

**CITY OF LAURINBURG
CITY COUNCIL MEETING
JULY 25, 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, July 25, 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 and Andrew G. Williamson, Jr. Councilmember Barbara Rogers was late for the meeting.

Also present were Charles D. Nichols III, City Manager; William P. Floyd, Jr., City Attorney; Harold W. Haywood, City Clerk; Susan K. Coble, Deputy City Clerk.

Mayor Willis called the meeting to order at 6:03 p.m.

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

APPROVAL OF AGENDA

Councilmember Adams moved to approve the agenda with second by Councilmember Rainer and the vote was unanimous.

PUBLIC COMMENT PERIOD

There was no one present to speak.

CONSENT AGENDA

Mayor Willis read aloud the Consent Agenda:

- a) Consider minutes of June 20, 2023, regular meeting
- b) Consider Semi-Annual Surplus Sale Report
- c) Authorize Mayor to Execute Order to Collect Taxes
- d) Consider Resolution No. R-2023-10 to authorize property exchange between SERAA and Scotland County
- e) Consider Ordinance No. O-2023-13 Budget Amendment for Unfinished Firing Range Building (FEMA funds)
- f) Consider Letter of Support for NC Department of Transportation's Maximizing Our Rural Economy on I-74 Project
- g) Application for Use of City Facilities-McDuffie Square for National Night Out Event with Police Department on Tuesday, August 1, 2023, from 6:00 p.m. to 8:00 p.m.
- h) Road closure – Railroad Street from Gill Street to Main Street for National Night Out event on Tuesday, August 1, 2023, from 5:30 p.m. to 9:00 p.m.

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

Ayes: Adams, Evans, Rainer, Williamson

Nays: None

(Copy of Resolution No. R-2023-10 and Ordinance No. O-2023-13 on file in the clerk's office)

PUBLIC HEARINGS

CONSIDER REQUEST FOR A SPECIAL USE PERMIT TO ALLOW A 72-UNIT APARTMENT COMPLEX ON PARCEL NO. 01001601006

Mayor Willis opened the public hearing. Mr. Mac McInnis, City Planner/Code Enforcement Officer, being duly sworn, explained this request for a special use permit to construct a multi-unit apartment complex on Tarboro Street. The request was made by Mr. Larry Bergin, Real Estate Agent for Wynnefield Forward, LLC. The request was heard by the Planning Board on June 13, 2023, and the Planning Board unanimously recommended to deny the request. Mr. McInnis informed Council that Mr. Bergin was not in attendance for the council meeting but was formally made aware of the meeting via email.

The City Attorney inquired about the main reason that the Planning Board denied the request. Mr. McInnis informed Council that the access down Tarboro Street is not wide enough to handle the traffic that this 72-unit would create. The City Attorney inquired if there had been any traffic engineer reports submitted on behalf of the applicant. Mr. McInnis stated that there had not been any communication or reports submitted for review.

The City Attorney informed the council that if the proponent is not in attendance to offer any testimony and the burden of proof is on the proponent of this application, then there is no evidence before the council for them to approve, therefore, it is appropriate for council to consider a motion to deny the request.

Mayor Willis questioned the City Attorney if the board should let the residents in attendance concerning this matter speak regarding the request. The City Attorney stated that they could speak, but there is nothing being presented by the applicant for anyone present that is opposed to rebut.

Mayor Willis expressed that he was taking the direction of the council, but he appreciated the residents coming to express their concerns during the public hearing.

The City Attorney explained that the initial burden is on the proponent to provide the law of prima facie case, meaning the applicant would have to answer all the questions in the ordinance about the appropriateness of the project. He stated that there is no one in attendance to provide that evidence, so it is appropriate for the council to deny the request for the special use permit.

There being no one to speak in opposition to the request, Mayor Willis closed the public hearing.

Councilmember Evans moved to deny the request for a special use permit to allow a 72-Unit Apartment Complex on Parcel No. 01001601006, based on no competent evidence being presented by the applicant.

Councilmember Adams moved to second the motion, and the vote was unanimous.

Councilmember Rogers arrived at 6:14 p.m.

CITY MANAGER REPORTS

CONSIDER LETTER OF SUPPORT FOR SOUTHEASTERN COMMUNITY ACTION PARTNERSHIP, INC – TIFFANY ANTHONY & DR. ERICA WHITTAKER

The City Manager explained that Mrs. Tiffany Anthony from Southeastern Community Action Partnership, Inc. was in attendance to provide an update on the IEJ Multi-Family Project. Mrs. Anthony is requesting a letter of support from the City to submit with grant applications for this project.

Dr. Erica Whittaker, CEO of Southeastern Community Action Partnership, Inc. joined Mrs. Anthony and expressed her gratitude for letting them come before council to provide an update on the new and exciting things taking place with the IEJ Multi-Family Project that they have been working on for Scotland County. She explained that currently in Scotland County they facilitate housing, a self-sufficiency program through the community services block grant, operate head start and early head start. Currently their organization operates 14 head start centers and serves approximately a thousand children.

Mrs. Anthony, Housing Director for Southeastern Community Action Partnership, Inc. explained that they have been providing affordable housing through the housing choice vouchers (Section 8) for over thirty years. She explained that the IEJ Multi-Family Project will be a great opportunity to increase affordable housing within Scotland County. Mrs. Anthony explained that they would be able to receive funding through the county with the North Carolina Housing and Finance Agency through the Sharpe Program. She explained to apply for this funding they had to have a site and Scotland County approved a potential donation of the land for them to develop which is located beside the former I. Ellis Johnson School. Mrs. Anthony explained that being granted the opportunity of the donated land, they were able to find two sources of funding that could potentially help develop the project. She explained that the first application was through the Sharpe Program, which allowed federal funding for individuals that are at risk of becoming homeless. The second application for funding will be submitted on August 25, 2023, through the North Carolina Office of Recovery and Resiliency (NCORR) to assist with disaster recovery areas. She explained that due to Scotland County being affected by two different natural disasters, the money has been set aside for projects and they would be considered for the additional funding to develop the project.

Dr. Whittaker explained that they have been working with UNC Chapel Hill and have spent a few days researching the area that the potential project will be developed on and what affordable housing would mean to this area. She explained that COVID did play a contributing factor to individuals experiencing hardship, such as homelessness. She explained that they are looking for

help from the residents of the City of Laurinburg and Scotland County that would be interested in what they are seeking to do and help improve the neighborhood and county. Dr. Whittaker explained that currently there is not a lot of affordable housing located in Scotland County and they are looking to change that for individuals.

Dr. Whittaker explained that currently they provide around \$4.8 million dollars in services to Scotland County annually through the various programs that they offer. She explained that they wanted to continue the support within the county and strengthen the relationship with everyone within the county. She explained that they are seeking a letter of support from the council to submit with the grant applications they are seeking funding from.

Councilmember Rainer inquired on how the annex would be used. Dr. Whittaker explained that they are currently seeking funding for developing that as well to move some of their administrative offices over to the area, so they will have resources onsite for individuals that are seeking services. She explained that they currently approach cases by using the whole family method and make sure that they are covering all aspects of the needs of the individuals.

Councilmember Rainer explained that she currently resides in the area that they are looking to develop, and certain areas are flood zones. She inquired if they are working with an engineer to ensure the new housing doesn't experience any potential flooding. Dr. Whittaker explained that they are working with an architect and a civil engineer to ensure that there will be no development built on any area that could possibly be a flood zone area. She explained that they are also putting in a retention pond to help with the issue if it were to arise.

Dr. Whittaker explained that the project would be done in phases. She explained that the first phase would include a 10-unit housing and the second phase would include affordable housing if they were able to secure the funding. She explained that the third phase is still open, as they have not put a solid plan in place for what would be completed during that time. She explained that they would like to build a new location for the head start center that they currently operate. She explained that it is highly important that they work with different stakeholders to ensure that they incorporate all resources into the area that would help the individuals such as medical, mental, etc.

Councilmember Adams inquired about phase one as to whether it would include Section 8 and housing for at-risk families. She asked if anyone with their organization held a community meeting or sent out any notification to the existing residents in the area to inform them of what they are planning on developing on that site. Dr. Whittaker explained that phase one would be for anyone that was experiencing homelessness. She explained that if the client was a recipient of a voucher, they would be able to move onto that property, but it is primarily focused on anyone that is experiencing homelessness. Dr. Whittaker explained that they do need to call a forum and inform the existing residents of the plans that they have in place and keep them informed with what will be happening during the different phases. She explained that they are seeking guidance from both the city and the county on how to bring the residents together to inform them of plans for development.

Dr. Whittaker added that they are interested in building a community center in the area as well in phase two. She explained that the community center would be used for meetings for the community, recreation, etc.

Councilmember Adams inquired if phase three would be single family homes. Dr. Whittaker explained that phase three is still in the planning stage. She explained that they have plans in place for phase one (10-Units) and phase two (duplexes, houses) but have not set in stone what will take place in phase three at this time.

Councilmember Evans inquired if low-income and affordable housing was the same. Dr. Whittaker explained that it is similar, but the criteria to qualify for HUD Section-8 housing is completely different from Affordable Housing. She explained that you do not have to qualify for Affordable Housing, as it depends on the individual's income base.

Councilmember Williamson inquired if they are successful at receiving the grants they are applying for, how soon construction would begin. Dr. Whittaker explained that based on current supply and demand issues, they have a goal to begin in 2024.

Mayor Willis informed Dr. Whittaker and Mrs. Anthony that there is an industry coming to the area that will have an opportunity to create 450 hundred new jobs. He explained that they might want to take that into consideration during phase three. He stated that it could possibly be completed by the end of 2024 and there will be a major housing crunch. Dr. Whittaker informed the council that UNC Chapel Hill informed them of the industry coming as well when they pulled the data for Scotland County.

Councilmember Evans inquired with the City Manager if the letter of support could be completed before they held the community forum to inform the residents of the possibly development. The City Manager explained that if the council directed him to proceed, then he would draft a letter for the Mayor to sign on behalf of the council and get the letter of support to Mrs. Anthony as soon as possible.

The Mayor expressed to provide the letter of support and then work with them on the best approach to have the community forum. The City Manager replied that if that was the council's direction, then he would proceed. The manager inquired if there was any information that needed to be included in the letter of support. The manager explained that he would get with Dr. Whittaker, and they could discuss what needed to be included in the letter.

The Council agreed to proceed with providing the letter of support.

CONSIDER AUTHORIZING THE MAYOR TO EXECUTE THIRD AMENDMENT TO CITY MANAGER'S CONTRACT

The Mayor explained that at the June 20, 2023 meeting, Council authorized the extension of the City Manager's contract for two (2) additional years past the end of the current term. The City Attorney has prepared the amendment to the contract in accordance with the Council's direction. The Council needs to authorize the Mayor to execute the Third Amendment to the City Manager's contract.

Councilmember Williamson moved to execute the Third Amendment to the City Manager's contract with second by Councilmember Adams and the vote was unanimous.

CONSIDER REJECTION OF BIDS FOR BRIDGE CREEK/COLLEGE PARK SANITARY SEWER REHAB PROJECT

The City Manager explained that sealed bids for the construction of the Bridge Creek & College Park Sanitary Sewer Rehabilitation Project were received and opened at a public bid opening on Thursday, June 22, 2023 at 2:00 P.M. Two (2) bids were submitted from general contractors. Since a re-advertisement of the bid notice was published and distributed due to an insufficient number of bids at the first bid opening scheduled on June 6, 2023, the city proceeded with the bid opening. The lowest, responsive, responsible bid of \$18,492,762.92 far exceeded the available budget for this project. Therefore, engineers and staff are recommending the rejection of all bids received and that the project quantities be re-evaluated and re-bid with the goal to be within budget while still achieving the overall project goals. The manager explained that the staff recommends the rejection of all bids received on June 22nd and that the project be rebid to get the project cost within the budgeted funds.

Mayor Willis and the City Manager ensued conversation regarding the bids from the engineers.

Councilmember Evans moved to reject all bids received on June 22, 2023 for the Bridge Creek & College Park Sanitary Sewer Rehab Project and re-bid the project, with second by Councilmember Rainer, and the vote was unanimous.

CONSIDER AMENDMENTS TO SOLID WASTE MANAGEMENT ORDINANCE AND SOLID WASTE POLICY (DUMPSTERS)

The City Manager explained that the staff is asking the council to amend the Solid Waste Management Ordinance and Solid Waste Policy regarding commercial dumpster usage within the city limits. He explained the purpose of the amendments is to ensure that, moving forward, businesses are only allowed to use dumpsters provided by the City within the city limits. He explained that in the past, by allowing other providers to rent out dumpsters to city businesses, it became misleading to the new businesses coming into town into assuming those providers can also provide collection service, although those dumpsters are only allowed to be emptied by the city's Sanitation Department. He explained that existing businesses that don't have city dumpsters currently will only be required to change as they need to be replaced over time.

Councilmember Williamson moved to approve the Ordinance No. O-2023-14 to amend the Solid Waste Management Ordinance and Resolution R-2023-11 to amend the Solid Waste Policy with second by Councilmember Rainer and the vote was as follows:

Ayes: Adams, Evans, Rainer, Rogers, Williamson

Nays: None

(Copy of Ordinance No. O-2023-14 and Resolution No. R-2023-11 on file in the clerk's office)

RECYCLING/SOLID WASTE UPDATE

The City Manager explained that discussions have been ongoing concerning the solid waste/recycling program for the past year or more. The City currently loses around \$100,000 a year trying to continue its recycling efforts for the residents. He further expressed the desire to improve that program. Since January 2023, the City has picked up 250 recycling carts from

residents that are not properly using the carts. He added that of those 250, only 14 residents have contacted the City to get their cart back. The City Manager stated the request is to form a small committee to help evaluate the program and make recommendations leading into next year's budget, so the City is not in the same position. The manager suggested including two (2) elected officials on the committee and the other four (4) or five (5) committee members would be chosen based on recommendations from the remaining members of the board not serving on the committee. Councilmember Rogers and Councilmember Evans stated they would be interested in serving on the committee. The City Manager requested the remaining board members to consider other members from the public to recommend serving on the committee and this can be discussed again at the next meeting to potentially proceed with organizing the committee.

Discussion ensued regarding different resources that could be useful to putting the committee together and organizations to reach out to gain knowledge, as well as the history of the program and services provided by other cities.

The consensus of the Council was to proceed as suggested by the City Manager.

FLEET WASH DISCUSSION

The City Manager explained that he, along with two staff members, visited Guilford County to take a tour of their Fleet Wash Facility to gain a better understanding of the facility operations. He explained that the goal is to take better care of the equipment that we currently have and will purchase in the future. He explained that with the length of time it is taking to get equipment and the increasing cost of this equipment, it is important to extend the useful life of all city equipment as much as possible.

The City Manager explained that city-owned land behind Public Works is large enough to accommodate a fleet wash facility. He explained that the current budget includes contracted services funds for engineering. The request is to select and enter into a contract with an engineer to start evaluating the feasibility of the project. He explained that the City would have to buy the equipment and then the building would be built around it once it is installed.

Councilmember Rogers inquired if the facility would be exclusively for use just by the city-maintained vehicles, or could we contract with other businesses, and they pay for the use of the facility. The City Manager explained that since the City would be providing the upfront funds for the project, it would be prioritized for City use, but that it was a possible to contract with other businesses for them to use the facility as well to help fund ongoing operations of the facility. He explained that an engineer is needed to help staff determine the amount of capital funding needed to acquire the equipment and construct the facility, as well as verify the best location for the facility. He explained that the cost of the construction project and maintenance would then be distributed between all four funds in the city budget, due to it being used by all departments.

Councilmember Rogers inquired if it would eliminate current costs that we have now for upkeep on the equipment. The City Manager explained it would help with time management, labor cost, and maintenance cost. He stated that the Fleet Wash Facility would be fully automated and would only need staff to restock the washing supplies periodically.

The consensus of the Council was to proceed with the process of selecting an engineer for this project.

UPDATE ON AMENDING THE UDO TO INCLUDE TRANSITIONAL HOUSING REGULATIONS

The City Manager informed the Council that there was not a planning board meeting for July 2023 to discuss this potential amendment to the Unified Development Ordinance (UDO) to include transitional housing. He explained that amendments to the UDO must be heard by the planning board for recommendation to Council and then will be presented to the Council for consideration to approve.

Discussion ensued regarding Transitional Housing and what could be potentially included in the proposed amendment.

UPDATE ON CONTRACT FOR FINANCIAL AUDIT SERVICES

The City Manager explained that the City conducted a Request for Proposals (RFP) solicitation process for receiving proposals from qualified firms to perform the financial auditing services for the City for the Fiscal Year ending June 30, 2023. The City invited all firms, including directly inviting firms that have performed these services in the past, to submit a proposal to provide this service. The RFP was released and posted on April 17, 2023 with a submittal deadline of May 12, 2023. The City did not receive any proposals by this deadline, so the RFP was re-advertised on May 15, 2023, with an extended deadline of May 31, 2023. The City still did not receive any proposals by the extended deadline from any firms to provide this service.

The City reached out to the Local Government Commission and the School of Government for advice on how to move forward. The City released an Open RFP with no established deadline, until a firm was selected and contract awarded by Council for this service. The City has received one proposal thus far from a firm to provide this service. The proposal was evaluated as required by the federal bidding requirements and deemed responsive.

Councilmember Rainer moved to select Roche, Head & Associates to perform the financial auditing services for the Fiscal Year Ending June 30, 2023, and authorize the Mayor to execute the final contract to be submitted to the Local Government Commission, with second by Councilmember Evans, and the vote was unanimous.

APPOINTMENT

Mayor Willis explained that the term for Mr. James Thomas on the Planning Board expired June 30, 2023 and that Mr. Thomas wishes to continue serving.

Councilmember Williamson moved to re-appoint Mr. James Thomas to the Planning Board for another three (3) year term from July 1, 2023 to June 30, 2026, with second by Councilmember Adams and the vote was unanimous.

COMMENTS FROM MAYOR AND/OR COUNCILMEMBERS

Councilmember Rogers informed the City Manager of a couple of complaints on Dickson Street concerning low hanging wires and about a flooding issue on Park Street during the previous storm. The City Manager stated that he would address those issues with the Electric Department and Public Works Department.

Councilmember Rainer also informed the City Manager that there was flooding on the street adjacent to North Laurinburg School.

Councilmember Evans spoke briefly regarding the recent ribbon cutting event that she attended for Climavision. She expressed that it would be very beneficial for the City regarding communication for inclement weather.

Councilmember Adams mentioned that the turnout for Laurinburg After five on July 21, 2023, was great. Councilmember Rogers expressed that the McDuffie Square location is a good space for all outdoor events.

CLOSED SESSION – Personnel

Councilmember Adams moved to go into closed session at 7:05 p.m. pursuant to NCGS 143-318.11(a)(6) for personnel. Councilmember Rogers moved to second the motion, and the vote was unanimous.

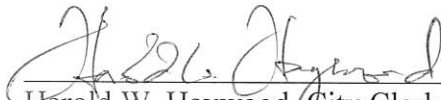
Councilmember Adams moved to adjourn the closed session at 7:27 p.m. and return to the open meeting. Councilmember Rogers moved to second the motion, and the vote was unanimous.

ADJOURNMENT

Motion was made by Councilmember Evans, seconded by Councilmember Rainer, and unanimously carried to adjourn the meeting.

The meeting was adjourned at 7:27 p.m.


James T. Willis, Mayor


Harold W. Haywood, City Clerk

