

**CITY OF LAURINBURG
COUNCIL MEETING
NOVEMBER 20, 2012
MUNICIPAL BUILDING
303 WEST CHURCH ST.
LAURINBURG, NC
7:00 P.M.**

MINUTES

The City Council of the City of Laurinburg held its regular monthly meeting on November 20, 2012 at 7:00 p.m. in the council room of the Municipal Building with the Honorable Kenton T. Spencer, Mayor Pro Tem, presiding. The following Councilmembers were present: Mary Jo Adams, Curtis B. Leak, Andrew G. Williamson, Jr. and J. D. Willis. Mayor Thomas W. Parker, III was absent.

Also present were: Edward F. Burchins, City Manager, Jennifer A. Tippett, City Clerk, and William P. Floyd, Jr., Assistant City Attorney.

Mayor Pro Tem Spencer called the meeting to order at 7:00 p.m.

The invocation was given by Councilmember Williamson.

APPROVAL OF AGENDA

Motion was made by Councilmember Willis, seconded by Councilmember Adams, and unanimously carried to adopt the agenda as presented.

PUBLIC COMMENT

There was no one present to speak.

CONSENT AGENDA

The City Manager presented the consent agenda as follows:

- a) Approve minutes of the following meetings: June 12, 2012 agenda/budget workshop; June 18, 2012 budget workshop; June 19, 2012 regular meeting; and June 21, 2012 recessed meeting
- b) Approve Resolution No. R-2012-24 Supporting Submission of Pedestrian Planning Grant
- c) Set public hearing to be held at 7:00 p.m. on December 18, 2012 in the council chambers of the Municipal Building to consider a request for a Conditional Use Permit for an off-premises sign to be located at the intersection of McColl Road and Leisure Road
- d) Set public hearing to be held at 7:00 p.m. on December 18, 2012 in the council

chambers of the Municipal Building to consider a request to amend Appendix M of the Unified Development Ordinance

- e) Set public hearing to be held at 7:00 p.m. on December 18, 2012 in the council chambers of the Municipal Building to consider a request to rezone from Residential-6 to Office/Institutional property located at 1019 Shaw Street
- f) Consider Ordinance No. O-2012-38 amending the 2012-2013 Budget Ordinance for the Urban Forestry Grant by receiving grant funds in the amount of \$14,100 and move from the General Fund Contingency to Grounds & Maintenance-Beautification Trees the City's match of \$1,400, for a total of \$15,500
- g) Authorize the Mayor and City Clerk to execute Municipal Agreement with North Carolina Department of Transportation for the Hwy 74 Lighting Project
- h) Consider Ordinance No. O-2012-39 amending the 2012-2013 Budget Ordinance for the Hwy 74 Lighting Project
- i) Authorize Mayor and City Clerk to execute Memorandum of Understanding between the City of Laurinburg, the Town of Maxton and the Laurinburg-Maxton Airport Commission for Loan of \$200,000
- j) Consider Ordinance No. O-2012-40 amending the 2012-2013 Budget Ordinance for the \$200,000 loan to Laurinburg-Maxton Airport Commission for improvements to the parallel runway

Councilmember Willis moved to amend the Consent Agenda by removing Item g) to the City Manager Reports and to approve the amended Consent Agenda. Councilmember Leak seconded the motion and it was approved by the following vote:

Ayes: Willis, Leak, Williamson, Adams, Spencer

Nays: None

PUBLIC HEARINGS

SECOND PUBLIC HEARING FOR CDBG APPLICATION

The City Manager explained that Adrian Lowery of the Lumber River Council of Governments has been working with the City to develop the CDBG application and will provide a report on the grant.

Mr. Lowery explained that he would provide a report on the grant application after the public hearing.

Mayor Pro Tem Spencer opened the public hearing.

Upon request by the City Manager, Mrs. Brandi Deese explained that the application is for a Catalyst Grant in the 2012 CDBG funding cycle. She added that the Catalyst Grant allows for a variety of activities instead of being limited to infrastructure or rehab activities. She further added that the Grant Committee has looked at a variety of activities in Glen Acres and Newton.

There was no one present to speak regarding this grant application.

Mayor Pro Tem Spencer closed the public hearing.

Mr. Lowery explained that he had received the initial list of property owners in the two (2) subdivisions, deleted the commercial properties, and then mailed applications to 52 property owners with 26 being returned as non-deliverable. He added that 5 applications have been submitted for assistance. He further added that door-to-door surveys were conducted by Mac McInnis of the Planning Department, Susan Covington of Scotland County Habitat for Humanity and himself; however, many of the residents were apprehensive about allowing them to come into the homes. He explained that both of these neighborhoods need to be revitalized. He further explained that the Grant Committee met three (3) times and he then presented the brief details of the proposed plans as follows:

- In coordination with the Laurinburg Housing Authority (LHA), construct playground and walking trail on vacant lot on Chestnut Street at a cost of approximately \$50,000.00
- Demolition and clearance activities at a cost of approximately \$30,000.00
- Rehabilitation and reconstruction activities at a cost of approximately \$370,000.00

Upon question by Councilmember Leak, Mr. Lowery explained that 31 applications were mailed to properties in the Newtown area and received three (3) applications back. He added that 21 applications were mailed to properties in the Glen Acres area and two (2) applications were submitted.

A lengthy discussion ensued concerning the playground and walking trail and the necessity of including a variety of activities in the grant application in order to submit a stronger grant application.

Councilmember Willis suggested partnering with the Scotland County Parks and Recreation Department, and constructing a smaller park in each of the two (2) neighborhoods instead of one (1) park.

Further discussion ensued concerning the park idea. Mr. Lowery explained that because the LHA is a Housing and Urban Development (HUD) Agency, it would maintain the park.

Further discussion ensued concerning the park. Mr. Lowery explained that the park would be focused on children and would not include a basketball court that could attract adults. He added that because there is heavy overgrowth on the lot and heavy drug activity the addition of a light and the playground would open up the area.

Upon question by Councilmember Adams, Mrs. Deese explained that the Grant Committee members were: Susan Covington of Scotland County Habitat for Humanity, Mr. Lowery, the City Manager, Charles McEachin representing the Newtown area, a Pastor from a church in the Glen Acres area and her.

CONSIDER AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ECONOMIC INCENTIVES AGREEMENT

Mr. Greg Icard, Scotland County Economic Development Director, explained that the incentives agreement had been discussed and the proposed agreement was to formalize terms between the City and the Company.

Motion was made by Councilmember Willis, seconded by Councilmember Leak, and unanimously carried to authorize the Mayor and City Clerk to execute Economic Incentives Agreement.

CITY MANAGER REPORTS

CONSIDER PRELIMINARY RESOLUTION FOR STREET IMPROVEMENTS TO BETA STREET WITHOUT PETITION AND WITH ASSESSMENT

The City Manager explained that on November 5, 2012 a formal petition for Street Improvements to Beta Street from Roseville to Corona Avenue was submitted by Mr. Jerry Glover to the City Clerk. He added that because the petition did not meet the requirements of G.S.160A-217 and was therefore not a valid petition, the Clerk was unable to issue a Certificate of Sufficiency to Council. He further added that the City obtained a Local Bill, House Bill 1552 which authorizes the City to assess for improvements without petition, and if Council adopts the Preliminary Resolution for Street Improvements to Beta Street Without Petition and With Assessment, a public hearing on the matter would be held on December 18, 2012 as stated in the Preliminary Resolution. The City Clerk will also notify abutting property owners and publish a notice of the public hearing.

Upon question by Councilmember Williamson, the City Manager stated that the assessment amount had not been determined. He added that adoption of the Preliminary Resolution instructs staff to design the project, take bids and then have exact figures to determine the assessments.

Upon question by Councilmember Adams, the City Manager explained that the petition was not valid because it had only one (1) of the abutting property owners' signature and this was not a majority of the property owners of the abutting land.

Upon question by Councilmember Leak, the City Clerk explained that the abutting property owners had not yet been notified but once the Preliminary Resolution is adopted and the public hearing is scheduled, she would notify the abutting property owners.

A discussion ensued concerning obtaining an estimate of the project. Mr. Stacey McQuage explained that the City would pay for engineering and paving of the street and the abutting property owners would be assessed for the cost of curb and gutter by the linear footage of their property.

Upon question by Councilmember Willis, Mr. Glover stated that he had talked to the other property owners since 1976 but none of the other property owners were ever forthcoming with

money.

Mr. Glover discussed the drainage issues he experiences on his property that abuts Beta Street.

A lengthy discussion ensued concerning the natural drainage in the area of the proposed street improvements and the drainage ditch that runs across his property.

Following further discussion on this matter, motion was made by Councilmember Adams, seconded by Councilmember Willis, and unanimously carried to table this matter until the December regular meeting.

Council instructed the City Clerk to notify the abutting property owners to determine their feelings on being assessed for the proposed improvements to Beta Street.

Motion was made by Councilmember Adams, seconded by Councilmember Williamson, and unanimously carried for staff to present an inventory of City streets and low lying areas that experience flooding problems when it rains.

PRESENTATION OF RAW WATER STUDY REPORT

The City Manager explained that Mr. Chuck Willis of Willis Engineering, Inc. will present the Raw Water Study his firm prepared.

Mr. Willis discussed the following items from the Raw Water Study:

- The production of the City's wells serving the Water Plant have degraded over time.
- Data collected from City's historical files and interviewed firm that dug the wells.
- The City's Water Plant has a capacity of 8 mgd.
- Most of the water is coming from 14 raw water wells near the Water Plant.
- All 14 wells were tested with all being adequate but flows are slowly declining.
- Recommendations are three-fold:
 - Continue diligent maintenance program with annual testing to track performance of the wells over time.
 - Undertake a program of routine well rehabilitation and replacements, generally on a cycle of approximately five (5) years in order to maintain current capacity.
 - Eventually undertake program to develop additional well capacity with a good water supply in the Black Creek Aquifer.

Mr. Willis explained that the City needs to develop a long-term approach so that the water supply situation does not become a crisis.

Mr. Robert Ellis stated that the City needs to continue to grow its well fields and stay ahead of the demand for water.

AUTHORIZE MAYOR AND CITY CLERK TO EXECUTE MUNICIPAL AGREEMENT WITH NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR THE HWY 74 LIGHTING PROJECT

Councilmember Willis explained that he requested this item be removed from the Consent Agenda because he wanted to know who own the lighting, who would provide the maintenance and who would be responsible for the monthly utility bill. He added that the City Manager had answered those questions when he discussed the budget amendment, Item g, in the Consent Agenda. He then queried why the citizens of Laurinburg would pay the utility bill rather than the Tourism Development Authority (TDA) paying a part of it.

The City Manager explained that there had been numerous discussion about the electric bill with the TDA and with the Scotland County Board of Commissioners. He added that because the agreement needs to be executed in time for the Board of Transportation to consider at its December meeting, Council had made a decision to move forward with the project as it is currently structured.

Following further discussion, motion was made by Councilmember Willis to authorize the Mayor and City Clerk to execute the Municipal Agreement with the North Carolina Department of Transportation for the Hwy 74 Lighting Project. The motion was seconded by Councilmember Adams and the vote was as follows:

Ayes: Willis, Adams, Williamson, Leak, Spencer

Nays: None

COMMENTS FROM MAYOR AND/OR COUNCIL

Upon questions by Councilmember Willis, a discussion ensued concerning the City's debt financing currently as compared to four (4) years ago.

Mrs. Carpenter explained that four (4) years ago, the debt financing was approximately \$1.9 million, and it is now approximately \$5.5 million.

Councilmember Willis expressed concern that Council should have been involved in the development of an administrative hiring policy before it is implemented.

Mayor Pro Tem Spencer explained that the hiring policy is a work in progress and would be presented to Council in December.

Mayor Pro Tem Spencer stated that as Thanksgiving approaches, everyone say prayers for our service members, firefighters, law enforcement officers, paramedics and other public servants who would be working on Thanksgiving.

RECESS

Motion was made by Councilmember Adams, seconded by Councilmember Willis, and

unanimously carried to recess the meeting until 7:00 p.m. on Tuesday, November 27, 2012 in the Council room of the Municipal Building.

The meeting recessed at 8:16 p.m.

Thomas W. Parker III, Mayor

Jennifer A. Tippett, City Clerk