

**CITY OF LAURINBURG
CITY COUNCIL MEETING
NOVEMBER 14, 2023
CITY HALL AND POLICE DEPARTMENT
303 WEST CHURCH ST.
6:00 P.M.**

Minutes

The City Council of the City of Laurinburg held its regular meeting on Tuesday, November 14, 2023, in the Council Chambers of the City Hall and Police Department at 6:00 p.m. with the Honorable James T. Willis, Mayor, presiding. The following Councilmembers were present: Mary Jo Adams, Mary Evans, Rosemary Rainer, Barbara Rogers, and Andrew G. Williamson, Jr.

Also present were Charles D. Nichols III, City Manager; William P. Floyd, Jr., City Attorney; Harold W. Haywood, Administrative Services Director / City Clerk; and Amanda K. Futrell, Administrative Support Assistant / Deputy City Clerk.

Mayor Willis called the meeting to order at 6:02 p.m. Councilmember Adams gave the Invocation and led the Pledge of Allegiance.

APPROVAL OF AGENDA

The City Manager informed the council that there were two amendments that were needed to the agenda. He requested that the agenda be amended to add Item 3e to the Consent Agenda and remove item 9 from the City Manager Reports. The City Manager stated that the City Council must approve the resale of the foreclosed property in item 3e to the former owner due to a small amount of unpaid taxes before it can be resold back to the owner.

Councilmember Adams moved to approve the amended agenda with a second by Councilmember Rainer and the vote was unanimous.
(Councilmember Evans was not present for the vote)

PUBLIC COMMENT PERIOD

There was no one present to speak.

CONSENT AGENDA

Mayor Willis read aloud the Consent Agenda:

- a) Consider minutes of October 17, 2023 regular meeting.
- b) Consider Resolution No. R-2023-16 to apply for loan and/or grant from the North Carolina Department of Water Infrastructure for a Lead Service Lines Inventory.
- c) Set a public hearing on December 12, 2023 at 6:00 p.m. to consider a request to rezone parcel no. 010205 01002 on Hwy. 74 Business/Andrew Jackson Hwy. from Industrial to General Business.
- d) Consider Resolution No. R-2023-17, Finding of Facts for the request to rezone property known as Parcel # 010003 01004 located on Fairly Street from Residential-6 to General Business.
- e) Consider the approval of the resale of foreclosed property, which is Parcel # 010079

02008 located on Alpha Street, back to the former owner, per N.C. General Statute 105-376(c), for the amount of taxes/fees owed to the city.

Councilmember Adams moved to approve the Consent Agenda. Councilmember Williamson moved to second the motion, and the vote was as follows:

Ayes: Adams, Rainer, Rogers, Williamson

Nays: None

(Councilmember Evans was not present for the vote)

(Copy of Resolution No. R-2023-16 and Resolution No. R-2023-17 on file in the clerk's office)

PUBLIC HEARING

Request for a Special Use Permit for the development of an apartment complex on N. Wilkinson Drive.

Councilmember Mary Evans joined the meeting at 6:08 p.m.

Mayor Willis provided information concerning the process for conducting a quasi-judicial hearing to ensure that the governing board understood its role and to inform the public.

Mayor Willis opened the public hearing. Mr. Mac McInnis, after being duly sworn, stated that this request is for a special use permit to develop a 120-unit multifamily apartment complex on Parcel #010026 03001 which is a 10.019-acre track located on N. Wilkinson Drive next to Hillside Memorial Park. He stated the property is zoned R6-Mobile Home, which allows multifamily development at a density of 7-12 units per acre. Mr. McInnis stated that the development of more than 7 units on a property requires a Special Use Permit granted by the City Council. The planning board heard the request on October 10, 2023, and the recommendation to approve a Special Use Permit carried by a vote of 5 for and 1 against. Mayor Willis asked if there were any questions for Mr. McInnis. There weren't any questions. Mayor Willis confirmed that the council was aware of the location of the property.

Mayor Willis requested all persons who wish to speak during this public hearing come forth and be sworn or affirmed.

The following were sworn by the City Clerk: Christian Vestal from 15 South Fayetteville St, Asheboro representing the civil engineer on behalf of the developer of the project and Frank Rizzo with Town and Country located at 847 Annadale Rd, Staten Island, NY 10312, the managing partner, and developer for the project.

Public Comments in Favor of the Special Use Permit

Frank Rizzo spoke before the council. Mr. Rizzo thanked the council for considering his application. He stated that he and his partner, Eric, started a business 9 years ago to focus on affordable housing solutions. Mr. Rizzo stated that over the past 9 years, this business has led them to various communities and cities in the southeast where they own and operate various affordable housing communities. He stated that they have learned that when they make these investments, it's not only in the properties, but also in the communities as well. He stated that when the opportunity presented itself 18 months ago to explore Laurinburg, they did. He stated that Laurinburg's economic development plan intrigued the company, leading them to acquire two properties in Laurinburg to include Highland Village and the N. Wilkinson Drive property.

Mr. Rizzo stated that his company has made significant investments in Highland Village to repair and improve the infrastructure including the roads, the exterior, repaired homes, and removing many eyesores to the community to create a clean and safe environment for the residents. He stated the company's plan for 2024 is to bring in 12 homes to the Highland Village community. Mr. Rizzo stated they realize that Highland Village is not the only option to provide affordable workforce housing. He stated that Town and Country looked at the parcel located at N. Wilkinson Drive as an opportunity to create a garden style apartment complex of up to 120 units to address what they saw as an affordable housing need in Laurinburg. Mr. Rizzo stated last Friday they checked online and, with all the growth Laurinburg is projected for, there were only two apartments available online. He stated when speaking with business owners, when looking to relocate, one of the major questions they have is available housing stock. He stated he hopes to address this need the community has by providing a safe clean environment for workforce housing in Laurinburg.

Mayor Willis asked if there were any questions for Mr. Rizzo. Councilmember Adams asked Mr. Rizzo for his definition of "affordable housing". Mr. Rizzo stated his company looks at where the market is currently trending and tries to put out 1, 2 and 3-bedroom apartments that are reasonably priced and attractive in today's environment. He stated they are targeting rent around \$1,000 per month for a 3-bedroom apartment. Mayor Willis followed up with Councilmember Adams' question and asked if the apartments would be available for section eight housing assistance. Mr. Rizzo stated the apartments would be open to subsidized housing if all the criteria were met. Councilmember Rainer asked how many units would be put in the area. Mr. Rizzo advised there would be 120 units. Mayor Willis wanted to confirm, for the understanding of the council, that the entire project would not be for subsidized housing. Mr. Rizzo stated it would not and would be market rate housing. Councilmember Adams asked if she could ask questions that she had about the planning board minutes. City Attorney William P. Floyd, Jr. advised she could ask the questions. She stated that Mr. Rizzo was not at the planning board meeting but his representative at the meeting was asked questions about fire hydrants, sewer, and buffer during the meeting. She stated that the representative stated that when asked about the buffer, the representative advised that they would use the existing wooded area as the buffer. She wanted to know if Mr. Rizzo's group plans to add any additional buffer to the property besides the trees that the city has planted on its adjacent property. Mr. Rizzo stated he did not have an exact answer to that question. He stated they do plan to put amenities such as a playground and a community center, but they have not discussed the plans for the perimeter of the property. A discussion ensued about the buffering of the property. The City Manager advised that all the buffering the City of Laurinburg did was on the city's property. He asked Mr. McInnis if he knew if anything else would be required. Mr. McInnis stated that if the buffer on the city's property was sufficient, there wouldn't be anything else required of the developer. He stated that he thinks the current buffer is sufficient, but he would have to go out to the property to verify. Councilmember Williamson asked Mr. Rizzo to confirm he had stated there would be landscaping to create an attractive design. Mr. Rizzo stated there would be landscaping. Christian Vestal added that if the buffer between the cemetery and the property does not meet the standard of the ordinance, those would be upfitted as a requirement of the site plan. Councilmember Adams referred to the design map given to the council members and asked if the wooded area on the map would go away. Mr. Vestal stated that it would depend on the extent of the grading, but they would like to leave as much natural buffer as possible. He stated that dependent on the zoning of the adjacent properties, additional buffering may be required for the city's ordinance. Mr. McInnis stated that all of this would be determined once the planning board reviews the site. Councilmember Adams asked about the former questions asked by an adjacent landowner at the planning board meeting regarding fire hydrants, water, and the width of the road. Mr. Vestal stated the city water main would extend up to the property, fire hydrants would be placed as the

building code requires, the sprinkler system would be up to the building code, the existing sewer at the property will be used and the roadway would be up to NC DOT code. He stated the NC DOT has not advised of any additional improvements needed to the roadway. Mayor Willis asked if there were any questions from any other councilmembers. There were no additional questions.

Public Comments in Opposition of the Special Use Permit

Mayor Willis asked if there was anyone present that wanted to speak in opposition to the proposed changes. There wasn't anyone present to speak in opposition to the proposed Special Use Permit.

Councilmember Evans motioned to approve the request for a Special Use Permit for the development of an apartment complex on N. Wilkinson Drive Ordinance because:

- The development is within the planning jurisdiction of the City AND
- The application is complete AND
- The development is in substantial compliance with the regulatory provisions of the UDO (for example, setbacks, decommissioning plan, location, clustering, etc.)

AND BECAUSE THE APPLICANT PROVIDED EVIDENCE THAT:

- (1) The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare; AND
- (2) The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor diminish or impair property values within the neighborhood; AND
- (3) The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district; AND
- (4) The exterior architectural appeal and functional plan of any proposed structure will not be so at variance with either the exterior architectural appeal and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable district, as to cause a substantial depreciation in the property values within the neighborhood; AND
- (5) Adequate utilities, access roads, drainage, parking, or necessary facilities have been or are being provided; AND
- (6) Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; AND
- (7) The special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located; AND
- (8) Public access shall be provided in accordance with the recommendations of the city's land use plan and access plan, or the present amount of public access and public parking as exists within the city now. If any recommendations are found to conflict, the system requiring the greatest quantity and quality of public access, including parking, shall govern. The proposed use shall be consistent with recommendation and policy statements as described in the adopted land use plan; AND
- (9) The proposed use shall be consistent with recommendation and policy statements as described in the adopted land use plan.

Councilmember Williamson moved to second the motion, and the vote was as follows:

Ayes: Adams, Evans, Rainer, Williamson, Rogers

Nays: None

City Attorney William Floyd Jr. stated that he will draft final Findings of Facts for the hearing that will be available for the next meeting that council will vote on. Mayor Willis thanked Mr. Rizzo for the work his group is doing to address the housing needs in Laurinburg.

CITY MANAGER REPORTS

Update from Retail Strategies on retail recruitment efforts – Matt Jaeger

The City Manager stated that tonight we have our partners with Retail Strategies present to provide an update on retail recruitment efforts in Laurinburg. Matt Jaeger stated that they have a presentation to provide details on what the partnership between the City of Laurinburg and Retail Strategies has produced for the past 6 years now. He stated that every year their staff does a "boots on the ground" tour around Laurinburg. He stated that seeing all the additional construction of retail establishments is a sign of positive economic growth. Mr. Jaeger stated that Retail Strategies represents Laurinburg at several professional trade shows including ICSC, which has between 30 thousand and 40 thousand attendees. Mr. Jaeger highlighted retailers that Retail Strategies has assisted in bringing to Laurinburg since 2018, including Starbucks, Chick-fil-a, and Harbor Freight. He stated there are more retailers to come, but he will not discuss the specifics out of respect for the confidentiality of the retailers. Mr. Jaeger addressed various types of data collected and used by Retail Strategies. Mr. Jaeger discussed active recruitments prospects, such as a regional NC based burger restaurant, a national chicken quick service restaurant and a national hobby retailer.

Mayor Willis thanked Mr. Jaeger for all the work his company put in and all they have accomplished. Mayor Willis challenged Mr. Jaeger to remember the entire community when looking at these businesses to include the shopping center in North Laurinburg where Food Lion is located. Councilmember Rogers asked Mr. Jaeger how involved his group is or if it has a partnership after the business is here, as far as the layout of the store and the business's process to uphold its service to the community. Mr. Jaeger stated that his group acts as an intermediary between the companies and the city officials to translate on a case-by-case basis. He stated that Retail Strategies views their partnership with the City of Laurinburg as a long-term full advisement partnership. Councilmember Rogers suggested trying to get in front of projects that are locked in to have them reach out to NC Career Works for retailers to locate employees locally. Mr. Jaeger stated that this would be possible, and it is something they would like to partner with the City of Laurinburg more on that.

Community Development Update

The City Manager stated that the Community Development Director, Mr. Walker McCoy, was in attendance to give an update on community development. Mr. McCoy began his update by addressing development at the Hillside cemetery. He advised the council of some work completed to include completing the road at the cemetery. He stated that with this progress, they can now focus on the front section layout that they plan to work on this winter to give more space at the cemetery. Mr. McCoy stated that they want to place emphasis on

improving the landscaping at the cemetery to include the grass. He also addressed the staff decorating for Christmas, changing the flowers and the tree giveaway in the City of Laurinburg.

Mr. McCoy stated that the Beautification crew have removed a substantial number of right-of-way trees. Mr. McCoy stated that the crew is also working on removing trees and replanting trees where needed. He addressed plans to renovate the circle going to the hospital at Lauchwood Drive and Johns Road to include planting more resilient grass and plants. He showed the council photos of the alleyway at McDuffie Square after the beautification project. He stated that they planted 20 hybrid Dogwood trees on Dogwood Mile in groups of 5 so it would be manageable by St. Andrews. He stated more will be planted.

Mr. McCoy then addressed GIS. He stated they have been looking for ways to improve GIS to make it more user friendly and to address complaints about the new system. Mr. McCoy stated they are also working with the county to ensure all deeds are uploaded to the online GIS. He stated they are also trying to work with the county so they can make their own updates to the online GIS to make it a quicker process.

Mr. McCoy then addressed planning and zoning. He stated Mr. Mac McInnis has been doing a lot to include 8 demolition projects. He stated that two properties are scheduled to be burned by the fire department for training purposes. Mr. McCoy stated they have also worked with numerous property owners and tenants to help comply with violation complaints received at the office. He also stated that there have been numerous requests for special use permits, rezoning and general interest in the City of Laurinburg. He addressed the growth in retail to include the 9 project plan reviews, of which 7 are already currently under construction. He stated one of these projects includes a national hobby retailer that is a large undertaking that he feels will result in more economic interest. He addressed other projects, such as the opening of the Goodwill store, the reopening of the newly built Bojangles, the Tesla charging stations, the opening of Harbor Freight and the opening of Five Below. Mr. McCoy stated that in the past 10 years, 68 million dollars have been spent in investments with 10 million of that being in the past year. He stated that there is a lot of interest in the City of Laurinburg.

Mr. McCoy stated that the City of Laurinburg has completed phase 1 and phase 2 assessments on two properties for the Brownfields Grant the City received. He stated that the properties are the city's property, 127 South Main (the former pawn shop on the corner of Roper and Main), and the former Southern Dry Cleaners (on Biggs St).

Mr. McCoy then addressed solidifying the location for the electricity at McDuffie Square and the cost estimates for markers that will be placed in McDuffie Square. He stated he has not received estimates for the archway for McDuffie Square yet. A conversation ensued between the council and Mr. McCoy on what markers and plaques had been decided upon. Mr.

McCoy then discussed Downtown Laurinburg. He stated that he, Mayor Willis, the City Manager, and the Chairman of the DAC had a visit with Mrs. Naomi Riley from the NC Main Street Program. He stated that they were impressed with what was going on downtown. He stated that Mrs. Riley wanted to take the City of Laurinburg's 5-year plan to share it with all the NC Main Street Programs to use as an example as to how to establish a 5-year plan. Mr. McCoy then discussed the new businesses downtown to include Sugar Hill Bakery, Tea Time Café, and Art, Antiques and Oddities. He discussed the increased interest in events downtown. Mr. McCoy discussed downtown façade grants. He stated that there have been 6

façade grants approved with 4 of those projects already completed. Mr. McCoy discussed the vacant building ordinance and getting property owners in compliance. He also discussed the social district and Railroad Bar & Grill's effort to meet the ordinance for the social district. He discussed the required signage for the social district. Mr. McCoy also discussed the Legacy NC Mural project and the newly installed speaker system for music on Main Street. He invited everyone to Christmas on Main this coming Sunday.

Conversation ensued between the Council, the City Manager and Mr. McCoy about the asbestos in the 127 South Main Property and the future plans for the building. The Council was advised that all asbestos must be removed before any work can begin on the building. A conversation ensued between Councilmembers, the City Manager and Mr. McCoy about façade grants. The Council was advised of the eligibility requirements for the façade grants and payout amounts. The Council, Mayor Willis and the City Manager recognized the hard work and the direction that Mr. McCoy and his group have taken to make improvements to the City of Laurinburg.

Ordinance No. O-2023-24 Amending Ordinance No. O-2022-29 Chapter 6 of the Code of Ordinances, City of Laurinburg, North Carolina.

The City Manager addressed the Downtown Advisory Committee and Community Development proposing to amend Ordinance No. O-2022-29 to include the entirety of the Municipal Service District (MSD), not solely the Commercial Historic District. The change would require all buildings in the MSD to adhere to the Vacant Building Ordinance.

Councilmember Rainer motioned to approve Ordinance No. O-2023-24 amending Ordinance No. O-2022-29 Chapter 6 of the Code of Ordinances, City of Laurinburg, North Carolina. Councilmember Rogers moved to second the motion, and the vote is as follows:

Ayes: Adams, Evans, Rainer, Rogers, Williamson

Nays: None

(Copy of Ordinance No. O-2023-24 on file in the clerk's office)

City of Laurinburg Revised Fee Schedule to include a \$100 fee for the use of city-owned facilities for events held downtown at McDuffie Square, the Art Garden, and the City Parking Lot next to the A.B. Gibson Building

The City Manager addressed that the Downtown Advisory Committee would like to request a fee of \$100 be charged to use the event areas in Downtown Laurinburg. This would include McDuffie Square, the Art Garden, and the City Parking Lot next to the A.B. Gibson Building. The DAC would also request that the funds that are collected go into the Laurinburg Downtown Advisory Committee 501(c)(3) account to be used to further revitalization efforts in Downtown Laurinburg. Councilmember Rainer asked if this would include the Farmer's Market. The City Manager advised that it would. The City Manager stated that the Tourism Development Authority would possibly assist if someone needed help with the fee.

Councilmember Williamson motioned to revising the City of Laurinburg Fee Schedule to include a \$100 fee for the use of city-owned facilities for events held downtown at McDuffie Square, the Art Garden, and the City Parking Lot next to the A.B. Gibson Building and that the funds collected go into the Laurinburg Downtown Advisory Committee 501(c)(3) account to be used to further revitalization efforts in Downtown Laurinburg. Councilmember Adams moved to second the motion, and the vote is as follows:

Ayes: Adams, Evans, Rainer, Rogers, Williamson
 Nays: None
 (Revised fee schedule on file in the clerk's office)

Ordinance No. O-2023-22 Amending the FY 2023-2024 Budget Appropriations Ordinance (Ordinance No. O-2023-08) for the Police Department

The City Manager stated that this budget amendment is needed to buy equipment per the Equitable Sharing Agreement and Certification. These funds are distributed by the Department of Justice for a percentage of Seized Asset revenues, accumulated in a separate bank account and available to use for approved purchases. The current amount available from this account is \$32,000. Once approved, the Finance Director will transfer the funds to the City operations account to pay invoices for the approved equipment. These expenditures are subject to a separate Single Audit and required to be reported on the Schedule of Expenditures and Federal Awards (SEFA) under CFDA no.16.922 Department of Justice, and 21.016 for the Department of Treasury.

Councilmember Adams motioned to approve Ordinance No. O-2023-22 Amending the FY 2023-2024 Budget Appropriations Ordinance (Ordinance No. O-2023-08) in the General Fund by increasing revenues by \$32,000 from Seized Asset Revenue (line item 10-435000) and increasing expenditures by \$32,000 for Equipment (line item 510-707400). Councilmember Rainer moved to second the motion, and the vote is as follows:

Ayes: Williamson, Rogers, Rainer, Evans, Adams
 Nays: None
 (Ordinance No. O-2023-22 on file in the clerk's office)

Ordinance No. O-2023-23 Amending the FY 2023-2024 Budget Appropriations Ordinance (Ordinance No. O-2023-08) for the Sewer Collection Department

The City Manager stated that this ordinance is for an emergency repair for a sewer line on South Main Street. The City has a main sewer line on South Main Street that has failed and needs immediate repair/replacement. This budget amendment is being requested to make this needed repair by increasing expenditures in the Sewage Collection Department by \$150,000 in line item 820- 707300, Other Improvements, and using Water/Sewer Fund Balance to cover this expenditure. This amount is based on an estimate to have the line replaced by contractors.

Councilmember Evans motioned to approve Ordinance No. O-2023-23 Amending the FY 2023-2024 Budget Appropriations Ordinance (Ordinance No. O-2023-08) in the Water/Sewer Fund by increasing revenues by \$150,000 from Fund Balance Appropriated (line item 31-439900) and increasing expenditures by \$150,000 for Other Improvements (line item 820-707300). Councilmember Adams moved to second the motion, and the vote is as follows:

Ayes: Adams, Evans, Rainer, Rogers, Williamson
 Nays: None
 (Ordinance No. O-2023-23 on file in the clerk's office)

Laurinburg Christmas Parade

The City Manager stated that the Laurinburg Christmas Parade is on Saturday, December 2nd at 3:00 p.m. He asked what members of the City Council will be participating. All members of the City Council planned to participate, except for Councilmember Adams.

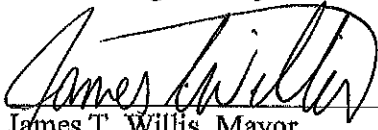
COMMENTS FROM CITY MANAGER, MAYOR AND/OR COUNCILMEMBERS

Mayor Willis stated that he spoke with Mrs. Terry Parker, and she is very appreciative of Mr. McCoy, his beautification crew, and the electric crews with what they have done downtown. He stated that the Christmas decorations downtown have become a staple for Laurinburg. Mayor Willis stated that Mrs. Parker said that Georgetown, SC has called, and they want to emulate what the City of Laurinburg has done. He said that these efforts downtown create a lot of out-of-town traffic and tourism. Mayor Willis encouraged everyone to attend Christmas on Main on Sunday. Mayor Willis asked if there were any other comments. There were no additional comments.

ADJOURNMENT

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

The meeting was adjourned at 7:50 p.m.


James T. Willis, Mayor


Harold W. Haywood, City Clerk

