

**CITY OF LAURINBURG
COUNCIL MEETING
APRIL 22, 2014
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 April 22, 2014 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, Dolores A. Hammond, 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; 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 Leak.

APPROVAL OF AGENDA

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

PUBLIC COMMENT PERIOD

There was no one present to speak.

CONSENT AGENDA

The City Manager presented the Consent Agenda as follows:

- a) Consider minutes of March 10, 2014 special meeting/Citizen Input Session; March 11, 2014 special meeting/work session and March 18, 2014 regular meeting
- b) Consider Resolution No. R-2014-07 endorsing the negotiation of definitive agreements for the sale of certain generating assets owned by the North Carolina Eastern Municipal Power Agency to Duke Energy Progress, Inc. and for power supply
- c) Set public hearing to be held on May 20, 2014 at 7:00 p.m. to consider adoption of Updated FEMA Floodplain Maps
- d) Set public hearing to be held on May 20, 2014 at 7:00 p.m. to consider amending the Unified Development Ordinance concerning regulations for solar array operations

Councilmember Adams motioned to approve the Consent Agenda. Councilmember Hammond seconded the motion and it was approved by the following vote:

Ayes: Adams, Hammond, Leak, Willis, Williamson
Nays: None

PUBLIC HEARING

CONSIDER ORDINANCE NO. O-2014-05 RESCINDING ORDINANCE NO. O-2013-26

Mayor Parker opened the public hearing.

There was no one present to speak for or against this matter.

Mayor Parker closed the public hearing.

Councilmember Willis motioned to approve Ordinance No. O-2014-05 rescinding Ordinance No. O-2013-26 amending the Unified Development Ordinance in that it:

- Is consistent with the Land Use Plan or other adopted plan;
- Advances the public health and safety or welfare; and
- Provides a positive impact to the public at large.

The motion was seconded by Councilmember Leak.

Councilmember Hammond explained that with the update of the Unified Development Ordinance, she would like the consultant to look at military training facilities and other military uses, as well as an avenue to take advantage of military uses without impacting an entire zoning district. She added that she respected Planning Board and staff's opinion, but she would like military uses further researched. She explained that the issue discussed in previous Council meetings concerning military training facilities in Harnett County was regarding whether the facilities in Harnett County were agri-tourism uses. She concluded by stating that she concurred with Councilmembers Willis and Leak to approve the ordinance rescinding Ordinance No. O-2013-26.

Councilmember Adams explained that staff spent a lot of time researching the issue and preparing the ordinance approved by Council last year, and several councilmembers visited facilities to look at operations and ammunitions used. She added that she would like to leave the UDO as it currently is, and as Councilmember Hammond suggested, have the use reviewed further during the UDO update.

Councilmember Williamson explained that he understood Councilmembers Willis' and Leak's concern regarding the number of parcels that could be considered because of the amendment to the UDO concerning military training facilities; however, he felt the matter should be addressed in the Comprehensive Update of the UDO.

Councilmember Willis explained that he felt the ordinance needed to be rescinded because of the number of parcels that could be considered for use for a military training facility.

Councilmember Hammond suggested looking at certain locations inside the City limits with a

zoning overlay district.

Councilmember Leak expressed concern about the City being proactive rather than reactionary.

At 7:17 p.m. Mayor Parker relinquished the meeting to Mayor Pro Tem Adams in order to make a statement.

Mayor Parker discussed his visit to Fort Bragg a few weeks ago and that he was told by General Chin that although North Carolina is a military-friendly state, there was room for improvement. He added that if the City is going to promote itself as military-friendly, then then UDO needs to reflect that promotion.

At 7:21 p.m. Mayor Parker resumed presiding over the meeting. He requested the City Clerk call the roll on the motion duly made and seconded. The vote was as follows:

Ayes: Willis, Leak, Hammond

Nays: Adams, Williamson

(Ordinance No. 0-2014-05 on file in City Clerk's office)

The City Attorney explained that because the ordinance did not receive two-thirds (2/3rd) majority vote as required by NC General Statute 160A-75, this matter would need to be voted on again on May 20, 2014.

A discussion ensued concerning the voting requirements.

CITY MANAGER REPORTS

CONSIDER RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE DOCUMENTS WITH HOLLAND CONSULTING PLANNERS

The City Manager explained that this resolution authorized him to execute the contract with Holland Consulting Planners for an update of the City's Unified Development Ordinance (UDO). He added that three (3) bids were received and Holland Consulting was the lowest bidder.

Councilmember Williamson motioned to approve Resolution No. R-2014-08 authorizing the City Manager to execute documents with Holland Consulting Planners for Comprehensive Unified Development Ordinance Update in the amount of \$48,300.00. The motion was seconded by Councilmember Adams, and the vote was as follows:

Ayes: Williamson, Adams, Willis, Hammond, Leak

Nays: None

(Resolution No. R-2014-08 on file in City Clerk's office)

CONSIDER ORDINANCE NO. O-2014-06 AMENDING THE FY 2013-2014 BUDGET APPROPRIATIONS ORDINANCE (ORDINANCE NO. O-2013-17)

The City Manager explained that this budget amendment will allow for the comprehensive UDO update to begin in this budget year. He added that the funds will come from Contingency.

Councilmember Hammond motioned to approve Ordinance No. O-2014-06 amending the FY 2013-2014 Budget Appropriations Ordinance (Ordinance No. O-2013-17) in the amount of \$24,150.00 to cover one-half the cost of updating the Unified Development Ordinance. The motion was seconded by Councilmember Willis, and the vote was as follows:

Ayes: Hammond, Willis, Adams, Leak, Williamson

Nays: None

(Ordinance No. O-2014-06 on file in City Clerk's office)

CONSIDER MEMORANDUM OF UNDERSTANDING WITH SCOTLAND COUNTY FOR THE CONSOLIDATED 911 CENTER

The City Manager explained that he and the Mayor met with Commission Chair McCook and the County Manager to discuss Council's concerns with the Memorandum of Understanding (MOU).

The City Attorney discussed the following changes to the MOU since Council was last provided a draft copy:

- Section 5.3 A) included City of Laurinburg added "City of Laurinburg" dispatch employees
- Section 9.11 changed wording so that there would be no additional charges to the City from the County for Other Services.
- Section 9.5 changed wording so that the City will be responsible for one-third (33.33%) of personnel costs with a maximum in one year of \$250,000.00, and that the City's obligation to share personnel costs ends on June 30, 2017, with all obligations to pay any portion of personnel costs shall forever terminate on June 30, 2024.

Upon question by Councilmember Hammond, the City Attorney explained that after the financial obligation ends, the City would maintain membership on the Consolidated Dispatch Board and any other subcommittees.

Motion was made by Councilmember Willis, seconded by Councilmember Adams, and unanimously carried to approve the Memorandum of Understanding with Scotland County for the Consolidated 911 Center subject to review by the County Attorney and approval of the Scotland County Board of Commissioners, and authorize the Mayor and City Clerk to execute said Memorandum of Understanding.

A discussion ensued concerning the process for approving the MOU.

COMMENTS FROM MAYOR AND/OR COUNCILMEMBERS

Councilmember Hammond explained that she had been contacted by Mr. David Ellison concerning the lot cutting fees for which Council voted to enforce collection at its April 14, 2014 meeting. She added that he was requesting that the collection proceedings be delayed until next

month. She further added that she informed him that staff is carrying out the directive from Council, but that she would bring this matter to Council's attention.

Mayor Parker explained that Mr. Ellison could appeal this matter at a future Council meeting.

There was no action taken on this matter.

Councilmember Leak reminded everyone that Prom Night is Saturday night and to be careful.

Mayor Parker briefly discussed the Hospice fundraising occurring in the community and the special work that this non-profit does in this community.

RECESS

Motion was made by Councilmember Willis, seconded by Councilmember Hammond, and unanimously carried to recess the meeting until Monday, May 12, 2014 at 6:30 p.m. in the Council Chambers of the Municipal Building located at 303 W. Church Street.

The meeting recessed at 7:41 p.m.

Thomas W. Parker III, Mayor

Jennifer A. Tippett, City Clerk