

**CITY OF LAURINBURG
COUNCIL MEETING
JANUARY 20, 2015
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 January 20, 2015 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 Hammond and she then led the Pledge of Allegiance to the flag.

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

Mr. Charles McEachin appeared before Council and expressed concern that City funds had been spent to clean up the former Branch's Car Care site and nothing had been spent to clean up Dickson Street and the Newtown area. He added that the City owns property along Dickson Street that needs to be cleaned up.

Following a brief discussion, Mayor Parker requested that the City Manager, Mr. Mac McInnis, City Planner and Zoning Officer, and Mr. Stacey McQuage, Public Utilities Director, conduct some research and meet with Mr. McEachin about this matter.

CONSENT AGENDA

The City Manager presented the Consent Agenda as follows:

- a) Consider minutes of December 9, 2014 special meeting/work session and December 16, 2014 regular meeting
- b) Consider Ordinance No. O-2015-01 amending the FY 2014-2015 Budget Appropriations Ordinance (Ordinance No. O-2014-11)
- c) Consider authorizing the City Manager to execute agreement with Melrose Pyrotechnics for July 4th fireworks display
- d) Consider authorizing the City Manager and City Clerk to execute agreement with

Laurinburg & Southern Railroad
e) Semi-Annual Report on Surplus Property

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

Ayes: Willis, Hammond, Leak, Williamson, Adams

Nays: None

PUBLIC HEARING

CONSIDER REQUEST FOR CONDITIONAL USE PERMIT TO OPERATE A GROUND-MOUNTED SOLAR ARRAY

Mayor Parker opened the public hearing.

Mr. Mac McInnis, City Planning and Zoning Officer, being first duly sworn, explained that Mr. J. P. Locklear has requested a Conditional Use Permit to install a ground-mounted solar array on the north side of X-Way Road. He added that Planning Board heard this request at its December 9, 2014 meeting and unanimously recommended denial of the request. He added that the application is complete, the site plan meets all requirements of the Unified Development Ordinance (UDO) including decommissioning; therefore staff recommends approval of the request.

Upon question by Councilmember Adams, Mr. McInnis explained that the development would require a Type A opaque buffer.

Upon question by Councilmember Hammond, Mr. McInnis explained that the height requirements and setback requirements would be met.

Mr. Richard Green, being first duly sworn, explained that he was an owner of Innovative Solar Systems of Asheville, the developer of the ground-mounted solar array in question. He explained that he had worked with City Planning staff to ensure the site plan meets all requirements of the UDO. He added that staff recommended approval of the request.

Upon question by Councilmember Adams, Mr. Green explained that the salvage value of the equipment and panels exceeds the removal cost; therefore once the lease ends, the property will be put back as close as possible to its state for farmland.

Upon question by Councilmember Leak, Mr. Green explained that the lessee, Innovative Solar 65, LLC, is responsible for the decommissioning.

Upon question by Councilmember Adams, Mr. Green explained that the decision of what landscaping materials would be left to a landscaping expert and would depend upon the time of year the planting is done. He added that the landscaping will meet the requirements of the UDO.

Upon question by Councilmember Williamson, Mr. Green explained that the base lease is for 20 years with two (2) five-year options.

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

Councilmember Willis motioned to approve the request for a Conditional Use Permit to operate a ground-mounted solar array on the north side of X-Way Road with the statement as read by the attorney.

The City Attorney then recited the following to be incorporated into Councilmember Willis' motion:

- The development is within the planning jurisdiction of the City of Laurinburg;
- The application is complete;
- The development is in substantial compliance with the regulatory provisions of the Unified Development Ordinance;
- The request will not materially endanger the public health or safety;
- The request will not substantially injure the value of the adjoining or abutting property;
- The request will be in harmony with the area in which it is to be located; and
- The request will be in general conformity with the Land Use Plan, Thoroughfare Plan or other plan officially adopted by Council.

Councilmember Hammond seconded the motion and it carried unanimously.

CONSIDER AMENDING ELECTRIC RATES

Mayor Parker called the public hearing to order to consider amending the electric rates.

The City Manager explained that the proposed ordinance includes a 3.5% across the board electric rate increase which will provide approximately \$560,000.00 revenue over a 12-month period. He added that an electric rate study will be conducted in the next six (6) to eight (8) months upon the completion of the Duke Progress Energy purchase of assets from the North Carolina Eastern Municipal Power Agency (NCEMPA).

Upon question by Councilmember Willis, the City Manager explained that the average residential increase for electric customers will be about \$4.31 per month.

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

Councilmember Willis motioned to approve Ordinance No. O-2015-02 amending Ordinance No. O-2013-12 Electric Rate Schedule of the City of Laurinburg. Councilmember Williamson seconded the motion and it was approved by the following vote:

Ayes: Willis, Williamson, Adams, Leak, Hammond

Nays: None

(Ordinance No. O-2015-02 on file in City Clerk's office)

Mayor Parker explained that the ordinance would be effective with the February electric bills to be rendered on March 1, 2015.

CITY MANAGER REPORTS

CONSIDER AMENDING FY 2014-2015 BUDGET APPROPRIATIONS ORDINANCE

The City Manager explained that the budget amendment is necessary for the Commonwealth Bridge Replacement Project. He added that when the budget was prepared, it included the City's required 20% of the project; however, CSX is requiring that the City deposit 100% of the estimated project cost and it is not sure if the City would be reimbursed 80% from NC Department of Transportation prior to the end of Fiscal Year 2014-2015.

Councilmember Adams motioned to approve Ordinance No. O-2015-03 amending the FY 2014-2015 Budget Appropriations Ordinance (Ordinance No. O-2014-11). Councilmember Leak seconded the motion and it was approved by the following vote:

Ayes: Adams, Leak, Hammond, Williamson, Willis

Nays: None

(Ordinance No. O-2015-03 on file in City Clerk's office)

APPOINTMENTS

RURAL LAND USE ADVISORY COMMITTEE (RLUAC)

Motion was made by Councilmember Leak, seconded by Councilmember Willis, and unanimously carried to appoint the City Manager to the Rural Land Use Advisory Committee with Mr. Mac McInnis as the alternate member.

LOCAL FIREMEN'S RELIEF FUND

Motion was made by Councilmember Hammond, seconded by Councilmember Adams, and unanimously carried to reappoint Rembert DeBerry to the Local Firemen's Relief Fund.

COMMENTS BY MAYOR AND/OR COUNCIL

Mayor Parker commented that Noran Sanford, Chairman of the Crime and Drug Committee had called him from New York City where one of his projects is a finalist for funding. He added that Mr. Sanford is hard working, diligent, innovative and a credit to the community.

ADJOURN

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

The meeting adjourned at 7:29 p.m.

Thomas W. Parker III, Mayor

Jennifer A. Tippet, City Clerk