

**CITY OF LAURINBURG
CITY COUNCIL MEETING
MARCH 18, 2025
CITY HALL AND POLICE DEPARTMENT
303 WEST CHURCH ST.
6:00 PM**

Minutes

1. CALL TO ORDER

The City Council of the City of Laurinburg held its regular meeting on Tuesday, March 18, 2025, 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, Administrative Services Director / City Clerk; Amanda Futrell, Administrative Support Assistant / Deputy City Clerk.

Mayor Willis called the meeting to order at 6:00 p.m. Mayor Willis gave the Invocation and led the Pledge of Allegiance.

2. APPROVAL OF AGENDA

Councilmember Williamson moved to approve the agenda, with a second by Councilmember Adams, and the vote was unanimous.

3. PUBLIC COMMENT PERIOD

Mrs. Carmen Hicks, of Terrace Circle in Laurinburg, NC, spoke before the Council. Mrs. Hicks discussed the increase in her light bill over the past few months. She stated that she lives alone, and she is on a fixed income. She asked if something had changed for her light bill to have increased. The City Manager advised that the electric rates have not increased since April 2024. He stated that the increase in her bill would have to come from the usage rather than a change in the rate. He asked Mrs. Hicks to leave her information with him, and he will have the account reviewed. He told Mrs. Hicks that he could have someone do an energy audit in her residence.

Mrs. Margaret Harrington, of Geneva Street in Laurinburg NC, spoke before the Council. Mrs. Harrington stated that she works 8 hours a day and no one is home besides her. She stated that she had a substantial increase in her light bill. She stated that she has spoken with her neighbors and her bill is higher than theirs when they are home more than her. Mayor Willis asked Mrs. Harrington to leave her information with the City Clerk so her bill can be researched as well.

4. CONSENT AGENDA

Mayor Willis Read aloud the Consent Agenda:

- a. Consider the approval of the draft minutes for the February 11, 2025, Special Meeting and the February 11, 2025, Regular Meeting.
- b. Consider Ordinance No. O-2025-03 Amending the FY 2024-2025 Budget Appropriations Ordinance (Ordinance No. O-2024-21) to transfer funds from the Annual Vehicles & Equipment Capital Projects Fund to the General Fund to pay for planned operating capital projects.
- c. Consider Ordinance No. O-2025-04 Amending the FY 2024-2025 Budget Appropriations Ordinance (Ordinance No. O-2024-21) to re-appropriate a budget amendment that was approved last fiscal year, but the actual operating transfer of funds is in the current fiscal year to reconcile the North Fire Station Capital Project.
- d. Set a public hearing for April 22, 2025, at 6:00 p.m. to consider a request to rezone 928 & 932 S. Main Street from Residential-6 to Office/Institution.
- e. Set a public hearing for Tuesday, April 22, 2025, at 6:00 p.m. to consider a request for a Special Use Permit for 321 Plaza Road to develop a multi-family housing development.
- f. Set a public hearing for Tuesday, April 22, 2025, at 6:00 p.m. to consider a request to rezone 904 S. Main Street from Residential-6 to Office/Institutional.
- g. Consider designating the City Manager as the Voting Delegate for the North Carolina League of Municipalities Board of Directors electronic election process.

- h. Consider the approval to use McDuffie Square by the Laurinburg/Scotland County Area Chamber of Commerce for the Laurinburg After Five Concerts on May 16, June 13, July 11 and August 8, 2025, from 1:30 p.m. until 10:30 p.m.
- i. Consider the approval to use McDuffie Square and the closure of Railroad Street by the Scotland County Stop the Violence Committee for the Stop the Violence Outreach on May 3, 2025, from 8:00 a.m. to 6:00 p.m.

Councilmember Adams moved to approve the Consent Agenda.

Councilmember Evans moved to second the motion, and the vote was as follows:

Ayes - Adams, Evans, Rainer, Rogers, Williamson

Nays – None

(Copy of Ordinance No. O-2025-03 and Ordinance No. O-2025-04 on file in the clerk's office)

5. PUBLIC HEARINGS

- a. Consider a request for a Special Use Permit for the development of a 72-unit apartment complex on Plaza Road on Parcel Nos. 0100160100404 and 01001601005.

Mayor Willis stated that this public hearing is to consider a request for a Special Use Permit for the development of a 72-unit apartment complex on Plaza Road. Mayor Willis explained the process of a quasi-judicial hearing to the Council and attendees. Mayor Willis opened the public hearing.

Mr. Mac McInnis, the Planner/Zoning Officer, was sworn in by the City Clerk. Mr. McInnis stated that Mr. Joey Russell of the TDH Group, LLC is here to request a Special Use Permit for two parcels located on Plaza Road for the development of a 72-unit apartment complex. He stated that this project relies on a grant from the state of North Carolina. He stated that in order for TDH Group, LLC to apply for the grant, the Special Use Permit would have to be approved. Mr. McInnis stated that the Planning board heard the request on February 4, 2025, and the vote was 4 to 2 to recommend approval of the request. Mayor Willis asked if the Council had any questions for Mr. McInnis. There weren't any questions from the Council.

Mayor Willis asked if anyone wanted to speak in favor of the request.

Public Comments in Favor of the Special Use Permit

Mr. Joey Russell was sworn in by the City Clerk. Mr. Russell stated that TDH Group, LLC has applied for a Special Use Permit to develop a 72-unit apartment complex on Plaza Road. He stated that the complex would consist of four two-story residential buildings, a clubhouse and amenities. He stated that the units would have 1, 2, and 3-bedroom units. He stated that the entrance to the development would be on Plaza Road. Councilmember Adams asked how many residents the complex would be able to house. Mr. Russell stated he would estimate 2 tenants per unit. Councilmember Evans asked what the qualifications are to live in the complex. Mr. Russell stated that applicants will be vetted with a criminal background check, a credit check, and they will have to show proof with the required paperwork that they can afford to live in the complex. He stated that the monthly rent at the complex would range from \$550 to \$825 depending on the unit size. Councilmember Evans asked if the complex would be considered low-income. Mr. Russell stated that the complex would be considered low-income. Councilmember Adams asked if TDH Group, LLC is working with NC Housing Finance and if TDH Group, LLC will receive tax credits. Mr. Russell confirmed that TDH Group, LLC is working with NC Housing Finance and will receive tax credits. Mr. Russell stated this is not a development where all tenants would get a subsidy for rent. He stated that they would accept section-8 tenants as required by law. Councilmember Rainer asked if the apartments would be totally electric. Mr. Russell confirmed that they would be totally electric. Mr. Russell stated that there would be a full-time site manager on duty 5 days a week, and they are proposing it as a full-time maintenance person on site 5 days a week with 24-hours on call for work orders. A conversation ensued about whether Mr. Russell has spoken with any residents that live in complexes adjacent to where they want to build the complex. He stated that he hadn't spoken with anyone. The Council asked about the timeframe of the complex development. Mr. Russell stated that the grant funding is usually awarded in August or September, and they would have to complete other processes before development could begin. He stated the development of the complex would probably be around Spring 2025. A conversation ensued about whether a traffic study had been performed due to the large amount of traffic on Plaza Road. Mr. Russell stated that they had not done a traffic study. Mr. Russell discussed how TDH Group, LLC would protect the retention pond. He stated that it would be fenced in and surrounded by trees. Mayor Willis asked if the Council had any other questions for Mr. Russell. There weren't any additional questions.

Public Comments in Opposition to the Special Use Permit

Mr. Billy Campbell, of West Boulevard in Laurinburg, NC, was sworn in by the City Clerk. Mr. Campbell thanked the Council for preventing the same type of development from being built close to his home with the prior developer who applied for a Special Use Permit. He stated that he is concerned that the quality of life and safety in the area will be affected by the complex. He also advised the Council that he counted about 16 different driveways on Plaza Road between S. Main Street and US Highway 401. He showed the Council a hand-drawn map of the driveways. He discussed buses that are picking up kids for school on Plaza Road and pedestrians walking to Walmart. He stated that during the summer, the Highway 74 exit and Plaza Road are congested. Mr. Campbell expressed concern about the swimming pools at the two hotels that are located close to the proposed development. He stated that a child may jump the fence and drown. He stated that there are many housing projects in the black communities in Laurinburg. He stated that property values will be affected because people do not want to invest in an area where housing projects are located. A conversation ensued about how Mr. Campbell knows for a fact that property values will be affected. Mr. Campbell stated that you can ask a realtor. A conversation ensued about what the parcel could be used for with the Residential-6 zoning. The Council asked if Mr. Russell's group had to build 72 units. He stated that they do and have already applied for the development of 72 units. A conversation ensued about the entrance and exit to the complex.

The City Attorney stated that the City of Laurinburg has an ordinance that sets the requirements for issuing a Special Use Permit. He stated that the Council must follow a standard in receiving evidence. He stated that there are at least 7 different criteria that need to be met before the Council can and should issue a Special Use Permit under the City of Laurinburg's ordinance. He stated that the ordinance is readily available for anyone to read. The City Attorney read some of the criteria that must be met. He asked Mr. Russell if he has any information about the impact the complex will have on adjoining properties. Mr. Russell stated that there are other developments like this in the area and there is no proof that they have affected property values. The City Attorney discussed the applicant's obligation to present the burden of truth that the criteria are met, and property values are not affected. He explained that, just as with Mr. Campbell's opinion is not creditable as evidence in this type of hearing. He stated that unless any applicant that comes before the Council has evidence, the Council does not have the authority to grant the Special Use Permit. He stated that any applicant applying for a Special Use Permit should ensure they understand the requirements of the ordinance and should probably have legal representation to be able to formulate how the evidence is

brought forward to the Council. The City Attorney explained that if the applicant provides sufficient evidence that the proposed project meets all ordinance requirements, then the burden is on the opposition to prove otherwise. He stated that the Council would have to weigh the evidence if both sides provided sufficient evidence. He stated that in this case, there isn't prima facie evidence to support the approval of the Special Use Permit. Mr. Russell stated that he doesn't have a property expert with him, but they have never seen proof that the proposed complex has caused property values to decrease. He stated that they have developed 10 complexes like this across the state in the last 5 years. The Council ensured that Mr. Russell has a copy of the ordinance for reference. Mr. Russell stated that he did, and he has brought different models of this project before the Council in the past couple of years and has not had this problem.

Mayor Willis asked if anyone else would like to speak about the Special Use Permit. There wasn't anyone else that wanted to speak. Mayor Willis closed the public hearing.

A conversation ensued between the Council about continuing the hearing to allow additional evidence to be presented. This would allow both the applicant and opponent to gather sufficient evidence to support the approval or denial of the permit. The applicant's deadline of May for submitting the application for the grant was discussed. Councilmember Adams motioned to deny the request for a Special Use Permit for the development of a 72-unit apartment complex on Plaza Road, with a second by Councilmember Williamson. Councilmember Rogers stated that she is not opposed to issuing the Special Use Permit, but she wants to ensure that the Council complies if it issues the permit. Councilmember Evans agreed. The vote to deny the request was as follows:

Ayes: Adams, Williamson

Nays: Evans, Rainer, Rogers

Councilmember Rogers motioned to continue the public hearing to April 22, 2025, pending further evidence, with a second by Councilmember Evans. The City Attorney advised that both sides must provide expert testimony and are not allowed to provide generalized fears. The vote to continue the public hearing to April 22, 2025, was as follows:

Ayes: Rogers, Evans, Rainer

Nays: Adams, Williamson

- b. Consider a request to rezone 321 Plaza Road from General Business to Residential-6.

Mayor Willis stated that this public hearing was for a request to rezone 321 Plaza Road from General Business to Residential-6. The City Attorney recused himself since he had completed legal work for the applicant in the past. The City Attorney was replaced by Attorney Jerry Bruner. Mayor Willis opened the public hearing. He asked Mr. Mac McInnis to explain the rezoning request.

Mr. McInnis stated that this request had been made by Trinity Housing Development with the support of the property owners. He stated that they are asking for the property at 321 Plaza Road to be rezoned from General Business to Residential-6, which would allow for a multifamily residential development. He stated that the Planning Board heard the request on February 4, 2025, and the vote was unanimous to recommend approval of the rezoning request. Mr. McInnis advised the Council that this request is for the same type of development that Mr. Joey Russell and the TDH Group want to develop. Mayor Willis explained that the applicant would have to come before the Council again for a Special Use Permit if the rezoning is approved tonight before the development could be built. Mayor Willis asked if there was anyone in attendance that wanted to speak in favor of the rezoning.

Public Comments in Favor of the Rezoning

Mr. Don Sever of Bowman Consulting, located at 4006 Barrett Drive, Raleigh, NC was in attendance to represent Trinity Housing Development. He stated that he could answer questions from the Council. Mayor Willis asked if there was anyone in attendance that wanted to speak in opposition to the request.

Public Comments Opposing the Rezoning

Mr. Billy Campbell spoke before the Council in opposition to the request. He discussed the traffic on Plaza Road and the congestion that additional apartments would cause on Plaza Road. He stated that the development would result in traffic hazards.

Mr. McInnis advised the Council that they should consider the possible uses that could result from the rezoning rather than what the developer is proposing when making their decision. He stated they should consider that the rezoning could result in other uses allowed by R-6 zoning if the proposed development doesn't take place. Mayor Willis and Mr. McInnis discussed other possible uses if the property is rezoned R-6. Mayor Willis asked if anyone else in

attendance wanted to speak in opposition to the rezoning request. There wasn't anyone else that wanted to speak. Mayor Willis closed the public hearing.

A discussion ensued about revisiting the City of Laurinburg's land use plan. The Council discussed whether they wanted residential zoning in the City's biggest retail area. They also discussed the City's responsibility to complete infrastructure such as sidewalks if a residential establishment is developed. They discussed the importance of both economic development and housing in the City of Laurinburg. A conversation ensued about whether the City Council wanted to open up the area where the parcel is located into Residential-6 zoning indefinitely.

Councilmember Adams made a motion to deny the request to rezone 321 Plaza Road from General Business to Residential-6. Councilmember Rogers second the motion and the vote was as follows:

Ayes - Adams, Rogers, Evans, Rainer, Williamson
Nays- None

6. CITY MANAGER REPORTS

- a. Consider the approval of the lease of the Sanford Building to Scotland County Partnership for Children and Families, Inc.

The City Manager stated that this item has come back before the Council after being advertised as required. He stated that this item is for the Council to consider the approval of the lease of the Sanford Building to Scotland County Partnership for Children and Families, Inc. He stated that Mr. Benny Cox is in attendance to answer any questions from the Council. The City Manager stated that the new lease is a 10-year lease for a monthly lease amount of \$2,300 a month. He stated that the board at the Scotland County Partnership for Children and Families, Inc. had given Mr. Cox the authority to execute the lease if the Council approves the lease.

Councilmember Williamson made a motion to approve the lease of the Sanford Building to Scotland County Partnership for Children and Families, Inc., with a second by Councilmember Rainer and the vote was unanimous.

- b. Discussion of small business incentive initiatives and community services funding.

The City Manager stated that he was going to turn it over to Councilmember Rogers to allow her to explain these items, since they are two initiatives that she wanted to discuss.

Councilmember Rogers discussed a small business initiative that would give business owners a road map by offering a series of workshops that cover opening a business and sustaining the business. She stated that the City could use resources that it already has since the City could not provide funding for all small businesses. She mentioned small businesses partnering with Richmond Community College to obtain knowledge of how to sustain a small business. She discussed the importance of small businesses having the knowledge and assistance to help sustain them.

Councilmember Rogers stated that the second item stemmed from the Citizen Input Session. She stated that a discussion took place about funds for the youth. She suggested having an amount set aside from the General Fund with a line item to use when financial support is requested for community service funding. She discussed how the City helped with the renovation of the Dragon Park. She discussed setting the criteria that would need to be met to obtain funding. The City Manager discussed the partnership that the City currently has with Richmond Community College that has assisted start-ups in the downtown business community. He stated that he would reach out to Flynn Meares at Richmond Community College to discuss further assistance to small business owners. Councilmember Rogers discussed the difference in the initiatives for businesses and community service funding. A discussion ensued about the need to be cautious about the use of taxpayer funds to fund community services and the fact that the City doesn't currently fund any community services.

The City Manager discussed the ribbon-cutting that will be taking place on Thursday, March 20, 2025, at the City Hall for the local office of Congressman Mark Harris and his staff at City Hall.

7. COMMENTS FROM MAYOR AND/OR COUNCILMEMBERS

Mayor Willis discussed the wooden bat baseball team coming to Laurinburg. He stated that a 10-year lease had been signed. He stated that this is a great opportunity for community development in Laurinburg.

Councilmember Adams discussed the Laurinburg-Maxton Airport. She stated that they are still trying to finalize the runway extension, and they are making plans for the terminal building and t-hangers. She also discussed lunch and learn events that are being offered by the Lumber River Council of Governments. A

conversation ensued about funding and the Golden Leaf funding, which was not approved. Councilmember Adams also discussed events taking place with the North Carolina League of Municipalities.

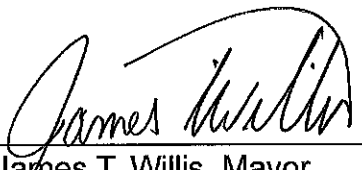
8. CLOSED SESSION (Economic Development)

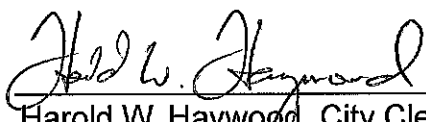
Mayor Willis stated that a closed session was not needed at this time.

9. ADJOURNMENT

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

The meeting was adjourned at 7:27 p.m.


James T. Willis, Mayor


Harold W. Haywood, City Clerk