

**CITY OF LAURINBURG  
CITY COUNCIL MEETING  
JUNE 21, 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, June 21, 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; Angela H. Taylor, Deputy City Clerk; and William P. Floyd, Jr., City Attorney.

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

Councilmember Williamson requested a moment of silence and he 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.

**PUBLIC COMMENT PERIOD**

Ms. Mary Evans, 401 Sugar Road, expressed appreciation of the Art Garden. She thanked Mayor Block for his efforts in pursuing a recreation center for the community.

Mr. Kenneth Samuda, 13180 Gaston Avenue, expressed his opinion that Scotland County needs jobs, a recreation center and more law enforcement officers. He expressed concern about the epidemic of drugs and violence in the community. He added that although he is not opposed to a new City Hall and Police Station, he does not feel that this is the right time.

Ms. Jacqueline Carrion, 506 Alpha Street, explained that she is opposed to the proposed new City Hall as she feels that the City cannot afford it. She added that something is needed for young people.

Mr. Charles Parker, 14118 Blue Woods Road, expressed concern about solar farms using valuable property in the City and County, and explained that he felt solar farms are not attractive.

Mr. Frank Evans, 1429-B Terrace Circle, explained that he does not support a new City Hall and does not support any spending by the City. He discussed the economic struggles in the community. He encouraged Council to listen to citizens' concerns about the proposed new City Hall.

**PRESENTATION OF LAW ENFORCEMENT CERTIFICATE – SGT. JUSTIN JONES**

Mayor Block presented the Advanced Law Enforcement Certificate to Sergeant Justin Jones.

Chief Darwin Williams explained that it is the highest law enforcement certificate and is not easy to obtain. He added that Sgt. Jones has been with the City for nine (9) years, and he thanked him for his hard work.

## **CONSENT AGENDA**

Mayor Block presented the Consent Agenda as follows:

- a) Consider minutes of April 12, 2016 special meeting/work session
- b) Set a Public Hearing to be held on July 19, 2016 at 7:00pm in Council Chambers to consider a request for a Conditional Use Permit for a Ground Mounted Solar Array at the property located on US 15-401/501 Bypass

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

Ayes: Hammond, Leak, Adams, Willis and Williamson

Nays: None

## **PUBLIC HEARINGS**

### **CONSIDER RESOLUTION ORDERING THE CLOSING OF A PORTION OF AN ALLEY BEGINNING ON WEST COVINGTON STREET AND RUNNING PARALLEL TO PRINCE STREET**

Mr. Nichols explained that Mr. and Mrs. Jim Willis own four (4) parcels of land abutting the subject alley and had requested to close the alley in order to combine the four (4) parcels.

Mayor Block opened the public hearing.

There being no one to speak in favor of or opposed to closing the alley.

Councilmember Adams moved to approve Resolution No. R-2016-08 ordering the closing of a portion of an alley beginning on West Covington Street and running parallel to Prince Street (12-Foot Alley). The motion was seconded by Councilmember Williamson, and the vote was as follows:

Ayes: Hammond, Leak, Adams, Willis and Williamson

Nays: None

(Resolution No. R-2016-08 on file in City Clerk's office)

### **CONSIDER AMENDMENTS TO THE UNIFIED DEVELOPMENT ORDINANCE**

Mayor Block opened the public hearing.

Mr. Dale Holland of Holland Consultants explained the amendments to the Unified Development Ordinance (UDO) have been reviewed by Planning Board which unanimously recommended approval of the amendments. He added that with one (1) exception, all of the amendments are the

result of legislative changes at the State level, federal regulatory changes or a Supreme Court decision. He then explained the amendments as follows:

- Article 4, Legislative/Quasi-Judicial Procedures amended with some minor changes, and the major change is statements and the process required by you to show consistency with the Land Use Plan when making decisions on rezoning property. Changes included addressing what is competent evidence and performance guarantees in the development process.
- Article 6, Zoning Districts amended based on State statute and added a use for Granny Pods for temporary basis for someone dependent for medical reasons.
- Article 7, Supplemental Regulations includes the following amendments:
  - Legislation passed that addressed limiting the number of beehives per household. This can be an elective amendment to the UDO. Comments and concerns were expressed after the Planning Board meeting, and Mr. Holland recommended that this amendment be removed from the ordinance.
  - Includes supplemental regulations on Granny Pods.
  - Includes provisions for tiny houses.
- Article 9, Performance Standards, Part III, Sign Regulations amended based upon Supreme Court ruling. Signs can no longer be regulated based on message content, i.e., no distinction between political signs, real estate signs, yard sale signs, etc. Signs are defined by type of sign – pole sign, wall-mounted, off-premises, temporary, etc. Also added information on riparian buffers based upon legislation.
- Appendix A, Definitions added that the definition of a bedroom is based upon the State Building Code. Also added definitions for Granny Pods, spot zoning and sign definitions.

Mr. Holland recommended adoption of the proposed ordinance with the amendment concerning bee hives removed from the ordinance.

Upon question by Councilmember Leak, Mr. Holland explained that Granny Pods can be located only in the rear of the property, and not in the side or front yard.

Upon question by Councilmember Leak, Mr. Holland explained that Tiny Houses are not recreational vehicles and must be built to the State Building Code, and they are installed at permanent sites with foundations. He added that across the country, subdivisions of tiny houses have been developed.

Upon question by Mayor Block, Mr. Holland explained that if the amendment concerning bee hives was removed from the ordinance, there would be no legal issues.

Upon questions by Mayor Block, Mr. Holland explained that political signs would no longer be allowed in the right-of-way since they would be defined as temporary signs. Mr. Holland added that if municipalities do not adopt this locally, they will be in violation of the Constitution. He further added that more than likely there would be court cases concerning this matter in order to sort out the impact.

Upon question by Mayor Block, the City Attorney explained that if the City did not take any action concerning the Supreme Court's ruling on signs, the City could be sued since the Supreme Court ruling is the law.

Mr. Jeff Stone of Wagram discussed the Beekeeping Association in Scotland County. He expressed concerns about the amendment regarding bee hives. He requested that the amendment concerning bee hives be removed from the ordinance.

Ms. Nancy Roper of 240 Rocky Creek Drive, Troy, explained that she is an apiary inspector for the State of North Carolina. She added that bees are not aggressive unless they are provoked, and that she hoped Council would remove the amendment concerning bee hives.

Ms. Deana Brigman of 11880 Purcell Road explained that she is a member of the Beekeepers Association and that she hoped that the amendment concerning bee hives would be removed from the ordinance.

Mayor Block closed the public hearing.

Councilmember Willis moved to amend the proposed ordinance by deleting Section 7 concerning bee hives of Ordinance No. O-2016-04 as presented. The motion was seconded by Councilmember Williamson, and the vote was as follows:

Ayes: Hammond, Leak, Adams, Willis and Williamson

Nays: None

Councilmember Willis moved to approve Ordinance No. O-2016-04 as previously amended which amends certain section of the City of Laurinburg Unified Development Ordinance with the statements below as read by the City Attorney:

- The proposed amendments to the UDO advance the public health, safety and general welfare.
- The proposed amendments are consistent with the comprehensive plan and any other adopted plan that is applicable because they reflect technical and substantive amendments to the Laurinburg Unified Development Ordinance (“UDO”) required by changes to statutes or other governing laws in North Carolina and are in accordance with recommendations from consultants and legal counsel assisting the City in maintaining an updated UDO that will assist all citizens with beneficial use and development of property within the City’s planning jurisdiction.
- The proposed amendments to the UDO are reasonable and in the public interest because the amendments promote the public health and safety by providing the citizens with an updated UDO consistent with current statutes and other governing laws in the State of North Carolina thereby promoting the beneficial use and development of property within the City’s planning jurisdiction.

The motion was seconded by Councilmember Hammond, and the vote was as follows:

Ayes: Hammond, Leak, Adams, Willis and Williamson

Nays: None

(Ordinance No. O-2016-04 on file in City Clerk’s office)

## **CONSIDER FISCAL YEAR 2016-2017 BUDGET**

Mayor Block congratulated the City Manager and the Department Heads for doing a wonderful job of preparing the budget.

Mayor Block opened the public hearing.

Mr. Frank Evans, 1449-B Terrace Circle, explained that if new microphones are purchased for the Council Chambers and if the proposed new City Hall is built, that the microphones could be moved into the new building. He added that he is against any new spending.

Mayor Block closed the public hearing.

Councilmember Adams moved to approve Ordinance No. O-2016-05 Approving Fiscal Year 2016-2017 Budget Appropriations Ordinance. Councilmember Hammond seconded the motion, and the vote was as follows:

Ayes: Hammond, Leak, Adams, Willis and Williamson  
Nays: None  
(Ordinance No. O-2016-04 on file in City Clerk's office)

## **DELEGATIONS**

### **LAURINBURG-MAXTON AIRPORT COMMISSION FY 2016-2017 BUDGET**

Councilmember Adams presented the Fiscal Year 2016-2017 budget for Laurinburg-Maxton Airport Commission. She explained that the total budget was \$1,334,800.00 and includes a two percent (2%) Cost of Living Allowance for employees. She discussed the following:

- Received two award notification letters from NC Department of Transportation, Division of Aviation for awarding in the next four (4) years. One for localizer replacement, \$351,000.00 grant with \$39,000.00 local funds; and the other for taxiway rehabilitation, \$990,000.00 grant with \$110,000.00 local funds.
- \$200,000.00 to paint the north water tower.
- Selling 10.66 acres to the Scotland County Economic Development Board at \$155,000.00. Property located adjacent to the existing shell building and is desired to make shell building more marketable.

Motion was made by Councilmember Hammond, seconded by Councilmember Leak, and unanimously carried to approve the Laurinburg-Maxton Airport Commission FY 2016-2017 Budget.

## **CITY MANAGER REPORTS**

The City Manager explained that the City's Annual Fireworks Display would be held on July 4<sup>th</sup> at Pate Stadium with gates opening at 7:00 p.m. He added that the fireworks program which will be July 4<sup>th</sup>. He further added that there would be 10-15 members of the SHS Fighting Scots Marching Band to help entertain the crowd and the Band Booster Club will be selling refreshments.

The City Manager explained that Michael Mandeville began approximately a month ago as the City's Community Development Director.

**CONSIDER RESOLUTION FOR THE SALE OF 10.66 ACRES AT THE LAURINBURG-MAXTON AIRPORT TO SCOTLAND COUNTY ECONOMIC DEVELOPMENT CORPORATION**

The City Manager explained that the resolution is for the sale of 10.66 acres of land from the Laurinburg-Maxton Airport to the Scotland County Economic Development Corporation. He added that this property is located adjacent to the existing shell building.

Councilmember Leak moved to approve Resolution No. R-2016-09 approving the sale of 10.66 acres at the Laurinburg-Maxton Airport to the Scotland County Economic Development Corporation. The motion was seconded by Councilmember Willis, and the vote was as follows:

Ayes: Hammond, Willis, Williamson, Leak, Adams

Nays: None

(Resolution No. R-2016-09 on file in City Clerk's office)

**CONSIDER AWARDING CONTRACT TO PARKER, WAGONER & ROCHE, PLLC TO AUDIT THE CITY'S FY 2015-2016 RECORDS AND AUTHORIZE THE MAYOR TO EXECUTE CONTRACT**

The City Manager explained that Mr. Carl Head would be conducting City's audits. He added that Mr. Head was now with the accounting firm of Parker, Wagoner & Roche, PLLC.

Motion was made by Councilmember Williamson, seconded by Councilmember Hammond, and unanimously carried to award contract to Parker, Wagoner & Roche, PLLC to audit the City's FY 2015-2016 Records and authorize the Mayor to execute the contract.

**CONSIDER AMENDING THE CRIME & DRUG COMMITTEE GUIDELINES**

The City Manager explained that the Committee would like to amend the Committee Guidelines, and one of the major changes involved the meeting time changing from 6:00 p.m. to 12:30 p.m. to hopefully have more members attend meetings. He added that funds were included in the budget to supply lunches for the meetings.

Motion was made by Councilmember Willis, seconded by Councilmember Adams, and unanimously carried to amend the Crime & Drug Committee Guidelines.

**UPDATE ON ALCOHOL AND SUBSTANCE ABUSE POLICY AND CERTIFICATION POLICY**

Mrs. Betty Galloway explained that the Alcohol and Substance Abuse Policy was amended to include safety-sensitive employees which includes law enforcement officers and firefighters. She added that employees with Commercial Drivers Licenses (CDLs) are required by the Department of Transportation (DOT) to be tested quarterly.

Mrs. Galloway explained that additional certifications have been added to the Certification Policy. She added that the policy includes a requirement that employees must maintain their certifications. She further added that wording can be added to the Certification Policy that once an employee receives a certification, he/she is required to work for the City a year after receiving the certification.

The City Manager explained that Council needed to be aware of these policies since they both have budgetary implications but no action was required by Council since they are Administrative Policies.

### **CONSIDER FAÇADE GRANT PROGRAM AND PROCEDURES FOR THE DOWNTOWN MUNICIPAL SERVICE DISTRICT**

The City Manager explained that in conjunction with the Downtown Associates Community Program, the Façade Grant Program was developed for the Municipal Tax District Funds to be used for façade improvements and improve downtown. He added that the Commerce Department provided the proposed Guidelines for the program which requires a dollar for dollar match with a maximum grant of \$1,500.00 for each project. He further explained that the Municipal Tax District generates \$21,000.00 annually in taxes and the City matches that amount, for a total of \$42,000.00 that can be spent on improvements in the downtown Municipal Tax District.

Upon questions by Councilmember Adams, the City Manager explained that grant payments for any project will be made upon completion of the project. He added that an application is required.

Motion was made by Councilmember Williamson, seconded by Councilmember Adams, and unanimously carried to approve the Façade Grant Program and Procedures for the Downtown Municipal Tax Service District.

### **APPOINTMENTS**

#### **PLANNING BOARD**

Motion was made by Councilmember Willis, seconded by Councilmember Hammond, and unanimously carried to reappoint Kathy Williamson to the Laurinburg Planning Board for a three-year term expiring June 30, 2019.

#### **BEAUTIFICATION COMMITTEE**

Motion was made by Councilmember Adams, seconded by Councilmember Leak, and unanimously carried to reappoint Sandy Skamperle, Lynne Mabry, Cory Hughes, Terri Gallman and Fred Fox to the Laurinburg Beautification Committee for two-year terms expiring May 31, 2018, and to appoint William Tyson for a two-year term expiring May 31, 2018.

#### **LUMBER RIVER RPO TRANSPORTATION ADVISORY COMMITTEE**

Motion was made by Councilmember Hammond, seconded by Councilmember Leak, and unanimously carried to recommend to Scotland County that Councilmember Mary Jo Adams be reappointed to the Lumber River RPO Transportation Advisory Committee for a two-year term expiring June 30, 2018.

Councilmember Adams explained that the City needed to be represented at a meeting on June 27, 2016 at 6:15 p.m. at the Scotland County Emergency Operations Center in order to vote on this appointment.

### **LAURINBURG-MAXTON AIRPORT COMMISSION**

Motion was made by Councilmember Willis, seconded by Councilmember Leak, and unanimously carried to reappoint Ella A. Morris to the Laurinburg-Maxton Airport Commission for a three-year term expiring June 30, 2019.

### **MAYOR'S REPORT ON SCOTLAND COUNTY PARKS AND RECREATION ADVISORY COMMITTEE**

Mayor Block explained that the Committee has agreed to look into the possibility of having a recreation center in the City and will form a sub-committee to bring the idea back in several months.

### **COMMENTS FROM MAYOR AND/OR COUNCILMEMBERS**

Councilmember Adams thanked all of the City crews and staff, the School Board, County Commissioners, UNC Pembroke Art Department for all of the work on the Art Garden. She added that it was a great example of partnerships that work for the City of Laurinburg.

Councilmember Williamson noted that Rodney Byrd and his Beautification staff worked very hard in preparing the Art Garden.

Councilmember Hammond explained that she had concerns about Mayor Block's column in *The Laurinburg Exchange*. She added that she did not believe the Mayor had the right or privilege to express his opinion about Council's decisions when he does not attend the meeting. She added that he did not hear the entire conversation. She further added that she was specifically referring to his comments concerning Council's action on the Arts Council and the Humane Society's requests.

Mayor Block stated that he listened to the whole meeting.

Councilmember Hammond stated that she wanted citizens to understand that when the Mayor's Office expresses an opinion, that unless Council has discussed that issue, that it is the Mayor's opinion and not that of Council. She added that she has received inquiries from citizens as to whether she agrees with the Mayor's opinions, to which she responds that the Mayor is speaking on his behalf and not on the behalf of Council.

Councilmember Adams expressed concern concerning the Mayor making statements about the Scotland County School Board and the Scotland County Commissioners which have not been discussed by Council. She suggested that the Mayor add a disclaimer that his comments are his opinion and not that of City Council.

Mayor Block explained that he did not believe there was any misconception that he was expressing his opinions and not Council's since his column is entitled "The Mayor's Column".

Councilmember Adams explained that the June 9, 2016 meeting was the final budget meeting for Council and that she felt it was appropriate for the Mayor to have attended.

Councilmember Leak reminded everyone of the Fruit Orchard in the Washington Park neighborhood. He added that a lot of the trees are producing fruit.

**CLOSED SESSION**

At 8:26 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 Leak, and unanimously carried.

At 8:41 p.m., Councilmember Willis moved to adjourn the closed session and resume the open meeting. The motion was seconded by Councilmember Williamson, and carried unanimously.

**ADJOURNMENT**

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

The meeting adjourned at 8:42 p.m.

---

Matthew Block, MD, Mayor

---

Jennifer A. Tippet, City Clerk