

**CITY OF LAURINBURG
CITY COUNCIL SPECIAL MEETING/WORK SESSION
APRIL 14, 2015
MUNICIPAL BUILDING
303 WEST CHURCH ST.
7:00 p.m.**

Minutes

The City Council of the City of Laurinburg held a special meeting/work session on April 14, 2015 in the Council Chambers of the Municipal Building at 7:00 p.m. with the Honorable Mary Jo Adams, Mayor Pro Tem, presiding until 7:45 p.m. when the Honorable Thomas W. Parker III, Mayor, arrived. 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 Pro Tem Adams called the meeting to order at 7:00 p.m.

Councilmember Willis gave the invocation.

APPROVAL OF AGENDA

The City Manager requested that the agenda be amended to review the agenda for April 21, 2015 first and then discuss the Land Use Plan.

Motion was made by Councilmember Williamson, seconded by Councilmember Leak, and unanimously carried to amend the agenda as requested by the City Manager.

AGENDA FOR APRIL 21, 2015

The City Manager reviewed the agenda for April 21, 2015 as follows:

Consent Agenda (Item A)

- a) Consider minutes of March 5, 2015 special meeting/Citizen Input Session; March 10, 2015 special meeting/work session; March 17, 2015 regular meeting; and March 19, 2015 continued meeting

PUBLIC HEARINGS

- 4. Consider amendments to the City of Laurinburg Unified Development Ordinance
- 5. Consider a request for a Conditional Use Permit to expand an existing daycare facility at 497 Produce Market Rd.
- 6. Consider Pedestrian Plan – Laurinburg Walks: A Plan for Health & Mobility

CITY MANAGER REPORTS

- 7. Consider Resolution No. R-2015- Joint Resolution Requesting that the NC State Legislature Develop a Jobs Incentive Program Geared Toward Tier 1 Counties

8. Update on ElectriCities/Duke Progress Energy Agreement
The City Manager explained that that a press release reviewed by ElectriCities would be prepared to clear up information concerning the Duke Progress Energy purchase of NCEMPA assets.
9. Set public hearing to be held at 7:00 p.m. on May 19, 2015 to consider a request for a Conditional Use Permit for a ground-mounted solar array on a 44.21 acre tract of land on Scotland High School Drive
The City Manager explained that Planning Board recommended denial of this request by a 3-2 vote.
10. Budget Schedule
The City Manager explained that staff would present to Council suggested dates for budget meetings.

DIRECTION OF ITEMS TO BE PLACED ON CONSENT AGENDA

It was consensus of Council to add Item 9 to the Consent Agenda.

UPDATE ON LAND USE PLAN

Mr. Wes McLeod of Holland Planning Consultants discussed the updated Land Use Plan:

- It is a comprehensive plan with specific focus on land use, with focus on public health.
- Includes consideration of Comprehensive Pedestrian Plan and Scotland County Parks & Recreation Master Plan.
- Includes demographic information, existing conditions and goals and strategies to move the City forward for 20 years.

Upon question by Councilmember Williamson, Mr. McLeod explained that there is a close relationship between the Land Use Plan and the Unified Development Ordinance (UDO) in any future rezonings must be consistent with the Land Use Plan.

Upon question by Councilmember Leak, Mr. McLeod explained that the Land Use Plan contains flexibility with regard to land uses and what can be required. He added that it is a good practice to review the Land Use Plan every five (5) years or so.

CONSIDER FIRST AMENDED AND RESTATED INTERCONNECTION AGREEMENT

The City Manager explained that Council approved the amendment to the lease agreement between the City and Laurinburg Farm, LLC at its last regular Council meeting, and that the Restated Interconnection Agreement needs to be approved also, but was not ready at the last meeting.

Upon question by Councilmember Hammond, the City Attorney explained that the Interconnection Agreement details the technical aspects on how the solar farm connects to the

City's electric grid. He added that the City's electrical engineering consultant has reviewed and approved the document.

Discussion ensued concerning the name of the tenant.

Councilmember Williamson motioned to authorize the City Manager and City Clerk to execute the First Amended and Restated Interconnection Agreement between the Laurinburg Farm, LLC (tenant) and the City of Laurinburg. The motion was seconded by Councilmember Willis, and the motion carried unanimously.

DISCUSSION OF SOUTH MAIN LIGHTING PROPOSAL

The City Manager explained that a representative from Shealey Electric Wholesaler reviewed the plans submitted by McGavran Engineering for the South Main Street Lighting Project, and provided a recommendation to use existing poles rather than adding 32 additional poles on South Main Street from Tucker Street to Highway 401.

Mr. Robert Smith, Electric Services Director, added that the Shealey recommendation requires three (3) additional poles and BellSouth will change out two (2) poles. He added that \$70,000.00 was budgeted for this project and the estimation to implement Shealey's recommendation, the cost will be approximately \$46,000.00.

Mr. Smith discussed the positioning of the lights and that the lights will be tilt able. He explained that once the lights arrive, it will take his staff approximately four (4) to six (6) weeks to complete the project. He further added that the operating costs for the new lights will be less than operating costs for the existing lights.

DISCUSSION OF LIGHT POLE STORAGE AREA

The City Manager explained that there is a light pole storage area that is becoming unmanageable and is in the way of the Contract 4.0 Leith Creek Parallel Sewer Project, and staff would like Council permission to give away light poles until the Storage area is manageable.

Discussion ensued concerning the purchase price of poles from the City and that the purchaser is required to load and haul off any poles purchased.

Following a further discussion, motion was made by Councilmember Willis, seconded by Councilmember Williamson, and unanimously carried for the Public Utilities Department to reserve the number of light poles it needs and then for the remainder to be given free to anyone requesting a light pole or poles.

DISCUSSION OF FORMER BRANCH'S LOT

The City Manager explained that one (1) idea for the former Branch's Lot was presented to Council at the Retreat. He requested that Council provide recommendations for the development of the lot.

Councilmember Adams suggested that the Beautification Committee and Laurinburg Downtown Revitalization Corporation (LDRC) also be asked for recommendations.

Councilmember Willis suggested that the lot be developed the same as the James Lot.

Councilmember Williamson suggested that the Community Development Director explore options and then present to Council. He also suggested that if Council had suggestions to send the City Manager an email.

DISCUSSION OF CITY OF LAURINBURG MISSION STATEMENT

The City Manager explained that in the Community Development Director drafted a proposed Mission Statement for the City when he discovered that one was necessary on a grant application being submitted. He added that Councilmember Hammond advised staff of a Mission Statement written by a previous City Manager and after research, no evidence of Council adoption of said Mission Statement was found.

Mr. Teddy Warner, Community Development Director, read the draft Mission Statement he prepared as follows:

Our mission at the City of Laurinburg is to enrich the quality of life for all our citizens...to build an attractive, inviting, and secure community. We pledge to work in partnership with our residents to foster community pride, to develop a vibrant, diversified economy, to revitalize our historic downtown Main Street area, to plan for the future, and to preserve, enhance, and restore the natural beauty of our environment known for over 30 years as Tree City, USA.

Following a brief discussion, motion was made by Councilmember Williamson, seconded by Councilmember Willis, and unanimously carried to approve the Mission Statement as presented.

PLANNING BOARD

The City Manager explained that long-time Planning Board member Mrs. Sallie Jones will be resigning from the Planning Board, and staff was requesting recommendations from Council. He added that the applicant must live within the City limits.

Upon question from Councilmember Hammond, the City Clerk explained that there were no applications on file for Planning Board. She added that notice of the Planning Board vacancy was on the City's website seeking applications.

Councilmember Leak stated that he would provide the name of an applicant.

The City Manager explained that this item would be placed on the agenda for April 21, 2015 in order to inform the public that applications are being sought for a vacancy on the Planning Board.

FINANCE UPDATE

Mrs. Cindy Carpenter, Finance Director, reviewed the Quarterly Finance Report ending March 31, 2015 with highlights as follows:

General Fund

- Revenues are at 74% of budget.
- Community Development, 501, 79% of expenditure. Transferred money from lapsed salaries to Planning & Development to cover Planning Board costs.
- Cemetery, 506, 80.89% of expenditure due to encumbrances for cemetery expansion. Hope to complete expansion by the end of the fiscal year.
- Streets & Highways, 562, at 37.41% of expenditures.
- Storm Drainage, 563, at 73.10% of expenditures. This department and Streets & Highways share personnel and a budget amendment may be necessary to correctly allocate expenditures between the two (2) departments.
- Fueling Facility, 564, at 104.30% of expenditures. Fuel is purchased throughout the year and then expensed to the County and the various City departments.
- Garage, 565, at 80.70% of expenditures. Expenditures need to be expensed back to various City departments.
- Summary of General Fund:

Revenue	\$6,016,562
Expenditures	\$5,522,923
Difference	\$ 493,639

Upon question by Councilmember Willis, Mrs. Carpenter explained that there is petty cash of \$6,300.00 to accommodate two (2) cash drawers for the tellers and two (2) assistants in Consumer Billing. She added that the cash drawers are kept in the safe.

Electric Fund

Mrs. Carpenter then reviewed the Electric Fund with highlights as follows:

- Electric Administration, 720, Personnel expenditures are a little high at 81%.
- Summary of Electric Fund:

Revenue	\$13,631,613
Expenditures	\$12,511,067
Difference	\$ 1,120,546

Upon question by Councilmember Willis, the City Manager explained that the difference between revenue and expenditures does not include depreciation. He added that the Local Government Commission (LGC) is concerned with net position which includes depreciation.

Water/Sewer Fund

Mrs. Carpenter reviewed the Water/Sewer Fund with highlights as follows:

- Revenue is at 49% in this fund.
- The actual charges for water and sewer are at 73%.
- Fund Balance appropriated of \$2.8 million has not been included at this point. That appropriation is done only if necessary at the end of the year.

Upon question by Councilmember Willis, Mrs. Carpenter explained that the City attempts to prepare a budget without appropriating Fund Balance.

Councilmember Willis explained that he felt the budget should be prepared in the General Fund based on previous year's actual revenue, and then take a look at appropriating Fund Balance.

Discussion ensued concerning preparation of budgets without appropriating any Fund Balance and the addition of funds into Fund Balance due to unfinished projects.

Discussion ensued concerning the LGC's Fund Balance requirements and the City's current Fund Balances.

Mrs. Carpenter continued reviewing the Water/Sewer Fund with highlights as follows:

- Water Production, 812, and Water Distribution, 814, share employees and depending upon the work necessary, may have to do budget amendment.
- Summary of Water/Sewer Fund:

Revenues	\$3,670,168
Expenditures	\$3,915,457
Difference	(\$245,289)

Solid Waste Fund

Mrs. Carpenter reviewed the Solid Waste Fund with highlight as follows:

- Summary of Solid Waste Fund:

Revenues	\$1,637,022
Expenditures	\$1,597,700
Difference	\$ 39,322

Overtime Report

Mrs. Carpenter reviewed the Overtime Report with highlights as follows:

- Grounds Maintenance at 95.50% and have completed all projects.
- Police Department at 114.22% because one (1) employee has been out for lengthy time. Overall budget will be fine due to lapsed salaries since the department is not fully staffed.
- Tax Department at 176.40% due to work on delinquent taxes
- Garage at 260.64% because the supervisor has been out for some time
- Sanitation at 117.74% due to one of the Operators being out sick

Upon questions by Councilmember Leak, Mrs. Galloway stated that she did not know if department heads had additional manpower needs. She added that the City has two (2) positions that are in the process of being filled and then the City will be fully staffed.

CANDIDATE FILING FEES FOR UPCOMING ELECTIONS

Following a brief discussion, it was consensus of Council to leave the candidate filing fees unchanged at \$25.00.

UPDATE ON CRIME & DRUG COMMITTEE

Mayor Parker discussed the status of the Crime and Drug Committee and the difficulty in having a quorum.

Discussion ensued concerning the focus of the Committee, the Guidelines, and membership of the Committee. Mayor Parker explained that he will send a letter to the members who are not attending.

DISCUSSION OF DUKE PROGRESS ENERGY/NCEMPA ASSET PURCHASE MEDIA RELEASE

The City Manager explained that David Barnes, Legal Counsel for ElectriCities, had reviewed a proposed statement to release to clarify information concerning the effect on the City's electric rates when the Duke Progress Energy purchase of North Carolina Eastern Municipal Power Agency (NCEMPA) assets is completed.

Following a brief discussion, Mayor Parker requested the City Manager arrange a press conference in his office and this matter should also be on the agenda for the April 21, 2015 meeting.

UPDATE/DISCUSSION OF ECONOMIC DEVELOPMENT

Mayor Parker explained that a potential viable candidate for the Scotland County Economic Development Director position had been identified and approached about reconsidering applying for the position.

Upon question by Councilmember Williamson, the City Manager explained that he was told that FCC would be operating with one (1) production line in April. He added that it was expected that three (3) production lines would be running by the end of 2016.

DISCUSSION OF CIRCUS ZONING

Mayor Parker explained that the County has given permission for a circus to occur at the Morgan Complex and did not check with the City about the zoning of the property.

Discussion ensued concerning the zoning of the property (Office/Institutional) and that a circus was not allowed in the Office/Institutional Zoning District. Mr. Mac McInnis, Zoning Officer, explained that he had discussed this matter with Mr. Holland of Holland Planning Consultants, and there was not a legal way for the City to issue a zoning permit to allow a circus at the Morgan Complex.

Further discussion ensued concerning this matter. It was consensus of Council for Mr. McInnis to contact the County to notify them that the circus is a zoning violation and for Mr. McInnis to work with Holland Planning Consultants to change the Unified Development Ordinance to allow circuses in the Office/Institutional Zoning District by Conditional Use Permit.

CLOSED SESSION

At 8:55 p.m. Councilmember Adams moved to go into closed session pursuant to North Carolina General Statute 143-318.11(a) (3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the City. The motion was seconded by Councilmember Hammond, and unanimously carried.

At 9:10 p.m. Councilmember Leak moved to adjourn the closed session and resume the open meeting. The motion was seconded by Councilmember Willis and unanimously carried.

ADJOURNMENT

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

The meeting adjourned at 9:10 p.m.

Thomas W. Parker III, Mayor

Jennifer A. Tippet, City Clerk