

**CITY OF LAURINBURG
CITY COUNCIL MEETING
JUNE 21, 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, June 21, 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, and Andrew G. Williamson, Jr.

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

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

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

OATH OF OFFICES

Mayor Willis administered the oaths of office to re-elected Councilmembers Mary Evans, Rosemary Rainer, and Andrew G. Williamson, Jr. and to newly-elected Councilmember Barbara C. Rogers.

Councilmember Barbara C. Rogers took her seat at the dais.

ELECTION OF MAYOR PRO TEM

Councilmember Rainer moved to nominate Councilmember Mary Evans to serve as Mayor Pro Tem. The motion was seconded by Councilmember Adams, and the vote was unanimous.

Mayor Willis administered the oath of office to Councilmember Mary Evans as Mayor Pro Tempore.

APPROVAL OF AGENDA

Councilmember Evans requested that the agenda be amended to postpone Item 19 Update on Storm Water and Item 20 Update on North Fire Station until the July meeting.

Motion was made by Councilmember Williamson to approve the agenda with suggested changes. 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 May 24, 2022 regular meeting
- b) Consider Resolution No. Residential-2022-17 Pertaining to the Special Use Permit Request for the Development of an 84 Unit Apartment Complex
- c) Consider Resolution No. Residential-2022-18 Pertaining to the Special Use Permit Request for the Operation of a Ground Mounted Solar Array
- d) Set public hearing to be held on July 19, 2022 to consider a request for a special use permit to operate a tattoo parlor at 1783 South Main Street
- e) Consider Ordinance No. O-2022-17 Closing Main Street from Railroad Street to Church Street on Tuesday, August 2, 2022, from 5:00 p.m. to 9:00 p.m. for National Night Out
- f) Consider Produce Market Road Wastewater Collection Systems CDBG-I Semi-Annual Compliance Report

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

Ayes: Adams, Williamson, Rogers, Evans, Rainer

Nays: None

PUBLIC HEARINGS

REQUEST TO REZONE PROPERTY LOCATED AT 11240 ACADEMY ROAD

Mayor Willis opened the public hearing to consider request to rezone the property located at 11240 Academy Road.

Mr. Mac McInnis, City Planner/Code Enforcement Officer, explained that Ms. Kimmberlee Barfield was requesting to rezone this family property from Industrial to Residential-20. Part of the tract of land is already zoned Residential-20. Planning Board heard the request at its May 10, 2022 meeting, and unanimously recommended approval.

Ms. Kimmberlee Barfield explained that her parents built the building located on the subject property. She added that since she had returned to Laurinburg, she wanted to make the building her home and bring back the good memories.

Upon question by the City Attorney, Ms. Barfield stated that the building at one time had been a convenience store.

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

Councilmember Evans moved to approve Ordinance No. O-2022-18 rezoning from Industrial to Residential-20 the property located at 11240 Academy Road and identified as Scotland County Parcel Number 04019601075 because it advances the public health, safety and welfare, and based upon the following which are incorporated herein in this motion:

The rezoning of Scotland County Land Parcel number 04019601075 (11240 Academy Rd) from Industrial to Residential-20 is consistent with an adopted comprehensive plan and any other officially adopted plan that is applicable because:

- 1) The Residential-20 zoning district is established to accommodate low density residential uses, agricultural lands, and woodlands within the city's planning jurisdiction. This district allows uses that would not be appropriate in more intensely developed residential zones.
- 2) The Comprehensive Plan 2035 indicates the area along Academy Road being used for Rural residential/Agricultural development.
- 3) The area along Academy Road is almost totally Residential-20 zoning currently and the rezoning will eliminate an old out of place Industrial zoning.

And it is reasonable because of the following:

- 1) The Rezoning to Residential-20 will allow uses consistent with other existing area uses and will remove an old Industrial zoning which allows much more harsh uses which would not be compatible to the area now;
- 2) Rezoning to Residential-20 will help to maintain the present character of the City while promoting diversity and future growth;
- 3) The rezoning to Residential-20 will have no detrimental impact to the property values of surrounding land owners and;
- 4) The rezoning to Residential-20 will require no infrastructure improvements by the City of Laurinburg.

Councilmember Rainer seconded the motion, and the vote was as follows:

Ayes: Evans, Rainer, Williamson, Rogers, Adams

Nays: None

(Ordinance No. O-2022-18 on file in city clerk's office)

FISCAL YEAR 2022-2023 BUDGET

The City Manager explained that there were several items to be considered with the budget, and that because of the American Rescue Plan Act (ARPA), it looks different from previous years. The budget runs from July 1, 2022 to June 30, 2023. The total budget for all four (4) funds is \$43,491,678. The four (4) funds are the General Fund and the three (3) utility funds – Electric, Water/Sewer and Solid Waste. The budget includes the following:

- The property tax rate remains at \$0.40 per \$1,000 valuation.
- Five percent (5%) Cost of Living Allowance for employees.
- Health insurance plan remains the same with just a five and three-tenths percent (5.3%) increase in premium.
- Due to cost of materials, the tap fees have increased.
- Due to the cost of tipping fees charged by Scotland County, the solid waste fees will increase by four percent (4%).

Mayor Willis opened the public hearing.

There being no one to speak in favor of or opposed to the budget, Mayor Willis closed the public hearing.

Fee Schedule

The City Manager explained that changes to the Fee Schedule are the increases for water/sewer taps and the four percent (4%) increase in solid waste fees.

Councilmember Adams moved to approve the Fiscal Year 2022-2023 Fee Schedule. Councilmember Williamson seconded the motion, and the vote was unanimous.

Capital Improvement Plan

The City Manager explained that a capital item is any physical item of \$5,000 or more. The Capital Improvement Plan helps staff plan for the future and also is looked upon favorably when pursuing grants.

Councilmember Evans moved to approve the 2023-2027 Capital Improvement Plan. The motion was seconded by Councilmember Rainer, and the vote was unanimous.

Consider Grant Project Ordinance

The City Manager explained based on guidance from the University of North Carolina School of Government (UNC SOG), the original Grant Project was being amended to allocate the entire amount of \$4,781,000.

Councilmember Williamson moved to approve Ordinance No. O-2022-19 American Rescue Plan Act (ARPA) Grant Project Ordinance. Councilmember Adams seconded the motion, and the vote was as follows:

Ayes: Williamson, Adams, Rogers, Rainer, Evans

Nays: None

(Ordinance No. O-2022-19 on file in city clerk's office)

Consider Ordinance Amending ARPA Grant Project Ordinance and Transfer to FY 2022-

2023 Budget

The City Manager explained that based on recommendation of the UNC SOG, this ordinance moves the funds from the grant project ordinance to the FY 2022-2023 budget.

Councilmember Evans moved to approve Ordinance No. O-2022-20 amending the ARPA Grant Project Ordinance and Transferring funds to the FY 2022-2023 Budget.

Councilmember Williamson seconded the motion, and the vote was as follows:

Ayes: Evans, Williamson, Rainer, Adams, Rogers

Nays: None

(copy of Ordinance No. O-2022-20 on file in city clerk's office)

Consider Fiscal Year 2022-2023 Budget Appropriations Ordinance

The City Manager explained the budget ordinance included all four (4) funds, and the City must adhere to the ordinance in its spending.

Councilmember Adams moved to approve Ordinance No. O-2022-21 FY 2022-2023 Budget Appropriations Ordinance. Councilmember Williamson seconded the motion, and the vote was as follows:

Ayes: Adams, Williamson, Rogers, Evans, Rainer

Nays: None

(copy of Ordinance No. O-2022-21 on file in city clerk's office)

Consider Budget Appropriations Ordinance for Downtown

The City Manager explained this ordinance is for the Downtown Fund. With the budget appropriation, the Downtown Associates Committee will not have to request funds from Council for expenditures. The revenue is comprised of the \$0.21 Municipal Services District tax and the City matching that amount. The total budget is \$67,000 for up to \$50,000 for the Façade Grant Program, materials and supplies and advertising.

Councilmember Evans moved to approve Ordinance No. O-2022-22 FY 2022-2023 Budget Appropriations Ordinance for Downtown. Councilmember Adams seconded the motion, and the vote was as follows:

Ayes: Evans, Adams, Rainer, Rogers, Williamson

Nays: None

(copy of Ordinance No. O-2022-22 on file in city clerk's office)

CITY MANAGER REPORTS

CONSIDER RESOLUTION ADOPTING AMERICAN RESCUE PLAN ACT (ARPA) CONFLICT OF INTEREST POLICY

The City Manager explained that the SOG has recommended adopting an additional conflict of interest policy due to expenditure of federal funds. This policy is very extensive.

Councilmember Williamson moved to approve Resolution No. Residential-2022-19 ARPA Conflict of Interest Policy. The motion was seconded by Councilmember Evans, and the vote was as follows:

Ayes: Williamson, Evans, Rainer, Rogers, Adams

Nays: None

(copy of Resolution No. R-2022-19 on file in city clerk's office)

BEACHAM MCDUGALD – REQUEST TO ALLOW GREEN BURIALS

Mr. Beacham McDougald explained that he was requesting that Council consider allowing “green” burials at City cemeteries. He discussed his family history in the funeral business. He also explained the process of “green” burials, and its history in North America. He added that he would like to be buried in one of his family plots at Old Hillside Cemetery; therefore, he was requesting that Council have staff research green burials and the possibility of them being allowed in the City cemeteries.

Following discussion, Councilmember Adams moved for staff to investigate the idea of green burials and bring back recommendation for Council to consider. The motion was seconded by Councilmember Williamson. The vote was 4-1 with Councilmember Evans casting the dissenting vote.

CORY HUGHES – REQUEST TO PUT LED SIGN ON JAMES LOT

Mr. Cory Hughes, representing the Scotland County Tourism Development Agency (TDA), explained that the TDA was requesting that the Council allow the TDA to erect an LED sign on the James Lot at the corner of South Main and Church Streets. The sign would provide messages about events going on downtown and in Laurinburg. The Downtown Associates Committee has approved the sign. Once installed, the sign would be owned by the City and maintained by the City, including adding the messages.

Discussion ensued concerning the traffic at the intersection and the safety of having a sign with messages. Mr. Hughes explained that all NC Department of Transportation regulations would be followed.

Discussion ensued concerning the need for the sign to be in keeping with the historic nature of downtown. Mr. Hughes explained that the City would approve the design of the sign.

Following a brief discussion, Councilmember Adams moved to approve the request for the Scotland County Tourism Development Agency to erect a sign on the James Lot. Councilmember Williamson seconded the motion, and the motion carried unanimously.

CORY HUGHES – REQUEST TO USE MCDUFFIE SQUARE FOR HIGHLAND FLING

Mr. Cory Hughes, on behalf of the Scotland County Tourism Development Board and the Scotland County Highland Games, explained that he was requesting that Council allow the use of the McDuffie Square on Friday, September 3, 2022 in order to expand the Scotland County Highland Games' events and to include downtown. He added that there would be some bands, Celtic music, and pipe bands, food trucks, beer trucks and games for children. Having this event downtown will provide the opportunity for more people to learn about the Highland Games since there will be no admission fee. There will be other events downtown at the same time which will draw a lot of people downtown.

Motion was made by Councilmember Williamson, seconded by Councilmember Evans, and unanimously carried to approve the Scotland County Highland Games use of McDuffie Square on Friday, September 3, 2022.

Mr. Hughes explained that the TDA was hosting the North Carolina Mountains to the Coast Bike Event on October 6, 2022 which will include more than 1,000 cyclists. Many will camp out at Legion Park while others will stay in hotels. Laurinburg After 5 will be held that evening and buses will be available to transport the cyclists downtown and to restaurants. One of the highlights will be the Golden Knights parachuting into Legion Stadium.

CONSIDER ORDINANCE REALLOCATING NON-DEPARTMENTAL BUDGETS TO OTHER DEPARTMENTAL BUDGETS WITHIN THE GENERAL FUND

The City Manager explained that this ordinance is an annual audit requirement. The non-departmental budget must be allocated across multiple departments within the General Fund.

Councilmember Adams moved to approve Ordinance No. O-2022-23 reallocating non-departmental budgets to other departmental budgets within the General Fund. The motion as seconded by Councilmember Evans, and the vote was as follows:

Ayes: Adams, Evans, Rogers, Rainer, Williamson

Nays: None

(copy of ordinance No. O-2022-23 on file in city clerk's office)

COMMUNITY DEVELOPMENT UPDATE

Mr. Michael Mandeville, Community Development Director, provided a PowerPoint update on the Community Development department with highlights as follows:

- Brownsfield Grant
 - The City of Laurinburg was selected for a community-wide assessment grant worth \$500,000.
 - This grant is appropriate when a specific site has not been identified.
 - Assessment for sites contaminated by hazardous substances, pollutants,

- contaminants, and/ or petroleum.
- Sites selected for assessment included McKay Street, the Central Hotel on Bizzell Street, and the concrete plant on Gill Street.
- Currently working with consultant to submit application documents for the grant.
- Next steps will be to hire consultant to administer the grant, review sites for the grant, and form committees
- Grant management will be bid out per award instructions.
- Funds will be available for use in October 2022, and must be spent by fall of 2026.
- Bike Helmet Initiative
 - The City of Laurinburg was granted a total of 100 helmets through the NCDOT Bicycle Helmet Initiative.
 - The helmets are a mixture of toddler, small, medium and large sizes.
 - Helmets were received on May 28, 2022.
 - Will distribute to the community during National Night Out on August 2, 2022.
- Powell Bill
 - Powell Bill provides financial assistance to municipalities for municipally maintained streets.
 - Every year the City provides NCDOT with an engineer-stamped map and list of all maintained streets with length of street and total mileage of city streets.
 - City of Laurinburg maintained streets total length is 91.70 miles.
 - FY 21/22 Powell Bill allocation was \$482,371.47.
- Downtown
 - Staff is maintaining all requirements of Main Street program until new coordinator is hired. Interview process in ongoing.
 - Once new coordinator is selected we will begin working on annual statistics that are due July 29, 2022.
 - Summer events in Downtown Laurinburg:
 - Laurinburg After 5, June 24th- Jim Quick and the Coastline Band
 - Farmers Market, June 25th – McDuffie Square
 - July 15th SipN’ Shop
 - Laurinburg After 5, July 22nd- New Local
 - Christmas in July- Tentatively scheduled for the last two weeks of July
 - Laurinburg After 5, August 12th- Tim Clark Band
 - Farmers Market, August 27th- McDuffie Square
- Beautification
 - Beginning work on grass lot at McDuffie Square.
 - Irrigation was installed in April.
 - Grass and alleyway landscaping will complete the project.
 - Getting increased interest in having events in McDuffie Square.
 - Beautification/ Cemetery Crews
 - Fully staffed for the summer
 - Beautification- 4 full time and 1 summer part time
 - Cemetery- 3 full time and 2 inmates

- Hanging baskets were installed the week before Memorial Day

CONSIDER PROPOSALS FOR AUDIT SERVICES AND AWARD CONTRACT

The City Manager explained that due to the amount of federal funds expended during Fiscal Year 2022, the City is required to follow Uniform Guidance (UG) federal procurement requirements for the solicitation and selection of a firm to perform auditing services. The City used the formal competitive proposal procedures allowed by the UG and formally released a Request for Proposals (RFP) on May 26, 2022, with a deadline for submittal on June 10, 2022. The City received four (4) proposals to perform these services. City staff considered and evaluated all proposals by rating each proposal based on the evaluation criteria identified in the RFP. Based on this evaluation, staff has the firm of Thompson, Price, Scott, Adams & Co., PA as the auditing firm.

Following discussion, motion was made by Councilmember Adams, to select the firm of Thompson, Price, Scott, Adams & Co., PA as the auditing firm and to authorize the Mayor to execute the contract in the amount of \$42,500 which will be submitted to the Local Government Commission. Councilmember Rainer seconded the motion, and the vote was as follows:

Ayes: Adams, Rainer, Williamson, Rogers, Evans

Nays: None

CONSIDER UPDATES TO THE CERTIFICATION LIST

The City Manager explained that staff was requesting the Council consider updates to the Certification List. The City's certification policy encourages employees to get as much education and certifications as possible. Each certification is a step increase which is a two and one-half percent (2.5%) pay increase.

Motion was made by Councilmember Evans to approve the updated Certification List. The motion as seconded by Councilmember Williamson, and the vote was unanimous.

PRESENTATION TO JAMES M. GARBY, JR.

Mayor Willis presented the following plaque Mr. James M. Garby, Jr.:

PRESENTED IN RECOGNITION AND SINCERE APPRECIATION TO

JAMES J. GARBY, JR.

***COUNCILMEMBER
2017-2022***

In special tribute to James J. Garby, Jr. for his outstanding and dedicated service to the City of Laurinburg and its citizens. He was a thorough and fair Councilmember who sought clarification when needed. As the at-large member, he truly represented all citizens of Laurinburg equally. His dedication to this community has made him a most valuable public servant and has helped to make Laurinburg a better place for all of its citizens.

Presented this the 21st day of June, 2022.

*James T. Willis, MD
Mayor*

*Mary Jo Adams
Councilmember*

*Mary Evans
Councilmember*

*Rosemary Rainer
Councilmember*

*Barbara Rogers
Councilmember*

*Andrew G. Williamson, Jr.
Councilmember*

COMMENTS FROM MAYOR/COUNCILMEMBERS

Mayor Willis thanked Mayor Pro Tem Evans for presenting a proclamation for him this past Saturday.

Councilmember Adams explained that she had been nominated for a seat on the Transportation Advisory Committee. The nomination must be approved by the Scotland County Board of Commissioners. Councilmember Rainer was nominated as an alternate. She added that she also went to the Legislative Day in Raleigh with the Lumber River Council of Governments.

Councilmember Rainer explained that she attended the Essentials of Municipal Government Class, and that she learned a lot.

Councilmember Evans stated that she and Councilmember Rainer attended the North Carolina League of Municipalities dinner and that the legislators want to hear from municipalities.

Councilmember Adams discussed the Juvenile Crime Prevention Council of which she is a member.

Councilmember Evans stated that she attended the Juneteenth celebration on Sunday and represented the City.

CLOSED SESSION

At 8:37 p.m., Councilmember Williamson moved to go into closed session pursuant to NCGS 143-318.11(a)(4) for economic development and pursuant to NCGS 143-318.11(a)(6) for personnel. The motion was seconded by Councilmember Adams, and carried unanimously.

At 9:53 p.m., Councilmember Rainer moved to adjourn closed session and resume the regular meeting. The motion was seconded by Councilmember Evans, and carried unanimously.

SET CITY MANAGER’S SALARY

Councilmember Williamson moved to increase the City Manager’s salary by six percent (6%) (\$142,555.16) and extend his employment contract until February 20, 2026. The motion was seconded by Councilmember Evans, and the motion carried unanimously.

ADJOURNMENT

Motion was made by Councilmember Williamson, seconded by Councilmember Rogers, and unanimously carried to adjourn the meeting. The meeting adjourned at 9:54 p.m.

James T. Willis, Mayor

Jennifer A. Tippet, City Clerk