

**CITY OF LAURINBURG
CITY COUNCIL MEETING
MARCH 22, 2016
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 22, 2016 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, Dolores A. Hammond, Curtis B. Leak, Andrew G. Williamson, Jr. and J.D. Willis.

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

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

Councilmember Adams requested a moment of silence and she then led the Pledge of Allegiance.

APPROVAL OF AGENDA

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

Mayor Block reviewed the Public Comment Period procedures prior to inviting the public to speak.

PUBLIC COMMENT PERIOD

Ms. Mary Evans of 401 Sugar Road discussed the need for a community center.

Mrs. Sarah Schmidt expressed concern that Council had a moment of silence instead of prayer.

Mr. Michael Edds of 1207 Blue Drive expressed concern about the violence in the City.

Ms. Paula Legette of 205 East Vance Street discussed the need for a community center and a homeless shelter.

CONSENT AGENDA

The City Manager presented the Consent Agenda as follows:

- a) Consider minutes of January 19, 2016 regular meeting; January 27, 2016 special meeting; February 9, 2016 special meeting/work session; and February 12, 2016 special meeting/retreat
- b) Consider Resolution No. R-2016-03 Adopting an iPad Policy
- c) Consider setting public hearing to be held on April 19, 2016 at 7:00 p.m. to consider a request to rezone from Residential-20 to General Business a tract of land on US 501 South (Johns Road)
- d) Consider Resolution No. R-2016-04 Adopting the NCDOT Prequalification Policy to be used solely for transportation projects with NCDOT Funding

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

Ayes: Hammond, Williamson, Willis, Adams, Leak

Nays: None

PUBLIC HEARING

CONSIDER REQUEST FOR CONDITIONAL USE PERMIT TO OPERATE A CARNIVAL AT 1681 S. MAIN STREET FROM MARCH 31-APRIL 10, 2016

Mayor Block opened the public hearing.

Mr. Mac McInnis, City Zoning Officer, being first duly sworn, appeared before Council and explained that on behalf of Michael's Amusements, Mr. Robert Lee submitted the request for a Conditional Use Permit to operate a carnival at 1681 South Main Street from March 31-April 10, 2016. He further explained that the carnival has been held in Laurinburg in previous years in the former Winn Dixie parking lot, but could not be held at that location. He added that there had been no problems with the carnival, and that the operator complied with all regulations. He further added that Planning Board heard the request at its February 9, 2016 meeting, and unanimously recommended approval with the stipulation that Captain Larry's parking lot be blocked from the carnival so that only Captain Larry's customers could park in said lot. Mr. McInnis explained that Mr. Lee had talked with businesses in the shopping center about the carnival and no one expressed concern; however, Mr. Barringer of Ned's called him after the Planning Board meeting and expressed concern that the carnival would interfere with customer parking. He add that the application was complete and staff had no reason not to recommend approval.

Upon question by Mayor Block, Mr. McInnis explained that letters were mailed to property owners within 200 feet of the property, and that no one other than Mr. Barringer had expressed an opinion.

Mr. Robert Lee, 9011 Steeplechase Drive, Fayetteville, NC, being first duly sworn, explained that since the 1980's Michael's Amusements had held a carnival in Laurinburg except this past year. He added that he usually employs at least one (1) off-duty law enforcement officer to handle security. He further added that he did not believe parking would be an issue. Mr. Lee explained that he discovered today that school would be out for spring break, and he might open in the afternoon one (1) day to give kids something to do.

Upon question from Councilmember Adams, Mr. Lee explained that he had spoken with Captain Chavis of the Police Department concerning off-duty officers to work the carnival, but he did not want to finalize the arrangement until the Conditional Use Permit was approved.

Upon question from Councilmember Adams, Mr. Lee explained that he had been talking with Mr. Clarence Coughenour about utilizing the former McDonald's Lumber property for overflow parking; however, Mr. Coughenour recently passed, and that the lot would not be used as the buildings located on the property were scheduled for demolition.

Upon question by Councilmember Hammond, Mr. Lee explained that the carnival normally begins operating between 4:30 p.m. to 5:00 p.m.; however, he may open at least one (1) afternoon earlier.

Upon further questions, Mr. Lee explained the following:

- He hopes that he will have to hire off-duty law enforcement officers for traffic control.
- He has talked with Gary Gallman at WLNC Radio about advertising. He is also working with local businesses to have coupons to give out for the carnival.
- The carnival will close between 10:30 p.m. to 11:00 p.m.
- He will notify nearby merchants, including Captain Larry's restaurant.
- If there are parking issues, he will ask the off-duty law enforcement officer working for him to contact the Police Department for assistance.

Ms. Mary Evans, upon being first duly sworn, expressed concern about traffic safety.

Mayor Block closed the public hearing.

Motion was made by Councilmember Williamson, seconded by Councilmember Leak, and carried unanimously to approve the request for a Conditional Use Permit to operate a carnival at 1681 South Main Street from March 31, 2016 through April 10, 2016 with the stipulation that Captain Larry's Restaurant parking be blocked off for use only by Captain Larry's customers, and that:

- 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.

DELEGATIONS

WOODY PIERCE – DISMISSAL OF REV. EDDS AS THE POLICE CHAPLAIN

Mr. Woody Pierce of 12740 Antler Circle, appeared before Council and expressed concern about the dismissal of Pastor Michael Edds as the Police Chaplain. He discussed Pastor Edd's involvement in the community.

Mayor Block thanked Mr. Pierce for his comments and explained that the matter would be reviewed.

MICHAEL SCHMIDT – ON BEHALF OF PASTORS AND CITIZENS OF THE COMMUNITY REGARDING THE PROPOSED BUILDING OF A NEW CITY HALL

Mr. Michael Schmidt of 444 South Main Street appeared before Council to express concern about the dismissal of Pastor Michael Edds as the Police Chaplain and about the proposed new City Hall and Police Station. He presented Council with a packet of his concerns, a copy of which is attached to and incorporated herein as "Attachment A". Highlights of his concerns about the proposed new City Hall and Police Station were as follows:

- Demolition of Municipal Building and the Barrett Building.
- Demographics of Laurinburg and Scotland County.
- Property tax rate of Scotland County.
- There has been no citizen involvement or input in the discussions.
- Potential cost of the new City Hall and Police Station.
- Financial situation of the City as cited in previous audit.

Mayor Block explained the proposed new City Hall and Police Station will be discussed in the coming months.

At 8:12 p.m., Mayor Block called for a short recess.

The meeting resumed at 8:16 p.m.

CITY MANAGER REPORTS

COMMUNITY DEVELOPMENT UPDATE

The City Manager explained that former Community Development Director Teddy Warner, had planned to present an update on status of projects to close his time as the City's Community

Development Director; however, he could not attend the meeting. He encouraged local residents to apply for the Community Development Director position.

CONSIDER TEMA FESTIVAL

The City Manager explained that Councilmember Hammond and staff met last week with Ms. Aku Opata and Mr. Terrence Williams concerning the Tema Fest.

Councilmember Hammond explained that the meeting with Ms. Opata and Mr. Williams addressed concerns regarding transportation, parking and street closures. She added that Everett Street will not be closed for residents, parking will be on the north side of Scotland High School and that the festival organizers are arranging shuttles to and from the parking area.

The City Attorney explained that he had reviewed the insurance policy with Mrs. Betty Galloway, Human Resources/Risk Management Director, and since there will not be alcoholic beverages or fireworks, the policy is acceptable.

Ms. Opata appeared before Council and explained that the Tema Fest would be held on September 3 and 4, 2016 in downtown Laurinburg. She added that the festival will improve cultural awareness, market the downtown area and increase economic activity.

Motion was made by Councilmember Hammond, seconded by Councilmember Adams, and unanimously carried to authorize the Tema Festival to be held September 3 and 4, 2016 in Downtown Laurinburg.

POTENTIAL CITY HALL/POLICE STATION SELECTION COMMITTEE INTERVIEW RECOMMENDATION AND SCHEDULE PUBLIC INPUT SESSION CONCERNING THE PROPOSED CITY HALL/POLICE STATION

The City Manager explained that staff was requesting action on two (2) items concerning the proposed City Hall and Police Station. He added that on March 10, 2016 the Selection Committee met and interviewed for the construction management firm based upon the Request for Qualifications (RFQ) for the proposed City Hall and Police Station, and were recommending Edifice, Inc. as the construction management firm. He further added that a public input session needed to be scheduled, and staff was recommending April 11, 2016 or April 14, 2016.

A lengthy discussion ensued concerning authorizing a contract with the construction firm prior to having the public input session, and the need to have firm construction and renovation costs prior to having the public input session.

Mayor Block expressed concern about getting a cost estimate for the City Hall and Police Station prior to getting input from the public.

Councilmember Williamson explained that Council and citizens should know the hard costs of construction and financing opportunities rather than speculating on costs. He added that there

are costs involved in renovating the Municipal Building as well as constructing a new City Hall and Police Station, and that he believed the costs of both are critical in making the decision.

Councilmember Willis explained that the City has not been provided a firm construction figure, and that the \$5.5 million figure that has been mentioned in the public came from the Oakley Collier Space Needs Analysis. He added that Oakley Collier, in 2013, provided Council with two (2) options: the first to renovate the Municipal Building and build a new Police Station which would cost \$5.6 million, and the second to build a new facility at a cost of \$5.2 million. He further added that by entering into a contract with a construction firm, an accurate cost of construction and an accurate cost of renovation could be developed by the construction firm. He further explained that this is part of the due diligence that Council is conducting.

Mayor Block explained that it is a myth that renovating the Municipal Building would cost more than new construction. He further explained that Oakley Collier was given direction to increase the square footage, and the firm was not asked to give a cost of just renovating the Municipal Building.

Councilmember Williamson explained that the Oakley Collier Space Needs Analysis requested by a previous Council was driven by problems with the Police Department areas.

Councilmember Hammond clarified that the Oakley Collier Space Needs Analysis indicated that it would cost \$1 million to renovate the Municipal Building into office space and \$4.7 million to build a new Police Station.

Mayor Block explained that he did not believe it was clear that the additional space was needed and that a new Police Station needed to be built. He added that the Space Needs Study was conducted with a projection for additional space.

Councilmember Williamson explained that he and Councilmember Adams were given a tour of City facilities by former City Manager, Ed Burchins, and were told by Mr. Burchins that the Space Needs Study was conducted because of the deplorable conditions in the Police Department, the lack of security and the need for additional space. He added that he was in favor of exploring this since a previous Council requested that study.

Mayor Block commented that the City is not growing and has functioned with the Municipal Building since the 1950's. He added that the community is faced with financial challenges and he believes that unless there is an urgent need, the City should make do with the existing building.

The City Attorney advised Mayor Block that as a procedural matter, if he was going to debate on this issue, he needed to ask Council to appoint a member of Council to preside over the meeting so that Mayor Block could participate in the debate.

Motion was made by Councilmember Willis and seconded by Councilmember Adams, to authorize the City Manager to negotiate contract with Edifice, Inc. for construction manager at risk services for the potential construction of a new City Hall and Police Station and to request Edifice, Inc. to provide costs for renovating the existing facility in order that Council can continue its due diligence on the matter. The vote was as follows:

Ayes: Willis, Adams, Leak, Hammond, Williamson

Nays: None

Councilmember Willis suggested that Council wait until it has a report from Edifice, Inc. concerning costs before setting the public input session.

The City Manager explained that Creech & Associates took the Oakley Collier Space Needs Study and verified the results in an effort to save money. He added that the information requested by Council concerning renovation costs and new construction costs could be handled in two (2) different ways: Creech & Associates utilize the Oakley Collier or conduct a separate study. He further added that a separate study would take a longer time.

Following discussion, it was consensus of Council for the City Manager to discuss methodology for determining renovation costs and new construction costs with Creech & Associates and Edifice, Inc.

CONSIDER APPLICATION FOR FEMA/AFG (SAFER) GRANT

The City Manager explained that Fire Chief Randy Gibson would like to pursue a FEMA/AFG (SAFER) Grant that would fund 100% of salary and fringe benefits for up to five (5) full-time firefighters for two (2) years. He added that currently there is only one (1) firefighter stationed at the two (2) fire stations and, if the City receives the grant, there would be two (2) firefighters at each station alleviating safety concerns.

Fire Chief Randy Gibson explained that this grant program was created to improve or restore local fire department staffing to enhance the departments and to reduce response time. He discussed the changes in services requested of fire departments over the past 10 years including motor vehicle accidents, assistance to Emergency Management Services, formal fire training in facilities, fire extinguisher and other training, and community risk reduction programs. He explained that there are safety and accountability concerns with having only one (1) firefighter on duty at the fire stations as well as in responding to fire calls. Fire Chief Gibson explained that the annual total of salary and benefits for a firefighter is \$47,006.00, and the grant would provide \$235,034.90 each year for two (2) years. He further explained that the plan would be to have two (2) firefighters at each station and the fifth firefighter would be on a rotation schedule to relieve the other two (2) shifts. He added that the additional manpower would provide faster and more adequate resources to respond to fire or emergency, therefore providing better service to the community. He further added that this would provide an opportunity to improve diversity in the Fire Department.

Upon questions by Councilmember Leak, Fire Chief Gibson explained that at the end of the two (2) year grant period, the cost for the additional firefighters would either be absorbed into the City's budget or the firefighters would be fired if they could not be added by attrition. He also explained that for safety and accountability reasons, he would like to have two (2) firefighters on duty at each station.

Upon question by Mayor Block, Fire Chief Gibson explained that there are five (5) full-time firefighters and some part-time firefighters who fill in for vacations, sick leave or school for the full-timers; however, some of the part-time firefighters have found full-time employment, and therefore cannot work as much part-time.

Upon question by Councilmember Hammond, Fire Chief Gibson explained that the City had to agree not to dissolve the positions during the two (2) year grant period.

Discussion ensued concerning the need to ensure that if awarded the grant, any firefighters hired would be made aware that there was a possibility they would not have a job after the two (2) year grant ended.

Following further discussion, motion was made by Councilmember Adams, seconded by Councilmember Leak, and unanimously carried to approve application for FEMA/AFG (SAFER) Grant and to authorize the Mayor to send a letter of support on behalf of Council.

APPOINTMENTS

SCOTLAND COUNTY ECONOMIC DEVELOPMENT CORPORATION

Mayor Block explained that former Mayor Thomas W. Parker was appointed to the Scotland County Economic Development Corporation (EDC) by Council.

Following a brief discussion, motion was made by Councilmember Willis, seconded by Councilmember Williamson, and unanimously carried to appoint Mayor Matthew Block to the Board of Directors of Scotland County Economic Development Corporation.

Upon question by Councilmember Hammond, Mayor Block explained that he would be able to attend the EDC meetings.

Councilmember Willis suggested that in case of an emergency and Mayor Block is unable to attend the EDC meeting, an alternate member should be appointed to ensure that the City has two (2) members at the meetings.

Following a brief discussion, motion was made by Councilmember Willis, seconded by Councilmember Adams, and unanimously carried to appoint Councilmember Andrew G. Williamson, Jr. to serve as the alternate member in the event Mayor Block could not attend a meeting.

Councilmember Willis explained that he wanted to clarify his concerns with the City's involvement with the EDC. He further explained that he did not intend for the City to pull its financial resources from the EDC. He added that because the EDC had been without a director for 18 months, he felt that if Scotland County had reallocated the lapsed salary, the City should reallocate its money to projects in the City for this budget year only.

Following further discussion, it was consensus of Council for the City Manager to contact the County Manager to determine if the County had reallocated the director's lapsed salary or if the funds were still allocated to the EDC, and report back to Council.

CLOSED SESSION

At 9:14 p.m., Councilmember Adams moved to go into closed session pursuant to NC General Statute 143-318.11(a)(6) for the purpose of considering the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee. The motion was seconded by Councilmember Hammond, and carried unanimously.

At 9:26 p.m., Councilmember Willis moved to adjourn the closed session and resume the open meeting. The motion was seconded by Councilmember Hammond, and carried unanimously.

POLICE CHAPLAIN

Upon questions by Mayor Block, the City Manager explained that he and Police Chief Williams had discussed on several occasions issues concerning Pastor Michael Edds prior to his editorial concerning the proposed City Hall. He further explained that Pastor Edds had voiced comments that had a negative impact on morale within the Police Department. He added that the decision for Pastor Edds to no longer be the Police Department Chaplain was his decision.

Further discussion ensued concerning the police chaplain.

ADJOURNMENT

Motion was made by Councilmember Hammond, seconded by Councilmember Willis, and unanimously carried to adjourn the meeting.

The meeting adjourned at 9:43 p.m.

Matthew Block, MD, Mayor

Jennifer A. Tippet, City Clerk