

**CITY OF LAURINBURG
CITY COUNCIL MEETING
AUGUST 18, 2020
CITY HALL AND POLICE DEPARTMENT
303 WEST CHURCH ST.
7:00 p.m.**

Minutes

The City Council of the City of Laurinburg held its regular meeting on Tuesday, August 18, 2020 in the Council Chambers of the City Hall and Police Department at 7:00 p.m. with the Honorable James T. Willis, Mayor, presiding and physically present. The following Councilmembers were physically present: Mary Jo Adams, Mary Evans, James J. Garby, Jr., Donald Rainer, and Andrew G. Williamson, Jr.

Also present were Charles D. Nichols III, City Manager; and William P. Floyd, Jr., City Attorney (via teleconference). City Clerk Jennifer A. Tippet was absent (sick).

Mayor Willis called the meeting to order at 7:00 p.m.

Councilmember Rainer gave the Invocation and then led the Pledge of Allegiance.

APPROVAL OF AGENDA

Councilmember Williamson requested that the agenda be amended to include a Closed Session for personnel reasons.

Councilmember Adams requested that the minutes be pulled from the Consent Agenda in order to amend the draft minutes.

Motion was made by Councilmember Williamson to approve the agenda with the requested amendments. The motion was seconded by Councilmember Garby, and the vote was as follows:

Ayes: Adams, Evans, Garby, Rainer, Williamson

Nays: None

PUBLIC COMMENT PERIOD

The City Manager read the following public comment:

From Anne Todd, 12381 Angus Drive, Laurinburg:

“I would like to offer a suggestion for consideration. In light of ongoing discussions about recreation for our young people, I wonder if anyone has thought about outside basketball courts? The city of Southern Pines has used a lot near downtown shops for many years; it always seems to be used by people playing

basketball. I have no idea who maintains it or handles fairness in using it or monitors behavior. I do not know about zoning issues.

In our community, as all others, we are in a difficult time right now with our middle school and high school students unable to participate in sports, due to the pandemic. There is a huge amount of pent-up energy and frustration. Any activity, of course, would pose some health risks. However, outside basketball goals might be a way to help without being in an enclosed space.

The paved lot across from the new City Hall on Everett Street is usually empty now that there is ample parking at the new facility. Perhaps the owner of the lot could get a tax deduction if he leased it or donated it with no charge. The location near the police station should help deter criminal activity there.

This suggestion may have merit or may be impossible logistically. It seems that the time may finally be right at least to consider such an option.

Thank you all for your commitment to our citizens. Your jobs are not easy and decisions seldom please everyone. We continue to have many more positives than negatives in our town. Thanks for everything you do.”

CONSIDER MINUTES OF JULY 17, 2020 REGULAR MEETING

Councilmember Adams explained that she discussed with the City Clerk about amending the draft minutes of the July 17, 2020 meeting. The City Clerk listened to the audio of the specific discussion concerning “Discussion of Future of I. Ellis Johnson School”, and she recommended the following amendment on page 4:

Councilmember Adams expressed concern about the condition of the facilities at I. Ellis Johnson School due to its age and issues with technology. She explained that she supported the idea of partnering with the Scotland County Parks and Recreation Department to use the gym and possibly the land behind the school for recreation. The City could partner with the School System and the County to demolish the outbuildings on the property.

Councilmember Adams moved to approve the amended draft minutes of the July 17, 2020 regular meeting as shown above. The motion was seconded by Councilmember Williamson, and the vote was as follows:

Ayes: Adams, Evans, Garby, Rainer, Williamson

Nays: None

CITY MANAGER REPORTS

CONSIDER ORDINANCE AMENDING THE ELECTRIC RATE SCHEDULE TO ADD RIDER FOR PARALLEL GENERATION

The City Manager explained that the Parallel Generation Rider was adopted by Council on September 16, 2003; however it was not adopted by ordinance and included in the updated Electric Rate Schedules. After consulting with the City Attorney, it was determined that since the schedule had been previously adopted by Council, no public hearing was required.

Following discussion, Councilmember Adams moved to approve Ordinance No. O-2020-09 amending the City of Laurinburg Electric Rate Schedule (Ordinance No. O-2013-12) to add Parallel Generation Rider. The motion was seconded by Councilmember Garby, and the vote was as follows:

Ayes: Adams, Evans, Garby, Rainer, Williamson
Nays: None
(Ordinance No. O-2020-09 on file in city clerk's office)

CONSIDER RESOLUTION AWARDDING KEY TO THE CITY

The City Manager explained that at the July 17, 2020 meeting, Council directed the City Clerk to draft a resolution awarding the Key to the City to Alpha Alpha Phi Zeta Chapter Sorority. The Key to the City will be presented on Thursday, July 19, 2020 at 9:30 a.m. at corner of North Main Street and McGirts Bridge Road.

Councilmember Evans moved to approve Resolution No. R-2020-06 awarding the Key to the City to Alpha Alpha Phi Zeta Chapter Sorority. The motion was seconded by Councilmember Adams, and the vote was as follows:

Ayes: Adams, Evans, Garby, Rainer, Williamson
Nays: None
(Resolution No. R-2020-06 on file in city clerk's office)

CONSIDER MEMORANDUM OF UNDERSTANDING FOR FIREFIGHTING ACADEMY

The City Manager explained that this Memorandum of Understanding had been discussed for several month. Scotland High School is working to increase its Career Technical Education Program (CTE), and Fire Chief Jordan McQueen was approached about the City assisting with a Firefighting Academy. This will benefit the students in the Firefighting Academy as well as the Fire Department with recruitment of new volunteer members once completing the course.

Councilmember Evans moved to approve the Memorandum of Understanding between the Scotland County School Board and the City of Laurinburg for a Firefighting Academy, and to authorize the City Manager to execute the Memorandum of Understanding pending approval by the Scotland County School Board. The motion was seconded by Councilmember Garby, and the vote was as follows:

Ayes: Adams, Evans, Garby, Rainer, Williamson
Nays: None

UPDATE ON US DEPARTMENT OF AGRICULTURE GRANT AND CONSIDER BUDGET AMENDMENT

The City Manager explained that the City has received a US Department of Agriculture Grant along with grant funding from the NC Department of Agriculture and Consumer Services, Division of Soil and Water Conservation for a total of \$259,440.00 to be used for storm water issues. Four (4) projects identified by the funding authorities are: Cypress Drive, two (2) projects on North Main Street (Leith Creek and the former barber shop location), and Wesleyan Drive. Initially, the grant required that the City have signed easements from the property owners; however, the City Attorney worked with the funding authorities with a permission letter from the property owners allowing the City and its contractor(s) to access the storm drainage areas that need attention. The projects will be bid out.

Following a brief discussion, Councilmember Adams moved to approve Ordinance No. O-2020-10 amending Fiscal Year 2020-2021 Budget Appropriations Ordinance (Ordinance No. O-2020-04) to accept the grant funds. The motion was seconded by Councilmember Rainer, and the vote was as follows:

Ayes: Adams, Evans, Garby, Rainer, Williamson

Nays: None

(Ordinance No. O-2020-04 on file in city clerk's office)

Discussion ensued concerning the seven (7) storm water projects and Cape Fear Engineering. The City Manager explained that once staff has a clear picture on finances, perhaps at some point capital projects such as the storm water projects can be added into the budget. He added that the final estimates from Cape Fear Engineering had been provided to Council, and perhaps at some point, Cape Fear Engineering could make its final presentation to Council.

Upon question by Councilmember Williamson, the City Manager explained that staff had a FEMA finalization telephone conference earlier in the day, and the City has completed all requirements of FEMA for Hurricane Florence reimbursement. He added that now the information has to go through the State since the State contributes 25% of the FEMA funds. The City received a large part of the FEMA reimbursement prior to June 30, 2020, but not all of the funds.

UPDATE ON ELECTRIC SUBSTATION

The City Manager explained that staff does not have the final report on the transformer explosion that occurred at the City's new electric substation. The City's engineer has indicated that it was an equipment failure; however, the manufacturer's agents, Duke Energy's agents and the City's insurance agents are still investigating. A Duke Controlled Transformer is the piece of equipment that failed, and when it blew, shrapnel blew into the transformer and caused the fire. Because it is still under investigation, City staff has been able to only clean up the rock and oil from the explosion and fire. The City's electric engineering contractor believes that there may be a work-around by using one (1) transformer on site that was not damaged. At this time it is not known if the failed transformer will be rebuilt or if a

new one will have to be ordered. The City was fortunate that no one was injured in this incident. The City Manager will provide updates as more information is known.

UPDATE ON NORTH FIRE STATION

The City Manager explained that staff has continued working with the Federal Emergency Management Agency (FEMA) concerning the North Fire Station. The City has grant funding from The Golden Leaf for \$1.25 million; however, the FEMA process must be completed before The Golden Leaf funds can be utilized. Approximately 25 days ago, the City's environmental assessment engineer provided its report to FEMA. FEMA has 30 days to review the report, and so far, there had been no questions or comments from FEMA. After the initial 30 day period, there will be another 30 day period for public input concerning the proposed Fire Station, and once that period is over, the City should receive final approval from FEMA. On September 5, 2020, FEMA gave the City approval to put out the Request for Qualifications for Architectural Services. By the end of September, an architect should be selected. Currently the amount that FEMA will provide the City is \$160,000.00, but that is a floating figure.

Upon question by Mayor Willis, the City Manager explained that The Golden Leaf organization had been helpful to work with, and there was no expiration of time for the funding to be utilized. The Golden Leaf organization is updated on the City's progress and work with FEMA.

UPDATE ON UTILITY ACCOUNTS

The City Manager explained that currently the City has 1,023 delinquent utility accounts with a balance owed of \$338,045.43. When the Governor's orders were issued preventing the disconnection of utilities, staff immediately halted expenses and cancelled purchase orders, and every expenditure had to be approved by the Finance Director. The Governor's orders expired July 29, 2020. A press released has been which explains the six (6) month payment plan. An explanation of the amount owed and the six (6) month payment plan will be included with each delinquent customer's September bill. Staff is working on the Fiscal Year 2019-2020 audit, and once funds start coming in, staff can assess the financial position, and hopefully some capital projects can be added into the budget.

Upon question by Councilmember Evans, the City Manager explained that the City could now disconnect for non-payment; however, that decision is Council's.

Upon question by Councilmember Rainer, the City Manager explained that with the Governors' orders, late fees on utility accounts could not be charged.

Councilmember Rainer explained that he thought that six (6) months to repay the delinquent amount without late fees was sufficient time for customers.

Councilmember Garby suggested that Council look at the repayment situation in five (5) months before making a decision on disconnecting customers. He added that if someone has

not made any attempt to get caught up on their delinquent account, then they should be disconnected; however, Council should also look at the individuals who are trying to get caught up but just need possibly two (2) to three (3) more months.

Upon question by Mayor Willis, the City Manager explained that the City has seen an increase in delinquent amounts approximately 25-30%.

Upon questions by Councilmember Adams, the City Manager explained that there are 6,500 electric meters in the City's system, including commercial accounts, and approximately 8,000 water meters which also includes meters in the County.

DISCUSSION AND DIRECTION ON FIREWORKS DISPLAY

The City Manager explained that the fireworks display had been pushed off with staff hoping to possibly have them on Labor Day; however, with COVID-19 situation, that does not seem possible. If the Fireworks are scheduled at a later date, there would be no additional cost to the City other than the normal amount that must be paid following the display (\$6,600.00). If the fireworks are cancelled, there is a 15% fee to cancel (\$1,980.00) which would be billed sometime in calendar year 2021. The normal cancellation fee is 40%, so the company is working with its customers. There has been discussion of possibly tying in with Christmas events. Our deposit of \$6,600 (1/2) would carry-over for the deposit for next year.

Following discussion, Councilmember Garby moved to postpone a decision on the fireworks until toward the end of the year. Councilmember Adams seconded the motion, and the vote was as follows:

Ayes: Adams, Evans, Garby, Rainer, Williamson
Nays: None

APPOINTMENT

CITY OF LAURINBURG/SCOTLAND COUNTY CRIME AND DRUG COMMITTEE

Following a brief discussion, Councilmember Mary Evans resigned as a voting member of the City of Laurinburg/Scotland County Crime and Drug Committee. She explained that she would attend the meetings as an ex-officio member.

Motion was made by Councilmember Adams to appoint Mr. Robert McDonnell and Mr. Charles McEachin to the City of Laurinburg/Scotland County Crime and Drug Committee. The motion was seconded by Councilmember Evans, and the vote was as follows:

Ayes: Adams, Evans, Garby, Rainer, Williamson
Nays: None

COMMENTS FROM MAYOR AND/OR COUNCILMEMBERS

Councilmember Adams reminded everyone to fill out the census if they have not yet done so. She stressed the fiscal importance of the census for the next 10 years as it could amount to \$74 billion for the State of North Carolina.

Mayor Willis explained that the City's orchard over at Washington Park had come to fruition. Citizens can go get apples and pears.

Councilmember Garby reminded everyone that this coming Saturday, August 22, 2020, the Second Annual Guns Down, Water Guns Up event would be held at I. Ellis Johnson Park beginning at noon. It is a fun event to bring everyone together.

CLOSED SESSION

At 7:54 p.m. motion was made by Councilmember Williamson to go into closed session pursuant to NC General Statute 143-318.11(a)(4) for economic development and NC General Statute 143-318.11(a)(6) for personnel. The motion was seconded by Councilmember Rainer, and the vote was as follows:

Ayes: Adams, Evans, Garby, Rainer, Williamson

Nays: None

At 8:29 p.m. Councilmember Evans moved to adjourn the closed session and resume the regular meeting. The motion was seconded by Councilmember Garby, and the vote was as follows:

Ayes: Adams, Evans, Garby, Rainer, Williamson

Nays: None

ADJOURN

Motion was made by Councilmember Adams, seconded by Councilmember Williamson to adjourn the meeting. The vote was as follows:

Ayes: Adams, Evans, Garby, Rainer, Williamson

Nays: None

The meeting adjourned at 8:29 p.m.

James T. Willis, Mayor

Jennifer A. Tippet, City Clerk