

**CITY OF LAURINBURG
CITY COUNCIL MEETING
JANUARY 17, 2017
MUNICIPAL BUILDING
303 WEST CHURCH ST.
7:00 p.m.**

Minutes

The City Council of the City of Laurinburg held its regular meeting on Tuesday, January 17, 2017 in the Council Chambers of the Municipal Building at 7:00 p.m. with the Honorable Matthew Block, 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 Block called the meeting to order at 7:00 p.m.

Councilmember Adams gave the Invocation and then led the Pledge of Allegiance.

APPROVAL OF AGENDA

Councilmember Adams moved to amend the agenda as follows: add a special presentation by Mr. James Bennett, Town Manager of Red Springs; move delegations to after the special presentation; then have Public Comment Period followed by Mayor/Council Comments; delete Item A, Consider Draft Minutes, from the agenda; and move Item B, Consider Resolution No. R-2017-01 Supporting West Blvd. Pedestrian Improvements, to the City Manager Reports. The motion was seconded by Councilmember Willis, and carried unanimously.

SPECIAL PRESENTATION

Mr. James Bennett, Town Manager of Red Springs, thanked Council for allowing him to represent the award to Mr. Nichols which was originally presented to him in December at the Lumber River Council of Governments' Dinner Meeting. He explained that it was his honor to recognize Mr. Nichols as Manager of the Year for 2016 from Region N of the Council of Governments. He further explained that Mr. Nichols was nominated and chosen by his 35 peers in the Region N Managers' and Administrators' Association. He added that there was no one more deserving of this recognition. He then presented and read the plaque as follows:

*JOHN K. MCNEIL, JR.
MANAGER OF THE YEAR*

*Presented to
Charles D. Nichols III
By the*

LUMBER RIVER COUNCIL OF GOVERNMENTS BOARD OF DIRECTORS

*For your Dedication and Energetic Leadership
As Region N Manager of the Year*

October 20, 2016

Mr. Bennett explained that the Manager of the Year Award is named in honor of John K. McNeil, Jr., a long serving public servant. He added that there was no doubt in his mind that there would be an award in the future in honor of Charles Nichols.

DELEGATIONS

SCOTLAND CROSSING PROPERTIES POTENTIAL PARTNERSHIP – STEVEN HANKINS AND CHARITY BARBEE

The City Manager explained that Mr. Steven Hankins, a commercial real estate developer, and Ms. Charity Barbee of ElectriCities were going to discuss potential development on the City's property beside the Food Lion at Scotland Crossing Shopping Center. He added that although Mr. Hankins does not have a concrete plan at this time, he wanted to introduce himself to Council. He further added that Ms. Barbee will give a very broad session on retail development recruitment.

Mr. Hankins explained that he is a commercial developer out of Charlotte, and that he acquires properties and determines the best and highest uses before developing. He added that he had developed projects in Charlotte, Huntersville, Statesville, Hickory, Asheville and Clemmons. He further explained that the property will be marketed, and that the tenants determine the layout. He further added that most developments include retail and restaurants.

Upon question by Councilmember Williamson, Mr. Hankins explained that although the demographics of Laurinburg are not as desirable as some other communities, the traffic flow on US 74 makes Laurinburg a definite draw to retailers and restaurants.

Ms. Charity Barbee with ElectriCities presented a PowerPoint presentation on retail recruitment. She explained that working with the caliber of City leaders such as the City Manager and Mr. Michael Mandeville, Community Development Director, make a huge difference in working on projects. Highlights of the presentation were as follows:

- Important for municipalities to invest in retail development: attract desired businesses, capital development, improve quality of life and create jobs.
- One (1) in four (4) jobs are retail jobs.
- Average salary for retail workers in the age group 24-54 is comparable to non-retail jobs.
- Many retailers are expanding which makes it important to invest in retail recruitment.
- Millenials are the largest consumer group.
- Growth in e-commerce versus brick and mortar. More consumers are shopping online. Technology and brick and mortar retail can co-exist.

- Growth seen in grocery business, fast food and fast casual restaurants.
- Retail expansion formula determines profit of potential location. Important considerations are demographics, average salary, and traffic patterns.
- When the demographic numbers are not met to attract a company, the community has to come to the table with more to attract attention of the retailer to make the project work.
- Data can show retail leakage such as someone lives in Laurinburg but drives to Fayetteville to go out to dinner or to shop for clothing. This helps to determine good fit.

Mayor Block thanked Ms. Barbee for the presentation.

The City Manager explained that further discussion and negotiations will be held as Mr. Hankins has a strong interest in the City's property beside the Food Lion in Scotland Crossing Shopping Center.

PAVEMENT CONDITION SURVEY RESULTS – MR. JOHN D. FERSNER, III, P.E.

Mr. John D. Fersner, III, P.E. of US Infrastructure Carolina, Inc. presented a PowerPoint discussing the City of Laurinburg's Pavement Condition Survey Results. Highlights of the presentation were as follows:

- The City has 87.69 miles of roadway and it is one of the City's biggest assets.
- Eight (8) common pavement surface distresses observed – alligator cracking, block cracking, reflective cracking, raveling, rutting, patching, bleeding and ride quality.
- The City has 78.88 miles of low volume streets and 8.82 miles of high volume streets.
- Some alligator cracking noted with a lot of block cracking primarily because the pavement is old. Pavement has been holding up well but is getting some age on it, so this is where the block cracking is seen.
- Other attribute observed included number of lanes, sidewalks, curb and gutter and asphalt height. Noted some issues with asphalt height where resurfacing has almost created a trip hazard. The City should consider milling and pulling off asphalt before resurfacing and adding another layer.
- Developed Pavement Condition Rating (PCR) based on visual observations and mathematical computations from 100 to zero (0). Overall PCR in the City is 81.3 and the State average is about 80. Overall, the street system is in good condition.
- Looked at Maintenance Needs also and 46% of the City's roads have maintenance needs or need to be resurfaced. The State average is 47%.
- Laurinburg has a current need of \$2,042,644 in street maintenance/resurfacing needs:
 - \$480,406 for routine maintenance
 - \$1,562,238 for resurfacing
 - Additional costs would be added for raising structures, milling, etc. of 25% to 40% of the total.
- Obviously the City does not have \$2 million at one time, so the City needs to prioritize where its monies need to be spent.
- Breakdown of streets by PCR:
 - 42.7% - Very Good
 - 14.9% - Good

- 26.4% - Fair
- 11.6% - Poor
- 4.4% - Very Poor
- Since there has not been sufficient money put into the pavement program over the past 20 years, the streets are beginning to show the lack of maintenance and conditions are deteriorating.
- More costly to do reactive maintenance on streets than proactive and routine maintenance.
- The majority of the priority maintenance needed on City streets is in the medium priority where there is a lot of alligator cracking and rutting.
- Recommended that the City look at a 15-year paving cycle which would equate to six (6) miles per year at about \$700,000.00 per year.

Upon question by Mayor Block, Mrs. Carrie Neal, Finance Director, explained that the City received \$460,000.00 in Powell Bill Funds.

Upon questions by Mayor Block, the City Manager explained that the future of Powell Bill Funds are being discussed at the State level and municipalities are concerned. He added that the funds are generated from gasoline tax and are intact now. He added that all of the Powell Bill Funds are allocated into the Street Department budget.

Upon question by Councilmember Hammond, Mr. Stacey McQuage, Public Utilities Director, explained that the last resurfacing project was approximately three (3) to four (4) years ago.

Upon question by Mayor Block, Mr. Fersner that the City would need to look at funding approximately \$300,000.00 per year in addition to the Powell Bill Funds to maintain the streets.

Upon question by the City Manager, Mr. Fersner explained that the City streets are in relatively good condition due to the sandy soil that drains well, resulting in a longer lifespan for the pavement. He added that moisture is the worst enemy of pavement.

Upon question by Councilmember Hammond, Mr. Fersner explained that he had provided the City with a listing alphabetically and by PCR.

Upon question by Councilmember Hammond, Mr. McQuage explained that the lowest rated streets were Vance Street and Hall Street.

The City Manager explained that the study results have been put in GIS for planning purposes.

PUBLIC COMMENT

Mayor Block briefly reviewed procedures and decorum for the Public Comment Period and for the meeting.

There was no one present to speak.

COUNCIL COMMENTS

Councilmember Williamson explained that he read and heard news reports of the Council Retreat, and felt that sometimes what is portrayed in the media is not always the complete story. He added that of the four (4) hour meeting, he was pleased with the first three (3) hours of the meeting as he felt that the meeting was productive and constructive about how to move the City forward on items such as future needs for the City's fiber, the greenway of the north side of the City, litter, code enforcement, using technology to enhance the meeting experience for those in attendance as well as those watching on television, appearance of US 74, and crime. He further added that he hoped that appreciation was expressed to Mrs. Klein, the moderator.

Councilmember Willis expressed concern about comments by a commenter in *The Laurinburg Exchange*. He suggested that commenters have facts straight and to stop picking on the Nic's Pic Kwik organization. He also expressed concern about comments made by Mayor Block on his Facebook wall about councilmembers.

Mayor Block requested that Council consider not having conversations among each other between meetings and not discuss the City's business outside of the public eye.

Councilmember Willis explained that he would continue to discuss and bounce ideas off other councilmembers.

Councilmember Williamson explained that at the very first meeting with Mayor Block, he specifically stated that Council needed the Mayor's input and welcomed it. He added that the Mayor and Council will accomplish more working together even though there are major issues where Council and Mayor Block are opposed.

Councilmember Hammond explained that Councilmembers do not make any decisions when they are talking.

Further discussion ensued concerning discussions by Councilmembers and being transparent. Councilmember Hammond explained that the City's Ethics Policy addresses conducting business openly and honestly.

Councilmember Adams explained that Council is not conducting business outside of meetings.

PUBLIC HEARING

CONSIDER REQUEST FOR A CONDITIONAL USE PERMIT TO HOLD A CIRCUS

Mayor explained that the public hearing was a quasi-judicial hearing to consider a request for a circus to be held on April 27, 2017 from 5:00 p.m. to 7:00 p.m. at 1206 Turnpike Road. He then opened the public hearing.

Mr. Mac McInnis, City Planner/Code Enforcement Officer, being first duly sworn, explained that the property located at 1206 Turnpike Road is owned by Scotland County Parks and Recreation

Department. He added that the Zerbini Circus held a circus at this location in 2016 and would like to hold a circus on April 27, 2017 from 5:00 p.m. to 7:00 p.m. He further added that a circus or carnival requires a Conditional Use Permit. He further explained that the request was heard by Planning Board and was unanimously recommended for approval, and that staff had no reason not to recommend approval.

There was no one present to speak in favor of or against this request.

Motion was made by Councilmember Williamson, seconded by Councilmember Willis, and unanimously carried to approve a Conditional Use Permit for a circus to be held on April 27, 2017 at 1206 Turnpike Road based upon the following:

- 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.

CITY MANAGER REPORTS

CONSIDER RESOLUTION NO. R-2017-01 SUPPORTING WEST BLVD. PEDESTRIAN IMPROVEMENTS

The City Manager explained that this resolution was requested by NC Department of Transportation (DOT) to support Council's agreement to fund the drainage portion of the pedestrian improvements at US Highway 401 at West Boulevard. He added that DOT has pledged that there will be funds in a future budget to cover the sidewalks and other costs of the crosswalks.

Councilmember Hammond moved to approve Resolution No. R-2017-01 supporting West Blvd. pedestrian improvements. The motion was seconded by Councilmember Adams, and the vote was as follows:

Ayes: Hammond, Willis, Adams, Leak, Williamson

Nays: None

(Resolution No. R-2017-01 on file in City Clerk office)

CONSIDER ORDINANCE AMENDING THE FY 2016-2017 BUDGET APPROPRIATIONS ORDINANCE (ORDINANCE NO. O-2016-05)

The City Manager explained that this budget amendment is to receive a \$4,000.00 grant and to allocate an additional \$4,000.00 to being the project to purchase wayfinding signs to direct point

out vital areas in Laurinburg such as the Historic Downtown District

Councilmember Hammond moved to approve Ordinance No. O-2017-01 amending the FY 2016-2017 Budget Appropriations Ordinance (Ordinance No. O-2016-05) by Increasing Misc. Grants (10-439904) by \$4,000.00, Increasing Appropriated Fund Balance (10-43900) by \$4,000.00 and Allocating \$8,000.00 to Other Improvements (501-707300). The motion was seconded by Councilmember Williamson, and the vote was as follows:

Ayes: Hammond, Williamson, Adams, Willis, Leak

Nays: None

(Ordinance No. O-2017-01 on file in City Clerk office)

CONSIDER RESOLUTION AUTHORIZING LEASE OF PROPERTY AT LAURINBURG-MAXTON AIRPORT

The City Manager explained that this resolution authorizes the lease of the hangars at the Laurinburg-Maxton Airport (LMA) to Charlotte Aircraft because the 30-year lease between LMA and Gullede Aviation has ended. He added that this would be a 10-year lease.

Councilmember Adams moved to approve Resolution No. R-2017-02 authorizing lease of property Described According to a Map Entitled “Laurinburg-Maxton Airport Commission South Hangar Complex Property to be Leased to Gullede Aviation, Inc.”, prepared by J. F. Wampler Engineering, Inc., and dated November 12, 1991 and authorizing the Mayor and City Clerk to execute the lease. The motion was seconded by Councilmember Hammond, and the vote was as follows:

Ayes: Adams, Hammond, Leak, Willis, Williamson

Nays: None

(Resolution No. R-2017-02 on file in City Clerk office)

CONSIDER RESOLUTION AUTHORIZING SALE OF PROPERTY AT LAURINBURG-MAXTON AIRPORT

Councilmember Adams explained that the resolution authorizes the sale of the Certified Site owned by LMA and that the property was released to be sold by the Federal Aviation Authority (FAA) in 2012 but was not sold at that time. She added that the Town of Maxton was considering the same action at its meeting tonight.

Councilmember Williamson explained that the land is owned by LMA and will be conveyed to the Scotland County Economic Development Corporation (EDC) which has a potential prospect for the site. He added that if the prospect does not come through, the land sale will still happen because the land sale must happen within five (5) years of release from the FAA. He further added that the EDC would own and market the property once the sale occurred.

Councilmember Williamson moved to approve Resolution No. R-2017-03 authorizing sale of a 322.24 acre tract of land at Laurinburg-Maxton Airport Commission to the Scotland County Economic Development Corporation for \$1,290,000.00 and to authorize the Mayor and City

Clerk to execute the deed. Councilmember Willis seconded the motion, and the vote was as follows:

Ayes: Williamson, Willis, Hammond, Leak, Adams
Nays: None
(Resolution No. R-2017-03 on file in City Clerk office)

CONSIDER RESOLUTION APPOINTING MARY MCNEILL AS DEPUTY FINANCE DIRECTOR

The City Manager explained that this resolution appoints Mrs. Mary McNeill as Deputy Finance Director in response to the auditor's recommendation to have an additional person designated to sign checks for the City in the event the Finance Director was unavailable.

Councilmember Willis moved to appoint Mary McNeill Deputy Finance Director. The motion was seconded by Councilmember Adams, and the vote was as follows:

Ayes: Willis, Adams, Leak, Hammond, Williamson
Nays: None
(Resolution No. R-2017-04 on file in City Clerk office)

CONSIDER RESOLUTION AUTHORIZING SIGNATURES FOR INDUSTRIAL DEVELOPMENT FUND GRANT

The City Manager explained that this resolution provided signatory authority for four (4) individuals, himself, the Finance Director, the General Services Director, and the Deputy Finance Director to sign forms for the \$708,000.00 Industrial Development Fund (IDF) Grant received by the City.

Councilmember Willis moved to approve Resolution No. R-2017-05 authorizing signatures for Industrial Development Fund Grant. The motion was seconded by Councilmember Williamson, and the vote was as follows:

Ayes: Willis, Williamson, Leak, Adams, Hammond
Nays: None
(Resolution No. R-2017-05 on file in City Clerk office)

CONSIDER RESOLUTION AMENDING CITY OF LAURINBURG PERSONNEL POLICY

The City Manager explained that this resolution to amend the Personnel Policy stemmed from a recommendation from the auditor regarding tuition reimbursement for employees.

Upon question by Councilmember Adams, Mrs. Betty Galloway, Human Resources/Risk Management Director, explained that an employee must obtain a grade of "C" or better to qualify for reimbursement.

Upon question by Councilmember Hammond, Mrs. Galloway explained that if an employee obtains tuition reimbursement and leaves the City within one (1) year of doing so, that employee must reimburse the City the amount received.

Councilmember Adams moved to approve Resolution No. R-2017-06 amending Article VI. Employee Benefits, Section 10. Tuition Assistance Program of the City of Laurinburg Personnel Policy (R-2013-02). The motion was seconded by Councilmember Hammond, and the vote was as follows:

Ayes: Adams, Hammond, Williamson, Willis, Leak
Nays: None
(Resolution No. R-2017-06 on file in City Clerk office)

DISCUSSION AND DIRECTION CONCERNING DATE FOR INDEPENDENCE DAY FIREWORKS DISPLAY

The City Manager explained that staff was seeking direction on the date to have the Independence Day Fireworks since July 4th was on a Tuesday.

Following a brief discussion, it was consensus of Council to hold the Fireworks Display on Tuesday, July 4, 2017.

DISCUSSION OF POTENTIAL POLICY ON COMMUNICATION BETWEEN THE MAYOR AND CITY CLERK

The City Manager explained that he requested this item on the agenda due to emails the previous week that were not respectful.

Following discussion, it was consensus of Council that all emails between the Mayor and City Clerk would be copied to the City Manager, Council and the City Attorney, and that any request for research that requires more than 30 minutes of a staff member's time must be approved by Council.

APPOINTMENTS

TREE COMMITTEE

Mayor Block explained that the City Code gives the Mayor authority to appoint a Tree Committee and one is not currently in existence. He added that he had planned to make the appointments at this meeting; however, he would like to advertise for applicants for the Tree Committee and bring this item back in 60 days.

MAYOR'S REPORTS

SCOTLAND COUNTY PARKS & RECREATION ADVISORY COMMITTEE

Mayor Block explained that he was the City's representative on the Scotland County Parks & Recreation Advisory Committee and that his focus was to mainly explore the feasibility of an indoor recreation center in Laurinburg. He added that the Scotland County Commissioners included this in its Strategic Plan as a priority. He further added that he wanted to clarify Council's position on the indoor recreation center. He further explained that he believed that Councilmember Adams was in favor of the recreation center being built in the City if it was built at the Morgan Recreation Complex on Turnpike Road.

Councilmember Adams explained that she was in favor of the recreation center being built in partnership with the hospital, the County and St. Andrews University. She added that if the County recommended that it be built at the Morgan Recreation Complex, then she would support that idea. She further added that if the County changed the recommended location, then she would consider the County's recommendation.

Mayor Block explained that he wanted to know if all of Council felt the same as Councilmember Adams concerning location of the recreation center. He added that the majority of the citizens do not want the recreation center located at the Morgan Recreation Complex, but instead wanted it in a central location.

Councilmember Willis explained that he stated a year ago that he would support a recreation center as long as it was a partnership between the City, the County, the hospital and St. Andrews University. He added that he believed it would be better to be further along in the process before location is discussed.

Councilmember Williamson explained the he felt it was a little premature to be discussing the location. He added that he preferred to stay open minded. He further added that he heard all of Council say that they supported the Mayor in his efforts to get an indoor recreation center.

Mayor Block explained that the hospital has always been supportive of the idea of an indoor recreation center and he has not discussed the idea with St. Andrews University. He added that he did not believe that he could advocate for the indoor recreation center to be located at the Morgan Recreation Complex as he did not believe that location was best for the citizens of Laurinburg.

Councilmember Hammond explained that she would be open for other locations for the indoor recreation center.

COMMENTS FROM MAYOR AND/OR COUNCILMEMBERS

Councilmember Adams explained that she wanted to clear up some things that had been in the media this past week concerning the Lumber River Council of Governments (COG). She stated that she was not the Chairman of the COG, but was Chairman of the COG Transportation Committee. She added that the City's dues to the COG were \$5,267.00. She presented the following information concerning the COG activities:

- Delivered 8,604 meals to homebound senior citizens

- Served 6,856 congregate meals to senior citizens
- Provided 7,350 hours of in-home aide care
- 3,957 rides provided using SCATS
- Provided 78 hours of legal counsel
- Provided 84 housing and home improvements
- Provided 1,677 units of care with 1,160 rides provided with Adult Day Care/Day Health/Day Care Transportation
- Provided \$10,134.00 in funding for the Senior Centers (Scotland Place and Wagram)
- Awarded \$160,000.00 for housing from the NC Housing Finance Agency
- Submitted two (2) Asset Management Grant Applications on behalf of the City
- During FY 2016, members of the COG saw a \$73.50 return on each dollar invested in the COG.

Councilmember Hammond added that the COG is looking for volunteers to deliver meals to senior citizens, and if anyone is interested to contact David Richardson with the Lumber River Council of Governments.

CLOSED SESSION

At 8:52 p.m., Councilmember Adams moved to go into closed session pursuant to NC 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 NC 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 carried unanimously.

At 9:31 p.m., Councilmember Leak moved to adjourn the closed session and resume the open meeting. The motion was seconded by Councilmember Adams, and carried unanimously.

ADJOURNMENT

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

The meeting adjourned at 9:32 p.m.

Matthew Block, MD, Mayor

Jennifer A. Tippett, City Clerk