

**CITY OF LAURINBURG
CITY COUNCIL MEETING
May 16, 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, May 16, 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, Barbara Rogers, and Andrew G. Williamson, Jr.

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 6:00 p.m. and asked everyone to join him in a moment of silence to remember former Councilmember James Garby. Councilmember Adams gave the Invocation and led the Pledge of Allegiance.

APPROVAL OF AGENDA

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

PUBLIC COMMENT PERIOD

Mrs. Nancy Pegues-Pemberton, Pastor of Beth-el Living Word Ministry spoke during the public comment period to ask for approval for her church to start a homeless shelter for women. Councilmember Adams inquired about the request in question being one that would be discussed during the meeting later on the agenda. The City Manager informed council that it is an item already on the agenda, but since it would be discussed during the City Manager Reports, there would not be an opportunity for the public to speak at that time. The manager also added that the city attorney, Mr. Floyd, would also explain the request in greater detail during that part of the meeting. Mrs. Pemberton provided the council with a handout that addressed the goals of the shelter if the church was allowed to open the shelter.

CONSENT AGENDA

Mayor Willis read aloud the Consent Agenda:

- a) Consider minutes of April 18, 2023, special meeting and April 18, 2023, regular meeting.

- b) Set public hearing on the Fiscal Year 2023-2024 Budget to be held on June 20, 2023, at 6:00 p.m.
- c) Consider Resolution No. R-2023-07, Findings of Fact for Special Use Permit to allow microblading at 1000 S. Main Street.
- d) Consider Resolution No. R-2023-08, Findings of Fact for Special Use Permit to allow development of an 84-unit apartment complex on Plaza Rd.
- e) Consider Applications for Use of Facilities – McDuffie Square (SACS & Highland Games).

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, Rogers, Williamson

Nays: None

(Copies of Resolution No. R-2023-07 and Resolution No. R-2023-08 on file in the clerk's office)

CITY MANAGER REPORTS

CONSIDER APPROVAL OF ACCESSORY SERVICES AT 17201 OLD LUMBERTON ROAD

The City Manager explained that Pastor Pegues-Pemberton is requesting to open a homeless shelter as an accessory service at their church. The manager explained to the council that currently the Unified Development Ordinance (UDO) does not specify whether a homeless shelter can be considered an accessory service.

The City Attorney explained if council does determine that a homeless shelter can be considered an accessory service to a church, then that opens the door to let any church open a homeless shelter at their facility as well and council would not be able to have any oversight and regulate it. Mr. Floyd commended Pastor Pegues-Pemberton for bringing this to the attention to the council so that it could be addressed. Mr. Floyd stated that currently the UDO does not address this type of housing, which is broadly categorized as transitional housing. Mr. Floyd explained that he has spoken with the Code Enforcement/Zoning Officer, Mac McInnis, in detail regarding this type of housing and they have researched what other cities have in place as well. He explained that there are model ordinances that can be considered that would allow the council to be able to address any future homeless shelters on a one-on-one basis, like a special use permit process. Mr. Floyd explained that council could incorporate stipulations in an amendment to the UDO, such as the number of shelters that could be in a geographical area, the size of the facility, etc.

Councilmember Williamson inquired how ordinances of other communities that have homeless shelters have been created. Mr. Floyd stated he has reviewed others and they generally have different types of regulations incorporated, such as whether to allow the location of shelters in general business or office/industrial and not in residential areas, or limiting the size of the

facility, limit the number of residents that it houses, or limiting the shelter proximity to schools or other transitional housing. The City Manager explained that if the council would like to reassess the UDO, then it can be amended. The manager stated that staff can contact our consulting firm for recommendations due to them being familiar with other municipalities throughout the state.

Mr. Floyd stated that he did not want to dampen the spirit of the Beth'el Living Word Ministry because he understands that they have the best interest of the residents at heart, but they understand that a policy needs to be in place first.

Councilmember Rogers asked if there is currently an ordinance that is in place to allow for homeless shelters or is the issue because the requested use is in conjunction with a church. Mr. Floyd explained that there is no mention of transitional housing at all in the current UDO.

Councilmember Evans stated that the community currently does have a homeless shelter, but it is not associated with a church. She explained that it has a business office at the front and the housing is separated from the business section. Mr. Floyd and the manager both stated that there are a couple of places inside the city limits that started before the current UDO was adopted. Mr. Floyd explained that based on the research that has been done, other municipalities are dealing with them on a one-on-one basis for transitional housing.

Councilmember Rogers inquired if the council should create an ordinance for transitional housing or for churches that would have transitional housing as an accessory. Mr. Floyd explained it would be for transitional housing alone. He added that a church could use it, but it would not be an accessory to anything, it would be a stand-alone facility.

Mayor Willis clarified to Pastor Pegues-Pemberton that the UDO is the Unified Development Ordinance, which is a plan that the city must follow. He reiterated that the council would need to amend the UDO and add transitional housing to it for them to be able to open the facility they are requesting.

Councilmember Adams inquired if the church could still provide the other services that they have listed in the letter they are requesting to provide. Mr. Floyd explained that they could provide the other services, except for any with a residential aspect with anyone living at the facility. Councilmember Rogers added that transitional housing should also include re-entry programs.

Mayor Willis asked when more information can be brought back to council. Mr. Floyd added that a draft may be available for council to consider at the next council meeting in June, then potentially a formalized ordinance to be voted on the following month.

Mayor Willis informed Pastor Pegues-Pemberton that the church can provide the following services until the ordinance is amended: hot meals, GED classes, parenting classes, counseling, transportation, completion of housing and work, and assistance with securing medical services.

SET CANDIDATE FILING FEES FOR 2023 MUNICIPAL ELECTIONS

The City Manager explained that the past filing fees for the Mayor seat and the Councilmember seat have been \$25.00 for both. He proceeded to explain that the council needed to make the decision to keep the fees the same or change them for the 2023 Municipal Elections. Councilmember Evans moved to set candidate filing fees at \$25.00 (twenty-five dollars) for the Mayor seat and for the Councilmember seats for the upcoming 2023 Municipal Elections. Councilmember Williamson moved to second the motion, and the vote was unanimous.

RIGHT OF WAY AND DITCH CLEANING SERVICE CONTRACTS UPDATE

The City Manager explained that during the current budget year, the city went a different direction with maintaining the right of ways and the ditches. The city budgeted \$60,000 (sixty thousand dollars) during fiscal year 2022-2023, discontinued the in-house ditch crew, and instead solicited Request for Proposals for three services: ditch clearing, right of way clearing and pesticide/herbicide spraying. The manager stated that the awarded contractors worked during the fall with clearing the 8.64 miles and the contracted services has worked out extremely well without using the temporary in-house labor that the city used previously. He stated that staff has requested the same funds and direction in the fiscal year 2023-2024 budget as well, but he wanted to provide an update to the council on the results the city has received this year.

Councilmember Williamson inquired if he was pleased with the results the city received. The City Manager stated that he and staff are pleased with the results they received this year and it will continue to improve with the additional spraying that is now being done.

ORDINANCE NO. O-2023-04 TO AMEND THE GRANT PROJECT ORDINANCE FOR THE CITY OF LAURINBURG AMERICAN RESCUE PLAN ACT OF 2021: CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS

The City Manager explained that there is an emergency purchase need for the Rescue Squad. The state appropriated some funds to the county for half the cost of the purchase of a new rescue truck for the rescue squad for the fiscal year 2022-2023, with the city providing the other half. The manager explained that this truck is scheduled to arrive within the next two weeks. However, while responding to a motor vehicle accident with a priority patient, the other heavy rescue truck had a brake failure and caught on fire. Therefore, the rescue squad is without a heavy rescue truck until the new truck arrives. The manager stated that a used 2011 truck has been located and is in good shape with seven thousand miles that typically costs \$275,000, but the city has been quoted to purchase it for \$200,000. The manager explained that the city will need to fund half the cost of the truck of \$100,000 and then the county will have their budget meeting on May 17th to hopefully approve the other half of the cost of \$100,000. The manager explained that the city funds the rescue squad throughout the year, so the city will purchase the truck and at the end of the year will invoice the county for half of the cost of providing the rescue squad funding.

Councilmember Williamson moved to approve Ordinance No. O-2023-04 to Amend the Grant Project Ordinance for the City of Laurinburg American Rescue Plan Act of 2021: Coronavirus State and Local Fiscal Recovery Funds. Councilmember Adams moved to second the motion, and the vote was as follows:

Ayes: Williamson, Rogers, Rainer, Evans, Adams

Nays: None

ORDINANCE NO. O-2023-05 TO AMEND THE FISCAL YEAR 2022 – 2023 BUDGET ORDINANCE BY INCREASING REVENUES FROM SCOTLAND COUNTY RESCUE SQUAD CONTRIBUTION BY \$100,000, INCREASING REVENUES FROM REVENUE TRANSFER – ARPA BY \$100,000, AND INCREASING EXPENDITURES IN RESCUE DEPT. BY \$200,000

The City Manager explained that this ordinance is the second step of the two-step process for the rescue truck funding. He stated that the previous ordinance amended the ARPA grant project ordinance to allocate funds for a specific purpose. This amendment will amend the annual budget ordinance to allocate the ARPA funds and county contribution to fund the Rescue Department for the purchase of the truck. The manager explained that the company stated that the rescue squad should be able to receive this truck within the next few days, if the county commissioners approve the county contribution of funds at their budget meeting the next day.

Councilmember Rainer moved to approve Ordinance No. O-2023-05 to Amend the Fiscal Year 2022-2023 Budget Ordinance (O-2022-21) by increasing revenues from Scotland County Rescue Squad Contribution (line item 10-436900) by \$100,000, increasing revenues from Revenue Transfer-ARPA (line item 10-439728) by \$100,000, and increasing expenditures in Rescue Dept. (line item 535-703400) by \$200,000. Councilmember Williamson moved to second the motion, and the vote was as follows:

Ayes: Adams, Evans, Rainer, Rogers, Williamson

Nays: None

APPOINTMENT

Mayor Willis announced his appointment of Thomas Ammons to complete the unexpired term of Quinyon DeBerry as a Commissioner to the Southeast Regional Airport Authority. The mayor added that Mr. Ammons will be a huge asset to the Southeast Regional Airport Authority and has already shown a great deal of interest in the total operation.

COMMENTS FROM MAYOR AND/OR COUNCILMEMBERS

Councilmember Evans spoke briefly about the experience the members had while attending the NC Black Summit. She stated that the session was very informative and that they met several people and learned a lot while attending. Councilmember Rogers followed up by commenting

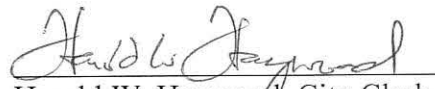
that it was a great experience and how informative both the NCLM CityVision Conference and the NC Black Summit was.

Councilmember Adams informed the council that she had forwarded everyone an email regarding the Blue Blazer Organization Fundraiser and asked all that would to support this great cause.

ADJOURNMENT

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

The meeting was adjourned at 6:35 p.m.


James T. Willis, Mayor
Harold W. Haywood, City Clerk