

**CITY OF LAURINBURG
COUNCIL MEETING
OCTOBER 16, 2007
MUNICIPAL BUILDING
7:00 P.M.**

Minutes

The City Council of the City of Laurinburg held its regular monthly meeting October 16, 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, Jennifer A. Tippet, Deputy City Clerk, and Charles L. Hicks, Jr., Assistant City Attorney.

Mayor Slaughter called the meeting to order at 7:00 p.m. Councilmember Leak 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 recessed meeting of August 21, 2007 held at 6:00 p.m. on September 18, 2007 and the proposed minutes of the regular meeting held September 18, 2007.

PUBLIC HEARING TO CONSIDER A REQUEST FOR A CONDITIONAL USE PERMIT TO OPERATE A CHILDREN'S DAYCARE CENTER AT 913 ISABELLE STREET

Mayor Slaughter explained that Ms. Shirley A. Campbell has requested a Conditional Use Permit to operate a children's daycare center at 913 Isabelle Street.

Mrs. Brandi Deese, City Planner/Zoning Officer, first being duly affirmed, appeared before Council and stated that Ms. Shirley A. Campbell has requested that a conditional use permit be granted to operate a children's daycare center at 913 Isabelle Street. The facility would provide care for up to eight (8) children in a portion of Ms. Campbell's home. The daycare center would operate both first and second shifts.

The application for a conditional use permit was reviewed by staff where it was determined that:

- the subject property is located within the planning jurisdiction of the City of Laurinburg
- the application is complete; and
- the proposed development is in substantial compliance with the regulatory provisions of the Unified Development Ordinance.

Planning Board concurred with these findings at its September 11, 2007 meeting and unanimously recommended that a conditional use permit be granted in this matter.

Councilmember Leak expressed concern that a daycare was previously operated at this location and he did not understand why this process was necessary.

Mr. Bill Peele, City Zoning Officer, explained that if five (5) children or less attended the daycare, no zoning permit was required.

Mayor Slaughter then declared the public hearing open.

Ms. Shirley Campbell, first being duly sworn, appeared before Council and stated that she was requesting a conditional use permit to operate Little Creations Family Child Care Home at 913 Isabelle Street. There will be no more than eight (8) children during both first and second shifts. The hours of operation will be 5:00 a.m. until 12:00 midnight. Ms. Campbell explained that she will have to be certified by the State, and that she graduated from North Carolina A & T State University with a major in Child Development and minor in Sociology.

There was no one present to speak in opposition to the request.

Motion was made by Councilmember Rainer and seconded by Councilmember Parker to approve the conditional use permit.

The Assistant City Attorney stated that the motion needed to include the findings of fact required for a conditional use permit.

Councilmember Rainer amended the motion to include the following findings of fact:

- 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; and
- Will not substantially injure the value of the adjoining or abutting property;
- Will be in harmony with the area in which it is to be located; and
- Will be in general conformity with the Land Use Plan, Thoroughfare Plan or other plan officially adopted by Council.

The amended motion was seconded by Councilmember Parker and was unanimously approved.

DELEGATION

The City Manager explained that Mr. Bennie Stuckey was not present to address Council.

Upon question by Councilmember Parker, Mrs. Diane Chavis, Customer Service Supervisor, explained that the only thing she could think Mr. Stuckey could have a concern with is the difference in rates charged between his residence and his two (2) daughters' residences. She explained that Mr. Stuckey lives in the County, his daughters live inside the city limits and they therefore have different rates.

A discussion ensued concerning electric rates and the increase in the number of electric cut-offs by the City. Councilmember Leak explained that he had received numerous complaints from citizens concerning high electric bills and the fuel adjustment. Following further discussion, Councilmember Leak requested that information concerning the fuel adjustment be included with utility bills.

CONSIDER ORDINANCE DIRECTING THE HOUSING INSPECTOR TO DEMOLISH PROPERTY LOCATED AT 350 SAWDUST LANE

The City Manager explained that the dwelling at 350 Sawdust Lane was burned on June 8, 2007 and declared a total loss by the Laurinburg Fire Department. Property taxes have gone unpaid since 1994 and the Police Department is frequently dispatched to the site to address disturbances.

If the ordinance is approved, the property would be cleared.

Upon question by Councilmember Leak, Mr. Bill Peele, City Housing Inspector, explained that the property owners were notified by publication in the newspaper. Someone who knows the family of the owners called him and told him

that the family had abandoned the house. When the house is torn down, the City will place a lien on the property for the demolition costs.

Councilmember Parker moved for the adoption of Ordinance No. O-2007-18 which directs the housing inspector to demolish property located at 350 Sawdust Lane. Councilmember Rainer seconded the motion, and it was approved by the following vote:

Ayes: Parker, Rainer, Leak DeBerry Faulk

Nays: None

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

CONSIDER ORDINANCE AMENDING THE 2007-2008 BUDGET APPROPRIATION ORDINANCE

The City Manager explained that this budget amendment would permit replacement of a police vehicle that was wrecked during the last budget year and would allow for the purchase of equipment under a grant with the Department of Justice (laptop and modem for the K-9 vehicle). With insurance from the damaged car having been placed in the General Fund (\$13,650.00) last year and the leftover grant funds from a US Department of Justice grant (\$4,590.00), the additional change to the Fund balance will be \$8,260.00. The total budget amendment is \$26,500.00.

Following discussion, Councilmember Parker moved for the adoption of Ordinance No. O-2007-19 which amends the 2007-2008 Budget Appropriation Ordinance to allocate funds in the General Fund. Councilmember Leak seconded the motion, and it was approved by the following vote:

Ayes: Parker, Leak, Faulk, Rainer, DeBerry

Nays: None

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

CONSIDER ORDINANCE AMENDING THE 2007-2007 BUDGET APPROPRIATION ORDINANCE

The City Manager explained that the Building Maintenance Budget experienced some unexpected costs that were not budgeted for as part of the 2007/08 FY budget. A budget amendment for \$12,175.00 is requested for approval. The unexpected costs included environmental testing of air in the Barrett Building and City Hall due to potential mold issues from water leakage of the HVAC (\$1500.00). Also, the water leak damage includes repairing water damaged ceiling, replacing two doors, repairing decayed fascia and soffit, painting, and carpet replacement (\$4,575.00).

The City Manager also explained that recently the generator outside of the Barrett Building required repairs to a leaking radiator and the replacing of all hoses and belts (\$2,500.00). Also \$3,600.00 is needed to cover replacing one of the 12-year-old HVAC units at the Barrett Building.

Upon question by Councilmember Parker, Mrs. Carpenter explained that the generator repairs were charged to the General Fund instead of the Electric Fund because the generator serves two buildings that fall under the General Fund.

Councilmember Parker moved for the adoption of Ordinance No. O-2007-20 which amends the 2007-2008 Budget Appropriation Ordinance to allocate funds in the General Fund. Councilmember Rainer seconded the motion, and it was approved by the following vote:

Ayes: Parker, Rainer, DeBerry, Faulk, Leak

Nays: None

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

AGREEMENT BETWEEN THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION AND THE CITY OF LAURINBURG FOR THE INSPECTION OF MUNICIPAL BRIDGES

The City Manager requested that Council consider approving Resolution No. R-2007-21 authorizing the Mayor and City Clerk to execute an agreement between the NC Department of Transportation and City of Laurinburg for the

inspection of City bridges. The City contracts with the NCDOT to provide for the inspection of municipal bridges within the community. Under this agreement, the Federal Highway Administration will participate in the cost of the work not exceeding 80% of actual costs. The City shall be responsible for those costs not covered by the Federal Highway Administration. Staff recommends approval of this resolution.

Upon question by Councilmember Rainer, the City Manager stated that there were two bridges in the City, one on Dogwood Mile and the other on Commonwealth Avenue. If either of the bridges had to be replaced, the City would be responsible for the cost of replacement.

Councilmember Parker moved for the adoption of Resolution No. O-2007-21 which authorizes the Mayor and City Clerk to execute an agreement between the NC Department of Transportation and the City of Laurinburg for the inspection of City bridges. Councilmember DeBerry seconded the motion, and it was approved by the following vote:

Ayes: Parker, DeBerry, Faulk, Rainer, Leak

Nays: None

(Resolution No. R-2007-21 is on file in the City Clerk's Office)

DISPOSITION OF TAX DEPARTMENT RECORDS

The City Manager explained that in Council's agenda is a list of items that will be destroyed in compliance with the Records and Disposition Schedule and the NC Department of Archives and History. The documents listed are of no further value to the City and are eligible for destruction. No action is required by the City Council.

Upon question by Councilmember Rainer, Mrs. Cindy Carpenter, Finance Director, stated that the retention of documents varies depending upon the document. The City adheres to the Records and Disposition Schedule.

UPDATE ON FIRE EQUIPMENT

The City Manager explained that, at the last Council meeting, Council asked for an update on the equipment at the Fire Department. Included in Council's agenda is a memo from Lt. David Laviner providing equipment information.

The City Manager explained that, with Council's concerns about replacing Engine 1, he recommended Council meet with Fire Department staff in order to get a better explanation of equipment needs and the replacement schedule, what equipment is required to keep the ISO Rating of 5, as well as future plans for the Fire Department including a possible substation for the expanding south side of the City. The City Manager advised that he did not feel the purchase of the ladder truck in the 2007-2007 budget year was explained adequately.

He also advised that the Fire Department is planning to replace 2 tankers with 1 engine thereby reducing the number of vehicles. The Fire Department asked for a grant from Homeland Security to purchase the pumper, but the request was turned down.

A discussion ensued concerning the purchase of the ladder truck. Mrs. Carpenter explained that the City made a down payment of \$75,000.00 on the truck and that the annual payments are \$75,000.00.

Further discussion ensued concerning the cost of replacing Fire Department vehicles. The City Manager explained that the replacement cost is dependent upon the type of truck. A tanker could be replaced for approximately \$150,000.00 and a new engine pumper would cost approximately \$250,000.00.

Councilmember Leak expressed concern that a lot of money had been spent in the Fire Department since the Interim Fire Chief assumed responsibility.

Mrs. Carpenter explained that for seven (7) years prior to the appointment of the Interim Fire Chief, money had been budgeted for Fire Department equipment replacement, but none was spent. She further explained that all of the Fire Department needs had been included in the Five and Ten Year Plans.

The City Manager stated that, if Council is agreeable, he advised that it would be a good for Council to meet with Fire Department staff at the Fire Department for approximately two to three hours in mid-November so that there can be a better understanding of the needs of the Fire Department as well as Council's expectations of the Fire Department.

APPOINTMENT TO LAURINBURG HOUSING AUTHORITY BOARD

Mayor Slaughter explained that Ms. Delorice Salau was the resident Commissioner on the Laurinburg Housing Authority Board. Her term was to expire June 30, 2007; however, she moved out of Public Housing in May 2007 and is not eligible for reappointment. Ms. Barbara Thompson who is a resident, has expressed an interest in serving. Mayor Slaughter appointed Ms. Thompson to the board.

PUBLIC COMMENT PERIOD

There was no one present to speak.

UPDATE ON WATER TREATMENT AND DROUGHT

The City Manager explained that at the North Carolina League of Municipalities meeting Governor Easley spoke yesterday about the drought and stated that he was close to initiating Executive Orders regarding the same. The City Manager requested that Robert Ellis, Treatment Plants Director, provide an update on the City's water situation.

Mr. Robert Ellis explained that since August 21st when voluntary water restrictions were put into effect, the City's water usage has decreased. The static water levels at the City's wells are down some, but overall the City's water situation is in good shape. However, if there is no rain to refuel the aquifer, the situation could become different. Everyone still needs to conserve water and be sensible. Mr. Ellis explained that he would continue to include information about conservation with utility bills.

LAURINBURG DOWNTOWN REVITALIZATION CORPORATION

The City Manager stated that Council needed to appoint two (2) members to the Laurinburg Downtown Revitalization Corporation (LDRC) board.

Councilmember Faulk stated that LDRC recommends that Mr. Chuck No and Mr. Neil Smith, both of whom are downtown property and business owners be appointed.

Motion was made by Councilmember Leak, seconded by Councilmember Parker, and unanimously carried to appoint Mr. Chuck No and Mr. Neil Smith to the LDRC board.

CENTRAL SCHOOL RENOVATION

Upon question by Councilmember Leak, the City Manager stated that the renovation at Central School is going well. The City needs to get the Historic Preservation Committee organized and obtain Historic Preservation Designation for the facility.

MISCELLANEOUS POLICE MATTERS

Police Chief Johnny Evans stated that the Scotland/Richmond game is Friday night and that 8,000 to 12,000 people are expected for the game. He requested that everyone be on their best behavior.

Chief Evans stated that Halloween is Wednesday, October 31st. Trick or treating will be from 6:00 p.m. until 8:00 p.m. for children 12 and under.

RECESS

Motion was made by Councilmember DeBerry, seconded by Councilmember Parker, and unanimously carried to recess the meeting to 5:30 p.m. on October 17, 2007 at the Scotland County Governmental Offices located at 507 West Covington Street.

The meeting was recessed at 8:14 p.m.

Matthew Block, Mayor

Jennifer A. Tippett, Deputy City Clerk