

**CITY OF LAURINBURG
COUNCIL MEETING
MAY 20, 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 May 20, 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 Williamson.

APPROVAL OF AGENDA

Mayor Parker explained that Ms. Gentry will present the Laurinburg-Maxton Airport commission budget at the June 17, 2014 meeting and that David McLamb will present the Laurinburg/Scotland County Area Chamber of Commerce budget.

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

PUBLIC COMMENT PERIOD

There was no one present to speak.

RECOGNITION OF RETIREE

Mayor Parker explained that Mr. Grooms retired from the City, but was not present to receive the plaque which read as follows:

*Presented In
Recognition And Sincere Appreciation To*

WILLIE GROOMS

*AUTOMOTIVE PARTS SPECIALIST
MAY 1987 – MAY 2014*

In special tribute to Willie Grooms for his dedicated public service as Automotive Parts Specialist for the City of Laurinburg for 27 years. During his years of service, he gave unselfishly of his time and talents, always striving to see that the operations of the Garage Parts Department was in the best interest of the public and that everything was done properly. He was always willing to help his co-workers at any time while still fulfilling his own job responsibilities. He was a perfectionist in carrying out his job always striving to see that things were done in the proper manner and time. He devoted himself to the City of Laurinburg unconditionally and is the epitome of a public servant. He has been a most valuable asset to the City and will certainly be missed as he enters into a well-deserved retirement. We wish him many more years of continued success in this next exciting chapter of his life.

Presented this the 20th day of May 2014 by the Mayor and City Council.

CONSENT AGENDA

The City Manager presented the Consent Agenda as follows:

- a) Consider minutes of April 1, 2014 special/joint meeting and April 15, 2014 special meeting/work session
- b) Set public hearing to be held June 17, 2014 at 7:00 p.m. in the council room of the Municipal Building located at 303 W. Church St. on the proposed 2014-2015 Fiscal Year Budget
- c) Consider Resolution No. R-2014-09 adopting a Citizen Participation Plan for comprehensive update of the Land Use Plan
- d) Consider Resolution No. R-2014-10 adopting a Citizen Participation Plan for comprehensive update of the Unified Development Ordinance

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

Ayes: Williamson, Adams, Leak, Hammond, Willis

Nays: None

PUBLIC HEARING

CONSIDER ADOPTION OF UPDATED FEMA FLOODPLAIN MAPS

Mayor Parker opened the public hearing.

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

The City Manager explained that the updated FEMA Floodplain maps would be updated on the City's GIS on July 7, 2014.

Motion was made by Councilmember Adams, seconded by Councilmember Hammond, and unanimously carried to adopt the updated FEMA Floodplain maps.

CONSIDER AMENDING ARTICLE II BASIC DEFINITIONS AND INTERPRETATIONS, SECTION 15 DEFINITIONS OF BASIC TERMS, ARTICLE X PERMISSIBLE USES, SECTION 146 TABLE OF PERMISSIBLE USES, AND ARTICLE XI SUPPLEMENTARY USE REGULATIONS OF THE UNIFIED DEVELOPMENT ORDINANCE

Mayor Parker opened the public hearing.

There was no one present to speak for or against this matter, and Mayor Parker closed the public hearing.

Upon request by Mayor Parker, Mrs. Brandi Deese, Planning & Community Development Director, explained that the amendment provides for a definition of solar array facilities, allows solar array facilities in the Industrial Zoning District by Conditional Use Permit only, and provides supplementary regulations for height, setbacks, visibility from right-of-ways, specific site plan requirements, decommissioning and soil conservation and water infiltration.

The City Manager added that the consultant reviewing the Unified Development Ordinance would look closely at this use and the City's regulations.

Councilmember Hammond moved to approve Ordinance No. O-2014-07 amending Article II Basic Definitions and Interpretations, Section 15 Definitions of Basic Terms, Article X Permissible Uses, Section 146 Table of Permissible Uses, and Article XI Supplementary Use Regulations of 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 Adams, and the vote was as follows:

Ayes: Hammond, Adams, Willis, Leak, Williamson

Nays: None

(Ordinance No. O-2014-07 on file in City Clerk's office)

DELEGATIONS

Scotland County Humane Society – Phillippe Laurent

Mr. Phillippe Laurent, Chairman of the Scotland County Humane Society, explained that because of the measures implemented by Shelter staff in improving health and quality of life for the animals, costs have increased due to immunization of strays, increased medication costs, and increased veterinary costs which are driven by mandates from the State. He added that there will be a large fundraiser to raise funds and that staff had been reduced at the shelter. He also discussed the need for increased education concerning animal husbandry.

Upon question by Councilmember Williamson, Mr. Laurent explained that the City's

contribution to the Humane Society had been \$80,000.00 for three (3) years.

Upon question by Councilmember Adams, Mr. Laurent explained that the Humane Society was requesting \$90,000.00 from the City.

Mayor Parker explained that he and Council felt that the Humane Society does a valuable service and does an excellent job. He thanked Mr. Laurent for his presentation.

Laurinburg Downtown Revitalization Corporation – Jim Willis

Mr. Jim Willis, President of the Laurinburg Downtown Revitalization Corporation (LDRC), presented a PowerPoint detailing the Downtown Improvement Project accomplished thus far. He thanked City staff for their assistance with the project in which over \$100,000.00 was spent on 50 properties in the Municipal Service District. He also discussed the following:

- Completed Comprehensive Plan for repairs for the entire Municipal Service District.
- Three (3) new businesses have opened downtown since last year, and another will be opening soon.
- Shoe Fixery will reopen under another name.
- Davey Poplar to be saved. Will have rededication and plaque to tell the story.
- American flags were purchased and they are displayed on holidays.
- Had several Art Crawls downtown organized by Jeanette Herlocker and Southeastern Storytelling & Arts Center.
- Farmers Market will not be held this year because Miller Slaughter moved out of the community. Would like to consider Farmers Market next summer.

Mayor Parker thanked Mr. Willis and the LDRC Board for its dedication.

Councilmember Hammond explained that she admired Mr. Willis' passion for downtown, and that the downtown looks good.

Laurinburg/Scotland County Area Chamber of Commerce – David McLamb

Mr. David McLamb, Immediate Past Chairman of the Laurinburg/Scotland County Area Chamber of Commerce (Chamber), appeared before Council and expressed appreciation for Council's past and continuing support. He discussed the following Chamber activities that assist the business community and help to improve the quality of life in Laurinburg and Scotland County:

- Ribbon cuttings and open houses
- Green Committee: Green School Jam, Litter Sweep, Beautification Day
- Laurinburg After 5 with more children's activities
- Oyster Roast
- Christmas Parade
- Chamber Gift Certificates
- Shop Local Campaign
- Leadership Scotland and Junior Leadership Scotland Programs

- Prison Reentry Council
- Drive for Education
- Committee of 100 to support economic development
- Plant Managers' Forum
- Young Entrepreneur Academy (YEA) Program

Mayor Parker expressed appreciation for what the Chamber does for the community. He added that being a Chamber member has many benefits including networking.

CITY MANAGER REPORTS

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

The City Manager explained that the second vote was required since the vote on April 22, 2014 did not meet the required two-thirds vote which amended the Unified Development Ordinance to allow military training facilities by Conditional Use Permit in the Industrial Zoning District.

Councilmember Hammond explained that she felt that the City Attorney and the consultant reviewing the definitions and regulations proposed by City staff and the City Attorney in Ordinance O-2013-06 concerning military training facilities to see if there is something that can be put in place so that not all parcels in the same zoning district would be affected, and also to look at other trends for military uses that can be used in the community. She added that Laurinburg has always been military-friendly and will continue to be military-friendly. She further added that by rescinding Ordinance No. O-2013-05 will allow the City better understanding of what can be done in the future.

Councilmember Hammond motioned to approve Ordinance No. O-2014-05 rescinding Ordinance No. O-2013-26 amending Article II Basic Definitions and Interpretations, Section 15, Definitions of Basic Terms, and Article X Permissible Uses, Section 146 Table of Permissible Uses of 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 Willis, and the vote was as follows:

Ayes: Hammond, Willis, Leak

Nays: Adams, Williamson

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

CONSIDER AUTHORIZING THE EXERCISE OF POWER OF EMINENT DOMAIN THROUGH THE PROCEDURE OF CONDEMNATION

The City Manager explained that this resolution is to authorize the exercise of eminent domain to obtain this property for the sewer line extension. He added that staff was unable to reach resolution with the property owner. He further added that the property is 401 North Caledonia

Road.

The City Attorney explained that this resolution gives him the authority to send the required 30-day notice of action to the property owner. He added that there is a possibility of working out a solution before filing the condemnation action.

The City Manager explained that the easement was presented to the property owner with the appraisal which valued the property at \$3,500.00.

Upon question by Councilmember Adams, Mrs. Deese explained that three (3) options had been discussed with the City Attorney:

- 1) Condemnation as recommended by staff
- 2) The property owner agreeing to sign the easement
- 3) Utilizing the City-owned property behind the subject property to construct above-ground pipes with a cost of approximately \$30,000.00

Upon question by Councilmember Leak, Mrs. Deese explained that staff needs to obtain two (2) more easements to complete the Industrial Park Sewer Project.

Councilmember Leak expressed concern concerning the way the property is left after work is completed at the easement site.

The City Manager explained that the contractor is responsible for final restoration and replacement of shrubbery in the easement area.

Councilmember Williamson motioned to approve Resolution No. R-2014-11 authorizing the exercise of power of eminent domain through the procedure of condemnation. The motion was seconded by Councilmember Willis, and the vote was as follows:

Ayes: Williamson, Willis, Leak, Adams, Hammond

Nays: None

(Resolution No. R-2014-11 on file in City Clerk's office)

COMMENTS FROM MAYOR AND/OR COUNCILMEMBERS

Mayor Parker thanked staff for work done on the new entrance signs and he then invited everyone to look at the City's new entrance sign erected on McColl Road.

Upon question by Councilmember Williamson, the City Manager explained that the other signs, if Council approves, will arrive in five (5) to eight (8) weeks and will be lit utilizing solar lighting.

CLOSED SESSION

At 7:45 p.m. Councilmember Adams motioned to go into closed session 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 Leak, and unanimously carried.

At 8:18 p.m. motion was made by Councilmember Willis, seconded by Councilmember Hammond, and unanimously carried to adjourn the closed session and resume the open meeting.

ADJOURN

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

The meeting adjourned at 8:19 p.m.

Thomas W. Parker III, Mayor

Jennifer A. Tippett, City Clerk