

**CITY OF LAURINBURG
COUNCIL MEETING
MAY 19, 2015
MUNICIPAL BUILDING
303 WEST CHURCH ST.
LAURINBURG, NC
7:00 P.M.**

MINUTES

The City Council of the City of Laurinburg held its regular monthly meeting on May 19, 2015 at 7:00 p.m. in the council room of the Municipal Building with the Honorable Thomas W. Parker III, Mayor, presiding. The following Councilmembers were present: Mary Jo Adams, Dolores A. Hammond, Curtis B. Leak, Andrew G. Williamson, Jr. and J. D. Willis.

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

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

The Invocation was given by Councilmember Adams, and she then led the Pledge of Allegiance.

APPROVAL OF AGENDA

Mayor Parker requested to amend the agenda to include a Budget Meeting discussion as Item 12, Chamber of Commerce Legislative Visit as Item 13 and include a closed session for personnel purposes.

Motion was made by Councilmember Adams, seconded by Councilmember Williamson, and unanimously carried to approve the agenda as amended.

PUBLIC COMMENT PERIOD

There was no one present to comment.

RECOGNITION OF RETIREES

Mayor Parker recognized retiree Edward Tessmann and presented him with the following plaque:

*Presented In
Recognition And Sincere Appreciation To*

EDWARD "ED" TESSMANN

***SANITATION EQUIPMENT OPERATOR II
MARCH 1999 – APRIL 2015***

In special tribute to Edward "Ed" Tessmann for his dedicated public service as Sanitation Equipment Operator II for the City of Laurinburg for 16 years. During his years of service, he gave unselfishly of his time and talents, always striving to do his job to the best of his ability and making sure that everything was done properly. He began his career with the City as a temporary labor pool worker, and because of his hard work and dedication, he continued to advance over the years to the positions of Sanitation Worker, Sanitation Equipment Operator I, and ended his career in the highest equipment operator position in Sanitation as Sanitation Equipment Operator II. Ed played a key role in the Sanitation Department's conversion to fully automated collection services that are now being offered to the citizens of Laurinburg in order to improve the efficiencies of the solid waste and recycling collection services. Ed was always passionate about his work, especially in the recycling collection service he helped provide, and he strived for the public to receive the most equitable and the best service possible. He devoted himself to the City of Laurinburg unconditionally. He has been a most valuable asset to the City and will certainly be missed as he enters into a well-deserved retirement. We wish him many more years of continued success.

Presented this the 19th day of May 2015 by the Mayor and City Council.

Mr. Tessmann explained that he missed the hustle and bustle of the job and missed his co-workers and citizens. He added that he tried to treat everyone the same and as he wanted to be treated.

RECOGNITION OF EMPLOYEE

Mayor Parker recognized Lt. Richard Snipes upon completion of requirements for the Advanced Law Enforcement Certificate.

Lt. Snipes explained that he and Chief Williams started with the Police Department about the same time, so he has been in law enforcement for a long time. He added that this certification could not have been earned without the support of his fellow officers and the department.

Mayor Parker explained that the Police Department is a cohesive and that Council and the community are proud of the Police Department.

CONSENT AGENDA

The City Manager presented the Consent Agenda as follows:

- a) Set public hearing to be held at 7:00 p.m. on June 16, 2015 to consider the FY 2015-2016 Budget
- b) Set public hearing to be held at 7:00 p.m. on June 16, 2015 to consider adopting the Land Use Plan
- c) Consider Ordinance No. O-2015-06 approving the Asset Purchase Agreement and the Full Requirements Power Purchase Agreement between North Carolina Eastern Municipal Power Agency and Duke Energy Progress, Inc., to consent to the transactions contemplated thereby, and to approve and authorize the execution and delivery of the Debt Service Support Contract, the Full Requirements Power Sales Agreement and the

Power Sales Agreements Termination Agreement between the City of Laurinburg and North Carolina Eastern Municipal Power Agency

(d) Consider authorizing the City Manager to execute Grant Contract between North Carolina Department of Environment and Natural Resources and City of

Councilmember Williamson motioned to approve the Consent Agenda. Councilmember Willis seconded the motion and it was approved by the following vote:

Ayes: Williamson, Willis, Leak, Adams, Hammond

Nays: None

PUBLIC HEARING

CONSIDER REQUEST FOR CONDITIONAL USE PERMIT FOR A GROUND-MOUNTED SOLAR ARRAY ON A 44.21 ACRE TRACT OF LAND ON SCOTLAND HIGH SCHOOL DRIVE

Mayor Parker opened the public hearing.

Mr. Mac McInnis, City Zoning Officer, being first duly sworn, explained that the request for a Conditional Use Permit is to erect a ground-mounted solar array on 21 acres. He added that the application is complete, meets all conditions of the City of Laurinburg's Unified Development Ordinance and meets all requirements including a decommissioning plan. He further added that Planning Board heard this request at its meeting on April 14, 2015 and voted to recommend denial of the request by a 3-2 vote. He added that staff recommended approval of the request.

Upon question by Councilmember Adams, Mr. McInnis explained that a Type A Buffer is an opaque buffer that at maturity cannot be seen through. He added that the mature height of planted material must be at least 6-feet.

Upon question by Councilmember Hammond, Mr. McInnis explained that the row of trees along Railroad Street would remain as an additional buffer.

Upon question by Councilmember Adams, Mr. McInnis explained that the decommissioning plan is developed by the solar company and is between the solar company and the landowner. He added that the land will be sold to Strata Solar.

Mr. Bill Purcell, being first duly sworn, explained that he represents the Fulton family, current owners of the land. He added that the application meets the requirements of the Unified Development Ordinance and the solar array will not be visible except from the overpass. He further added that it represents a 12-14 million dollar investment.

Mr. Charles Parker, being first duly affirmed, explained that he lives in the Extra-Territorial Jurisdiction (ETJ). He explained that although this request meets all requirements, he questioned if it was the right fit for Laurinburg and if it was in harmony with the area.

There being no one further to speak on this matter, Mayor Parker closed the public hearing.

Councilmember Hammond motioned to approve the request for a Conditional Use Permit for a

ground-mounted solar array on a 44.21 acre tract of land on Scotland High School Drive in that:

- The development is within the planning jurisdiction of the City of Laurinburg;
- The application is complete;
- The development is in substantial compliance with the regulatory provisions of the Unified Development Ordinance;
- The request will not materially endanger the public health or safety;
- The request will not substantially injure the value of the adjoining or abutting property;
- The request will be in harmony with the area in which it is to be located; and
- The request will be in general conformity with the Land Use Plan, Thoroughfare Plan or other plan officially adopted by Council.

Councilmember Leak seconded the motion and it carried unanimously.

DELEGATIONS

Laurinburg Downtown Revitalization Corporation – Jim Willis

Mr. Jim Willis, President of Laurinburg Downtown Revitalization Corporation (LDRC) appeared before Council and discussed progress downtown including completion of the second phase of renovations, new businesses that have opened and the demolition of the former Branch's Service Station. He also discussed the North Carolina Main Street Program. He requested that Council fund LDRC at the same level as the current year.

Laurinburg/Scotland County Area Chamber of Commerce – Janet Smith

Mayor Parker welcomed Ms. Janet Smith as the new President of the Laurinburg/Scotland County Chamber of Commerce (Chamber).

Ms. Smith explained that the Chamber is the voice of business in the community and also contributes to community development and quality of life through the various programs of the Chamber. She requested that Council approve funding at same level as the current year.

Mayor Parker presented Ms. Smith with a City pin.

CITY MANAGER REPORTS

CONSIDER RESOLUTION TO APPLY FOR PRESERVE AMERICA DESIGNATION

Mr. Teddy Warner, Community Development Director, explained that the Preserve America Program is a national program and does not require any funding from the City. He added that the main purpose is to recognize and preserve heritage and culture. He further added that it will provide an opportunity for the City to apply for Preserve America grants.

Councilmember Williamson motioned to approve Resolution No. R-2015-07 to apply for Preserve America Community Designation. The motion was seconded by Councilmember Hammond, and the vote was as follows:

Ayes: Williamson, Hammond, Adams, Willis, Leak

Nays: None

(Resolution No. R-2015-07 on file in City Clerk's office)

CONSIDER AMENDMENT TO FY 2014-2015 BUDGET APPROPRIATIONS ORDINANCE

The City Manager explained that this amendment is to deal with the funds donated to purchase body cams for the Police Department by a church and a private citizen. He added that with this donation funds were available in this year's budget to purchase the body cams for all officers.

Councilmember Adams motioned to approve Ordinance No. O-2015-07 amending FY 2014-2015 Budget Appropriations Ordinance (O-2014-11) to transfer donated funds in the amount of \$3,650.00 from Miscellaneous Revenue to Police Equipment. The motion was seconded by Councilmember Willis, and the vote was as follows:

Ayes: Adams, Willis, Leak, Williamson, Hammond

Nays: None

(Ordinance No. O-2015-07 on file in City Clerk's office)

Mayor Parker thanked East Laurinburg Pentecostal Holiness Church for its fund-raising efforts and also for the private citizen who wishes to remain anonymous for donations to purchase the body cams.

CONSIDER RESOLUTION AUTHORIZING COMMITMENT TO THE NC MAIN STREET CENTER FOR PARTICIPATION IN THE DOWNTOWN ASSOCIATE COMMUNITY

Mr. Warner explained that a resolution is necessary in order to apply for the NC Main Street Center's Downtown Associate Community Program. He discussed the following regarding the program:

- The application is due on July 1, 2015.
- Program will establish a strong foundation for downtown to focus on revitalization and economic growth.
- Within three (3) years of being approved, a municipality can graduate into the Main Street Program.
- Program involves technical assistance and additional funding.
- Only five (5) municipalities are chosen to participate.
- City's budget next year will include \$5,000.00 for travel for the state program representatives to travel to Laurinburg to assist in training and developing the program.
- He recommended including membership dues of \$250.00 for the National Main Street Program.
- He would administer this program at first and then discuss other options next year.

Upon question by Councilmember Hammond, Mr. Warner explained that there would be a

budget request each year for this program.

Mayor Parker clarified that the minimum amount would be \$5,000.00 for up to three (3) years would be required from the City.

Councilmember Leak discussed other municipalities that were approved for this program and then opted out after the first year. He then queried if the City could opt out at any time, to which Mr. Warner replied in the affirmative.

Upon question by Councilmember Willis, Mr. Warner explained that the biggest problem with some cities in having the Main Street Program is turnover in staff and instability.

Upon question by Councilmember Willis, Mr. Warner stated that the state is funding the Main Street Program. He added that the City will have a commitment and will need to pay dues. He further added that for this program to be successful, it has to be supported in the community.

Councilmember Leak explained that he was concerned that staffing was limited for administering a Main Street Program. He added that it can be a good program and it can be expensive.

Councilmember Williamson motioned to approve Resolution No. R-2015-08 which authorizes commitment to the NC Main Street Center for participation in the Downtown Associate Community. The motion was seconded by Councilmember Adams, and the vote was as follows:

Ayes: Williamson, Adams, Leak, Hammond, Willis

Nays: None

(Resolution No. R-2015-08 on file in City Clerk's office)

BUDGET MEETING DISCUSSION

The City Manager explained that the General Statutes require that he provide a balanced budget to Council by June 1st each year. He added that since the next budget meeting is June 8, 2015, he wanted to know if Council wanted to schedule a meeting prior to June 1st or if Council wanted to receive the budgets electronically.

Following a brief discussion, motion was made by Councilmember Willis, seconded by Councilmember Adams, and unanimously carried to receive the budget electronically from the City Manager.

CHAMBER LEGISLATIVE VISIT TO RALEIGH

The City Manager explained that he could not attend the Chamber's Legislative Visit and wanted to know if any Councilmembers were interested in attending.

Councilmember Leak suggested that the Community Development Director attend.

Councilmember Hammond stated that she would be attending.

COMMENTS BY MAYOR OR COUNCILMEMBERS

Councilmember Williamson explained that he read the *Fayetteville Observer* article on Mr. Warner being named the Outstanding MPA Student at UNC Pembroke.

Councilmember Willis expressed concern about the stoplight at the intersection of Main Street and Roper Street.

The City Manager explained that the representative from NC Department of Transportation (DOT) had looked at the stoplights mentioned previously by Councilmember Willis. He added that there was an error that had been fixed with the stoplight on Main Street and Railroad Street.

Mayor Parker thanked all who attended the grand opening of Laurinburg Urology.

CLOSED SESSION

At 8:04 p.m. Councilmember Adams moved to go into closed session pursuant to North Carolina General Statute 143-318.11(a) (3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the City and pursuant to North Carolina General Statute 143-318.11(a)(6) for the purpose of considering the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee. The motion was seconded by Councilmember Hammond, and unanimously carried.

At 9:09 p.m. Councilmember Adams moved to adjourn the closed session and resume the open meeting. The motion was seconded by Councilmember Willis, and unanimously carried.

EVALUATION OF CITY MANAGER

Mayor Parker explained that Councilmember Hammond would like Council to consider utilizing the sample city manager performance evaluation form from International City Managers' Association (ICMA).

Following a brief discussion, it was consensus for the City Clerk to scan the document and provide to Council.

ADJOURNMENT

Motion was made by Councilmember Willis, seconded by Councilmember Adams, and unanimously carried to adjourn the meeting.

The meeting adjourned at 9:13 p.m.

Thomas W. Parker III, Mayor

Jennifer A. Tippet, City Clerk