

**CITY OF LAURINBURG  
COUNCIL MEETING  
OCTOBER 24, 2006  
MUNICIPAL BUILDING  
7:00 P.M.**

**Minutes**

The City Council of the City of Laurinburg held its regular monthly meeting October 24, 2006 at 7:00 p.m. in the council room of the Municipal Building. The following Councilmembers were present: Rembert DeBerry, Lisa D. Griswold, Curtis B. Leak, Thomas W. Parker, III, and Herbert M. Rainer, Jr.

Also present were Craig F. Honeycutt, City Manager, Dolores A. Hammond, City Clerk, and Charles L. Hicks, Jr., Assistant City Attorney.

Councilmember Griswold gave the invocation.

Mayor Slaughter stated that Police Chief Malloy was home following recent surgery and doing well. She expressed condolences to Councilmember Leak on the death of his brother.

Mayor Slaughter explained that the minutes from the September 19, 2006 meeting had not been completed due to the length of that meeting, but the minutes would be presented at the November council meeting.

**DELEGATION**

*Storytelling Festival of North Carolina – Jan Schmidt*

Mrs. Jan Schmidt, Co-Chair of the Storytelling Festival of Carolina, appeared before Council to request funding for The Storytelling Festival of Carolina to be held the third weekend in May each year.

She then introduced Tyrus Jones, a storyteller, who gave a short demonstration of his storytelling talents.

Mrs. Schmidt explained that the festival would be a strong economic, cultural, and educational benefit to the community. She then explained that the first Storytelling Festival would be held on the grounds of the John Blue House on May 19 and 20, 2007. She described the events that will be held in conjunction with the Festival. She further explained that the total cost of the festival is \$34,000.00, and the Festival Committee has been able to obtain funding assistance from the Scotland County Tourism Development Authority, the North Carolina Arts Council, the steering committee for the storytelling festival and local businesses. She stated that the Committee hopes that in three years the Festival will be self-supporting. Mrs. Schmidt stated that she is requesting \$3,500.00 from the City to support the Festival and has made a similar request to the County.

Councilmember Parker stated that he has talked with the City Manager and has asked him to request information from the Manager's listserv from other communities as to how they handle similar requests. He added that he would like to see if there are any innovative ways that other communities have developed to assist this type organization.

Upon question by Councilmember Parker, Ms. Schmidt stated that they are not a non-profit organization but rather are under the auspices of the Scotland County Historic Properties Commission.

Motion was made by Councilmember Parker and seconded by Councilmember Rainer to table this request to allow the City Manager to receive information from other communities that may have found innovative ways to assist groups similar to the Storytelling committee.

Councilmember Leak expressed concern that the City previously chose not to fund non-profit organizations and feels

that if this request is approved it will open the door to other organizations to request funding.

Councilmember Parker explained that that he could support this concept based on its potential economic value in the community and that is why he has asked the City Manager to try and find information from other communities on innovative ways to fund this type request.

A discussion ensued concerning Council's previous decision regarding not funding non-profit organizations.

Councilmember Griswold stated that she would like to see the City develop criteria for funding requests that come from non-profit organizations.

Mayor Slaughter called for the vote on Councilmember Parker's motion to table the matter until the Manager can gather information from the Managers' listserv. The vote was 4-1 with Councilmember Leak casting the dissenting vote.

The City Manager asked if Council would like him to look at policies with criteria for funding non-profits.

There was a consensus among Councilmembers to have the City Manager research and develop criteria for Council review in funding non-profit organizations.

### *Downtown Parking Issues*

Mayor Slaughter explained that since Amanda Faulk, past Chairperson of Laurinburg Downtown Revitalization Corporation (LDRC), was not present, the City Manager would present LDRC's concerns. He explained that LDRC is requesting that the City consider guidelines for parking for downtown churches. He then explained that, under the City's Unified Development Ordinance, there are no specific guidelines for parking if a church located downtown. He then explained that there is concern because of events such as funerals and/or weddings and the amount of traffic during those events. He added that LDRC is not against churches in the downtown district. He explained that LDRC would like to see some type of criteria established to cover events that could require more parking spaces especially events that are during business hours.

Following discussion, there was consensus among Councilmembers that staff study the request; receive input from LDRC and the Laurinburg Planning Board, and present recommendations to Council.

### *Roundabout at the intersection of Lauchwood Drive/Johns Road*

Mr. Greg Wood, President and CEO of Scotland Healthcare System, appeared before Council to request its support in requesting that the North Carolina Department of Transportation (DOT) reconsider its plans for installing a roundabout at the intersection of Lauchwood Drive and Johns Road and to request that it install a traffic signal instead. He stated he was also requesting Council's support for DOT to reduce the speed limit on Johns Road coming over the bridge from South Main Street from 55 mph to 35 mph, and in the event that a traffic signal is not added at the intersection of Lauchwood Drive and Johns Road at this time, that DOT consider a traffic signal in the future. He gave a brief history of the development in the area. Mr. Wood then cited the development, the potential development in the area, the heavy traffic, the number of elderly drivers, and safety factors as reasons for the concern. He stated that Hospice, Professional Providers, and Home Assist are also concerned about the safety of the residents of the community who frequent the intersection. He then stated that these entities support this request.

Following discussion, motion was made by Councilmember Parker to support the hospital's position on the improvements at the intersection of Lauchwood Drive and Johns Road and to request that DOT reconsider the roundabout and instead install a traffic signal at the intersection.

Councilmember Leak suggested that a resolution be drafted on the request to revisit the roundabout, to consider a traffic signal, and to ask for support from State legislators Purcell, Yongue, and Pierce on this matter.

The motion died due to a lack of a second.

Following further discussion, motion was made by Councilmember Griswold, seconded by Councilmember Parker, and unanimously carried to authorize the Mayor to execute a resolution requesting that DOT modify the traffic plan at the intersection of Lauchwood Drive and Johns Road from a roundabout to a traffic light, to reduce the speed from 55 mph to 35 mph on Johns Road, and to request assistance from the State legislators in this endeavor.

#### *City of Laurinburg Pay and Classification Plan Study*

Mr. Bob Bell, Human Resources/Safety Officer, appeared before Council and explained the process used to make the recommendation to Council to contract with Condrey & Associates for a Pay and Classification Plan Study. He explained that a committee comprised of staff met with three different possible consultants. He also explained that following the meetings, the committee unanimously recommended Condrey & Associates. He stated that the cost for the study is \$27,500.00, which is above the budgeted amount of \$24,000.00.

Councilmember Leak expressed concern with the last Pay and Classification Plan Study and cautioned that this study needed to be done correctly.

A discussion ensued concerning the schedule for conducting the Pay and Classification Plan Study. The City Manager explained that usually such a study is conducted every 4-5 years. He stated that by conducting a study on a regular basis, there will not be big jumps in pay and classifications such as would likely result if such study were conducted only every seven or so years.

Mr. Steve Condrey appeared before Council and explained that one thing different about Condrey & Associates from other firms is that the people who will be conducting interviews with employees have experience in the respective areas of work. He further explained that when the interviewer has some experience in the line of work, it builds better confidence in the system.

Councilmember Parker expressed concern that Council did not have any input in the process of selecting the company to conduct the study.

Councilmember Griswold stated that it is still Council's decision whether the study is implemented, and by whom, and that she feels that, since the committee recommends this company to Council, that is good enough for her.

A discussion ensued concerning the consultants who submitted bids and their locations. Mr. Bell stated that the consultant which was low bidder had never done any work with a municipality in North Carolina.

Following further discussion, motion was made by Councilmember Griswold and seconded by Councilmember DeBerry to authorize the Mayor to execute an agreement between the City of Laurinburg and Condrey & Associates, Inc. to conduct a Pay and Classification Plan Study for the City of Laurinburg. It was approved by the following vote:

Ayes: Griswold, DeBerry, Leak

Nays: Parker, Rainer

#### **REQUEST FOR A CONDITIONAL USE PERMIT TO DEVELOP A CLUSTER SUBDIVISION LOCATED ON PURCELL ROAD**

The City Manager explained that the City has been requested by Bridge Creek Properties to approve a Conditional Use Permit to develop a cluster subdivision on approximately a 10-acre parcel of land located on Purcell Road. He then explained that this request requires a public hearing to be held on November 21, 2006 at 7:00 pm in Council Chambers.

Motion was made by Councilmember Griswold, seconded by Councilmember Leak, and unanimously carried to set a public hearing on a conditional use permit request to develop a cluster subdivision located on Purcell Road to be held

Tuesday, November 21, 2006 at 7:00 p.m. in the upstairs council room of the Municipal Building.

## **HISTORIC PRESERVATION COMMISSION**

The City Manager explained that as part of the City's support for the Central School Housing Project with the Laurinburg Housing Authority, Council has been requested to approve a Historic Preservation Commission Ordinance. He stated that by approving this ordinance, it would allow the project to get additional Historic Tax Credits that are necessary to make the project feasible. He then stated that the proposed ordinance is a basic template ordinance from the State Historic Preservation Office. The ordinance sets up the City's Commission and basic guidelines for the Commission to operate under. He explained that, if approved, Council would then need to look at finding candidates to fill the positions.

Councilmember Griswold moved for the adoption of Ordinance No. O-2006-15, which establishes a Historic Preservation Commission. Councilmember Leak seconded the motion, and it was approved by the following vote:

Ayes: Griswold, Leak, DeBerry, Parker, Rainer

Nays: None

(Ordinance No. O-2006-15 on file in the City Clerk's Office)

## **ORDINANCE TO AMEND CHAPTER 4, ARTICLE I, IN GENERAL, SECTION 4-9. KEEPING SWINE OR GOATS OF THE CITY OF LAURINBURG CODE OF ORDINANCES**

The City Manager explained that Elaine Modlin, Animal Control Officer for the City, has requested an ordinance change to ban the keeping of chickens within the City limits. He stated that she has received numerous complaints about chickens "crowing" at night as well as odors associated with keeping chicken coops. He then explained that several households within the City have over 100 birds.

Mayor Slaughter stated that she had received numerous complaints about ducks and questioned why ducks were not included in the proposed ban.

Elaine Modlin, Animal Control Officer, explained that she was aware of six homes where chickens were located and that, of the six, she had received complaints on four of them. She added that she had not received any complaints regarding ducks.

A discussion ensued concerning the difference between wild ducks and domesticated ducks. Concern was expressed about the ducks at lakes/ponds in residential neighborhoods. Ms. Modlin explained that ducks at lakes/ponds in residential neighborhoods were considered wild and only ducks that were kept in pens would be affected by a change to the ordinance.

Upon question by Councilmember Parker, Ms. Modlin explained that individuals currently owning chickens and ducks would be grandfathered in.

Following discussion, Councilmember Griswold moved for the adoption of Ordinance No. O-2006-16 as amended to include the banning of chickens and domesticated ducks to Chapter 4, Article I, In general, Section 4-9. Keeping swine or goats. Councilmember DeBerry seconded the motion, and it was approved by the following vote:

Ayes: Parker, DeBerry, Leak, Griswold, Rainer

Nays: None

(Ordinance No. O-2006-16 on file in the City Clerk's Office)

## **ORDINANCE TO AMEND THE 2006-2007 BUDGET APPROPRIATION ORDINANCE**

The City Manager explained that the County, at the request of the City, applied for a Recreational Trails Program Grant for the Washington Park Trail. He explained that as part of the agreement with the County, the County would

apply for and administer the grant with the City being responsible for the installation of benches and bike racks (along with some tree landscaping) and a cash match of \$3,375.00. He stated that the grant has been awarded in the amount of \$25,000.00 and that the City must now budget for its part of the match. He further stated that the proposed budget amendment is to cover the City's match. He then stated that the total cost for the Washington Park project is \$30,000.

Councilmember Parker moved for the adoption of Ordinance No. O-2006-17, which amends the 2006-2007 budget appropriation Ordinance to transfer funds from Fund Balance Appropriated to Public Relations. Councilmember Rainer seconded the motion, and it was approved by the following vote:

Ayes: Parker, Rainer, Griswold, Leak, DeBerry

Nays: None

(Ordinance No. O-2006-17 on file in the City Clerk's Office)

## **RESOLUTION APPROVING THE SALE OF LAND**

The City Manager explained that Mr. Lawrence Jackson has asked to purchase the property located on Cary Street (lot PIN ID 010013A18017) that is owned by the City. He stated that Mr. Jackson has paid the valued amount of the property (\$1,500.00) and is asking for City Council's approval. He then stated that Mr. Jackson plans to move a house onto the lot. He added that the property was appraised by Jim Mason on September 21, 2006 for \$1,500.00 and that staff recommends approval of the sale.

Councilmember Parker moved for the adoption of Resolution No. R-2006-33 which approves the sale of the above described land located on Cary Street (in the former Community Development Block grant of Carolina Park). Councilmember Griswold seconded the motion, and it was approved by the following vote:

Ayes: Parker, Rainer, Griswold, Leak, DeBerry

Nays: None

(Resolution No. R-2006-33 on file in the City Clerk's Office)

## **AWARD OF BID – DIGGER DERRICK WITH CHASSIS (LINE TRUCK)**

The City Manager explained that the City's Electrical Department has a great need to replace a 1981 Digger Derrick with a new Digger Derrick with Chassis. He stated that the proposal is to accept a piggyback bid on the City of Fayetteville's recent formal bid with Smith International Truck Center, Fayetteville, North Carolina. He then explained that the cost to the City will be \$167,660.00 and is under the current budgeted price in the 06/07 FY budget of \$180,000.00. He then stated that staff recommends approval of the bid.

Councilmember Parker expressed concern that it appeared that the bid for the Digger Derrick with Chassis was not awarded by the City of Fayetteville to the low bidder, Altec.

Harold Smith, Public Works Director, explained that Altec did not meet the City of Fayetteville's specifications and therefore was not awarded the bid.

A discussion ensued concerning the procedures involved in piggyback bids. Cindy Carpenter, Finance Director, explained that the City of Laurinburg did not bid out the line truck. She further explained that the City of Fayetteville bid out the line truck, and it is not possible to piggyback on a non-awarded bid.

Motion was made by Councilmember Griswold, seconded by Councilmember Leak, and unanimously carried to award to Smith International Truck Center of Fayetteville, North Carolina the contract to purchase a Digger Derrick with Chassis (Line Truck) by "piggyback" bid in the amount of \$167,660.00.

## **EMERGENCY LOAD REDUCTION PLANS AND PROCEDURES**

The City Manager explained that in accordance with the Power Coordination Agreement and Project and Supplemental

Power Agreements, NCEMPA has a responsibility to participate in the General Load Reduction and System Restoration Plan that outlines the procedures for emergency load reductions or restorations should they be required.

He then explained that the City has previously approved this plan, and this amendment will update the plan to include load restoration process in the event of an under-frequency distribution.

Motion was made by Councilmember Griswold, seconded by Councilmember Leak, and unanimously carried to authorize the Mayor to execute the document to update the Emergency Load Reduction Plans and Procedures.

### **OLD MARKET FURNITURE BUILDING**

The City Manager explained that at the last City Council meeting, the City reached tentative consensus to approve the donation of the old Market Furniture Building, contingent upon the ability to get liability insurance and a clear title for the property. He then explained that the City, through its insurance company, would be able to obtain liability but no property insurance on the building. He also explained that a clear title for the property would be obtained at closing.

The Assistant City Attorney stated that all of the necessary title work had not been completed and that it was being handled by the City Attorney, Bob Gordon. He explained that Mr. Gordon is out of town and that he did not know the present status of the title search. He added that Council could accept the building contingent on clear title being obtained.

The City Manager stated that in order to have accurate information on the structure of the building, staff contacted HMC Consultants out of Raleigh to inspect the building. He referred to the report from Mr. Hsu of that company who stated that the walls are in good shape but that the building would need a new roof and that the interior would need to be gutted. He added that engineering costs for gutting the building and installing a new roof were not available.

Upon question from Councilmember DeBerry, the City Manager explained that the engineering costs should be available within two weeks. He added that Bill Peele had estimated \$100,000.00 for roof replacement with a total of \$1,200,000.00 to renovate the building.

Following discussion, Councilmember Griswold moved that the City accept the donation of the old Market Furniture Building contingent on obtaining clear title. Councilmember Leak seconded the motion. The vote was 4-1 with Councilmember Rainer casting the dissenting vote.

### **FIVE-YEAR PLAN UPDATE**

The City Manager explained that in looking at the City's yearly planning process and in working with Staff, he would like to recommend that the planning process be revised to look at a five- year period instead of ten years. He stated that in order to get additional input, Staff would be willing to go to local community groups to do a SWOT (strengths; weaknesses; opportunities; threats) analysis of the City and from that come up with strategies that deal with each. He then explained that some longer range financial planning would still be implemented. However, he feels that the five-year period would be more manageable to handle.

He then stated that a proposed singular public input meeting could be held on November 16, 2006 beginning at 6:00 p.m. at City Hall for anyone who wanted to attend. He discussed a proposed letter to send to community leaders asking for their input.

Following discussion, the City Manager stated that a notice concerning the input meeting would be placed on utility bills. He requested that Council let him know of any groups that needed to be invited.

It was consensus among Council to hold a Citizen Input Session on November 16, 2006 at 6:00 p.m. in the council room located in the Municipal Building at 303 West Church Street.

### **PUBLIC COMMENT PERIOD**

Councilmember Griswold discussed Halloween policies for trick or treating. She explained that children 12 years of age and under can go trick or treating from 6:00 to 8:00 p.m. on Tuesday, October 31<sup>st</sup>.

## **ADJOURNMENT**

Motion was made by Councilmember DeBerry, seconded by Councilmember Parker, and unanimously carried to adjourn the meeting.

The meeting was adjourned at 8:17 p.m.

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Ann B. Slaughter, Mayor

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Dolores A. Hammond, MMC, City Clerk