

**CITY OF LAURINBURG
CITY COUNCIL MEETING
APRIL 20, 2021
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, April 20, 2021 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, James J. Garby, Jr., Donald 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. He then gave the invocation and led the Pledge of Allegiance.

APPROVAL OF AGENDA

The City Manager explained that the City Clerk requested that Item a) of the Consent Agenda, Consider draft minutes of February 16, 2021 regular meeting, be removed from the Consent Agenda. He added that the request to rezone property on Plaza Road had been withdrawn by the petitioner, so the public hearing for that request needed to be removed from the agenda.

Motion was made by Councilmember Garby to approve the agenda with changes as requested. The motion was seconded by Councilmember Adams, and the vote was as follows:

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

PUBLIC COMMENT PERIOD

The City Clerk read the following letter from Ms. Beatrice Sams:

“April 13, 2021

Good Afternoon:

My name is Beatrice D. Sams and I have a complaint/issue with allowing chickens in the city limits. While I was not aware of this being allowed, I did look it up and saw that an ordinance was recently introduced. What is the purpose of allowing chickens in the city limits?. Why have farms out in the country if this is being allowed in the city.. I need for

measures to be taken about my concern, because I do not wish to be awakened at 6:30 every morning (including weekends) by a crowing rooster and this is exactly what is being done. Neither do I wish to go take my trash out in my back yard to be terrorized by a big rooster looking at me everyday. I am frightened and my nerves are shot every time these incidences happen.

While I have nothing against chickens personally, I do not think that they belong in the city limits.

Please let me know how we can work together to rectify this matter before I have a heart attack.

Thank you!

Best Regards,

Beatrice D. Sams
601 Ashley Drive
Laurinburg, NC 28352
910-280-2924"

Discussion ensued concerning the illegality of roosters and the need to check out the complaint even before the public comment period.

The City Clerk read the following email from Mr. Michael Edds, 1207 Blue Drive:

"While listening to and reading about the recent city council meeting discussion, I thought I would share a thought with you. I understand that you are considering \$40,000 or so on a dog park. Yet, when Council woman Mrs. Mary Evans brought up about including programs for the youth of Laurinburg, councilwoman Mary Jo Adams spoke up and said that was the responsibility of Scotland County Parks and Recreation. I have heard this same calloused response from her for years. She has no interest in helping the city's youth. With her erroneous reasoning of passing on responsibility for the city's citizens to the county, then would the sheriff's department be responsible for law enforcement in the city? With her train of thought, county government should be running our city! The city council is responsible for ALL age groups of the city, which includes the children and youth.

Laurinburg has one of the highest child abuse rates in the state, one of the highest teen pregnancy rates, one of the highest extreme child hunger rates and a high dropout rate. In the absence of providing for our youth, gangs are stepping in and recruiting our youth. What a needless and preventable tragedy!

The council is working hard on providing for chickens and now dogs. However, the youth are not on the council's priority list. I frequently travel through District 1. Kids have put up a broken basketball stand in a vacant lot in order to have a place to play. I stopped by to talk with them. These are good kids, our kids, kids who need for the city to look out for them. Why not put up some basketball stands throughout the city for kids to at least shoot ball? What would \$40,000 do to provide some activities for our youth?

I encourage other council members to speak up and vote against Mrs. Adams' wrong thinking. God placed you in the position that you were elected to. He put you there to look out for the needs of ALL of our citizens. You will give an account to Him for what you did or didn't do. Young people are a high priority for God.

Luke 17:2 admonishes us, "it would be better for him that a millstone were placed around his neck, and he be cast into the sea, than that he should offend (neglect, hurt, ignore) one of these little ones."

At the next council meeting, I encourage council members to speak up and take action to provide at least some basic things for our youth to do. At least put up some basketball stands at key locations for kids to shoot ball. "

CONSENT AGENDA

Mayor Willis reviewed the Consent Agenda:

- a) *removed*
- b) Consider setting a public hearing on May 18, 2021 at 7:00 p.m. to consider a request to rezone the property located at 303 East Covington Street from Residential-15 to Residential-6
- c) Consider setting public hearing to be held on May 18, 2021 to consider amendments to the City of Laurinburg Unified Development Ordinance
- d) Consider setting public hearing to be held on May 18, 2021 for Tax Equity and Fiscal Responsibility Act (TEFRA) for Scotland Memorial Hospital

Councilmember Garby moved to approve the Consent Agenda. The motion was seconded by Councilmember Williamson, and the vote was as follows:

Ayes: Garby, Williamson, Rainer, Evans, Adams

Nays: None

PUBLIC HEARING

CONSIDER REQUEST TO REZONE FROM INDUSTRIAL TO GENERAL BUSINESS PROPERTY LOCATED AT 404 FAIRLEY STREET

Mayor Willis declared the public hearing open.

Mr. Mac McInnis, City Planner/Code Enforcement Officer, explained that this request was from Mr. Randy Blackwell to rezone 404 Fairly Street from Industrial to General Business. Mr. Blackwell has built a new contractor's office at this address and has additional space to offer for rental as office space. Staff feels that the Industrial zoning on Fairley Street is old zoning and allows uses that are not conducive so close to the downtown area. Planning Board heard this request on March 9, 2021, and unanimously recommended approval.

The City Manager explained that in the public hearing notice and the letter to abutting property owners that if anyone wanted to speak at the public hearing to notify the city clerk. Staff was also manning the front door to City Hall and Police Department in the event

someone wanted to come in to speak at the public hearing. He added that Mr. Blackburn was present.

There being no one present to speak in favor or against the request, Mayor Willis closed the public hearing.

Councilmember Williamson moved to approved Ordinance No. O-2021-12 rezoning from Industrial to General Business property located at 404 Fairley Street because it advances the public health, safety and welfare, and based upon the following:

The rezoning of Scotland County Land Parcel number 01000201010 from Industrial to General Business is consistent with an adopted comprehensive plan and any other officially adopted plan that is applicable because:

1. The General Business zoning district is established to accommodate commercial service and retail businesses which generally have as their market the entire city and surrounding area.
2. The Comprehensive Plan 2035 indicates some mixed use zoning in the area along Fairley Street where this parcel is located.
3. There are already some General Business, Office Institutional, and Light Industrial zonings in the area. Mixed Use areas are used to stimulate compact development, to provide flexible development options, and to utilize existing infrastructure.

Reasonableness

1. The Rezoning to GB 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 GB will help to maintain the present character of the City while promoting diversity and future growth;
3. The rezoning to GB will have no detrimental impact to the property values of surrounding land owners and;
4. The rezoning to GB will require no infrastructure improvements by the City of Laurinburg.

The motion was seconded by Councilmember Evans, and the vote was as follows:

Ayes: Williamson, Evans, Adams, Rainer, Garby

Nays: None

(copy of Ordinance No. O-2021-12 on file in city clerk's office)

CITY MANAGER REPORTS

COMMUNITY DEVELOPMENT UPDATE

Mr. Michael Mandeville, Community Development Director, provided a PowerPoint with

highlights as follows:

Code Enforcement

- Since Mr. McInnis has been working for the City, there have been an average of 10 demolitions per year.
- There have been tow (2) demolitions so far this year, with another scheduled in May.

Development:

- Dollar General- S. Main St.
- Biscuitville- S. Main St.
- Sunny's Beauty- S. Main St.
- Planet Fitness in former grocery store
- Dunkin Donuts- S. Main St.
- Continued partnership with Retail Strategies
- Other retail has been permitted or is under site plan review

Beautification:

- Litter- Mr. Joe Brown and his employees continue litter cleanup 40 hours a week. Weekly landfill receipts are tuned in with weights; 8820 lbs. this FY. Picked up areas are checked by beautification supervisor
- Hanging Baskets- 13 brackets have been mounted; flowers should be ready is the next week. Baskets will be getting prepped this week; will plant when flowers are delivered
- Downtown parking lot- master gardeners began planting along Brooks/Stone building. Beautification will also begin planting along back side of the properties. Will focus on large grass area next; leveling, irrigation, plants, grass, trees
- Beautification crew fully staffed; 4 full time and 1 seasonal
- Routine summer maintenance has begun; most areas biweekly but high visibility areas weekly
- Arbor Day- April 30th. Celebrating 41 years as a Tree City

Current Grant Work:

- NCDOT Bicycle Planning Grant. Awarded grant in January. City budgeted the 20% match; Stantec has been selected as consultant. We should be given notice to proceed this month
- NCDOT Bicycle Helmet Initiative - Awarded 68 helmets to distribute; will pass out when able. Targeting National Night Out
- Brownsfield. Application submitted in October 2020. Awaiting word on awarding of grant.
- EV Charging stations
 - Awarded a reimbursement grant from the state energy program for a DC Fast charge charger to be installed at a future retail establishment
 - Current charging station in downtown parking lot has been replaced
 - Another application being processed by the NC DEQ VW settlement

- Level 2 charger in City Hall Parking Lot

Downtown/Main Street

- Downtown website- just completed by Electricities; we are making a few adjustments to make sure everything is running smooth. We hope to go live soon; will make a social media push with the new site
- Historic Downtown Tour
 - Tourism Development Authority (TDA) has developed a number of tours for visitors
 - Downtown Advisory Committee and TDA are looking to develop a downtown tour
 - Initial interviews and an audit of possible “stops” have been developed
 - Because of historical and cultural makeup a number of partners are helping develop various backstories and narratives
- Events
 - Chamber having Laurinburg After 5; May-August
 - Pop up events/downtown activities- Love letters to mom around Mother’s Day, Teacher’s Day, Father’s Day, Christmas in July, Hidden Banner Scavenger Hunt.
 - Working with UNCP to have new sculptures as soon as possible
 - August 28 Back to School Event and End of Summer celebration, farmer’s market, band with Laurinburg After 5
 - Chamber Sip and Shop; a few planned periodically throughout the year
 - October 30- Fall festival
 - December- Tis’ the Season events
 - Farmers markets planned with the main events

Mayor Willis suggested that Mr. Mandeville contact Habitat for Humanity as it would be holding its fundraiser Bike to Build soon.

Upon question by Councilmember Adams, Mr. Mandeville explained that the sites chosen for the Brownfields Grant application was the old concrete plan on Gill Street and the old funeral home on McKay Street.

Discussion ensued concerning a bag of trash found by staff at Scotland Crossing Shopping Center. The bag of litter was turned over to the Police Chief because there as identifying mail in the bag.

Councilmember Adams suggested that education and penalties were the way to address litter, along with working with other organizations such as the schools, the Laurinburg/Scotland County Area Chamber of Commerce and the TDA.

Discussion ensued concerning litter programs and groups that planned litter pick up. The City Manager added that the City would push litter education on social media.

ADDITIONAL INFORMATION ON HOMETOWN HEROES

Mr. Mandeville explained that comments were requested from the Downtown Advisory Committee concerning the Hometown heroes banners. Only four (4) comments were submitted from the DAC. Some of the comments discussed designing a policy to promote downtown events, need suggestions on who would be allowed to use the banner space – military, City of Laurinburg, or co-sponsored events, Scotland County School activities, or St. Andrews College. Another comment was that a well written ordinance to specify time periods such as nationally recognized holidays, July 4th, Memorial Day, Veterans Day, etc. There should be a criteria for size and design. The banner program should be open to all organizations, not just one. Uniformity is critical. Every slot on the poles downtown should be filled so that there would not just be perhaps four (4) banners and the rest of the poles without banners. There should be a time limitation. One member of the DAC stated that he did not believe it was a good idea to open the banners up to other organizations because it could lead to clutter and abuse.

Mr. Mandeville added that staff was comfortable allowing banners on the current brackets, but the banners would be only over the sidewalk and not in the street. The Electric Department has swung the poles so that the banner brackets are no longer on the street side because they were being damaged by semi-tractor trailer trucks. He added that a Code amendment would be necessary if Council wanted to approve the banners. He added that staff mentioned the possible growth of the banner program at the American Legion. Staff is against using the wooden utility poles for further growth.

Discussion ensued concerning the manner in which the DAC comments were received. The City Manager explained that he sent an email to members of the DAC.

Upon question by the City Attorney, The City Manager explained that the American Legion had set up a non-profit to run this program and had opened a bank account for it.

Upon question by Councilmember Adams, the City Manager explained that when he discussed the idea of the Banner Project being continued at the American Legion once the brackets had been filled downtown, she stated that the purpose of the banner project was to get people downtown, and she felt that the American Legion would not be in favor of having the banner project at the American Legion.

Discussion then ensued concerning allowing other organizations using the banner program.

The City Manager explained that recommendations had not come from a meeting held by the DAC and had not been voted on. He suggested that the matter be presented to the DAC the following week and have a recommendation to be voted upon, and then brought back to Council.

The City Manager clarified that staff would get a recommendation response from the American Legion, this matter would be an item on the agenda for the DAC next week, and

then staff would work with the City Attorney on a draft ordinance concerning the banner program for Council to consider.

CONSIDER RESOLUTION AUTHORIZING SALE OF PARCELS # 010013 28009 AND # 010013 28010 TO MR. CAB BUCHANAN

The City Manager explained that this resolution was to get two (2) parcels owned by the City back on the tax rolls. An appraisal was completed and Mr. Buchanan would like to purchase these lots.

Motion was made by Councilmember Evans to approve Resolution No. R-2021-06 authorizing sale of parcels # 010013 28009 and #010013 28010 to Mr. Cab Buchanan and authorizing the Mayor and City Clerk to execute deed conveying said property. The motion was seconded by Councilmember Garby, and the vote was as follows:

Ayes: Evans, Garby, Rainer, Adams, Williamson

Nays: None

(Resolution No. R-2021-06 on file in city clerk's office)

UPDATE ON RECODIFICATION OF CITY CODE

The City Clerk explained that in 2019 a project began to re recodify the City Code. She discussed the methodology of the project and the updated City Code would be presented to Council at the May Council meeting. She added that the draft City Code had been uploaded to Dropbox for Council to review.

CONSIDER WESLEYAN DRIVE AND CYPRESS DRIVE DRAINAGE IMPROVEMENTS PROJECT BIDS

The City Manger explained that the City had received funding for four (4) stormwater projects from the United States Department of Agriculture after Hurricane Florence. One (1) project will be completed by the Army Corps of Engineers on Leith Creek, and the other project beside the barber shop on North Main Street which the City has completed. The bids for the projects on Wesleyan Drive and Cypress Drive came in much higher than the USDA anticipated. Therefore Council is being requested to reject the bids. Staff has already begun follow up discussions with the USDA. Staff will follow up with Council when further information is known.

Upon question by Councilmember Williamson, the City Manager explained that the City initially received funds on both projects as follows: Cypress Drive, a little over \$25,000; and Wesleyan Drive a little over \$39,000. He added that Cape Fear Engineers provide two (2) estimates, one for Cypress Drive of a little over \$80,000, and for Wesleyan Drive, a little over \$60,000. Bids were received for Wesleyan at \$333,000, and for Cypress at \$350,000.

Councilmember Evans moved to reject submitted bids for Wesleyan Drive and Cypress Drive Drainage Improvements Project. The motion was seconded by Councilmember Rainer, and

the vote was as follows:

Ayes: Evans, Rainer, Williamson, Garby, Adams

Nays: None

Upon question by Councilmember Evans, the City Manager explained that all of the storm water projects were presented to USDA and they determined which projects would be completed with this grant.

CONSIDER DATE AND TIME FOR BUDGET RETREAT

The City Manager explained that he wanted to follow up from the budget retreat and perhaps have a budget meeting on May 18, 2021 at perhaps 4:30 to talk about outstanding items for the budget. He added that the General Fund was reviewed one evening, and the enterprise funds another meeting. He is required to have a final zero balanced budget to Council by June 1, 2021, and the public hearing will be held on June 15, 2021 for Council to adopt the budget.

Following discussion, it was consensus of Council to have a special meeting/budget meeting on Tuesday, May 18, 2021 at 5:30 p.m. in the council chambers.

COMMENTS FROM MAYOR AND/OR COUNCILMEMBERS

Councilmember Evans asked about the proposal to dedicate \$50,000 for youth development. She added that she was not talking about recreation, but art, citizenship and leadership. She briefly discussed the amount of funding that Scotland County spends on youth annually, attached to these minutes as Attachment A.

Discussion ensued concerning the various amounts. The City Manager explained that the amounts on the spreadsheet were for the County as a whole, not just the City.

Councilmember Adams explained that the grant show on the spreadsheet funds the Juvenile Crime Prevention Council (JCPC) which she serves on. It also funds the Scots for Youth program, substance abuse services, family skill building, teen court, and restitution and community services. She added that the Partners in Ministry organization was building a new community center for youth. She added that Partners in Ministry offers great programs for youth.

Councilmember Adams discussed the City's responsibility in providing recreation, and the requirements for providing services to its citizens. She added that the City does have a Police Explorer Program and a Firefighter Explorer Program.

Councilmember Rainer explained that recreation could be a function of the City. He discussed the consolidation of the City Recreation Department with the Scotland County Recreation Department, and the impact on youth from the north side of town.

Councilmember Adams explained that Council had always stated that it would partner to build a community center in Laurinburg.

Further discussion ensued concerning the need to develop youth and for the City to build a program. Councilmember Evans explained that she would like a program that would teach youth about becoming the mayor of Laurinburg, or the City's attorney, not about parks and recreation.

Councilmember Williamson explained that he agreed with Councilmember Adams that the City is not in the parks and recreation business; however, there are opportunities for the City to partner with organizations to have youth activities. He asked that Council remain open minded when opportunities come along.

Councilmember Adams stated that the Laurinburg/Scotland Area Chamber of Commerce has a Junior Leadership Program.

Upon question by Councilmember Adams, Councilmember Garby explained that he would like to see a youth academy such as the City did for citizens several years ago. He added that any time spent mentoring youth is time and money well spent.

Councilmember Adams mentioned the Lumber River Council of Governments workshop coming up concerning workforce development. She added that the Southeastern Regional Airport Authority was working hard to have the airport designed a foreign trade zone.

ADJOURNMENT

Councilmember Williamson moved to adjourn the meeting. The motion was seconded by Councilmember Rainer, and the vote was as follows:

Ayes: Williamson, Rainer, Garby, Adams, Evans

Nays: None

The meeting adjourned at 8:21 p.m.

James T. Willis, Mayor

Jennifer A. Tippet, City Clerk

ATTACHMENT *A*

FY 2020 Expenditures

Scotlalnd County Schools

Local Current Expense	10,044,895
Capital Outlay	300,000
Debt Service	2,848,456

Parks & Recreation	727,921
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Library	469,823
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JCPC

Grant	173,847
Local Match	72,978

Co-Operative Extension	159,813
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4-H	13,337
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