

APPROVED MAY 22, 2018

**CITY OF LAURINBURG
CITY COUNCIL MEETING
MARCH 20, 2018
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, March 20, 2018 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, Mary Evans, James J. Garby, Jr., Curtis B. Leak, and Andrew G. Williamson, Jr.

Also present were Charles D. Nichols III, City Manager; Jennifer A. Tippett, City Clerk; and William P. Floyd, Jr., City Attorney.

Mayor Block called the meeting to order at 7:00 p.m.

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

APPROVAL OF AGENDA

The City Manager explained that Mr. Bryan Graham requested to be rescheduled to the April 17, 2018 in order to have more information to share with Council about a recreation center.

Discussion ensued concerning scheduling of Mr. Graham in April versus having a joint meeting with the Scotland County Commissioners.

The City Manager also explained that a budget amendment to receive funds from ElectriCities in order to hold breakfast for downtown merchants on April 5, 2018 needed to be added.

Upon question by Mayor Block, the City Manager explained that he and the City Clerk arrange items on the agenda based upon the adopted Rules of Procedure for categories, and then as items are submitted. He added that in consideration for out-of-town presenters, they are moved to the top of the category in which they fit. He further added that it is Council's agenda, and it can adjust the agenda as it sees fit.

Motion was made by Councilmember Garby, seconded by Councilmember Williamson, and unanimously carried to approve the agenda with amendments as discussed.

PUBLIC COMMENT PERIOD

Mayor Block reviewed public comment procedures.

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Mr. Michael Edds, 1207 Blue Drive, explained that he has expressed concerns about the crime rate to ask for more help for the Police Department for equipment and more personnel to Council for over three (3) years. He added that he has always been a supporter of the Police Department and the Police Chief. He discussed ways that he and his church have honored the Police Department. He discussed suggestions such as a youth curfew and an idea to provide a cost-effective idea to have community centers in town to get kids off streets and away from gangs. He explained that he had provided crime statistics in the past and had been accused of providing false information. He then reviewed statistics from 2002 to 2016 which were obtained from city-data.com and the Federal Bureau of Investigation. He added that he recommended that Council hire a professional crime consultant to provide input on the police department and ways that crime can be tackled.

Councilmember Evans explained that Pastor Edds continues to ask Council what it is doing to combat crime, and that she does not feel Council has given him a clear answer. She stated that this was one of the reasons why she had requested that the North Carolina League of Municipalities (NCLM) come in to see what the Police Department's practices were as well as look at the department. She added that when she made the request she was not aware that the NCLM study was a risk/liability evaluation and would not address the crime issue.

CONSENT AGENDA

Mayor Block presented the Consent Agenda as follows:

- a) Consider minutes of December 12, 2017 regular meeting

Councilmember Williamson moved to approve the Consent Agenda. Councilmember Evans seconded the motion, and it was approved by the following vote:

Ayes: Williamson, Evans, Leak, Adams, Garby

Nays: None

PUBLIC HEARING

CONSIDER REQUEST FOR A CONDITIONAL USE PERMIT FOR CARNIVAL TO BE HELD AT 1681 S. MAIN ST. FROM MARCH 30-APRIL 8, 2018

Mayor Block explained that this public hearing was to consider a request for a Conditional Use Permit for a carnival to be held at 1681 South Main Street from March 30-April 8, 2018. He added that this is a quasi-judicial hearing and all speakers must be sworn in before speaking. He opened the public hearing.

Mr. Mac McInnis, Planning and Zoning Officer, being first duly sworn, explained that Mr. Robert Lee represents Michael's Amusements, which has held the carnival in Laurinburg for a number of years. He added that Mr. Lee conducts the carnival in a professional manner and always cleans up the site when the carnival is finished. He further added that Planning Board considered this request at its February 13, 2018 meeting, and unanimously recommended

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approval of the request, with the condition that Mr. Lee meet with the owner of Captain Larry's Restaurant about parking to avoid any issues that might arise. He explained that staff had no reason to not recommend approval of the request.

Upon questions by Mayor Block, Mr. McInnis explained that the carnival would run from March 30, 2018 until April 8, 2018. He added that the carnival was originally held beside Golden Corral on US 401 Bypass, then at the current location, and the previous year on the former McDonald Brothers' lot.

Mr. Robert Lee, being first duly sworn, explained that Michael's Amusements tries to bring amusement rides and entertainment to the public. He added that Michael Risenger, owner of Michael's Amusements, has strict standards for his carnivals and for his employees. He added that he went to see the owner of Captain Larry's Restaurant who expressed concern about parking. He further added that that Mr. Robert McKenzie would be in uniform and would direct carnival-goers away from parking at Captain Larry's Restaurant during carnival hours, and that Michael's Amusements would have signs printed alerting carnival patrons not to park in Captain Larry's Restaurant parking lot.

Upon question by Councilmember Williamson, Mr. Lee explained that he employs off-duty Laurinburg Police Officers to provide security during the carnival. He added that there are at least two (2) officers working, but there could be as many as four (4) at one time depending upon the crowd.

Upon question by Councilmember Williamson, Mr. Lee explained that the shopping center has a common area for parking. He added that from occasionally the parking for the restaurant fills up and spills over into the common parking area of the shopping center. He also discussed the possibility that in the past that some of the carnival patrons also patronized the restaurant. He further added that he had never had a business person upset that the carnival would be in close proximity to the business. He further explained that Mr. McKenzie would not be able to make anyone move out of the restaurant's parking area.

Councilmember Garby explained that if a patron gave Mr. McKenzie a difficult time, the police officers should be reachable to handle the issue.

Upon question by Councilmember Leak, Mr. Lee explained that Mr. McKenzie would be in the capacity as a parking attendant, and that he would be covered under Michael's Amusements' liability insurance. He confirmed that Mr. McKenzie would not have a weapon on his person.

Upon question by Councilmember Adams, Mr. Lee explained that he was not aware of any traffic issues two (2) years ago when the carnival was first held at this location.

Upon questions by Councilmember Evans, Mr. Lee explained that he and Michael Risenger ate at Captain Larry's Restaurant two (2) years ago, and had a conversation with the owner of Captain Larry's. He added that the owner brought no issues to his attention, and that during the conversation, told the owner that if there were problems to let Mr. Lee know. He further

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added that either the first or second night of the carnival two (2) years ago, the owner had his employees park from end to end at the back of the building to block the area between the restaurant parking area and the shopping center common parking area. He stated that the first Sunday of the carnival, he was approached by a female identifying herself as the manager who told him that the carnival was “wrecking the business” and that the carnival was taking up all of her parking spots. He added that he got Officer Wilkerson, who was being employed by the carnival on that date, and went to talk with the female. He further added that as he and Officer Wilkerson walked through the parking lot, he noticed 18 empty parking spaces. He added that when he approached the female in the restaurant, she told him that she was doing what she was told to do, and then walked away.

Mr. Jimmy Vlahos, owner of Captain Larry’s Restaurant, being first duly sworn, explained that two (2) years ago, Mr. Lee assured him that there would be no problems with parking; however the first night of the carnival, there were only about five (5) tables full in the restaurant at approximately 7:00 p.m. and the restaurant parking lot was full. He added that the next day, he tried to tell carnival-goers not to park in his parking area, and in doing so, he was cursed out and called names. He further added that he hired Sheriff’s deputies and paid them over \$25.00 an hour until the carnival closed. He further explained that he was not objecting to the carnival; however, the shopping center is not big enough to accommodate the restaurant parking and the carnival parking.

Upon question by Councilmember Leak, Mr. Vlahos explained that he has approximately 50 parking spaces in his restaurant parking lot.

Discussion ensued concerning the shopping center parking lot. Mr. McInnis explained that the shopping center is owned by a lady out of Greensboro, and he did not know any details concerning the parking agreement between Mr. Vlahos and the shopping center owner.

Upon question by Mayor Block, Mr. Vlahos explained that he did not know if his lease from the shopping center owner included parking.

Further discussion ensued concerning the common parking area in the shopping center. Councilmember Leak explained that consideration needed to be given all parties in the shopping center concerning parking.

Councilmember Leak asked Mr. Lee if he would work with Mr. Vlahos with the parking attendant to ensure Mr. Vlahos’ employees could park in the common area of the shopping center and cut down some of Mr. Vlahos’ expenses.

Mr. Vlahos explained that he did not believe that Mr. Lee could accomplish control of parking with one (1) attendant, and that Mr. Lee should erect some type of fence or barrier. He added that on Friday and Saturday nights, there are approximately 30 employees working, so his employees need to park behind his restaurant and in the common parking area.

Councilmember Leak stated that the carnival had made an agreement with the shopping center owner to utilize the common area parking in the shopping center, and the carnival is to

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be located within the parking area.

Upon question by Councilmember Evans, Mr. Vlahos stated that he believed he lost income two (2) years ago, and he also had to pay for extra security the entire time the carnival was in operation. He added that there is not enough room in the shopping center for the carnival and for parking.

Upon questions by Councilmember Evans, Mr. Vlahos explained that he did not feel that Mr. Lee delivered the parking protection that was discussed two (2) years ago, and that Mr. Lee should find another place to hold the carnival.

Upon question by Councilmember Garby, Mr. Vlahos explained that he could pull receipts for the approximate \$800.00 he spent for extra security two (2) years ago.

Upon question by Councilmember Adams, Mr. Lee explained that he did not have a parking attendant two (2) years ago to ensure that carnival patrons were not parking in Captain Larry's parking area.

Upon questions by Councilmember Adams, Mr. Vlahos explained that he would lose the open area for overflow parking during the carnival. He added that he did not believe it possible to work out the parking issues with Mr. Lee.

Councilmember Adams requested that Police Chief Williams provide some insight on any issues with the carnival in past years.

Police Chief Darwin Williams, being first duly sworn, explained that the only problem with the carnival last year were complaints from The Colony concerning music. He added that he was unaware of issues two (2) years ago, and that Mr. Vlahos paid for additional security that year. He suggested that the carnival pay for extra security for Mr. Vlahos. He further added that the shopping center parking area is open to everyone; however, the Police Department could cone off an area for Mr. Vlahos' employees. He further explained that Mr. Lee's parking attendant would be able to move the cones for Mr. Vlahos' employees.

The City Manager clarified that the security employed by Mr. Lee are off-duty police officers. He added that it would not be appropriate for on-duty police officers to rope off areas on private property. He added that if Mr. Lee has the off-duty officers he employs rope off the area, then that would not be a problem.

Police Chief Williams explained that the off-duty police officers need to remain with the carnival since they are employed by the carnival. He added that they normally walk around the carnival.

Mr. Vlahos explained that he would need additional security the entire time the carnival was in operation.

Upon question by Councilmember Garby, Mr. Vlahos stated that when he hired additional

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security two (2) years ago, there was no problem with his parking lot.

Upon question by Councilmember Garby, Mr. Lee explained that the carnival area would not have a fence, but that the rides are arranged in such a way that it provides a barrier. He added that if it would make Mr. Vlahos happy, he would employ an additional off-duty police officer to assist Mr. McKenzie with parking issues.

Upon question by Mayor Block, Mr. Vlahos explained that it was acceptable to him for Mr. McKenzie and an off-duty police officer to monitor his parking lot, but that he did not believe having a coned-off area for his employees would work and suggested some type of fencing instead.

Police Chief Williams explained that the off-duty officer would monitor every car in the parking area. He added that Mr. Vlahos could contact the police if there is a problem.

Upon question by Mayor Block, Mr. Lee explained that the arrangements discussed involving him hiring an additional off-duty police officer to work with Mr. McKenzie in the parking area during carnival operation, and to have some type of barrier around parking for Mr. Vlahos' employees would be acceptable.

Mr. Vlahos stated that he accepted the conditions listed by Mayor Block.

Councilmember Williamson moved to approve the request for a Conditional Use Permit to operate a carnival at 1681 South Main Street from March 30-April 8, 2018 with the conditions that the carnival will hire an additional off-duty police officer to work with Mr. McKenzie to monitor parking for Captain Larry's Seafood Restaurant and there will be some type of barrier erected to provide parking for Captain Larry's Seafood Restaurant employees; and 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;

The motion was seconded by Councilmember Garby, and carried unanimously.

CITY MANAGER REPORTS

MR. CHRISTOPHER MITCHELL, SCOTLAND COUNTY REENTRY COUNCIL

Mr. Christopher Mitchell introduced himself as the Chairman of the Scotland County Public

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Safety Reentry Program and the Southeast Regional Reentry Council Chairman covering Scotland, Hoke and Robeson Counties. He explained that the purpose of the Reentry Council is to assist those coming home after a time of incarceration and to promote public safety through the reduction of recidivism and victimization rates by providing basic human services such as food, water, shelter, employment, mental health services, etc. He further explained that there are numerous support entities working with the Reentry Council. He introduced Scotland County Deputy Sheriff Hunt.

Deputy Hunt explained that Scotland County Sheriff Ralph Kersey requested that he speak tonight to discuss the Sheriff's Department involvement with the Reentry Council. He discussed the cost differential of housing an inmate that is healthy versus one that is not. He explained that with the Reentry Council, if inmates are provided housing, food, education and mental health services once they are released, it would cut down on the people coming back into the jail. He added that if an inmate has children, there is an 80% likelihood that the children would be offenders as well.

Mr. Mitchell explained that the Sheriff and Deputy Hunt are active in the Scotland County Reentry Council, with Deputy Hunt serving as the Vice Chairman of the Council. He further explained that two (2) outcomes that he was seeking:

1. It will take money to have a program that is responsible and effective. The State has selected 14 counties in which it will pay for a case manager, and Scotland County is one of those selected. He requested a contribution from the Council, not a full budget. He added that he would provide the requested contribution at a later date.
2. Have a representative from Council serving on the Scotland County Reentry Council.

Mr. Mitchell recognized the following who could not be in attendance but who support the Reentry Council: Ms. Bonnie McDonald with the Department of Public Safety, and Representative Garland Pierce. He added that Mr. Rob Lane of the United States Attorney's Office was present to speak to Council.

Mr. Rob Lane explained that he had been with the United States Attorney's Office for 21 years and has been prosecuting cases for 32 years. He further explained that in the last several years he had begun working with Reentry Councils. He discussed the efforts to reduce recidivism of inmates going back into the prison system and the some of the programs that have reduced the recidivism numbers such as teaching inmates how to talk to an employer, how to properly bath, how to dress, and other basic life skills. He added that Reentry Councils are about saving money and lives.

Mr. Mitchell presented a PowerPoint with highlights as follows:

- \$10,000 Annual Budget for Reentry Program Support equating to \$833.00 per month
- Care for one (1) person per month:
 - \$500 Average Housing Per Month
 - \$333.00 (Left for minimum requirements) such as food, transportation, clothing,

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medical, education and job skills

Upon questions by Mayor Block, Mr. Mitchell explained that he would like for a member of the Laurinburg City Council to be appointed to the Scotland County Reentry Council as soon as possible since the next meeting would be the third Thursday of April, 2018. He added that the meetings are held quarterly from 10:00 a.m. to 12:00 p.m. He further added that he would submit a proposed budget for Council's consideration soon.

Motion was made by Councilmember Williamson, seconded by Councilmember Garby, and unanimously carried to appoint Councilmember Mary Evans to the Scotland County Reentry Council.

CONSIDER REQUEST TO REZONE FROM RESIDENTIAL-20 TO OFFICE/INSTITUTIONAL PROPERTY LOCATED ON OLD JOHNS ROAD AND IDENTIFIED AS PARCEL NO. 01024501012

The City Manager explained that this request required a second vote since the ordinance did not receive the necessary two-thirds (2/3rds) vote at the February 20, 2018 meeting.

Councilmember Adams moved to approve Ordinance No. O-2018-02 rezoning from Residential-20 to Office/Institutional the property located on Old Johns Road and identified as Parcel No. 01024501012 and to adopt the following Consistency and Reasonableness Statements:

1. The Office and Institutional district is established to encourage land uses which serve as an adequate buffer between intensive non-residential uses and residential uses; provide aesthetic controls and dimensional requirements to ensure compatible office and service development with surrounding residential uses; and encourage a mixture of medium density residential uses with offices and services.
2. The Comprehensive Use Plan 2035 Future Land Use Map indicates the development of some mixed uses along the Highway 74 Bypass area, which is where this parcel is located. The present R-20 zoning restricts the permitted uses on the property. Office and Institutional zoning will be much more suited to future development of the parcel.
3. There are already some Office and Institution zoned properties along with Residential and General Business in the area. The rezoning of this parcel will allow residential as well as office and service uses on the property as a permitted use.

And the rezoning is reasonable because:

1. The rezoning to OI will allow uses consistent with other existing uses;
2. The rezoning to OI will help maintain the present character of the City of Laurinburg while promoting diversity and future growth.
3. The rezoning to OI will have no detrimental impact to the property values of the surrounding land owners.

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The motion was seconded by Councilmember Leak.

Councilmember Evans explained that she wanted to base her vote on whether the property was safe to children, and inquired if there was information as to the safety of the property.

Upon question by Mayor Block, the City Attorney explained that he had not heard anything further regarding the contamination issues discussed by Mr. Schmidt at the public hearing held on February 20, 2018.

Councilmember Leak explained that if the Scotland County School Board want to build a school on this property, they would perform all of the required actions in order to build a building.

Upon question by Mayor Block, the City Attorney explained that the rezoning is a legislative decision to determine suitability for the uses outlined in the City's Unified Development Ordinance for the particular zoning district, and not that the property is safe for use as a school. He added that the owner is or the developer of the property could be exposed to liability if it does not do its due diligence.

There being no further discussion, the vote was as follows:

Ayes: Adams, Leak, Evans, Garby, Williamson
Nays: None
(Ordinance No. O-2017-02 on file in City Clerk's office)

CONSIDER RESOLUTION NO. R-2018-03 RESOLUTION FOR CONVEYANCE TO THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION AND AUTHORIZE MAYOR AND CITY CLERK TO EXECUTE AGREEMENT FOR SETTLEMENT AND DEED FOR HIGHWAY RIGHT-OF-WAY

Councilmember Adams explained that the North Carolina Department of Transportation (DOT) is replacing a bridge over Shoeheel Creek on McGirts Bridge Road and needs additional right-of-way from the Laurinburg-Maxton Airport. She added that the Laurinburg-Maxton Airport Commission approved providing the additional right-of-way to DOT for a price of \$4,175.00. She further added that the City of Laurinburg and the Town of Maxton needed to approve this transaction.

Councilmember Adams moved to approve Resolution No. R-2018-03 Resolution for Conveyance to the North Carolina Department of Transportation and authorize the Mayor and City Clerk to execute agreement for settlement and deed for highway right-of-way. The motion was seconded by Councilmember Garby, and the vote was as follows:

Ayes: Adams, Garby, Williamson, Leak, Evans
Nays: None
(Resolution No. R-2018-03 on file in City Clerk's office)

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COMMUNITY DEVELOPMENT UPDATE

The City Manager explained that Mr. Mandeville would update Council on two (2) items – Council requested that staff look at a tagline or slogan for the City and how the tagline or slogan would tie into the wayfinding signage.

Mr. Michael Mandeville, Community Development Director, explained that ElectriCities had helped staff in developing a tagline, or slogan, for the city. He presented the tagline as “Deeply Rooted” to coincide with the new logo. He added that if Council approved the tagline, the wayfinding signage could be ordered the next day.

The City Manager explained that several taglines were considered, and that with ElectriCities marketing experience, this tagline was favored because of the City’s heritage, the importance of being a Tree City, and that the importance of trees being incorporated into the City’s logo.

Councilmembers Evans and Williamson expressed approval of the tagline.

The City Manager explained that the wayfinding signage was in the budget, and that ElectriCities matched the City’s funding. He added that the Chamber has pledged one-fourth (1/4th) of the match, and the Scotland County Tourism Development Authority (TDA) has also pledged to match one-fourth (1/4th).

Upon question by Councilmember Williamson, Mr. Mandeville explained that he hoped to have the wayfinding signage installed before Springfest.

Upon question by Mayor Block, Mr. Mandeville explained that poles for the wayfinding signage would be metal and similar to the ones in Aberdeen, NC.

Following a brief discussion, motion was made by Councilmember Adams, seconded by Councilmember Garby, and unanimously carried to accept the submitted tagline of “Deeply Rooted”.

Mr. Mandeville explained that the City was partnering with the Scotland County Arts Council, Scotland Healthcare System Foundation, the Laurinburg-Scotland County Area Chamber of Commerce and the Scotland County Parks and Recreation Department for the weekend of April 27, 2018 for Springfest, Laurinburg After 5, a family movie after the concert, the FUNd Run and unveiling of new sculptures at the Art Garden. He added that the events would begin Friday at 5:00 p.m. with Laurinburg After 5 with the family movie afterwards; Saturday morning would kick-off with the FUNd run and awards; and the dedication of the new sculptures would be at 10:00 a.m. He further added that there would be vendors and music downtown throughout the weekend with the stage being set up on Main Street and an area set aside for beer. He stated that it was hoped that these efforts would bring more people downtown and this event would grow in the future.

Upon question by Mayor Block, Mr. Mandeville explained that Scotland County Healthcare had already begun marketing the events. He added that the events are being advertised on Facebook

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and on the participating entities' websites.

Upon questions by Mayor Block, the City Manager explained that the Scotland County Arts Council was handling the marketing strategy.

Upon question by Councilmember Williamson, Mr. Mandeville explained that the City has the option of purchasing one (1) sculpture per year. He added that until this year, the agreement with the UNC Pembroke students was unwritten; however the students now must sign an agreement that the City has the option to purchase.

CAPITAL IMPROVEMENT PLAN

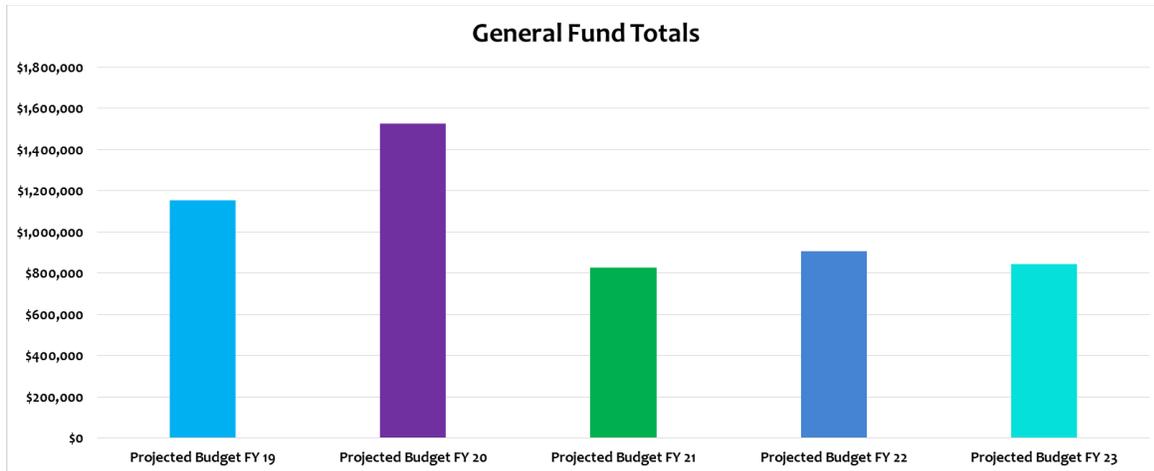
The City Manager explained that Mr. Haywood would present the proposed Capital Improvement Plan (CIP) which would be discussed more during budget workshops.

Mr. Harold Haywood, General Services Director, explained that the proposed CIP would be sent electronically to Council and also uploaded to Dropbox for Council. He added that during budget discussions, Council would give staff direction, which could change the proposed CIP. He further added that the goal is for Council to approve the CIP. He presented a PowerPoint with the following highlights:

- CIP is essentially a long-term plan for the acquisition of needed capital.
 - Capital projects are defined as investments in non-disposable items that exceed \$5,000 in cost.
 - Projects and acquisitions in the first year of the CIP forecast period become the capital budget for the upcoming budget year. The ongoing annual update process creates a system for approval and completion of capital projects that supports planning and accountability
- Benefits of a CIP:
 - Allows for a systematic evaluation of all potential projects at the same time
 - Prioritizes and schedules projects and acquisitions
 - Discloses cost or expenditure estimates
 - Identifies probable sources of financing
 - The ability to stabilize debt and consolidate projects to reduce borrowing costs.
 - Serve as a public relations and economic development tool
 - A focus on preserving a governmental entity's infrastructure while ensuring the efficient use of public funds
- Financial Planning:
 - Achieve a balance between the use of cash reserves and debt financial resources
 - Protect and improve a local government's bond rating
 - State grants and low interest loan programs give priority points for an adopted CIP
 - Use a variety of financing sources to support the CIP – diversification
 - Enables officials to realistically foresee emerging capital needs and estimated project costs
 - Allow time to plan projects and arrange financing

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- CIP Process:
 - Formulate, review and approve goals and policies – Local governing boards usually hold retreats to review, update and approve policies and goals to guide capital budgeting.
 - Identify needs – During the winter, Department Heads review running projects and assess current capital needs for the upcoming budget year. Capital projects should address necessary repairs and replacement of existing capital assets and infrastructure investments required to meet growth demands.
 - Determine costs – Municipal staff work together to determine the full extent of project costs based on scope, timing, ongoing operational costs, land acquisition, etc. This process is applied to new projects and projects previously programmed in the Capital Plan to ensure the most accurate cost estimates are budgeted and any operational impacts are identified.
 - Develop financing strategies – The City Manager works with each department and the Finance Director to determine the best method for financing proposed projects. Financing strategies to seek are:
 - Grants
 - Debt Financing
 - User Fees
 - Pay as-you-go
 - Prioritize – Once projects are selected, costs determined and a funding strategy is identified, the City Manager meets with each department head to review project forecasts and prioritize the result. The following criteria are considered in the prioritization of capital projects:
 - Necessary to ensure the health, welfare or safety of the community
 - Externally mandated
 - Ties to Council Goals or Directives
 - Demanded due to growth or service improvement
 - Age and condition of infrastructure
 - Availability of funding
 - Adopted Capital Improvement Plan – In the spring, the City Manager presents a Proposed Capital Improvement Plan to the City Council Members. The projects are refined and reprioritized during budget workshops based on Council direction and the formal CIP is adopted.
 - Ongoing Monitoring – Authorized capital projects are monitored to determine if timelines and milestones are being met and if financial transactions follow the adopted budget. Periodic status reports can be provided to the City Council Members.
- **General Fund Main Capital Projects** (graph on following page)

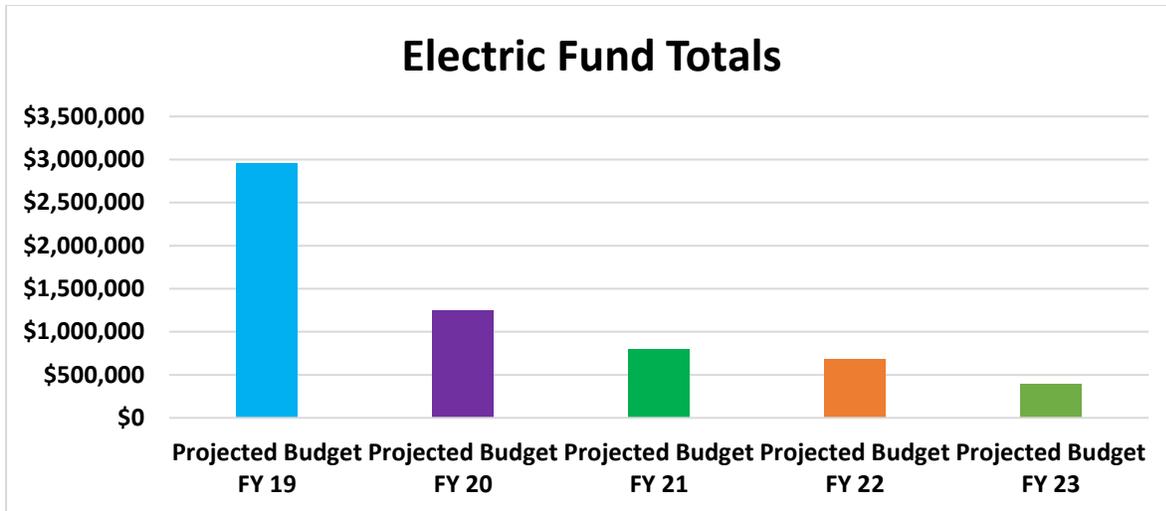


- **General Fund Main Capital Projects:**

- Fire Equipment - \$173,000 – FY 19
- Garage Expansion (shown in GF, but split in all operating funds) - \$150,000 – FY 19
- Street Motor Grader - \$333,000 – FY 19
- Fire Pumper Truck with Equipment – (\$675,000) – FY 20
- Street Jet Rodder Truck - \$250,000 – FY 20
- Fire Equipment - \$199,000 – FY 21
- Street Trucks & Equipment - \$146,000 – FY 21
- Fire South Substation Expansion - \$250,000 – FY 22
- Cemetery Layout of New Section - \$150,000 – FY 23
- Street Pot-hole Patcher Truck - \$150,000 – FY 23
- Replacement of Police Vehicles & Equipment - \$155,000 each year
- Street Resurfacing - \$200,000 each year
- Beautification Projects - \$30,000 each year
- Other Equipment Replacement & Infrastructure Improvements

Councilmember Leak requested that staff consider opening up part of Cedar Grove Cemetery facing Westminster Presbyterian Church.

- **Electric Fund Main Capital Projects** (graph on next page)



- **Electric Fund Main Capital Projects:**

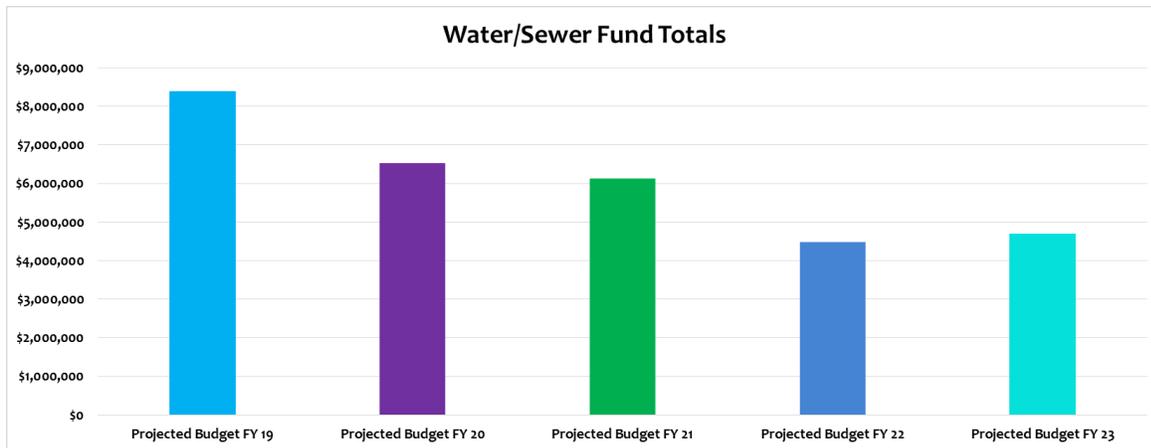
- Complete Transition of Street Lights to LED - \$50,000 –FY 19
- Installation of New Load Management System - \$165,000 – FY 19
- Begin New Substation Construction - \$2,200,000 – FY 19
- Fiber Projects - \$175,600 – FY 19
- Complete New Substation & Tie In Circuits - \$900,000 – FY 20
- Replace Aerial Bucket Truck - \$175,000 – FY 20
- Complete Circuit Work on New Substation - \$400,000 – FY 21
- Replace Line Truck - \$225,000 – FY 21
- Replace Aerial Bucket Truck -\$200,000 –FY 22
- Electric Meter AMI Project - \$400,000 – FY 22
- Electric Meter AMI Project - \$300,000 –FY 23
- Begin Transition of Area Lights to LED - \$75,000 each year
- Other Equipment Replacement & Infrastructure Improvements

Upon question by Councilmember Evans, Mr. Haywood explained that funds were in the Electric Fund Net Position for the new electric substation.

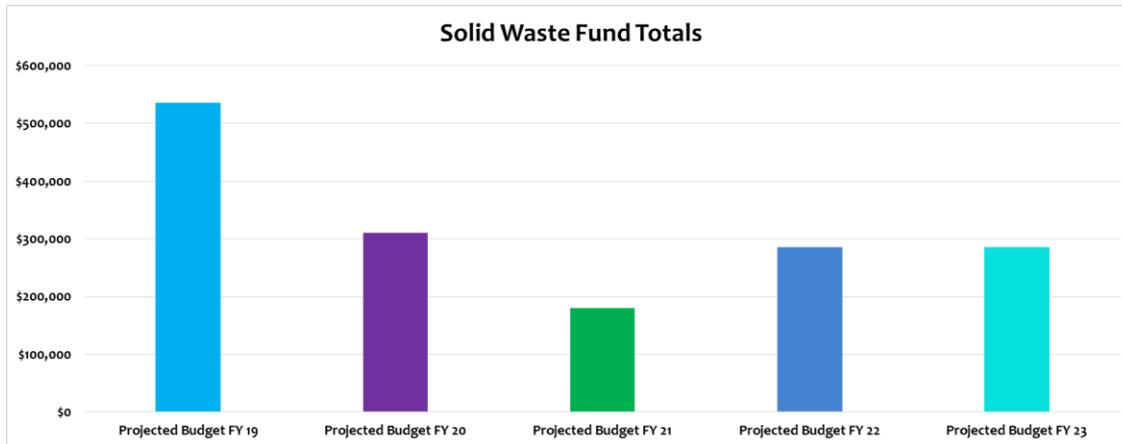
Upon question by Councilmember Williamson, Mr. Haywood explained that the new electric substation would be located down the dirt road beside the Recycling Center on Hall Street.

The City Manager that it would be located near the Duke Progress Energy transmission lines off Stewartsville Road.

- **Water/Sewer Main Capital Projects** (graph on next page)



- **Water/Sewer Main Capital Projects:**
 - Produce Market Rd Sewer Improvement - \$2,000,000 – FY 19-FY 20 (Grant funded)
 - Smart Site Extension - \$708,000 – FY 19-FY 20 (Grant funded)
 - New School Site Extension - \$1,500,000 – FY 19 (Cost reimbursed by Scotland Co Schools)
 - Scotland County Industrial Park Extension - \$1,500,000 – FY 19 (Grant funded)
 - Frederick Ave Waterline Replacement - \$350,000 – FY 19
 - Replace Track-hoe - \$190,000 – FY 19
 - Replace Sewer Camera Inspection System - \$100,000 – FY 19
 - Big Branch Pump Station - \$1,500,000 – FY 19
 - Paint Water Tank on Caledonia Road - \$800,000 – FY 19
 - New Pump Station - \$2,000,000 – FY 20
 - Main Waterline Replacement from Water Plant to Caledonia Rd - \$5,426,000 – FY 20-21
 - Waste Water Treatment Plant Expansion - \$4,000,000 – FY 22-23
 - Upgrades to Pump Stations - \$800,000 – FY 23
 - Raw Water Improvements - \$5,400,000 – FY 21-23
 - Rehab 6 Water Wells - \$650,000 – FY 23
 - Sewer System Improvements - \$400,000 each year
 - Other Equipment Replacement & Infrastructure Improvements
- **Solid Waste Fund Main Capital Projects** (graph on next page)



- **Solid Waste Fund Main Capital Projects:**
 - Recycling Center Expansion - \$50,000 – FY 19 (Depending on Grant)
 - Replace Automated Leaf/Grass Collection Truck - \$180,000 – FY 19
 - Replace Commercial Front Loader Truck - \$275,000 – FY 19
 - New Recycling Sort Line - \$160,000 – FY 20 (Depending on Expansion)
 - Replace Knuckle-boom Truck - \$150,000 – FY 20
 - Replace Automated Leaf/Grass Collection Truck - \$180,000 – FY 21
 - Replace Automated Side Loader (Residential) - \$285,000 – FY 22
 - Replace Automated Side Loader (Residential) - \$285,000 – FY 23
 - Other Equipment Replacement & Infrastructure Improvements

Mr. Haywood explained that staff looked forward to working with Council over the next several months on refining the CIP.

The City Manager explained that for grant purposes, the City would receive more points with an adopted CIP; therefore once the CIP has been refined, staff would request that Council adopt it.

CONSIDER REQUEST FROM SCOTLAND HISTORICAL PROPERTIES

The City Manager explained that he had received a request from the Scotland Historical Properties for the City to loan the 1950's Harley Davidson police motorcycle to the Scotland Historical Properties in order to restore and display it in the museum. He added that the motorcycle was being stored in the old animal shelter building on Hall Street, and that he and Chief Williams were in favor of this loan in order to preserve the City's history. He further added that the motorcycle would remain property of the City, and that the City could request it back at any time.

Following a brief discussion, motion was made by Councilmember Williamson, seconded by Councilmember Evans, and unanimously carried to loan police motorcycle to Scotland Historical Properties for display purposes with the City maintaining ownership of the 1950's Harley Davidson police motorcycle.

APPROVED MAY 22, 2018

CONSIDER ORDINANCE NO. O-2018-05 AMENDING FY 17-18 BUDGET APPROPRIATIONS ORDINANCE (ORDINANCE NO. O-2017-15) BY INCREASING ELECTRIC FUND BALANCE APPROPRIATED BY \$26,000 AND INCREASING WATER/SEWER FUND BALANCE APPROPRIATED BY \$26,000, AND INCREASING ELECTRIC FUND CAPITAL CONTRIBUTION BY \$26,000 AND INCREASING WATER/SEWER FUND CAPITAL CONTRIBUTION BY \$26,000

The City Manager explained that this budget amendment was a follow-up to Council's approval to fund one-half (1/2) of the purchase price of real property near the near the Small Business Innovation Center and behind the Scotland County Incubator Park. He added that Scotland County also funded one-half (1/2) of the cost of the property.

Councilmember Adams moved to approve Ordinance No. O-2018-05 amending FY 17-18 Budget Appropriations Ordinance (Ordinance No. O-2017-15) by Increasing Electric Fund Balance Appropriated by \$26,000 and Increasing Water/Sewer Fund Balance Appropriated by \$26,000, and Increasing Electric Fund Capital Contribution by \$26,000 and Increasing Water/Sewer Fund Capital Contribution by \$26,000.

Ayes: Adams, Garby, Evans, Leak, Williamson
Nays: None
(Ordinance No. O-2018-05 on file in City Clerk's office)

Upon question by Mayor Block, the City Manager explained that because the Electric Fund and the Water/Sewer Fund would benefit from the acquisition of this property through services, the funds were expended from those two (2) funds. He added that the \$9 million loan to provide the infrastructure for the industrial park was being paid from these two (2) funds. He further added that the benefit from a capital project would go back into the funds from which the costs were expended.

Upon question by Mayor Block, the City Manager explained that the property would be voluntarily annexed and the City would provide electric, fiber and water/sewer services.

SCOTCH MEADOWS

The City Manager explained that recently the City was offered a corporate membership to Scotch Meadows that would benefit City employees. He discussed the discounted rates for golf and for use of the pool.

Following discussion, motion was made by Councilmember Garby, seconded by Councilmember Williamson, and unanimously carried to purchase a corporate membership of \$1,000.00 to Scotch Meadows.

FOLLOW UP ON NORTH CAROLINA LEAGUE OF MUNICIPALITIES RISK MANAGEMENT CONSULTANT ON POLICE DEPARTMENT

APPROVED MAY 22, 2018

The City Manager explained that Police Chief Darwin Williams would provide an update on the North Carolina League of Municipalities (NCLM) Risk Management Consultant which Councilmember Evans discussed at the Council retreat.

Police Chief Williams explained that he contacted Mr. Tom Anderson, Risk Manager for the NCLM, who assists police departments assess their best practices. He added that Mr. Anderson provided model policies and procedures, and that the City's would be sent to Mr. Anderson. He further added that some of the department's policies and procedures were out of date and others were above the models. He further explained that Mr. Anderson was in the final stages of policies and procedures review, and that the next step was for Mr. Anderson to have a site visit to interview and to ride along with different officers to see how the department interacts with citizens, how arrests are handled and arrestees are treated, and how the department operates. He added that the on-site review would be comprehensive and require one (1) to two (2) days. He concluded by stating that he was glad to have Mr. Anderson review the department.

Mayor Block explained that the discussion about hiring a police consultant was to determine if the City was doing everything possible and following the best practices in order to fight crime in the most cost-effective manner, and not to assess the City's liability for litigation. He added that he thought that it was a good idea to undergo the NCLM's review. He asked Chief Williams if he thought this review would address concerns discussed by Pastor Edds, citizens or the statistics, and would improve crime-fighting.

Chief Williams explained that Mr. Anderson would provide an opinion on how the police department operates on a day to day basis. He added that since Mr. Anderson deals with police departments throughout the state, he could provide a lot of insight on how other departments deal with crime. He explained that several years ago Pastor Edds suggested a youth curfew. He added that the decision to not have a youth curfew was based on involvement with other agencies in the judicial district.

Councilmember Evans requested that if Mr. Anderson does not offer feedback on crime-fighting techniques, that Chief Williams notify Council so that Council could get someone else to offer that service.

The City Manager explained that Mr. Anderson will be making a presentation to Council.

Chief Williams stated that Mr. Anderson's practices are supported by the North Carolina Association of Chiefs of Police and were designed by Police Chiefs.

Councilmember Williamson requested that Chief Williams inform Mr. Anderson that the discussion by Council has centered on crime-fighting techniques and best practices.

Mayor Block recognized the City's newest Police Officer, Caroline Pridgen.

At 9:31 p.m., Mayor Block called for a short break. The meeting resumed at 9:35 p.m.

DISCUSSION CONCERNING TOWN HALL DAYS

APPROVED MAY 22, 2018

The City Manager explained that Councilmember Evans wanted to discuss town hall meetings in voting districts within the City.

Councilmember Evans explained that this discussion came from the Council Retreat and from the Citizen Input Session. She added that she wanted Council's input. She further added that her thoughts were that the town hall meetings should involve all of council and that they should be held in a central location and not at a church. She further explained that every so often Council could go out into the community and have the regular meeting or have a meeting with the citizens.

Councilmember Williamson explained that he thought the meetings would be so that Councilmembers Evans and Leak would have meetings in District 1, he and Councilmember Adams would have meetings in District 2, and Councilmember Garby would attend all since he is the at-large member.

Councilmember Leak explained that it would be difficult to get citizens to attend unless there is a really big issue.

Councilmember Garby explained that he thought the purpose of going out into the community rather than having it in the council chambers was because regular meetings do not usually draw a lot of citizens to attend, and by having the meetings in the community, people who do not have transportation or who otherwise might not attend a regular meeting, would attend the town hall meeting.

The City Attorney expressed concern about meeting requirements and having a quorum. He added that if a quorum was present, there would have to be a meeting and minutes prepared. He added that an individual member could go in or in groups of two (2) and there would be no problem with violating the open meetings law.

The City Manager expressed concern about holding the town hall meetings during election years and the involvement of staff.

Councilmember Evans inquired if there would be any risk for the board if there were only one (1) or two (2) members present.

The City Attorney explained that councilmembers are allowed to meet with anyone they wanted to meet with as long as no quorum was present, and no meeting notice would be required.

Mayor Block explained that he felt that if Council agrees that town hall meetings should be held or to explore, it should be done with the City's effort, advertising, providing security, not just a councilmember going out on his/her own. He added that since Councilmember Evans was the most in support of the town hall meetings, it would make sense to have a town hall meeting in first in her district as a trial.

Councilmember Adams stated that there should be a specific purpose for the town hall meetings.

APPROVED MAY 22, 2018

Mayor Block explained that it would be like a citizen input session.

Councilmember Leak explained that if Councilmember Evans wanted to meet with her constituents, she has the right to do so. He added that as a representative of District 1 also, if constituents in District 1 requested that he attend a meeting, he did so.

Mayor Block explained that town hall meetings were listed at the Citizen Input Session as a desire of the citizens for a community-based meeting. He added that he believed that all of Council should attend. He suggested for Council to brainstorm more about this matter and for it to be added to the April agenda.

Councilmember Garby suggested that members should brainstorm format type for the meetings to discuss at the next meeting.

Mayor Block explained it is a way of saying that Council attempted to inform the citizens.

CLOSED SESSIONS – CITY ATTORNEY

The City Attorney explained that based on recent questions, he wanted to provide a purposes for closed sessions, and then he would entertain questions by Council. He further explained that all sessions of council are open unless they fall into one (1) of the statutory exceptions for closed session. He added that there are closed session allowances for specific purposes. He further added that all meetings must begin in open session and then could go into closed session. The closed session allowances are listed in General Statute 143.318.11(a) and are as follows:

1. Confidential records in order to protect confidential or privileged information. One such item are utility records of individual citizens since utility records are not public records.
2. Honorary degree or scholarship.
3. Attorney consultation to protect the attorney/client privilege, concerning pending or threatened litigation. Any settlement must be announced in open session.
4. Economic development.
5. Purchase of real property to instruct staff or agent about purchasing real estate. He added that this allowance does not apply to the sale of real estate.
6. Personnel exception. Personnel records have special classification in in North Carolina law. This exception does not apply to independent contractors or to members of the public body itself. If a councilmember has an issue with the way another councilmember is doing his/her job, that discussion has to be held during open session. He added that sometimes there are issues that require interpretation, for example if council is talking about a particular employee and that discussion involves a member of council, then there would be an exception to that. Personnel decisions for the most part in the City are the City Manager's responsibility, except for respect of the City Manager. There may be times that the City Manager wants input or that Council wants clarification concerning an employee. The hiring, final action or discharge of the City Manager must be done in open session.
7. Investigation for criminal misconduct.
8. Terrorist plan regarding plan of action to protect the public safety.

APPROVED MAY 22, 2018

9. Allowed to review police recordings related to recent legislation on police body cams.

He explained that there are a few misconceptions about closed sessions. He added that one (1) misconception is that it is illegal to disclose any information from a closed session, and that is not true unless it involves confidential information such as personnel records or utility records. Disclosure of confidential information would be improper. He further added that it was a misconception that it was illegal to vote or take final action in closed session. Council can vote or take action on certain matters, particularly involving confidential matters. He further explained that another misconception is that only the public body and select employees can attend closed session. He added that Council can invite whomever it wanted to its closed session if it does not involve confidential information and it will aid Council in making a decision.

Councilmember Garby explained that this was a good follow-up to the information he heard in the Essentials of Municipal Government class he attended.

Councilmember Evans explained that the City Attorney's discussion answered question he had concerning closed session. She added that there had been some things discussed in closed session that should not have happened.

Mayor Block explained that this discussion was brought up because during a closed session Councilmember Adams wanted Council to agree that when the Mayor spoke with the City Manager there would need to be another person present because she thought the Mayor could not be trusted to act in a professional manner when meeting with the City Manager. He asked the City Attorney whether Council had violated the open meeting laws. He stated that "his reading of the Statute says specifically that the public body may not consider qualifications, competence, performance, character, fitness, appointment or removal of a member of a public body or another body, and may not consider to fill a vacancy. In other words, the council is prohibited from using the personnel closed session to discuss or complain about each other. This type of discussion, if it is among the majority of the council must be held in open session. As an alternative to airing such issues in a meeting, the individuals can always work out their differences one on one or a small discussion." He added that with the City Attorney's suggestion that he and Councilmember Adams should meet with the City Attorney to work out their differences. He further added that he was agreeable to the meeting; however Councilmember Adams was not agreeable.

The City Attorney explained that if the purpose of the closed session was to attack or berate the Mayor, then it was certainly outside the scope of closed session. He added that his understanding that the reason for the closed session was that the closed session involved the City Manager's job performance being compromised and that it involved the Mayor. He added that the City Manager was not present during the closed session.

Councilmember Leak explained that since Council was discussing parliamentary procedures, he was concerned that whenever the Mayor discusses matters with Council during a meeting, he is supposed to turn the meeting over to the Mayor Pro Tem. He added that "when things don't go your way, you are vindictive."

APPROVED MAY 22, 2018

Mayor Block stated that Councilmember Leak's matter was not what Council was discussing. He added that he wanted to make it clear to the public what Councilmember Adams does in closed session and that Councilmember Adams is not willing to work out differences in a professional, private manner. He added that he did not believe that the citizens would appreciate Councilmember Adams, behind closed doors, trying to interfere with a core function of the Mayor, which is to have an interaction with the City Manager and not to require a chaperone. He added that it was insulting to suggest that a chaperone was needed in order for the Mayor to interact with the City Manager.

Councilmember Adams stated that she would like to address the Mayor's statement about her requesting the possibility of a person present when speaking with the City Manager. She added that this request "was a result of a tirade of Facebook accusations and thing that the Mayor puts out about the City Manager's family, including his grandfather, his father, his uncle and other things that the Mayor was doing that were erratic." She added that the conversation was held in closed session and all agreed that we would try to get along. She added that the Mayor was one of the ones that said he would do better. She further added that the Mayor "did do better for a while, but then it disappeared." She added that she does not go Facebook and say things about councilmembers. She further added that in talking about what citizens should know, they should know that the Mayor spent \$14,000.00 to get two (2) people elected.

Councilmember Evans stated that Councilmember Adams went to class and should have known that it was not right to have the closed session discussion. She added that Councilmember Adams broke the law.

Councilmember Adams stated that the City Attorney was present and if what Council was doing in closed session was illegal or inappropriate, he would have stopped the discussion. She added that at one time he did stop the discussion.

The City Attorney stated that if there was an issue that a member has about where the discussion is going in closed session, he would appreciate if the member would raise the issue. He added that he does not like to have closed session so regimented that Council cannot have any kind of discussion among themselves without making it so formal that Council does not have the ability to have some give and take. He added that there is a line that can be crossed and that he would make sure that Council does not cross that line in closed session. He stated that Council needed to find a way to work together.

Councilmember Williamson explained that he thought the closed session was a great evening for Council, and that he left the meeting enthusiastic and upbeat. He further added that he thought it ended with a constructive discussion to work together.

Mayor Block stated that the discussion concerned whether the closed session was correct or not. He added that it was not proper to discuss one of the governing body's performance in closed session. He further added that it worked out okay because Council had consensus not to require what Councilmember Adams requested.

APPROVED MAY 22, 2018

Councilmember Adams explained that when the idea of meeting with Mayor Block and the City Attorney, but not tell the other councilmembers or the City Manager, at first she thought she would do it because they needed to work things out. She added she thought about over the last two (2) years, the Mayor had talked about Council having secret meetings and not being transparent. She added that she decided that perhaps the meeting was not a good idea because it could be construed as a secret meeting. She further added that she would be happy to have the discussion, but all of the Councilmembers should be present, and the City Manager should be aware of the meeting.

Mayor Block explained that it was widely accepted that the Mayor can meet with individual councilmembers since he is not a voting member. He added that this meeting would have been very different from what Council has had where discussions and decisions are made off-camera. He further added that Councilmember Adams was not interested in working together.

Councilmember Adams explained that she has always been very interested in working as a unit, but she is not the one on social media talking about others. She added that given the Mayor's behavior, any kind of meeting with him in private was suspect.

CONSIDER ORDINANCE NO. O-2018-06 AMENDING FY 17-18 BUDGET ORDINANCE (ORDINANCE NO. O-2017-15) BY INCREASING GENERAL FUND MISCELLANEOUS BY \$1,485 AND ALLOCATING \$1,485 TO COMMUNITY DEVELOPMENT MISCELLANEOUS

The City Manager explained that the budget amendment was necessary in order to receive funds from ElectriCities and for the City to expend funds for the breakfast for downtown businesses at the Art Garden.

Ayes: Leak, Garby, Williamson, Evans, Adams
Nays: None
(Ordinance No. O-2018-06 on file in City Clerk's office)

APPOINTMENTS

SCOTLAND COUNTY PARTNERSHIP FOR CHILDREN-SMART START

Motion was made by Councilmember Williamson, seconded by Councilmember Garby, and unanimously carried to appoint Fire Chief Randy Gibson to the Scotland County Partnership for Children-Smart Start.

COMMENTS FROM MAYOR AND/OR COUNCILMEMBERS

Councilmember Adams invited all councilmembers to attend an event for a legislative event from the Juvenile Crime Prevention Council concerning changing the legal age to 18. She added that it would be held in Robeson County on April 2, 2018 from 9:30 p.m. until 12:00 p.m., with afternoon breakout sessions.

APPROVED MAY 22, 2018

Upon question by Mayor Block, the City Manager explained that the Pay and Classification Study was still being worked on, would probably be presented at the next meeting.

Upon question by Councilmember Williamson, the City Manager explained that the Skyrunner pilot program for Wi-Fi was progressing. He added that Skyrunner had a customer from as far away as the Laurinburg-Maxton Airport.

ADJOURN

Motion was made by Councilmember Williamson, seconded by Councilmember Garby, and unanimously carried to adjourn the meeting.

The meeting adjourned at 10:13 p.m.

Matthew Block, MD, Mayor

Jennifer A. Tippett, City Clerk