. Martin added that programs have been put in place to identify talent 5-10 years down the road as well as providing measurable deliverables on reducing crime, particularly gang-involved crime.

Councilmember Willis stated that the City needs to go with a standard color for its Police vehicles.

Chief Williams stated that he was working on that issue and a design for the vehicles.

Mayor Parker commended the Police Department and other City staff on the rousing success of the National Night Out.

UPDATE ON HR DIRECTOR HIRING SCHEDULE

The City Manager explained that the City hated to lose Mrs. Martin but also wished her luck and that she will work with the City through the process of hiring her replacement. He added that she had developed detailed plans for the Youth Council, and this item and development of employee evaluations will be heavily hit upon during the hiring process.

Mrs. Martin explained that she posted the HR/Risk Management Director position on September 16, 2013 and the position closes on September 25, 2013. She will conduct pre-screening, conduct telephone

screens on September 26, 2013, with an assessment center by Department Heads on October 2, 2013. She added that there would be one (1) final interview with the City Manager on October 8, 2013. She further added that she expects the offer to be made on October 10, 2013, with an anticipated start date of October 20, 2013.

Upon question by Councilmember Leak, Mrs. Martin explained that one of the questions on the application is whether the applicant is willing to relocate.

Upon question by Councilmember Leak, Mrs. Martin stated that there was no advisor at the high school for the Youth Council as this would be the first step.

The City Manager requested guidance from Council whether to include the Young Entrepreneur's Academy in the Youth Council line item.

Upon question by Councilmember Adams, Mrs. Martin explained that she had looked at successful Youth Councils throughout the State and the proposed plan makes suggestions on making it more successful.

Councilmember Willis requested updates on the OSHA Inspections and other items that Mrs. Martin was researching.

Mrs. Martin explained that the inspections are being turned in and corrective action is being taken.

RECESS

At 5:29 p.m. Mayor Parker called for a short break.

The meeting reconvened at 5:39 p.m.

WATER AND WASTEWATER EASEMENTS

The City Manager explained that the he needed direction from Council regarding process for obtaining water and sewer easements for the FCC Project. He added that he discussed this issue with Chuck Willis of Willis Engineering, and Mrs. Willis suggested that appraisals be obtained first. He added that either City staff or the engineer could negotiate with the property owners. He further added that Mr. Willis advised that with the number of easements that would need to be obtained would be a fairly time-consuming process.

Mr. Robert Ellis explained that his only experience with obtaining easements was in 1995 when the City installed six (6) wells. The engineering company obtained easements unless there was a "difficult" person, and then staff had to negotiate with that individual. He added that in the past easements have been obtained by Community Development.

Upon question by Mayor Parker, Mr. Ellis stated that he did not see why he, the City Manager and the Community Development Director could not obtain the necessary easements after obtaining an appraisal from the appraiser.

Discussion ensued concerning the locations of the water wells. The City Manager explained that letters had been sent to property owners identified by Municipal Engineering for well site locations to determine if any of the property owners would give the City permission to drill test wells, and if the results were favorable, negotiate with the City for the well site.

Councilmember Leak expressed concern that there was no staff person identified as the liaison on this project.

Mayor Parker explained that the City Manager would be held accountable and he would delegate to his staff.

Following further discussion, motion was made by Councilmember Willis, seconded by Councilmember Williamson, and unanimously carried to authorize the City Manager with staff to move forward with obtaining appraisals of the needed easements and negotiate with the property owners at or below appraised value to obtain the necessary easements.

Mr. Ellis explained that the costs of easements were not included in the financing package and that Council needed to be aware that the easements would be out-of-pocket expenses.

A discussion ensued concerning the difficulty in obtaining information from Municipal Engineering on the water well locations and the hidden costs that keep arising with this project.

Mayor Parker requested that a matrix of this project be developed listing all of the phases and steps of this project with associated costs.

LIST OF OTHER POSSIBLE TOPICS

CURB AND GUTTER REQUIREMENTS

Mrs. Deese explained that she and Mr. McQuage had discussed the possibility of modifying the Unified Development Ordinance (UDO) to require that curb and gutter be installed on a case by case basis dependent upon the lay of the land and necessity. She said that other municipalities have researched curb and gutter requirements to become more developer-friendly.

Mr. McQuage explained that new subdivisions should be designed with curb and gutter and storm drainage; however, if there is development in an existing subdivision that does not have curb and gutter, it does not look good to have curb and gutter.

Discussion ensued concerning the Huntington Park subdivision that does not have curb and gutter and that any new development within the subdivision would be required to have curb and gutter.

Upon question by Councilmember Willis, Mrs. Deese explained that some municipalities have similar type ordinances and the burden for storm drainage requirements would be placed on the engineer who designs the subdivision. She added that the State has passed down some Phase II Storm Drainage Requirements that may need to be enforced in the future, and curbing would make enforcing the storm drainage requirements difficult.

Councilmember Leak explained that curb and gutter helps protect roads and there are other community benefits including harmony and maintenance. He added that the purpose of curb and gutter is to control water run-off.

Councilmember Adams explained that she receives complaints from citizens who live in an area and express concern about the drainage and the damage to the roads.

Councilmember Williamson explained that he liked having curb and gutter, particularly for its aesthetic benefits. He added that if all around a development there is no curb and gutter, it did not make much sense to require curb and gutter.

Mr. Pierce explained that curb and gutter was beneficial because large trucks such as the City's damage the edges of roads. He added that an asphalt curb and gutter has been developed and it was being used some in Rockingham and Hamlet.

Councilmember Williamson explained that if someone is living in the City limits, curb and gutter is to be expected.

Discussion ensued concerning the lack of modern housing inventory in the City and the relationship with curb and gutter requirements.

Mrs. Deese requested direction from Council concerning this matter since it has been a topic for some time.

It was consensus of Council to maintain the current curb and gutter requirements.

RECESS

At 6:12 p.m. Mayor Parker called for a brief recess for dinner.

The meeting reconvened at 6:23 p.m.

LIST OF STREETS AND OTHER LOW LYING STREETS THAT ARE PRONE TO FLOODING

Mr. McQuage explained that the following streets/areas flood only after heavy rain:

- Hillside Avenue
- King Street
- College Park
- Plaza Road and Plaza Terrace Apartments
- Franklin Avenue
- Bundy Lane
- Heather Lane

He added that his crews try to run the jet-rodder when storms are approaching to prevent flooding. He further added that during leaf season, his crews leave notes on doors of houses that have leaves piled in the gutter and blocking catch basins requesting residents to keep curbs clear of leaves to prevent flooding.

Upon question by Mayor Parker, Mr. McQuage explained that Beta Street does not flood. He added that the water does not stand in the ditch.

A discussion ensued concerning unpaved streets and the possibility of grading the streets so that there is a crown in the middle of the street.

A discussion ensued concerning the adequacy of drainage ditches including the ditch beside Hillside Memorial Park.

Upon question by Councilmember Leak, Mr. McQuage explained that recently a waterline cracked on Caledonia Road, and crews installed a stainless steel clamp to repair the crack.

RECOGNITION

Mayor Parker explained that Mr. Johnny Woodard, reporter with The Laurinburg Exchange, was moving to Hilton Head. He wished Mr. Woodard well and thanked him for working with the City on informing the public. Mayor Parker also thanked Mrs. Sandy Callan of WLNC Radio for the great job he does in keeping citizens informed.

CLOSED SESSION

At 6:34 p.m. Councilmember Adams motioned to go into closed session pursuant to NC General Statute 143-318.11(a)(1) to prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes and pursuant to NC 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 Williamson, and unanimously carried.

At 8:43 p.m., Councilmember Adams motioned to adjourn the closed session and resume the open meeting. The motion was seconded by Councilmember Leak, and unanimously carried.

ADJOURNMENT

Motion was made by Councilmember Willis, seconded by Councilmember Williamson, and unanimously carried to adjourn the meeting.

The meeting adjourned at 8:45 p.m.

Thomas W. Parker, III, Mayor

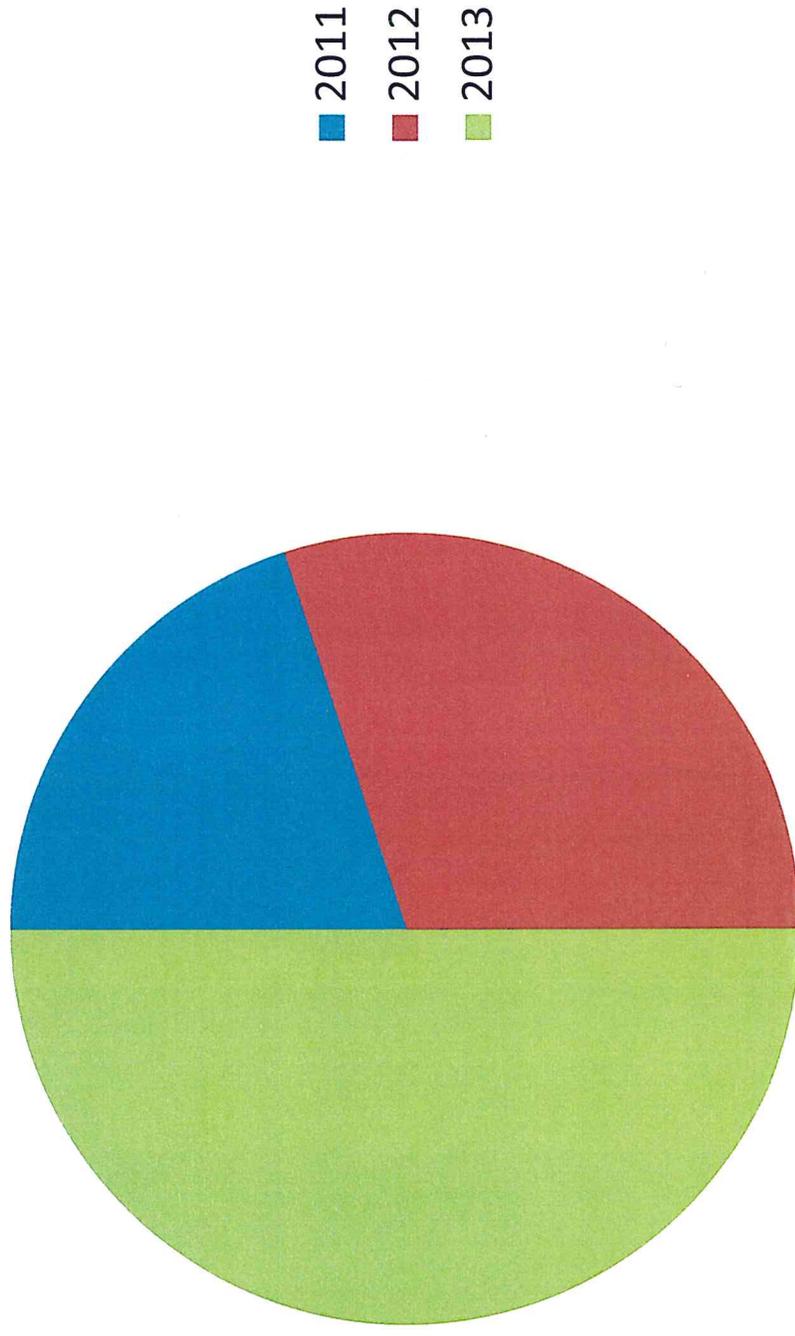
Jennifer A. Tippet, City Clerk

Diversity Hiring

3 Year Review

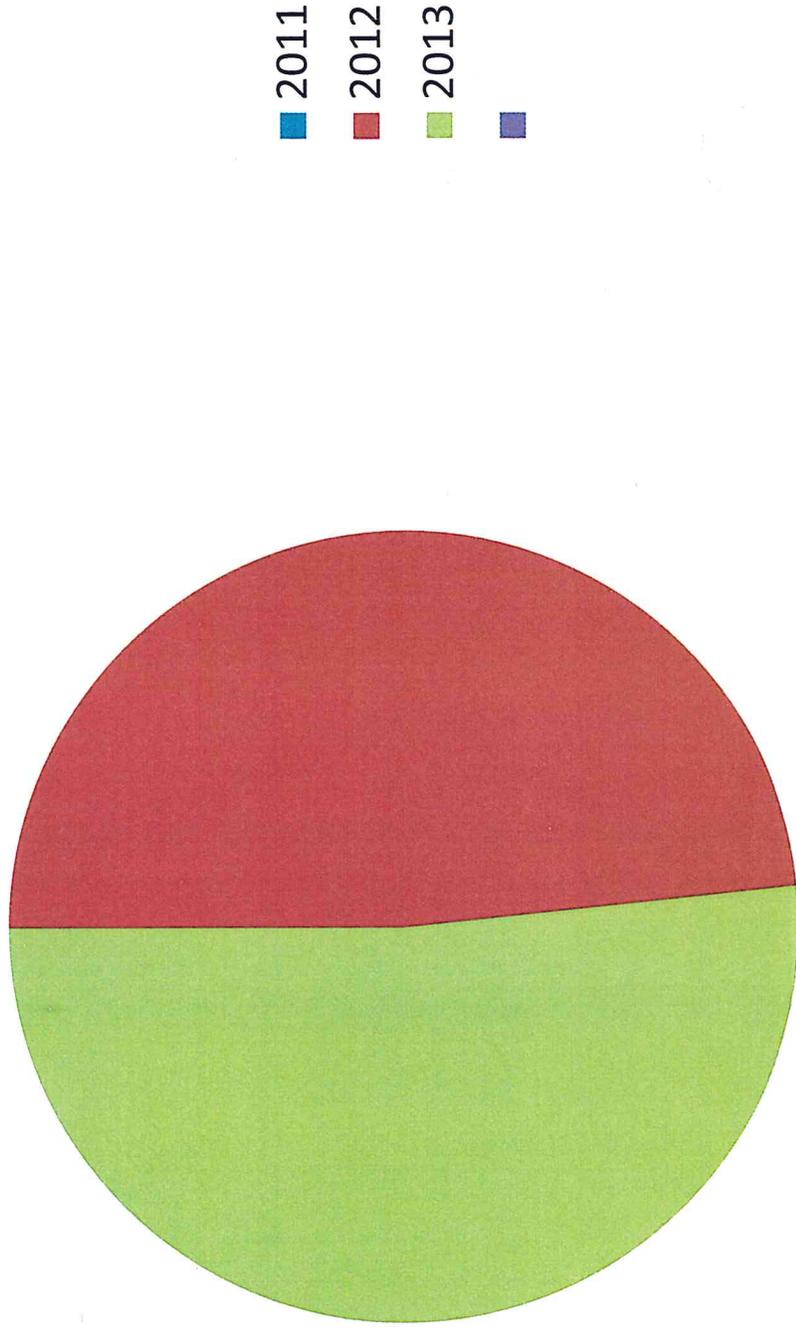
3 Year Recruitment in Review

% of African American Hires and Promotions



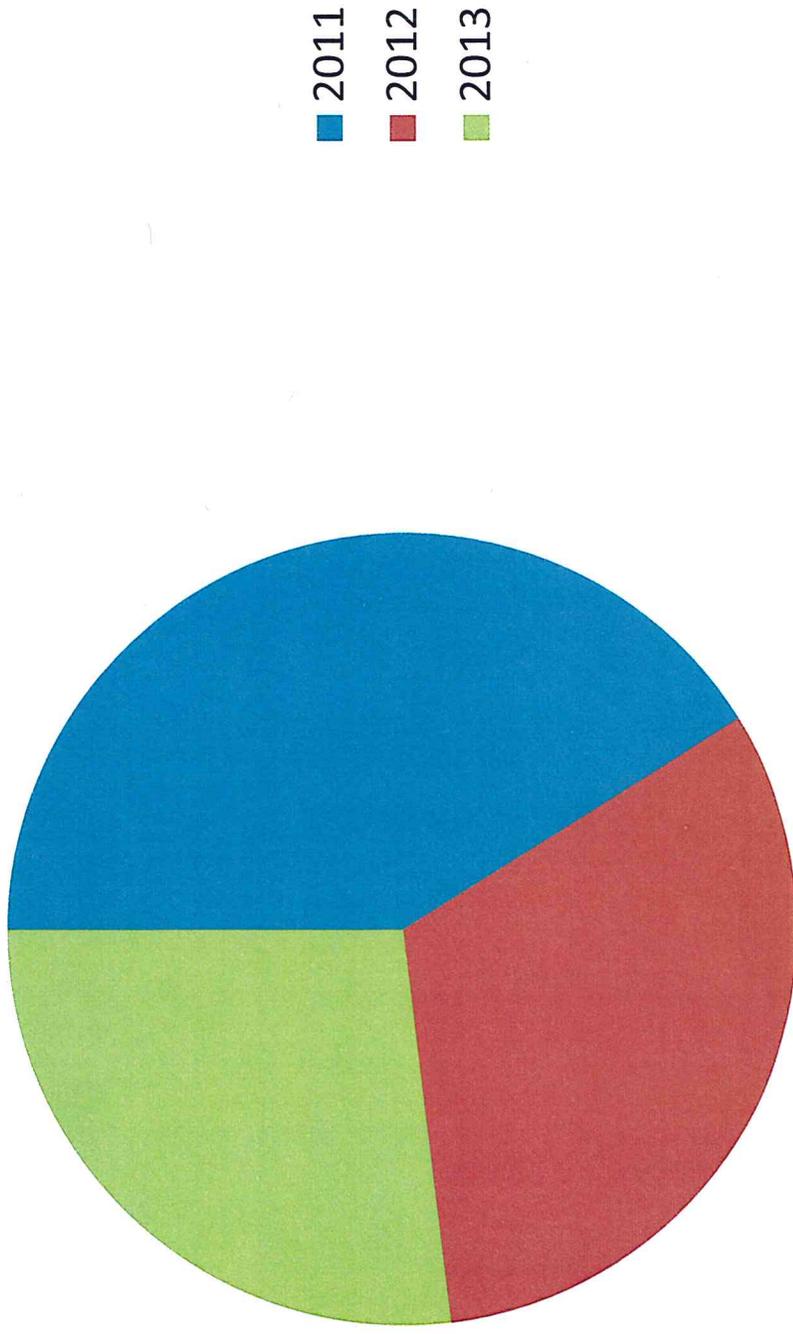
3 Year Recruitment Review

% Hires/ Promotion American Indian



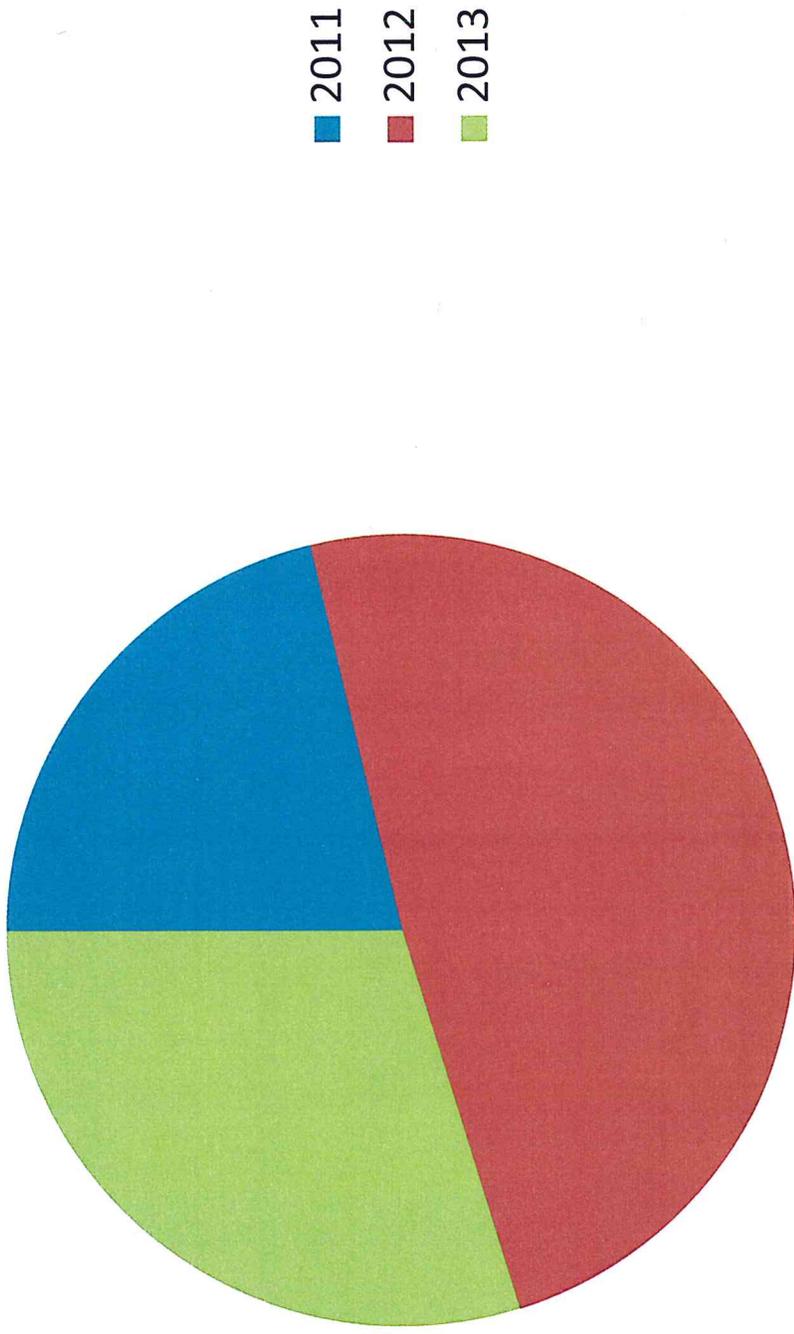
3 Year Recruitment Review

% of Hires and Promotion White



3 Year Recruitment Review

% of Female Hires and Promotions



Police Officer Hires since New HR

