

**CITY OF LAURINBURG
COUNCIL MEETING
DECEMBER 16, 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 December 16, 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. Tippett, 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 Adams and she then led the Pledge of Allegiance.

APPROVAL OF AGENDA

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

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 November 6, 2014 special meeting; November 11, 2014 special meeting/work session and November 18, 2014 regular meeting

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 REQUEST TO REZONE PROPERTY

Mayor Parker opened the public hearing.

Mr. Bill Purcell appeared before Council and explained that he represents the Fulton family who wants to rezone property on Scotland High School Drive from General Business to Residential-20. He added that several years ago the property was rezoned from Residential-20 to General Business for development of a golf driving range.

There was no one present to speak in opposition to this request.

Mayor Parker closed the public hearing.

Councilmember Willis motioned to approve Ordinance No. O-2014-19 which rezones from General Business to Residential-20 a 44.21 acre tract of land on Scotland High School Drive with the statement as read by the attorney.

The City Attorney then recited the following:

The motion is to approve Ordinance No. O-2014-19 that amends the City's Zoning Map in that:

1. The proposed amendment advances the public health, safety and welfare; and
2. The proposed amendment is consistent with an adopted comprehensive plan and any other officially adopted plan, and is reasonable and in the public interest for the reasons set forth in the staff's consistency statement which is hereby adopted and is as follows:

The rezoning of Scotland County Parcel Number 010025 01009 from General Business to Residential 20 is consistent with an adopted comprehensive plan and any other officially adopted plan that is applicable because:

1. The R-20 zoning district was established to allow low-density, single-family residences, two-family residences, multi-family residences, and agricultural land uses which are interspersed with large, undeveloped open areas. Much of the property surrounding the subject parcels is zoned R-20 and this is a large tract of land which is cleared, undeveloped and suited primarily for agricultural, low density residential and other uses permitted in the R-20 zoning district.
2. The 1989 Land Development Plan (the "LDP") recognizes the importance of agriculture and similar uses in the City's economy and with decreasing employment in the manufacturing sector, agriculture has played an increasing role in the overall economic health of the City and Scotland County. The LDP recognizes that "[t]he long growing season and the suitable climate and soils make this area a natural agricultural section and Scotland County citizens have long taken advantage of this environment." The rezoning to R-20 will permit agricultural uses of the subject parcel.
3. The LDP recognizes that "the rural fringe of Laurinburg contains agricultural uses interspersed with very low density residential uses." A stated goal of the LDP is to

“promote development which is consistent with the City’s present character.” Given that the subject parcel is located along the “rural fringe” of the City of Laurinburg, the present character of the City of Laurinburg will be best maintained by rezoning the subject parcels to R-20 which will allow continued agricultural and low density residential uses.

Reasonableness

The proposed rezoning is reasonable and in the public interest in that:

1. The rezoning to R-20 will allow agricultural and residential uses that are safe for the citizens or the City of Laurinburg and Scotland County;
2. The rezoning to R-20 will allow uses consistent with surrounding uses;
3. The rezoning to R-20 will help maintain the present character of the City of Laurinburg;
4. The rezoning to R-20 will have little or no detrimental impact to the property values of surrounding landowners; and
5. The rezoning to R-20 will require limited or no infrastructure improvements by the City of Laurinburg.

Upon question by Councilmember Adams, Mr. Mac McInnis, City Planner/Zoning Officer, explained that Planning Board considered this request at its November 11, 2014 meeting and unanimously recommended approval. He added that the Residential-20 zoning is consistent with zoning in the area. He added that staff recommends approval of the request.

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

Ayes: Willis, Williamson, Adams, Leak, Hammond

Nays: None

(Ordinance No. O-2014-19 on file in City Clerk’s office)

DELEGATIONS

PEGGY SMITH

Mayor Parker explained that Ms. Smith had requested to be on the agenda; however, she was not present.

CITY MANAGER REPORTS

CONSIDER RESOLUTION AMENDING THE PERSONNEL POLICY

The City Manager explained that the amendments to the Personnel Policy includes adding bereavement leave, clarification on bonus time for exempt employees and updates information concerning Local Law Enforcement Separation Allowance.

Upon question by Councilmember Leak, the City Manager explained that the bereavement leave would start on January 1, 2015.

Councilmember Williamson motioned to approve Resolution No. R-2014-18 amending Resolution No. R-2013-02, the City of Laurinburg Personnel Policy. The motion was seconded by Councilmember Adams, and the vote was as follows:

Ayes: Williamson, Adams, Hammond, Willis, Leak

Nays: None

(Resolution No. R-2014-18 on file in City Clerk's office)

SET PUBLIC HEARING TO CONSIDER REQUEST FOR A CONDITIONAL USE PERMIT

The City Manager explained that a public hearing to consider a request for a Conditional Use Permit to operate a ground-mounted solar array on the north side of X-Way Road needed to be set for Tuesday, January 20, 2015.

Motion was made by Councilmember Hammond, seconded by Councilmember Willis, and unanimously carried to set a public hearing to be held at 7:00 p.m. on Tuesday, January 20, 2015 to consider a request for a Conditional Use Permit to operate a ground-mounted solar array on the north side of X-Way Road.

SET PUBLIC HEARING TO CONSIDER AMENDING THE ELECTRIC RATE SCHEDULE

The City Manager explained that amending the City's electric rate schedule will be discussed further at the January work session, including a possible 3.5% increase in electric rates which will yield approximately \$560,000.00 in revenues in the Electric Fund. He added that the average increase for customers that use all electric would be \$4.31 per month. He further added that additional information will be presented at the January work session, and that a public hearing needed to be set for Tuesday, January 20, 2015.

Motion was made by Councilmember Adams, seconded by Councilmember Williamson, and unanimously carried to set a public hearing to be held at 7:00 p.m. on Tuesday, January 20, 2015 to consider amending the City of Laurinburg Electric Rate Schedule.

AUTHORIZE CITY MANAGER AND CITY CLERK TO EXECUTE CONSTRUCTION AGREEMENT WITH CSX TRANSPORTATION, INC.

The City Manager explained that in October Council authorized the execution of a Construction Agreement with CSX Transportation, Inc. in connection with the Commonwealth Bridge Replacement Project; however, due to an increase in cost estimate from CSX, staff is requesting that Council authorize the City Manager and City Clerk to execute the Construction Agreement. He explained that the estimated costs increased from \$118,645.00 to \$124,290.00. The City will need to send this deposit to CSX and will be reimbursed by NC Department of Transportation (DOT) for 80% of the costs.

Upon question by Councilmember Leak, Mrs. Cindy Carpenter, Finance Director, explained that a budget amendment would not be needed unless the amount exceeded the budgeted amount in the Construction line item.

Motion was made by Councilmember Adams, seconded by Councilmember Hammond, and unanimously carried to authorize the City Manager and City Clerk to execute the Construction Agreement with CSX Transportation, Inc.

APPOINTMENTS

Board of Adjustment

Mayor Parker explained that David Ellison's and Iris Hamilton's terms expire on the Board of Adjustment, and they would like to be reappointed.

Motion was made by Councilmember Willis, seconded by Councilmember Leak, and unanimously carried to reappoint David Ellison and Iris Hamilton to the Board of Adjustment for three-year terms expiring December 31, 2017.

COMMENTS BY MAYOR AND/OR COUNCIL

Upon question by Councilmember Leak, the City Manager explained that employees had requested gift cards in lieu of a Christmas Party this year. He added that the gift cards would be distributed to employees Thursday. He further added that based upon an employee request, the City had a float in the Christmas Parade this year with employees' children and grandchildren riding the float.

Councilmember Willis requested that one of the January meeting agendas include discussion on the Economic Development Corporation (EDC).

Upon question by Councilmember Leak, Mayor Parker provided an update on the ongoing hiring process for the Economic Development Director position.

Upon question by Councilmember Adams, the City Manager explained that he and the Human Resources Director are reviewing applications for the Community Development Director position and after the holidays will begin interviews. He added that he is pleased with the quantity and quality of the applications.

Councilmembers Hammond and Mayor Parker provided a brief report on the Crime and Drug Committee's Youth Forum that was held on December 11, 2014.

CLOSED SESSION

At 7:21 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 Willis, and carried unanimously.

At 7:35 p.m. Councilmember Willis motioned to adjourn the closed session and resume the open meeting. The motion was seconded by Councilmember Adams, and carried unanimously.

AMENDING THE CITY MANAGER'S SALARY

Councilmember Willis motioned to adjust the City Manager's salary to increase the base salary to \$103,000.00 per year effective January 1, 2015. The motion was seconded by Councilmember Williamson, and the vote was as follows:

Ayes: Willis Williamson, Adams, Leak, Hammond

Nays: None

ADJOURN

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

The meeting adjourned at 7:36 p.m.

Thomas W. Parker III, Mayor

Jennifer A. Tippett, City Clerk