

**CITY OF LAURINBURG
CITY COUNCIL MEETING
APRIL 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, April 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, James J. Garby, Jr., 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 Garby gave the Invocation and led the Pledge of Allegiance.

APPROVAL OF AGENDA

The City Manager requested the following changes to the agenda: After Item 4, add Item for Presentation from Representative Garland Pierce, and remove Item 11 from the agenda as Mrs. Terry Parker requested that her item be moved to the May Council meeting.

Motion was made by Councilmember Garby to approve the agenda with the requested changes. The motion was seconded by Councilmember Rainer, and the vote was unanimous.

RECOGNITION OF RETIREE

Mayor Willis presented the following plaque to retiring Police Chief Darwin “Duke” Williams:

WITH SINCERE APPRECIATION

To

***DARWIN “DUKE” WILLIAMS
AUGUST 1994 – JUNE 2022***

In special tribute for over 30 cumulative years dedicated public service as a law enforcement officer. Duke was hired August 1, 1994 as a patrolman with the City of Laurinburg, resigned in 1997, but quickly came back to the City as Juvenile-DARE Officer in June 1998, and then promoted to Lieutenant November 2007. In November 2012, he was promoted to Juvenile

Investigator. In August 2013, he was promoted to Police Chief where he proudly served until his retirement.

Chief Williams was a dedicated and loyal law enforcement officer who sought to help others, particularly youth, in the community. In addition to spending hours on the job, he served for 20 plus years coaching youth football for Scotland County Parks & Recreation and most recently girls fast pitch softball. For the past seven (7) years he served as the Assistant Coach/Defensive Coordinator for the Carver Middle School Eagles. He could always be found near the ballparks helping kids succeed in their sporting adventures as well as providing life guidance. His ability to talk with and reason with individuals in every age group led to his success and popularity in the community.

The Mayor and the Laurinburg City Council express their sincere appreciation for his dedication and unselfish professional service to the Laurinburg Police Department, the City of Laurinburg, and citizens of Laurinburg.

We wish him many more years of continued success and may God bless him and his family on their journey.

Presented this the 19th day of April, 2022.

*James T. Willis
Mayor*

*Mary Evans
Mayor Pro Tempore*

*Mary Jo Adams
Councilmember*

*James J. Garby, Jr.
Councilmember*

*Rosemary Rainer
Councilmember*

Chief Williams thanked the Mayor and Council for presenting this to him. He also thanked the City Manager for giving him the opportunity to serve as Police Chief. He recognized his wife and daughter for the sacrifices they made for his career.

PRESENTATION OF PUBLIC POWER AWARD

Mayor Willis explained that the City was very proud of its electric department and the work of the employees.

Mr. Roy Jones, Chief Executive Officer of ElectriCities, explained that the City of Laurinburg was one of 16 member cities being recognized by Public Power. He discussed the growth and low cost reliable power provided by continually investing in the electric system, such as Laurinburg has accomplished in the last several years. The City has added another delivery point to its electric system and made significant improvements to the existing delivery point.

He presented the Public Power Award of Excellence for Grid Modernization to Mr. Jason Lighthall, Electric Services Director.

PRESENTATION BY REP. GARLAND PIERCE

Representative Garland Pierce explained that he was delighted to be present and to present a check to the City of Laurinburg in the amount of \$1 million for the North Fire Station.

PUBLIC COMMENT PERIOD

There was no one present to speak.

CONSENT AGENDA

Mayor Willis reviewed the Consent Agenda:

- a) Consider minutes of February 22, 2022 regular meeting; March 22, 2022 regular meeting
- b) Consider Changing Date of May Council meeting from May 17, 2022 to May 24, 2022
- c) Consider Resolution No. R-2022-11 Authorizing Application for Clean Water Fund Act Funds

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

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

PUBLIC HEARINGS

CONSIDER REQUEST FOR A SPECIAL USE PERMIT TO CONTRUCT AN 84-UNIT APARTMENT COMPLEX ON PROPERTY LOCATED ON PLAZA ROAD

The City Attorney reviewed information concerning the process for conducting a quasi-judicial hearing to ensure that the governing board understood its role. Some of the changes were made because of changes in the North Carolina General Statutes, and the required findings were brought about by certain court cases. He added that he would be participating in the first public hearing; however, due to a conflict of interest, Mr. Jerry Bruner would participate for him in the second public hearing.

Mayor Willis opened the public hearing to consider a request for a special use permit for an 84-unit apartment complex on Plaza Road.

The following were sworn by the City Clerk: Mr. Mac McInnis, City Planner/Code Enforcement Officer, and Mr. Joey Russell, Vice President of Southern Properties &

Development.

Mr. Mac McInnis, City Planner/Code Enforcement Officer, explained that this request for a special use permit to construct a multi-unit apartment complex on Plaza Road. The Unified Development allows 7 units or less in the Residential-6 zoning district by right; however, more than seven (7) units requires a special use permit. The Residential-6 zoning district allows a density of 7 to 12 units per acre. This development will consist of 84-units in five (5) two-story residential buildings, one (1) one-story club house, a playground area, a covered picnic area, and a gazebo. The application is complete, and the development meets all of the requirements of the Unified Development Ordinance. The request was heard by Planning Board on March 13, 2022, and Planning Board unanimously recommended approval of the request.

Mr. Joey Russell, Vice President of Southern Properties & Development, explained that there would be five (5) two-story buildings, one (1) one-story club house for amenities for the residents, playground area, covered picnic area and a gazebo. There will be one (1), two (2) and three (3) bedroom units.

Upon question by Councilmember Adams, Mr. Russell explained that all handicap units would be located on the first floor, and there would not be an elevator.

Upon question by Councilmember Evans, Mr. Russell discussed the income requirements for the apartments, both minimum and maximum

Upon question by Councilmember Rainer, Mr. Russell explained that the rental amount would range from \$600 to \$1,000 per month.

Upon question by Councilmember Garby, Mr. Russell explained that there would be fencing between the apartments and Lowe's as well as between Scottish Winds Apartment complex.

There was no one present to speak in opposition to the request; therefore Mayor Willis closed the public hearing.

Councilmember Williamson moved to approve the request for a special use permit for an 84-unit apartment complex on Plaza Road because:

- (1) The development is within the planning jurisdiction of the City AND
- (2) The application is complete AND
- (3) The development is in substantial compliance with the regulatory provisions of the UDO (for example, setbacks, decommissioning plan, location, clustering, etc.) AND
- (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.

The motion was seconded by Councilmember Garby, and the vote was unanimous.

CONSIDER REQUEST FOR A SPECIAL USE PERMIT TO CONSTRUCT A PHOTOVOLTAIC SOLAR ARRAY AT 18203 SNEADS GROVE ROAD

The City Attorney was replaced at the dais by Mr. Jerry Bruner.

Mayor Willis requested all persons who wish to speak during this public hearing come forth and be sworn.

The following were sworn by the City Clerk: Mr. Mac McInnis, City Planner/Code Enforcement Officer; Mr. Shawn Blazer, Mr. Michael Nenon, and Mr. Nick Kirkland.

Mayor Willis opened the public hearing.

Mr. Mac McInnis, City Planner/Code Enforcement Officer, explained that this request is for a special use permit for a 5-megawatt ground-mounted solar array on a 70-acre parcel located at 18203 Plant Road. The application is complete and the request is in compliance with the Unified Development Ordinance. There is not another solar array within one (1) mile of this location. The applicant submitted a decommissioning plan. Planning Board heard this request on March 13, 2022, and the vote was 3-3. Since the application is complete, the development meets all requirements of the Unified Development Ordinance, staff has no reason to not recommend approval of the request.

A brief discussion ensued concerning the location of the property. Mr. McInnis explained that the property was just inside the City's Extra-Territorial Jurisdiction (ETJ).

Mr. Bill Purcell, attorney for the property owner, Mr. Phillip Futrell, explained that the engineer could discuss the site layout, the real estate appraiser could discuss any impact on adjoining property values, and the project manager could discuss the decommissioning plan. He added that the application meets all of the requirements of the Unified Development Ordinance. Planning Board had no relevant reason to not approve the request. Only one (1) citizen was at the Planning Board meeting, and she only had questions, which the gentlemen from Strata answered for her.

Upon request by Councilmember Williamson, Mr. Michael Nenon, project manager for Strata Solar explained that there is a detailed plan of what occurs during decommissioning of a solar array. There is a general removal process that will be adhered to including appropriate permits, regulations and will be performed in compliance with all federal, state and local laws. A decommissioning proceeds in the reverse order of installation. Above and below ground facilities, equipment and cables are removed, and per the conditions of the lease with Mr. Futrell, the property will be restored to the condition it was in prior to its use as a solar farm.

Mr. Nick Kirkland of Kirkland Appraisals explained that he was a real estate appraiser. He discussed the process of appraisal that he conducted on this property by comparing sales of houses adjacent to solar farms as compared to houses not adjacent to a solar farm. His analysis revealed that there would be no impact on adjoining property values.

There was no one present to speak in opposition to the request; therefore Mayor Willis closed the public hearing.

Councilmember Adams moved to approve the request for a special use permit for a ground-mounted solar array (solar farm) at 18203 Plant Road because:

- (1) The development is within the planning jurisdiction of the City AND
 - (2) The application is complete AND
 - (3) The development is in substantial compliance with the regulatory provisions of the UDO (for example, setbacks, decommissioning plan, location, clustering, etc.)
- AND
- (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.

Councilmember Garby seconded the motion, and it carried unanimously.

CITY MANAGER REPORTS

CONSIDER REQUEST FROM MR. HARRY KRUPPENBACH ON BEHALF OF TRINITY PRESBYTERIAN CHURCH FOR A COLUMBARIUM

Mr. Harry Kruppenbach was not present.

CONSIDER REQUEST FROM SCOTLAND COUNTY CRIME STOPPERS – MR. RON HUCKS

Captain Chris Young of the Laurinburg Police Department explained that Mr. Hucks could not attend the meeting, but he and Lieutenant Darrell Ford of the Scotland County Sheriff's Office would present the request on behalf of Mr. Hucks. He added that Crime Stoppers was requesting \$1,000 from the City each year in order to help fund the anonymous tip program. He further added that Scotland County Crime Stoppers has, and continues to hold fund-raising events. He explained how the program works including the anonymity. The program encourages citizen involvement and helps solve crime. He discussed the number of tips received and the number of arrests made from those tips.

Upon question by Councilmember Evans, Captain Young explained that he had made the same presentation to the Scotland County Board of Commissioners but no decision was made.

Councilmember Rainer moved to add \$1,000 every year for the Crime Stoppers Program. The

motion was seconded by Councilmember Adams, and carried unanimously.

COMMUNITY DEVELOPMENT UPDATE

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

- Dog Park
 - The Electric Department Crew has poured the concrete footers to secure all the accessories.
 - Public Works and Beautification Departments have removed the large debris from the front property (McCormick).
 - 10+ loads of topsoil have been delivered and the Beautification Crew has been working to smooth the play area.
 - Accessories will be secured to the footers this week.
 - Pathways from parking lot to entrance gate will be installed next week.
 - The Laurinburg Dog Park will have a grand opening on May 19, 2022 at 9:00 a.m.
- Tree Crew
 - The tree crew have been cleaning various areas such as on US Highway 401, King Street, and along the fence line at Scotland Crossing Shopping Center.
- Lowe's Community Grant
 - The Laurinburg DAC 501(c)(3) applied for the Lowes Community Grant.
 - The DAC is asking for \$1 million to rehabilitate 127 S. Main St. (Harris Furniture).
 - First floor would be a shared kitchen space with vendor stalls.
 - Second floor would be an event space with the shared kitchen supporting the events.
- Rural Transformation Grant
 - City staff is currently working on Rural Transformation Grant through NC Commerce to support the 127 S. Main St. project.
 - Amount requested: \$950,000.
 - The appropriation committee will allocate \$50 million ARPA funds to Tier 1 and Tier 2 counties, and rural census tracts in Tier 3.
 - The funds will support four programs.
 - Downtown Revitalization
 - Resilient Neighborhoods
 - Community Enhancement for Economic Growth
 - Rural Community Capacity Building
 - The funds will support downtown economic development initiatives that are intended to help retain and create jobs, spur private investment, support small businesses, and leverage main street and downtown districts as economic engines.
 - Mr. Mandeville, Mr. Chris English, Executive Director of the Laurinburg/Scotland County Area Chamber of Commerce, and Mr. Daniel Walters, Main Street Manager, visited the Florence City Center to see its

operation to see if something similar could be done in Laurinburg.

- Operated by the City of Florence's Local Food Initiative.
- The building was once a warehouse on the Atlantic Coastal Railway.
- Current uses:
 - Commissary Kitchen
 - Farmers Market
 - Tenant Lease Spaces
 - Event Space
- The City Center Market and Kitchen is the community's hub for anyone looking for locally grown or raised foods, and for entrepreneurs who need a place to make, bake, and sell their goods.
- There are food truck stalls at the facility.

The City Manager explained that he believed that Scotland County planned to apply for the Rural Transformation Grant also. The Scotland County Economic Development Corporation (EDC) wants the City to use grant funds to purchase the property from the EDC if the City receives a Rural Transformation Grant.

Councilmember Garby moved to approve the use of Rural Transformation Grant funds, if the City is approved for a Rural Transformation Grant, for the purchase of the property at 127 South Main Street from the EDC. The motion was seconded by Councilmember Adams, and carried unanimously.

Councilmember Williamson explained that this idea, including the potential purchase of the building, was discussed at the last EDC meeting, and the board was in favor.

The City Manager explained that the property of 127 Main Street backs up to McDuffie Square, so it would be convenient for food trucks.

Mr. Mandeville explained that Mr. Walker McCoy and he are meeting to get the irrigation system installed at McDuffie Square. Once the Dog Park is completed, Mr. McCoy will plant the grass at McDuffie Square.

Further discussion ensued concerning the property at 127 Main Street.

Upon question by Councilmember Adams, Mr. Mandeville explained that the upcoming activities downtown included Springfest and new sculptures for the Art Garden.

CLOSED SESSION

At 8:09 p.m. Councilmember Garby moved to go into closed session pursuant to NCGS 143-318.11(a)(6) for personnel and 143-318.11(a)(4) for economic development. The motion was seconded by Councilmember Adams, and carried unanimously.

At 8:34 p.m. Councilmember Garby moved to adjourn the closed session and resume the regular meeting. The motion was seconded by Councilmember Adams, and carried

unanimously.

ADJOURNMENT

Motion was made by Councilmember Williamson, seconded by Councilmember Rainer, and unanimously carried to adjourn the meeting. The meeting adjourned at 8:34 p.m.

James T. Willis, Mayor

Jennifer A. Tippet, City Clerk