

**CITY OF LAURINBURG  
COUNCIL MEETING  
MARCH 17, 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 March 17, 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. 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, and he then led the Pledge of Allegiance.

**APPROVAL OF AGENDA**

Councilmember Leak moved to approve the agenda as submitted. Councilmember Adams seconded the motion and the vote was as follows:

Ayes: Leak, Adams, Hammond, Willis, Williamson

Nays: None

**RECOGNITION**

Mayor Parker recognized the following members of the Junior Service League and presented them with pins: Melanie Nichols, Katherine Campbell, Sarah Knight, Chaunteckia Vonyell, Mary Taylor Britt, Elizabeth McGuffin and Jessica Chavis.

**PUBLIC COMMENT PERIOD**

No one present to speak.

**CONSENT AGENDA**

The City Manager presented the Consent Agenda as follows:

- a) Consider minutes of January 13, 2015 special meeting/work session and January 20, 2015 regular meeting and February 10, 2015 special meeting/work session
- b) Set public hearing to be held at 7:00 p.m. on March 17, 2015 to consider amendment

to the City of Laurinburg Unified Development Ordinance

- c) Consider adjustments to the tax levy
- d) Consider Resolution No. R-2015-01 amending the Personnel Policy of the City of Laurinburg (Resolution No. R-2013-02)
- e) Consider Resolution No. R-2015-02 supporting North Carolina's Historic Preservation Tax Credit Programs
- f) Consider Resolution No. R-2015-03 adopting City of Laurinburg Travel Policy
- g) Consider amending the Municipal Records Retention and Disposition Schedule
- h) Set public hearing to be held at 7:00 p.m. on April 21, 2015 to consider a request for a Conditional Use Permit to expand an existing daycare facility at 497 Produce Market Rd.
- i) Consider Second Amendment to Lease between City of Laurinburg and Laurinburg Farm LLC and authorize the Mayor and City Clerk to execute Amendment
- j) Consider authorizing the City Manager and City Clerk to execute Grant of Easement to Piedmont Natural Gas Company, Inc.

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

Ayes: Hammond, Adams, Willis, Leak, Williamson

Nays: None

## **CITY MANAGER REPORTS**

### **AUTHORIZE TAX COLLECTOR TO ADVERTISE TAX LIENS**

Ms. Diana Chavis, Tax Collector, reported that as required by GS 105-369(a), the municipal tax collector must report to the governing board the total of unpaid taxes for the current fiscal year that are liens on real property. She added that as of this date, the City has \$212,387.26 in outstanding taxes. She further added that last year at this time, the City had \$261,605.28 outstanding, and in 2013 the amount outstanding was \$300,104.32. She then requested Council authorize publication of the tax liens the week of March 23-27, 2015.

Upon question by Councilmember Hammond, Mrs. Carpenter explained that only the FY 2014 delinquent taxes will be published and not prior years. She added that for prior year taxes, staff is pursuing collection efforts available such as garnishments.

Upon question by Councilmember Adams, Mrs. Carpenter explained that the Tax Collector would provide the total of outstanding taxes for prior years.

Councilmember Willis reiterated the concerns he voiced during the March 10, 2015 special meeting/work session, to wit: the amount of delinquent property taxes, delinquent utility bills and delinquent lot cuttings total approximately \$728,000.00 and that in the past, the City paid some of the people who are delinquent in their accounts with the City. He also expressed concern that at some point if the money owed is not going to be collected, it should be removed from the City's books.

Further discussion ensued concerning delinquent accounts, writing off debt and the need to be more aggressive in collecting debt.

Motion was made by Councilmember Willis, seconded by Councilmember Williamson, and unanimously carried to authorize the Tax Collector to advertise tax liens the week of March 23-27, 2015.

### **UPDATE ON DIXIE GUANO RD WATER LINE BREAK**

Mr. Stacey McQuage, Public Utilities Director, explained that the water line had been relocated on Dixie Guano Road. He added that the total cost of the project was \$51,485.00.

The City Manager thanked the Laurinburg-Maxton Airport for providing water during the construction phase so that customers were not affected.

### **CONSIDER DECLARING PROPERTY SURPLUS**

The City Manager explained that staff is requesting that the 13 pieces of real property be declared surplus so that Scotland County can auction and sell the property. He added that the real property was obtained by the City and County by tax foreclosure.

Councilmember Williamson moved to approve Resolution No. R-2015-04 declaring property surplus and authorizing its disposition. Councilmember Willis seconded the motion and the vote was as follows:

Ayes: Williamson, Willis, Leak, Adams, Hammond

Nays: None

(Resolution No. R-2015-04 on file in City Clerk's office)

### **CONSIDER RESOLUTION OPPOSING HOUSE BILL 51, JUSTICE FOR RURAL CITIZENS**

The City Manager explained that this resolution is stating Council's opposition to House Bill 51 Justice for Rural Citizens which would eliminate municipalities' rights to exercise Extra Territorial Jurisdiction (ETJ).

Councilmember Williamson moved to approve Resolution No. R-2015-05 opposing House Bill 51, Justice for Rural Citizens. Councilmember Willis seconded the motion and the vote was as follows:

Ayes: Williamson, Willis, Hammond, Adams, Leak

Nays: None

(Resolution No. R-2015-05 on file in City Clerk's office)

### **SET PUBLIC HEARING TO CONSIDER ADOPTING LAURINBURG WALKS: A PLAN FOR HEALTH & MOBILITY**

The City Manager explained that the comprehensive pedestrian plan, Laurinburg Walks: A Plan for Health & Mobility, had been completed and approved by NC Department of Transportation (DOT), and that a public hearing was necessary.

Motion was made by Councilmember Adams, seconded by Councilmember Hammond, and unanimously carried to set a public hearing to be held April 21, 2015 at 7:00 p.m. in the council chambers of the Municipal Building to consider Laurinburg Walks: A Plan for Health & Mobility.

### **SETTLEMENT AGREEMENT AND POLE ATTACHMENT AGREEMENT**

The City Manager explained that attorney Mike Colo of Poyner Spruill had finalized the Settlement Agreement and Pole Attachment Agreement with Time Warner. He explained that the Settlement Agreement provides that Time Warner will pay the City for the past three (3) years. He added that if Time Warner is sold, the Pole Attachment Agreement is transferable.

Upon question by Councilmember Williamson, the City Attorney explained that Mr. Colo is the state authority on pole attachment agreements and has a relationship with Time Warner and AT&T.

Upon question by Councilmember Leak, Mrs. Carpenter explained that the settlement amount and future payments would be credited to the Electric Fund.

Upon question by Councilmember Adams, the City Attorney explained that the Pole Attachment Agreement was for a five-year term with automatic extension.

Motion was made by Councilmember Willis, seconded by Councilmember Adams, and unanimously carried to authorize the City Manager to execute Settlement Agreement between Time Warner Cable Southeast LLC and the City of Laurinburg and Pole Attachment Agreement between Time Warner Cable Southeast LLC and the City of Laurinburg.

### **APPOINTMENT**

Mayor Parker explained that William Graves would like to serve on Community Access Channel Advisory Committee.

Motion was made by Councilmember Williamson, seconded by Councilmember Hammond, and unanimously carried to appoint William Graves to the Community Access Channel Advisory Committee for a three-year term expiring March 31, 2018.

### **RETREAT**

Following discussion, it was consensus of Council to hold a retreat on Monday, April 13, 2015 at 5:30 p.m. in the Council Chambers of the Municipal Building.

### **COMMENTS BY MAYOR AND/OR COUNCIL**

Upon question by Councilmember Adams, the City Manager explained that he and hopefully the incoming Community Development Director would attend the Department of Commerce grant availability meeting on March 26, 2015.

A discussion ensued concerning topics for the retreat as follows:

- The City Manager will include in his Weekly Report the list of topics for the retreat.
- Councilmember Willis requested that the City Manager conduct research on building a new City Hall and police station, financing without raising taxes and report to Council at the retreat.
- Councilmember Hammond requested to have a copy of the Space Needs Analysis Study at the retreat.
- Councilmember Leak stated he would like to discuss a basic community homeless shelter.

Mayor Parker thanked the Junior Service League for attending the meeting. He then thanked Ms. Tonia Stephenson, President of the Laurinburg/Scotland County Chamber of Commerce, for attending.

### **RECESS**

Motion was made by Councilmember Adams, seconded by Councilmember Williamson, and unanimously carried to recess the meeting until Thursday, March 19, 2015 at 5:00 p.m. at the South Fire Station located at 547 Hickory Street.

The meeting adjourned at 7:42 p.m.

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Thomas W. Parker III, Mayor

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Jennifer A. Tippet, City Clerk