

**CITY OF LAURINBURG
COUNCIL MEETING
AUGUST 21, 2007
MUNICIPAL BUILDING
7:00 P.M.**

Minutes

The City Council of the City of Laurinburg held its regular monthly meeting August 21, 2007 at 7:00 p.m. in the council room of the Municipal Building with the Honorable Ann B. Slaughter, Mayor, presiding. The following Councilmembers were present: Rembert DeBerry, Amanda B. Faulk, 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.

Mayor Slaughter called the meeting to order at 7:00 p.m. Councilmember Rainer gave the invocation.

APPROVAL OF MINUTES

Motion was made by Councilmember Leak, seconded by Councilmember DeBerry, and unanimously carried to approve the proposed minutes from the regular meeting held July 17, 2007.

OPTIMIST 11-YEAR OLD ALL STARS REGIONAL CHAMPIONS

Mayor Slaughter explained that the Laurinburg Optimist 11-year old team recently finished first in the Southeastern Regional in Jacksonville, Florida. She presented the team members with City pins and requested that the Team Manager, Tim Pierce, introduce the other coaches and team players.

Mr. Pierce then introduced the team and coaches:

Team Members: Jonathan Bowling, Mason Hogan, Nolan Pierce, Walker Davis, J. P. Derksen, Grant English, Dylan Ward, Rob Cribb, Cody Freeman, Martin Locklear, and Hayden Buffkin

Coaches: Darin Ward, Dean English, and Scorekeeper Dean Cribb

Mr. Pierce explained that he was very proud of the 12 baseball players and that they had represented Laurinburg well.

BOY SCOUT TROOP 420

Mayor Slaughter welcomed members of Boy Scout Troop 420 who are working on their citizenship badges and presented them with city pins.

WIRELESS BROADBAND PROJECT

Mayor Slaughter explained that Mr. Harold Smith, the City's Wireless Broadband consultant is present to update the Council and citizens on the wireless broadband project.

Mr. Smith explained that the City's wireless internet system has 16 customers to date, 12 residential and 4 commercial customers. He added in the last week or so that the Scotland County School System was informed that they had received notice that its e-rate funding had been approved. He explained that since e-rate funding for the Schools has been approved as part of that funding, the City needed to run an interim system until all the fiber can be run to the schools. He stated that the interim delivery project is almost complete and that the focus on wireless broadband should

be back on track in the next week. He explained that as a result of extending the fiber network there have been delays in providing wireless broadband in Laurinburg. He also explained that another delay in the wireless broadband was when the server crashed in Utility Billing which took a good amount of time to be repaired. He also informed Council that Thomas Jones of Southeastern Utilities Development (SUD) was present to answer any questions.

Councilmember Leak expressed concern about the profitability of the wireless broadband project. He stated that he would like to see accounting figures for this project separate from the Electric Department tracing revenue and expenditures presented at the upcoming Council Retreat. He also expressed concern with performance problems of the wireless broadband.

Upon question by Councilmember Leak, Mr. Jones explained that SUD was installing the infrastructure for the wireless broadband service.

Councilmember Parker suggested that Mr. Smith and Mr. Jones explain what the problems were with the wireless broadband and proposed solutions to fix the problems.

Mr. Jones explained that initially the Motorola canopy system that was being utilized in the beginning was not performing as promised. He then stated that the next method of delivering the signal was to install antennas on the City's water tanks. He then explained that because of foliage there was a problem with penetration. He also explained that there is another wireless provider utilizing the same technology thereby causing interference with the City's project and that issue regarding this interference has not been resolved. He explained that in Robeson County to resolve the same issues, SUD utilizes a remote system by putting army antennas on top of utility poles and sending out the signal. He then stated that one of the agreements with the City is that SUD can utilize the City's existing fiber as a means of transmitting the signal. He explained that the plan is to put antennas on the City's utility poles and utilize the City's existing fiber to transmit the signal to the individual antennas. He further stated that the intent is to have the first antenna installed this week but because of trying to get the wireless system installed for the school system, the installation was delayed. He concluded by stating that the antenna for the City's system should be installed next week.

Councilmember Parker discussed that the revenue stream from the schools would be greater than from residential customers. He stated that school is about to start so it's important to have the service for the schools.

Mr. Jones stated that SUD has agreed to install ten of the antennas within the City limits and that each antenna has a two-mile limit. He also stated that service might not be available to all customers who want wireless, but the City should be able to service the majority of them.

Mr. Smith added that SUD is investing most of the money for capital. He explained that, so far the City has spent \$25,000.00 for antennas that were put on individual locations. He stated that the City spent \$10,000.00 for a system at Scotia Village which did not work and that the City will get a refund for this system. He added that three customers at Scotia Village had to be removed because of poor signal quality.

Councilmember Leak then discussed Mr. Smith's request for an additional employee.

Upon question by Councilmember Leak, Mr. Smith explained that the City entered into an agreement with SUD to provide wireless internet service. He then explained that one City employee, Mr. Marcus Smith, has been utilized for wireless installation and that he also has the responsibility for the City's phone system, network and for every computer in the City. He further explained that when the City's server crashed, Mr. Marcus Smith was occupied procuring and installing the new server. He stated that SUD is hiring someone to promote the wireless service, and hopefully that will bring more customers. He then stated that currently the City does not have the personnel to promote the service in a timely manner. He further explained that the wireless that is being installed at the schools will also provide the same service to those communities. He stated that those communities are probably more anxious to get service than people in Laurinburg who have several different options to get broadband. He then stated that the reach of the service has been expanded and that is what will take the program out of the red and into the black.

Councilmember Leak reiterated that he would like to have financial information for wireless broadband separate from

the Electric Department presented to Council at the retreat.

The City Manager explained that the City had tried to take baby steps into the wireless broadband service. He stated that separate financial information would be presented to Council at the retreat. He reiterated that delays in providing service were caused by the Motorola equipment that did not work and the server crash that occurred in utility billing. He then explained that Mr. Marcus Smith, the IT Director, is pulled in many directions. He explained that with any start-up venture, money has to be spent in order to make money and that the long term gains from this venture will be of great benefit to the community.

Councilmember Rainer expressed concern that Mr. Marcus Smith, the IT Director, was not present at the Council meeting for this discussion. He also expressed concern that the City did not have a separate IT Department. He explained that the IT Department should be discussed at the retreat. He added that he would like to see Mr. Marcus Smith at the next Council meeting.

SETTLEMENT OF THE 2006 TAX SETTLEMENT

Councilmember Rainer congratulated Ms. Morrison on her recent promotion to Tax Collector.

Ms. Janice Morrison, the City Tax Collector, explained that North Carolina General Statute 105-373 requires that the Tax Collector make a sworn report to the governing body of the settlement of taxes. This statement shall list the persons owning real property or personal property whose taxes for the preceding fiscal year remain unpaid and the principal amount owed by each person. The settlement statement has been sworn by the Tax Collector.

Motion was made by Councilmember DeBerry, seconded by Councilmember Rainer, and unanimously carried to approve the 2006 Tax Settlement as presented by the Tax Collector.

Councilmember Leak expressed concern that the City be customer friendly in working with citizens because of the economic crisis in the community.

ORDER OF COLLECTION-2007 TAXES

Ms. Morrison explained that North Carolina General Statute 105-321 states that, before delivering the tax receipts to the Tax Collector in any year, the governing body shall adopt and enter into its minutes an order directing the Tax Collector to collect the taxes charged in the tax records and receipts.

Upon motion by Councilmember Parker, seconded by Councilmember Rainer, and unanimously carried, the following order to collect the 2007 taxes was issued to the City Tax Collector:

STATE OF NORTH CAROLINA
CITY OF LAURINBURG

To the Tax Collector of the City of Laurinburg:

You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records filed in the office of the City Tax Collector and in the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the City of Laurinburg, and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with law.

Witness my hand and official seal, this twenty-first day of August, 2007.

(Mayor)

Attest:

(City Clerk)

AGREEMENT BETWEEN THE CITY OF LAURINBURG AND CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS

The City Manager explained the proposed agreement with the City of Laurinburg and Verizon Wireless allows Verizon to rent water tower space on the City's water tank located on McColl Road. This contract has been reviewed by our City Attorney Bob Gordon and Staff, and approval is recommended. He added that John Yeagley and Betty Johnson of Verizon were present to answer any questions.

A discussion ensued whether this service would be in competition with the City for wireless internet. Ms. Johnson explained Verizon does offer wireless internet to its cellular customers, but she did not know if that service would be provided from this antenna.

Mr. John Yeagley of Chase Real Estate Services explained that he worked on site acquisitions for Verizon Wireless. He explained that Verizon is primarily for voice transmission, not data transmission. He stated that Verizon does offer its cellular customers wireless internet on cell phones, but it costs much more than the City charges for its wireless broadband.

Motion was made by Councilmember DeBerry, seconded by Councilmember Leak, and unanimously carried to authorize the Mayor to execute the agreement between the City of Laurinburg and Cellco Partnership d/b/a Verizon Wireless to rent water tower space on the City's water tank located on McColl Road.

REQUEST TO REZONE FROM RESIDENTIAL-6 TO GENERAL BUSINESS PROPERTY LOCATED IN THE 600 BLOCK OF EAST CHURCH STREET

The City Manager explained that Devin Russo has requested that property located in the 600 Block of East Church Street be rezoned from Residential-6 to General Business to develop an automobile fabrication and repair shop at this location. He stated that Council needs to set a public hearing on the request for the September 18, 2007 City Council meeting. He concluded by stating that the Planning Board at its meeting on August 14, 2007 recommended by a vote of 5-1 to approve the rezoning request.

Motion was made by Councilmember DeBerry, seconded by Councilmember Leak, and unanimously carried to set a public hearing to be held Tuesday, September 18, 2007 at 7:00 p.m. in the upstairs council room of the Municipal Building located at 303 West Church Street, Laurinburg, NC.

AGREEMENT BETWEEN THE CITY OF LAURINBURG AND BUXTON

The City Manager explained that the City would like to enter into a contract with Buxton for \$30,000.00 to provide a market analysis and identification of retail matches for our community. Funding for this project has come from a grant obtained by the Laurinburg/Scotland County Area Chamber of Commerce through Southeastern Development Corporation for \$12,000.00 and a grant received by the City from the U.S. Economic Development Administration (EDA) for \$18,000.00.

The Assistant City Attorney explained that he had mentioned to the City Manager that a correction to the agreement needed to be made on page 9. He explained that the agreement should be administered and interpreted under the laws of the State of North Carolina, not the State of Texas.

The City Manager explained that Buxton had indicated it would not be a problem to change the agreement in that regard. He stated that Buxton's interpretation was for the agreement to be under the laws of the State of Texas to allow Buxton to follow the State of Texas Sales and Use Tax. He then explained that Buxton indicated that, if it was

an issue, the agreement could be changed to be administered and interpreted under the laws of the State of North Carolina.

A discussion ensued concerning the bid process. The City Manager explained that the EDA grant required that the normal procurement procedures be followed. He further explained that a professional service does not have to be bid, but it was determined that it would be better to place an advertisement for bids. He stated that only one bid, the bid from Buxton, was received.

Upon question by Councilmember Faulk, the City Manager stated that the service would include only Phase 1 of the proposed services.

Councilmember Parker expressed concern that the majority of the fees will be paid up front to Buxton.

The City Manager explained that several North Carolina cities have utilized Buxton's services and been pleased with its work. He added that there had been concern expressed about the possibility of expenditures exceeding \$30,000.00. He stated that he had discussed this with Chip Rogers of Buxton, and in no way would the expenditures exceed \$30,000.00.

Upon question by Councilmember Faulk, the City Manager explained that once Buxton completes its work, it would be up to the City or the Chamber to determine which ten retailers best fit the community. He explained that Buxton would provide contact information for those retailers and that it would probably be easier for the Chamber to do that.

Upon question by Councilmember Parker, the Assistant City Attorney explained that a provision could be added to the agreement that in no event, without further express authorization of Council, would the expenditure exceed \$30,000.00.

Motion was made by Councilmember Parker, seconded by Councilmember Leak, and unanimously carried to authorize the City Manager to execute the agreement between the City of Laurinburg and Buxton with an amendment that in no event, without further express authorization of Council, the expenditures for the project would exceed \$30,000.00, and with an amendment to change the third paragraph on page 9 of the agreement so that the agreement will be administered and interpreted under the laws of the State of North Carolina.

RESOLUTION WHICH DECLARES CERTAIN ITEMS AS SURPLUS PROPERTY FOR THE CITY OF LAURINBURG

The City Manager explained that the City has identified surplus equipment that needs to be disposed of. Attached is a copy of Resolution R-2007-18 which lists the equipment to be declared surplus and disposed of. He added that the Glock weapon on the list was Retired Detective Audie Woodard's service weapon and that he would pay \$1.00 for it.

Upon question by Councilmember Parker, Ms. Cindy Carpenter, Finance Director, explained that property previously declared surplus that had been put up for bidding but did not sell would be readvertised along with these surplus items. She added that the public is notified through newspaper advertising and she contacts persons who have requested to be notified when the City has surplus property for sale.

Upon question by Councilmember Leak, Ms. Carpenter explained that the North Carolina League of Municipalities disposes of all police vehicles for the City and that there are no police vehicles to be declared surplus. She then stated that municipalities are given an opportunity to express to the Police Chief an interest in a police vehicle before turned over to the League for auction.

Councilmember Parker moved for the adoption of Resolution No. R-2007-18 which declares certain items surplus property for the City of Laurinburg. Councilmember Rainer seconded the motion, and it was approved by the following vote:

Ayes: Parker, Rainer, Faulk, Leak, DeBerry

Nays: None

(Resolution No. R-2007-18 is on file in the City Clerk's Office)

RESOLUTION WHICH AUTHORIZES THE U.S. ECONOMIC DEVELOPMENT ADMINISTRATION (EDA) TO PUT A LIEN ON THE SITE OF THE FORMER SCOTLAND MEMORIAL HOSPITAL LOCATED AT 600 MCLEAN ST.

The City Manager explained that as part of the City's formal grant application to the US Economic Development Administration (EDA) for \$1 million for the construction of the Richmond Community College (RCC) campus at the old hospital site, EDA requires that a lien be placed on the site by EDA. He then explained that the purpose of this lien is to ensure that the use of the site is for a public use, not a private use.

Upon question by Councilmember Leak, Mr. Bill Riemer, Director of Administration and Development, explained that RCC will also have to authorize the placement of a lien on the site since the property will be transferred to RCC once construction is complete.

Councilmember Parker moved for the adoption of Resolution No. R-2007-19 which authorizes the EDA to put a lien on the site of the former Scotland Memorial Hospital located at 600 McLean St. Councilmember Rainer seconded the motion, and it was approved by the following vote:

Ayes: Parker, Rainer, Faulk, Leak, DeBerry

Nays: None

(Resolution No. R-2007-19 is on file in the City Clerk's Office)

RESOLUTION WHICH STATES THAT THE GOVERNING BODY ACCEPTS THE TERMS OF THE APPLICATION FOR THE NORTH CAROLINA GOVERNOR'S HIGHWAY SAFETY PROGRAM

The City Manager explained that the proposed resolution will commit the City of Laurinburg to fund \$19,600.00 to match the Governor's Highway Safety Program grant of \$54,600.00 for the 2007/08 FY (matching funds are currently budgeted for in the 2007/08 Budget). This is for funding for a Traffic Enforcement Supervisor (75% grant/25% local) and equipment (50% grant/50% local). The grant is a four-year program which initially was approved in 2006.

Following discussion, Councilmember Parker moved for the adoption of Resolution No. R-2007-20 which states that the governing body accepts the terms of the application for the North Carolina Governor's Highway Safety Program. Councilmember DeBerry seconded the motion, and it was approved by the following vote:

Ayes: Parker, DeBerry, Leak, Faulk, Rainer

Nays: None

(Resolution No. R-2007-20 is on file in the City Clerk's Office)

REDEVELOPMENT ISSUES AROUND DOWNTOWN

The City Manager explained that he and Councilmember Rainer toured the City and Councilmember Rainer would like to discuss possible redevelopment issues around the downtown district.

Councilmember Rainer explained that he and the City Manager had spent a couple of hours canvassing most of the northeast part of the City and primarily discussed enhancing the area closest to the downtown area. He added that they had discussed the possibility of creating a special district in order to acquire some grant money to improve the area. He stated that he would like this item discussed at the Council retreat.

WORKSHOP DATE AND TIME

The City Manager explained that, as discussed and requested by Council, a Fall Workshop, facilitated by Dick McMahon and Anne Davidson, has been planned. He stated that the proposed dates are October 12, 13, 14 or October 19, 20, 21, 2007. He then explained that Council will need to meet with Dick McMahon at 6:00 p.m. before the regular monthly meeting on September 18 to discuss what Council would like to try and accomplish at the workshop in

order to help with preparation for the retreat in October.

Following discussion, it was consensus of Council to schedule the Fall Workshop at 8:00 a.m. on Saturday, October 20, 2007 in the upstairs council room of the Municipal Building.

CREMATION SECTION AT HILLSIDE MEMORIAL PARK

The City Manager explained that Councilmember Leak had requested updated information concerning the cremation section at Hillside Memorial Park and the Manager called upon Mr. Pete Morris, Beautification Director would provide an update.

Mr. Morris explained that the City owns three cemeteries, Hillside Cemetery, Cedar Grove and Hillside Memorial Park. He stated that burials occur in all three cemeteries, but the City sells spaces only at Hillside Memorial Park. He informed Council that in 2006 there were 192 burials and the City sold 243 spaces. He then stated that the cremation section was opened in 2000 or 2001 with 84 spaces, of which 16 has been sold. He added that \$500.00 was included in the Cemetery budget for advertising.

Upon question by Councilmember Leak, Mr. Morris explained that the City allows only one person to be buried per space.

2007-2008 SCOTLAND COUNTY SCHOOL OPENING

Interim Police Chief John Evans appeared before Council to remind everyone that Scotland County School students return to school on August 27th. He explained that the new scattered start times for the elementary, middle and high schools will be beneficial for the Police Department. He also explained that the Police Department will be strictly enforcing the School Speed Zones. He added that there will be extra security at the high school for the first two days of school.

Upon question by Councilmember Rainer, the Interim Police Chief explained that Detectives Chris Young and Darwin Williams are working on gang awareness in the schools. He explained some of the actions the Police Department is doing to track gang activity.

The Interim Police Chief explained that the Forestry Service had issued a statewide ban on burning. He added that the Forestry Service is assessing stiff fines for violations.

PUBLIC COMMENT PERIOD

Mayor Slaughter explained that the rules and regulations of the public comment period were printed on the back of the meeting agenda.

There was no one present to speak.

RECESS

Motion was made by Councilmember DeBerry, seconded by Councilmember Parker, and unanimously carried to recess the meeting until Tuesday, September 18, 2007 beginning at 6:00 p.m. in the upstairs council room of the Municipal Building.

The meeting was recessed at 8:28 p.m.

Ann B. Slaughter, Mayor

Dolores A. Hammond, City Clerk