CITY OF LAURINBURG
CITY COUNCIL MEETING
JULY 19, 2022
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, July 19, 2022 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, Rosemary Rainer, Barbara Rogers, and Andrew G. Williamson, Jr.

Also present were Charles D. Nichols III, City Manager; Jennifer A. Tippett City Clerk; and William P. Floyd, Jr., City Attorney.

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

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

APPROVAL OF AGENDA

Motion was made by Councilmember Adams to approve the agenda as submitted. The motion was seconded by Councilmember Rainer, and the vote was unanimous.

PUBLIC COMMENT PERIOD

There was no one present to speak.

CONSENT AGENDA

Mayor Willis reviewed the Consent Agenda:

a) Consider minutes of June 21, 2022 regular meeting
b) Consider Semi-Annual Surplus Sale Report
c) Authorize Mayor to Execute Order to Collect Taxes
d) Consider setting public hearing to be held on August 16, 2022 to close out the CDBG-I Produce Market Road Area Sewer Project Grant

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

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

PUBLIC HEARING

REQUEST FOR A SPECIAL PERMIT TO OPERATE A TATTOO (MICROBLADING) PARLOR AT 1783 SOUTH MAIN STREET

Mayor Willis opened the public hearing to consider a request for a special use permit to operate a tattoo (microblading) parlor at 1783 South Main Street.

Mr. Mac McInnis, City Planner/Code Enforcement Officer, being duly sworn, explained that Mr. Nuygen, owner of Jack & Jenny's Nail Salon located at 1783 South Main Street, has requested a special use permit to add microblading as a service. Microblading is a semi-permanent form of cosmetic tattooing for eyebrows. Any form of tattooing requires a special use permit. Planning Board heard the request at its June 14, 2022, and unanimously recommended approval of the request.

Mr. Nuygen was duly sworn, and responded to a question from Councilmember Rainer that microblading would be the only form of tattooing done at his facility.

Upon question by Councilmember Evans, Mr. Nuygen explained that he would register with the Scotland County Health Department once the special use permit has been approved.

Mr. McInnis explained that Mr. Nuygen was required to register with the Scotland County Health Department, and that the facility would be inspected by the Scotland County Health Department.

Councilmember Adams expressed concern about use of the phrase "tattoo parlor".

The City Attorney explained that according to the Unified Development Ordinance, microblading is considered a type of tattooing. He added that Council could place a condition on the special use permit with the restriction that only microblading would be permitted at the location.

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

Councilmember Evans moved to approve the request for a special use permit to operate a tattoo parlor (microblading) at 1783 South Main Street 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 the following requirements of the Unified Development Ordinance would be met:

(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.

Discussion ensued concerning restricting the special use permit to microblading only. Councilmember Evans amended the motion to restrict the special use permit to microblading only.

Councilmember Adams seconded the amended motion, and the vote was unanimous.

CITY MANAGER REPORTS

JAY TODD – CONSIDER REQUEST FOR A VACANT BUILDING ORDINANCE DOWNTOWN

Mr. Jay Todd, Chairman of the Downtown Advisory Council (DAC), explained that although the downtown had made great progress, the DAC would like to see more progress particularly with regard to vacant buildings, and would like for Council to consider a vacant building ordinance for downtown. He reviewed the ordinance from Kings Mountain which includes registration of vacant properties with the Downtown Manager including registration fees, proof of insurance, specified inspections, and specified timeframe that buildings can remain vacant without penalty. The primary purpose of the ordinance is to prevent blight and decay. He requested that Council approve a similar type ordinance for the downtown area.

Upon question by Mayor Willis, Mr. Todd explained that the DAC had been discussing this idea for two (2) years. He added that the DAC did not want property owners to view the ordinance as a penalty, but instead offer grants to improve the properties.

The City Manager added that the City Code includes language that addresses building standards for the whole City. He added that in the past few years the City Code was amended for the downtown area only concerning windows in vacant buildings.

Upon question by Councilmember Evans, Mr. Todd explained that the Downtown Manager would manage registration of vacant buildings. He added that this position reports to the Community Development Director who reports to the City Manager. He further added that one of the driving forces in wanting this ordinance was that there were people interested in starting businesses downtown, but the current vacant buildings are either just shells or the property owners did not want to do anything with their properties.

Mayor Willis then introduced Mary Alliscon Yancey, the new Downtown Manager.

Councilmember Williamson stated that he liked the idea of a vacant building ordinance, and that he would like for the City Manager, Mr. Mandeville and staff to develop an ordinance.

Following further discussion Councilmember Adams moved to have staff review the Kings Mountain ordinance and the current City Code, and make recommendations to Council on an ordinance for vacant buildings downtown. The motion was seconded by Councilmember Williamson, and carried unanimously.

MICHELLE THOMPSON – THOMAS CONSULTING PRESENTATION

Ms. Michelle Thompson, Thomas Consulting, explained that she wanted to present information about the Distressed Cities & Persistent Poverty Assistance (DCTA) Program and the services that her firm provides. She presented a PowerPoint with highlights as follows:

- The firms core capabilities are:
    - Technical Assistance and Training
    - Strategic Planning
    - Transition & Change Management
    - Financial Analysis
    - Program & Project Delivery
    - Policy Research
    - Diversity, Equity & Inclusion
    - Business Process Improvement
    - Performance Management
    - The DCTA Program:

- Established in 2018 to build capacity of relatively small local governments that may not otherwise have direct access to HUD programs and Technical Assistance (TA) resources
    - Primary goal to help local governments improve their fiscal health so they may be more successful in securing additional resources, completing projects, and meeting goals
    - TA may be available for a range of topics – including governance, management and administration; inclusive community engagement; program and grant administration and compliance, and partnership building
    - Focus on building capacity in ways that are sustainable (long-lasting) for the local government
- Technical Assistance:
    - HUD Definition: Guidance which enables recipients to overcome a lack of specific skills or knowledge and, by doing so, become more successful in meeting the needs of their communities. TA is the transfer of skills and knowledge to entities that may need, but do not possess, such skills and knowledge.
    - What does this mean in terms of DCTA?
    - The TA provider works directly with program recipients (local governments and sometimes their partners) to make progress in identified focus areas.
    - The recipient must be actively involved throughout the process. If the recipient is unresponsive, the TA must pause or terminate.
    - Typical recipients are very low capacity and successful recipients decide to make DCTA a priority.
    - The DCTA program cannot help a recipient if the recipient does not have capacity to engage and work with the TA provider
- Laurinburg and Scotland County are eligible for assistance from HUD because of the economically distressed condition and persistent poverty.
- The DCTA process was reviewed from the local government requesting assistance from HUD.
- If the City and the Scotland County Commissioners decide that stormwater management is an issue that impacts quality of life, the entities could request technical assistance. Her firm would access funds to funds to develop process to capture storm water, do data analysis and work with the State to identify repetitive loss and what funds would be available. Her firm could not write the grant and her firm would be

Upon question by Councilmember Williamson, Ms. Thomas explained that her recommendation would to make the application not overly general, but not extremely specific in order to be successful.

Upon question by Councilmember Evans, Ms. Thomas explained that there is approximately $1 trillion dollars available, but HUD does not have that much funding available.

Upon question by Councilmember Rogers, Ms. Thomas explained that her firm would work with HUD and the City once the City makes application for funding.

Upon question by the City Manager, Ms. Thomas explained that the Scotland County Commissioners expressed the desire to work with the City and make application together.

Councilmember Adams explained that there are many agencies that have funds available and many agencies, such as the Lumber River Council of Governments to work with local governments. She added that the City's water and wastewater engineer had obtained multiple grants and low interest loans for the City.

Councilmember Williamson suggested that the City Manager talk to the County Manager concerning the County's position on this matter.

Ms. Thomas explained that HUD and the federal government both have an expectation that local governments working together. She added that her firm would help identify additional funding opportunities that other entities might not focus on.

Following further discussion, Councilmember Evans moved that the City form a partnership with other agencies, Scotland County or a committee to discuss or research possibilities of looking into Ms. Thomas' firm to help the City and the County to help the health of the City and the County. The motion was seconded by Councilmember Rainer, and the vote was unanimously in favor.

DOROTHY TYSON – REQUEST TO USE CITY HALL LAWN FOR 9/11 DAY FLAG OF HONOR ACROSS AMERICA MEMORIALS ON SEPTEMBER 11, 2022

Mrs. Dorothy Tyson thanked Council for allowing the Scots For Youth Teen Court to hold the 9/11 Day Flag of Honor Across America Memorial last year, and explained that she was requesting that Council allow the group to hold the 9/11 Day Flag of Honor Across America Memorial again this year. She requested the Fire Department assist with the flag raising. The ceremony will begin at 8:30 a.m. and will end between 9:30 to 9:45 a.m.

Motion was made by Councilmember Adams, seconded by Councilmember Rainer, and unanimously carried to allow the Scots For Youth to hold the 9/11 DAY Flag of Honor Across America Memorials on September 11, 2022, and for a proclamation to be issued.

DISCUSSION ON REQUEST TO ALLOW GREEN BURIALS

Mr. Michael Mandeville, Community Development Director, explained that research on green burials revealed that they are usually in designated, natural grassy fields. He added that staff was concerned about graves collapsing, and that one (1) year after burial, the City is responsible for filling in graves. He added that the current ordinance requires a vault and 18 inches of cover above the vault.

Motion was made by Councilmember Rainer, seconded by Councilmember Evans, and unanimously carried to not allow green burials in City of Laurinburg cemeteries.

UPDATE ON STORM WATER

The City Manager explained that Councilmember Evans had requested an update on Storm Water projects. He and staff met with Chuck Willis of Willis Engineering for an update on the projects. The City has been notified that it will receive $11.25 million from the State, and prioritizing the projects was discussed. There are currently nine (9) major water and wastewater projects going on, and there are seven (7) future projects.

The City Manager explained that the funding for stormwater projects was increased in FY 2022-2023. Because of the difficulty in keeping the temporary ditch crew positions filled, staff plans to contract out that service.

The City Manager reviewed the stormwater projects prioritized by Cape Fear Engineering as follows:

#1	Site 4 – Main Street at Leith Creek	Army Corps of Engineers to complete project
#2	Site 5 – Main Street at Lloyds	City completed work
#3	Site 2 – Cypress Drive	Completed funds from Emergency Watershed Protection Funds from USDA
#4	Site 6 – Isabella Street	
#5	Site 7 – Blue Drive	
#6	Site 3 – Wesleyan Drive	Completed funds from Emergency Watershed Protection Funds from USDA
#7	Site 1 – Barnes Bridge Road	

The City Manager explained that Isabella Street and Blue Drive projects will require multiple private property easement purchases and cost sharing per the City's Stormwater Policy. The project at Barnes Bridge Road which affects the Camelia Acres subdivision, is not in the city limits and located on private property. He added that staff plans to submit applications for funding for Isabelle Street, Blue Drive and Barnes Bridge Road with the Department of Environmental Quality Grant Program. If the projects are funded, the priority list would be completed.

Upon question by Councilmember Rainer, the City Manager explained that there were unprecedented funds flowing from the State and Federal governments.

UPDATE ON NORTH FIRE STATION

The City Manager explained that Hawkes Builders had been provided the Notice to Proceed on construction on June 23, 2022, and that there was a 500 day completion time, November 5, 2023. It was hoped that the construction would be completed well before that time; however, it could be eight (8) to 10 months before the metal building would be on site. Hudson Paving was currently on site preparing the driveway, and there would be a Ground Breaking soon.

Upon question by Councilmember Rainer, the City Manager explained that the Fire

Department was still housing equipment in the old North Fire Station. He added that the City could not maintain the building without flood insurance. Currently staff was investigating that once the new North Fire Station was completed, giving the old North Fire Station to a non-profit, Scotland County Rescue, Inc. to store its equipment.

CONSIDER AUTHORIZING THE SALE OF TWO LOTS ON WILMINGTON STREET

The City Manager explained that the City has special authority to sell lots specifically identified in former Community Development Block Grants. Mrs. Suzanne Collins has requested to purchase two (2) lots on Wilmington Street.

Motion was made by Councilmember Williamson to approve Resolution No. 2022-20 authorizing the sale of two (2) lots on Wilmington Street to Suzanne Collins and husband, Marvel Collins, for the appraised value of $1,500 and to authorize the Mayor to execute the deed conveying the property. The motion was seconded by Councilmember Evans, and the vote was as follows:

Ayes: Williamson, Evans, Adams, Rainer, Rogers
Nays: None
(copy of Resolution No. R-2022-20 on file in city clerk’s office)

CONSIDER BUDGET AMENDMENT FOR ELECTRIC DEPARTMENT CAREER PATHWAYS

The City Manager explained that a budget amendment in the Electric Fund was necessary in order to account for the career pathways for the electric employees over the next year.

Motion was made by Councilmember Evans to approve Ordinance No. O-2022-24 amending the FY 2022-2023 Budget Appropriations Ordinance (Ordinance No. O-2022-21) by increasing revenue by $60,000 and increasing salary line item by $60,000. The motion was seconded by Councilmember Rogers, and the vote was as follows:

Ayes: Evans, Rogers, Rainer, Adams, Williamson
Nays: None
(copy of Ordinance No. O-2022-24 on file in city clerk’s office)

CONSIDER AMENDING THE CITY PERSONNEL POLICY

The City Manager explained that staff was recommending the addition of Veterans Day as a holiday for employees. This action requires amending the City’s Personnel Policy (Resolution No. R-2013-01).

Following discussion, Councilmember Adams moved to approve Resolution No. R-2022-21 amending the City Personnel Policy (Resolution No. R-2013-01) Article VII. Holidays and Leaves of Absences, Sect. 2. Holidays, by adding Veterans Day as a holiday. The motion was seconded by Councilmember Rainer, and the vote was as follows:

Ayes: Adams, Rainer, Rogers, Evans, Williamson
Nays: None
(copy of Resolution No. R-2022-21 on file in city clerk's office)

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

The City Manager explained that at the June 21, 2022 Council meeting, Council voted unanimously to extend the City Manager's contract for two (2) years until February 20, 2026. The second amendment to his contract extends the contract to February 20, 2026.

Motion was made by Councilmember Williamson to authorize the Mayor to execute the second amendment to the City Manager's contract. Councilmember Rainer seconded the motion, and it carried unanimously.

APPOINTMENTS

LAURINBURG HOUSING AUTHORITY

Mayor Willis explained that he had re-appointed Ms. Gloria Brown to the Laurinburg Housing Authority Board of Directors for a three-year term. He added that she is a resident and brings a lot of experience to the board.

PLANNING BOARD

Mayor Willis explained that two (2) members' terms on the Planning Board expired June 30, 2022. Both members wish to be reappointed.

Motion was made by Councilmember Adams, seconded by Councilmember Rainer, and unanimously carried to reappoint Kathy Williamson and Scoofer Jordan to the Planning Board for three-year terms.

BEAUTIFICATION COMMITTEE

Mayor Willis explained that members' terms on the Beautification Committee expired June 30, 2022, and members wished to be reappointed. Also, since Sandy Skamperle had resigned, her seat on the Beautification Committee needed to be filled.

Motion was made by Councilmember Evans, seconded by Councilmember Williamson, and unanimously carried to reappoint Lynne Mabry, Terri Purcell, William Tyson, Cory Hughes, Chris English, Sonya Jones and Janice Creed to the Beautification Committee and to appoint Randy McCall, all for three-year terms.

MAYOR/COUNCILMEMBER COMMENTS

Councilmember Adams explained that she had received calls from members of the Crime and Drug Committee that were appointed just before COVID-19 began, and that the members were concerned because no meetings had been held.

The City Manager explained that there had been no meetings of the Crime and Drug Committee since the start of COVID-19. He added that a meeting was held two (2) weeks ago with Police Chief Johnson, and he will review the committee and its purpose, and will inform the City Manager any plans for the committee.

Councilmember Rogers explained there were plans for the I. Ellis Johnson School property, with the option for the City to have space in one of the wings. She questioned if Council wanted to tour the facility.

Councilmember Adams explained that Council had voted to partner with the Scotland County Board of Commissioners to provide utilities for the gym for two (2) years for a maximum amount of $50,000 per year.

Councilmember Rogers explained that she had been speaking with members of the Scotland County Board of Commissioners, and that the County had plans for the right wing of the school, and that if the City wanted to have space in one of the wings, a concrete plan needed to be developed.

Upon question by Councilmember Adams, Councilmember Rainer stated that the IEJ Restoration Committee met the previous week. She added that there are eight (8) rooms for which no use has been determined. She suggested that Council tour the facility. Work on the gym will begin in August.

Mayor Willis explained that at one time there was discussion on having a police department presence at the facility.

Councilmember Rainer explained that a police presence in the form of a police substation in the building would be requested due to the shootings and crime in the area.

Following further discussion, it was consensus of Council for Councilmember Rainer to set up a facility tour for Council.

APPOINTMENT

The City Clerk explained that Council could appoint a member to the IEJ Restoration Committee to replace former Councilmember James Garby.

Motion was made by Councilmember Rainer to appoint Councilmember Barbara Rogers to the IEJ Restoration Committee. The motion was seconded by Councilmember Williamson, and carried unanimously.

CLOSED SESSION

At 8:41 p.m., Councilmember Adams moved to go into closed session to discuss personnel. The motion was seconded by Councilmember Evans, and carried unanimously.

At 8:46 p.m., motion was made by Councilmember Evans, seconded by Councilmember Rainer, and unanimously carried to adjourn the closed session and resume the regular meeting.

ADJOURNMENT

Motion was made by Councilmember Williamson, seconded by Councilmember Evans, and unanimously carried to adjourn the meeting. The meeting adjourned at 8:46 p.m.

James T. Willis, Mayor

Jennifer A. Tippett, City Clerk