

**CITY OF LAURINBURG
CITY COUNCIL MEETING
SEPTEMBER 20, 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, September 20, 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 Hammond requested a moment of silence and then led the Pledge of Allegiance.

Mayor Block reviewed the agenda.

APPROVAL OF AGENDA

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

PUBLIC COMMENT PERIOD

Mayor Block reviewed the rules for public comment and meeting decorum.

Mr. Charles Parker, Blue Woods Road, expressed concern about Council's practice of having a moment of silence instead of an invocation. He explained that he would listen to Council's discussion of this matter later in the meeting. He discussed an article in *The Laurinburg Exchange* concerning a recent court decision on governmental prayer. He explained that he was glad that Council was addressing concerns about solar farms.

Mr. Michael Edds, 1207 Blue Drive, explained that he is pastor of Cross Pointe Church and had previously discussed the crime rate in the community. He appealed to Council to discuss a curfew and to add four (4) more police officers to make the community safe for residents.

Mr. Tim Ivey, 808 West Church Street, explained that he worked in the commercial finance business, most recently with Chase Bank. He discussed commercial construction numbers and compared them to estimates for the proposed new City Hall.

Mr. Ulysses Thomas, 1124 S. Caledonia Road, explained that American Legion Post 181 would like for the City to enter into a joint venture with it, and construct a community building on its property. He added that the proposed building would be the same style as Wagram's community center.

Upon question by Mayor Block, Mr. Thomas explained that the American Legion Post 181 would still own the property as a joint venture. He added that the proposed building would be more of a recreation center with basketball court and office space. He further added that the building could be used for other purposes, and the American Legion Post 181 would oversee the building.

Mr. James Garby, 12900 Stratford Drive, expressed concern about the yard waste piled up from the recent storm.

Ms. Lorrie Limmerman, 7345 Crestline Road, explained that she had seen a documentary about Laurinburg indicating that grant money was available to help start small businesses, and would like information about starting a small business.

CONSENT AGENDA

Mayor Block presented the Consent Agenda as follows:

- a) Consider minutes of June 21, 2016 regular meeting; and June 30, 2016 special meeting
- b) Consider setting public hearing to be held October 18, 2016 at 7:00 p.m. to consider amending Article 7 Supplemental Regulations, Section 7.37 Solar Farms (Ground Mounted – Photovoltaic Array) of the City of Laurinburg Unified Development Ordinance

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

Ayes: Willis, Hammond, Williamson, Adams, Leak

Nays: None

PUBLIC HEARINGS

CONSIDER REQUEST TO REZONE FROM GENERAL BUSINESS TO OFFICE/INSTITUTIONAL PROPERTY LOCATED AT 1327 ATKINSON ST.

Mr. Mac McInnis, City Planner & Code Enforcement Officer, explained that Mr. Charles Odom had requested that his property located at 1327 Atkinson Street be rezoned from General Business to Office/Institutional. He added that Mr. Odom would like the option of using the property for office space or for residential use. He further added that Planning Board heard the request at its August 8, 2016 meeting and unanimously recommended approval. He further

explained that there would be no detrimental impact on surrounding properties, and staff recommends approval.

Mayor Block opened the public hearing.

There being no one present to speak in favor or in opposition to this request, Mayor Block closed the public hearing.

Councilmember Williamson moved to approve Ordinance No. O-2016-08 rezoning from General Business to Office/Institutional property located at 1327 Atkinson Street based on the following:

The rezoning of Scotland County Land Parcel Number 01001502001 from General Business to Office/ Institutional is consistent with an adopted comprehensive plan and any other officially adopted plan that is applicable because:

1. The Office/Institutional district is established to encourage land uses which serve as an adequate buffer between intensive non-residential uses and residential uses; provide aesthetic controls and dimensional requirements to ensure compatible office and service development with surrounding residential uses; and encourage a mixture of medium density residential uses with offices and services.
2. The Comprehensive Use Plan 2035 Future Land Use Map indicates the development of mixed uses along the Atkinson Street area, which is where this parcel is located.
3. There are already a number of Office/Institutional zoned properties along with Residential and General Business in the area. The rezoning of this parcel will allow residential as well as office and service uses on the property as a permitted use.

AND

1. The rezoning to Office/Institutional will allow uses consistent with other existing uses;
2. The rezoning to Office/Institutional will help maintain the present character of the City of Laurinburg while promoting diversity and future growth.
3. The rezoning to Office/Institutional will have no detrimental impact to the property values of the surrounding land owners; and
4. The rezoning to Office/Institutional will require no infrastructure improvements by the City of Laurinburg.

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

Ayes: Williamson, Willis, Leak, Adams, Hammond

Nays: None

(Ordinance No. O-2016-08 on file in City Clerk's office)

CONSIDER REQUEST TO REZONE FROM RESIDENTIAL-6 TO GENERAL BUSINESS PROPERTY LOCATED AT 323 N. GILL ST.

Mr. Mac McInnis, City Planner & Code Enforcement Officer, explained that the property at 323 N. Gill Street is owned by Ms. Marjorie Becht and that she would like the property rezoned from Residential-6 to General Business. He added that Ms. Becht's family had run a neighborhood store in that location even before the City adopted a zoning ordinance. He further added that the business was closed for more than six (6) months, so in order to reopen, the property must be rezoned to General Business. He further explained that there are properties nearby that are zoned General Business and Office/Institutional, and that the rezoning will have no detrimental impact on surrounding properties. He further added that Planning Board heard the request and voted unanimously to recommend approval.

Upon question by Councilmember Hammond, Mr. McInnis explained that before the store could reopen, it would have to pass a Building Inspection.

Mayor Block opened the public hearing.

Mr. Roy Robles explained that he is Ms. Becht's son-in-law, and would be running the store for her. He added that the store had been in the family over 60 years, and Ms. Becht wanted the store to provide basic necessities for the neighborhood, particularly those without transportation. He further added that he would follow all codes and regulations before reopening the store.

Upon question by Councilmember Hammond, Mr. Robles explained that the store would be operated by an immediate family member to keep costs down.

Upon question by Councilmember Adams, Mr. Robles explained that the hours of operation would depend upon sales and the community's needs; however, in the past it had been operated six (6) days a week from 9:00 a.m. to 10:00 p.m.

Upon question by Mayor Block, Mr. Robles explained that he would be applying for a beer and wine license.

Upon question by Councilmember Leak, Mr. Robles explained that when the store was opened previously, there was an armed robbery that occurred but the individual was arrested. He added that security has never been an issue at the store.

Councilmember Leak commended Mr. Robles for trying to reopen the store.

Upon question by Councilmember Hammond, Police Chief Darwin Williams explained that the store did not pose any concern for the Police Department.

There being no one else present to speak in favor or opposed to the request, Mayor Block closed the public hearing.

Councilmember Hammond moved to approve Ordinance No. O-2016-09 rezoning from Residential-6 to General Business property located at 323 N. Gill St. based on the following:

The rezoning of Scotland County Land parcel number 01003006014 from Residential-6 to General Business is consistent with an adopted comprehensive plan and any other officially adopted plan that is applicable because:

1. The General Business District accommodates retail and commercial service businesses which generally have as their market area the entire city and surrounding area.
2. The Comprehensive Use Plan 2035 FUTURE Land Use Map indicates the development of some mixed uses, some office and institutional uses, and general residential uses.
3. The area already consists of residential uses, office and institutional, and some general business zoning. The parcel in question was used as a business (neighborhood convenience store) for years before our zoning ordinance was established. It was discontinued and now must be rezoned in order to resume this use.

AND

1. The rezoning to General Business will allow uses consistent with other existing uses in the general area;
2. The rezoning to General Business will help maintain the present character of the City of Laurinburg while promoting diversity and future growth;
3. The rezoning to General Business will have no detrimental impact to the property A
4. The rezoning to General Business will require no infrastructure improvements by the City of Laurinburg.

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

Ayes: Hammond, Leak, Adams, Willis, Williamson

Nays: None

(Ordinance No. O-2016-09 on file in City Clerk's office)

CONSIDER APPLICATION FOR CDBG INFRASTRUCTURE GRANT

Mr. Bill Cowan of Martin-McGill, Inc. was present to discuss the purpose of the public hearing for the City of Laurinburg's CDBG-I funding application. Mr. Cowan stated that the purpose of the public hearing was to obtain citizen's views and to respond to funding proposals and answer any questions posed by citizens. Mr. Cowan also stated that the public hearing must cover the City's community development needs, development of the proposed activities, and a review of program compliance before the submission of the City's CDBG-I funding application to the state of the North Carolina.

The City proposes requesting funding from NCDEQ'S CDBG-I program for the **Produce Market Road Area Wastewater Collection System Improvements** project. The purposes of the CDBG-I grant program are:

- To improve the quality of life for low to moderate income people by providing a safe, clean environment and clean drinking water through water and sewer infrastructure improvements and extensions of service.
- To benefit a residential area where at least 51% of the beneficiaries are low to moderate income as defined by the United States Department of Housing and Urban Development.
- To perform eligible activities.
- To minimize displacement, and
- Provide displacement assistance as necessary.

For this fiscal year, the CDBG-I funding available is expected to be \$26,000,000. The maximum available grant is \$2.0 million over a three (3) year period. Applications for funding are received until September 30, 2016.

The CDBG program is able to fund a wide variety of community development activities. The State of North Carolina has chosen to fund two activities: water and sewer infrastructure, and economic development projects that lead to job creation or retention. The infrastructure program, or CDBG-I program can fund a range of water and sewer infrastructure and economic development activities, including, but not limited to the following:

Water:

- Projects that resolve water loss in distribution systems.
- Projects that extend public water to areas with contaminated wells.
- Projects that extend water lines to areas with dry wells.
- Projects that assist with low water pressure in public water systems.
- Projects that regionalize two or more water systems.
- Project that rehabilitate or replace a water treatment plant.

Wastewater:

- Projects that resolve inflow and infiltration to collection systems and surcharges from pumps stations and manholes.
- Projects that extend public sewer to areas with failed septic tanks.
- Projects that rehabilitate a wastewater treatment plant to allow for greater efficiency/compliance with regulations.

The City is seeking an amount in CDBG-I funds not to exceed \$2 million for the **Produce Market Road Area Wastewater Collection System Improvements** project. The purpose of the City's request is to rehabilitate and/or replace existing sewer lines and manholes that are tributary to the Produce Market Lift Station at the corner of Produce Market Road and Geneva Street. The project is intended to reduce infiltration and inflow into the City's collection system and reduce the frequency of sanitary sewer overflows.

The project proposed by the City of Laurinburg was identified in a **Capital Improvement Plan** in 2016. Door-to-door meetings in the affected neighborhood were held in the project area to inform citizens of the potential project, and get feedback from the residents.

A total of 100% of the CDBG- I funding will be used to benefit Low to Moderate Income (LMI) people. The project area in the City of Laurinburg has been determined to have an income survey area of over 51% LMI. The project area includes **Produce Market Road and intersecting streets from Wagram Road to Port Street.**

The range of activities covered by the CDBG-I funds for the **Produce Market Road Area Wastewater Collection System Improvements** includes:

- Construction.
- Environmental Review
- Engineering Design
- Construction Administration and observation.
- Legal activities.
- Surveying.
- Grant Administration.

If the City of Laurinburg is awarded a CDBG-I grant, the City is required to adhere to federal procurement requirements and other federal regulations which include:

- American with Disabilities Act/Section 504 Survey
- Davis-Bacon & Related Labor Acts
- Adoption/Submittal of a Citizen's Participation Plan
- Adoption/Submittal of an Equal Opportunity Plan
- Adoption/Submittal of a Fair Housing Plan
- Adoption/Submittal of a Language Access Plan
- Adoption/Submittal of a Relocation Assistance Plan
- Adoption/Submittal of a Section 3 Plan
- Excess Force Provision

The State of North Carolina requires that the if the City of Laurinburg receives CDBG grant funding that the City will certify that it will comply with the requirements of the general displacement and relocation policy for CDBG grant funding. This policy assists low to moderate income people with costs associated with relocation or displacement, should such relocation become necessary due to the project activities. CDBG funds can be used for those costs, if necessary; however, no displacement and relocation is anticipated to occur as a result of the proposed CDBG grant activity.

In the past five (5) years, the City has applied for and received for the following completed CDBG project:

- List Name of Projects: **None**

The City will submit its CDBG-I application for the **Produce Market Road Area Wastewater Collection System Improvements** on September 30, 2016 (Application deadline). The CDBG-I application will be available for review during normal business hours at 305 West Church Street, Laurinburg, NC 28352. Additional information is available from City Manager, Charles D. Nichols III, at (910) 276-8324 or at the W. Charles Barrett Building, 305 W. Church St. Should citizens have any complaints or grievances regarding the subject public hearing, they should be addressed to the addressee mentioned above within 10 business days or by October 5, 2016, and a written response to the written complaints and/or grievances will be sent by the City within 10 business days, where practicable.

Mayor Block opened the public hearing.

Upon question by Mayor Block, Mr. Cowan explained that his company was working with the City on an Industrial Development Fund Grant to extend sewer to the City's Industrial Park and has worked with the Town of Maxton and the Town of Hoffman on similar grants.

Upon question by Mayor Block, the City Manager explained that the proposed project was included in the Capital Improvement Plan and the improvements are greatly needed.

Upon question by Mayor Block, Mr. Cowan stated that there was no local match of funding for this grant.

Discussion ensued concerning the lift station on Produce Market Road and the Inflow and Infiltration (I&I) issues in the City's sewer system.

There being no one present to speak in favor of or opposed to this grant application, Mayor Block closed the public hearing.

Councilmember Adams moved to approve Resolution No. R-2016-13 for Application for NC Department of Environmental Quality (DEQ) Community Development Block-Infrastructure Grant (CDBG-I). The motion was seconded by Councilmember Hammond, and the vote was as follows:

Ayes: Adams, Hammond, Willis, Williamson, Leak

Nays: None

Mr. Cowan explained that the approved minutes of the public hearing were required for the application submission, and he requested that Council approve the minutes as submitted to the City Clerk.

Motion was made by Councilmember Adams, seconded by Councilmember Williamson, and unanimously carried to approve the minutes of this public hearing on this date, September 20, 2016.

CITY MANAGER REPORTS

ELECTRIC SYSTEM UPDATE – ALAN COBB, PROGRESSIVE ENGINEERING

Mr. Alan Cobb, P.E. of Progressive Engineering, provided an update on the City's Electrical System Capacity. Highlights are as follows:

- The City operates its electric distribution system with demand and energy supplied by Duke Energy at the City's substation on West Blvd.
- The substation was installed in 1979. The two (2) power transformers are owned by Duke Energy and have a capacity of 25,000 kVA each.
- Voltage level from Duke Energy was reduced to 22.6kVA in 2013. Negotiations with Duke Energy to bring the capacity back to 25,000 kVA have been futile.
- Due to load growth the City has experienced, the capacity of the transformers are adequate only if both are operational. If one (1) unit fails or is not in operation, the station capacity is reduced to 25,000 kVA while the City's demand is 35,000 kVA.

Mr. Cobb explained that based upon the capacity and voltage level constraints of the existing substation, he recommended that the City consider the purchase and installation of a new 230/25 kV substation in order to continue to provide reliable normal and emergency levels of service to its electric customers. He added that the current estimated installation cost would range from \$2.7 million to \$3 million with a construction time of approximately two (2) years. He further added that with an additional substation, the City would have greater flexibility and reliability.

Upon question by Councilmember Willis, Mr. Cobb explained that without a new substation, there could be a black out in parts of the City if one (1) of the transformers is inoperable.

Upon question by Councilmember Leak, Mr. Cobb explained that a new substation was necessary as there was not enough room to add transformers at the City's current substation.

The City Manager explained that staff would like to begin the planning process for the substation since it will take a minimum of two (2) years to plan and construct.

Upon questions by Mayor Block, Mr. Cobb explained that he did not believe that Duke Energy would be interested in taking over a portion of the City's electric system nor would it be interested in the entire electric system because it would not want to build its own infrastructure. He added that with the City being a member of Electricities, the other member cities would have to unanimously approve such a transaction, and he did not believe that such a transaction would be approved.

Following discussion, motion was made by Councilmember Willis, seconded by Councilmember Adams, and unanimously carried to authorize staff to begin the planning process to build a new electric delivery station.

COMMUNITY DEVELOPMENT UPDATE AND UPDATE ON SIDEWALK PROJECTS

Mr. Michael Mandeville, Community Development Director, reported on Community Development Department activities as follows:

- Downtown Community Associates Program: Representatives from the NC Main Street Program were at the City last week, and included a meeting with Erin Rembert from the Scotland County Arts Council to obtain assistance with a Downtown Retail Survey and a Community Intercept Survey. The Downtown Retail Survey is for the downtown business owners to provide confidential information about their business. Between October 7-21, 2016, staff and volunteers will be conducting the Community Intercept Survey of individuals in the downtown during various hours. The results of both surveys will be provided to the Main Street Program representatives who will develop a visioning plan to present in December.
- Downtown Pass-Through Project at 115 Main Street: The City owns this property and staff has been looking at doing a pass-through to the property behind it. The Main Street representatives want the façade to be preserved as close to original as possible. He has met with a couple of local companies about securing the façade, cleaning it up and creating a sidewalk.
- Grant for Downtown Improvements: The City has not yet received the \$94,000.00 grant funds for downtown improvements. Some of the funds will be used for the pass-through project, for LED lighting to light up intersections downtown, and build a removable stage for the Art Garden.
- Grant Application: Application submitted for grant from NC Commerce and should know by October 1st.
- Website: No update from ElectriCities on the website redesign or new City logo.
- Art Garden: Discussion held with Erin Rembert and Adam Walls about swapping out sculptures and having a spring art festival.

Mr. Mandeville explained that he spoke with Janet Robertson of the Lumber River Rural Planning Organization (RPO) and three (3) sidewalk projects in Laurinburg were given full points for consideration in the spot process. He further explained that the RPO gave the City the maximum points which is only 25% of the process, and that 25% of the process comes from the NC Department of Transportation Division, and the other 50% of the process comes from quantitative data. He added that there are other projects in the Division being considered. He further added that if funded, all three (3) projects would require a local match of funds.

Upon question by Mayor Block, Mr. Mandeville explained that the three (3) sidewalk projects in Laurinburg are a sidewalk and other pedestrian improvements at the Wal-Mart area along West Blvd. from Sunset Drive to Turnpike Road, install sidewalk on Main Street from Lauchwood Drive to Plaza Road, and install sidewalks on both sides of Atkinson Street from Vance Street to South Main Street.

The City Manager explained that the three (3) projects were submitted to the RPO since Council had adopted a pedestrian plan three (3) years ago which made these projects more competitive than those in the District without a pedestrian plan.

Mr. Mandeville explained that it could be a year or two (2) before the City knows if these projects will be funded.

Upon question by Mayor Block, Mr. Mandeville explained that the local match would be 50% of the project costs.

Upon question by Councilmember Hammond, the City Manager explained that the project on West Blvd. from Sunset Drive to Turnpike Road encompasses the US Highway 401 and West Blvd. intersection and the bridge across US 74. He added that the sidewalk would be on one (1) side of the road. He further added that he would be discussing a proposal from DOT later that, if funded, would take care of part of this project. He further explained that the main part of the project being discussed is the portion of the sidewalk on the bridge across US 74.

Discussion ensued concerning the partnership with the Scotland County Arts Council.

CONSIDER RESOLUTION NO. R-2016-12 AMENDING PURCHASING POLICY

The City Manager explained that this amendment to the Purchasing Policy is to clarify what contracts the City Manager has the authority to sign without having Council approval.

Upon question by Councilmember Hammond, the City Manager explained that any contract that was not included in the current year's budget would be brought to Council for consideration.

Councilmember Hammond moved to approve Resolution No. R-2016-12 amending Resolution No. 2013-04 Purchasing Policy of the City of Laurinburg. The motion was seconded by Councilmember Adams, and the vote was as follows:

Ayes: Hammond, Adams, Leak, Williamson, Willis
Nays: None
(Resolution No. R-2016-12 on file in City Clerk's Office)

CONSIDER REJECTION OF BIDS ON THE COMMONWEALTH BRIDGE REPLACEMENT PROJECT

The City Manager explained that the lowest bid received on the Commonwealth Bridge Replacement Project was \$920,000.00 compared to DOT's estimate of \$500,000.00 when the project began three (3) years ago. He added that staff was requesting that Council reject all bids.

Motion was made by Councilmember Williamson, seconded by Councilmember Willis and unanimously carried to reject bids submitted on the Commonwealth Bridge Replacement Project.

CONSIDER ORDINANCE IMPOSING A MORATORIUM ON SOLAR FARMS WITHIN THE CITY'S PLANNING JURISDICTION FOR A PERIOD OF 60 DAYS

The City Manager explained that because there was not a super majority vote on the solar farm moratorium at the September 15, 2016 special meeting, a second vote on the ordinance was necessary.

The City Attorney explained that the NC General Statutes require a super majority vote on ordinances, so Council must vote a second time on the solar farm moratorium ordinance and the second vote requires a simple majority vote.

Councilmember Adams moved to approve Ordinance No. O-2016-07 imposing a moratorium on solar farms within the City's Planning Jurisdiction for a period of 60 days following adoption of this ordinance. The motion was seconded by Councilmember Hammond, and the vote was as follows:

Ayes: Adams, Hammond, Willis, Leak, Williamson

Nays: None

(Ordinance No. O-2016-07 on file in City Clerk's Office)

The City Attorney explained that he and staff need clarification from Council concerning possible changes to the Unified Development Ordinance (UDO) with regard to solar farms. He explained that as the draft amendment currently reads, it addresses the clustering of solar farms more so than location of solar farms on the City's corridors. He added that if Council's concern is also about the location of solar farms on the corridors, the draft amendment will need to be revised.

Following discussion, it was consensus of Council for staff and the City Attorney to draft the amendment to the UDO to address clustering of solar farms in the City and ETJ and location of solar farms on the City's corridors.

NC DEPARTMENT OF TRANSPORTATION WEST BLVD. PEDESTRIAN IMPROVEMENTS UPDATE

The City Manager explained that he met with Mr. Brandon Jones, DOT Division 8 Engineer, concerning pedestrian improvements at the intersection of US Highway 401 and West Blvd. He added that Senator McInnis was instrumental in moving this project forward with DOT after meeting with Councilmembers and himself at the April Town Hall Day in Raleigh. He further explained that DOT had submitted proposed plans including a sidewalk and pedestrian crossing across West Blvd. from Zaxby's to Walgreens and across US Highway 401 on the southern side of West Blvd., all as shown on the attached map labeled "Attachment A" which is incorporated herein. He added that there had been no discussion about City funding on this project because DOT is aware of the need at this intersection, and when he hears additional information from DOT, Council will be informed.

DISCUSSION AND DIRECTION CONCERNING CITIZEN'S REQUEST FOR BARRETT BUILDING TO BE PLACED ON NATIONAL HISTORIC REGISTRY

The City Manager explained that based upon Mrs. Schmidt's request during the Public Comment period at the August 16, 2016 meeting, staff conducted research concerning the Barrett Building being placed on the National Historic Registry. He added that a study of the area surrounding and including the Barrett Building was conducted in 1981 with the result being that the residence now known as The Thomas Walton Manor was the only property added to the Historic Registry.

Mr. Harold Haywood, General Services Director, explained that staff talked with Ms. Hannah Beckman with the National Historic Registry and was informed of the 1981 study, and that if Council wanted to pursue designation, a consultant would need to be hired and the 1981 study could be used as a starting point.

Following discussion, Councilmember Hammond suggested that Council not consider this request until Council has made a determination on the proposed new City Hall and Police Station.

DISCUSSION ABOUT INVOCATION/MOMENT OF SILENCE – FOLLOW UP FROM PUBLIC COMMENT AUGUST 16, 2016

The City Attorney explained that a panel of three (3) judges of the Fourth Circuit Court of Appeals issued an opinion concerning prayer at local government meetings the day prior. He provided a brief history of the case against Rowan County Board of Commissioners which was the subject of the opinion. He further explained that more than likely, the case would be heard by the entire 15 panel Fourth Circuit Court of Appeals en banc, which means all 15 members of the Fourth Circuit will hear the case, and reconsider it de novo, which means they will reconsider the whole case. He requested additional time to review the recently issued opinion.

Following discussion, it was consensus of Council to add this item to the October 18, 2016 agenda.

DISCUSSION ON PROCEDURES FOR PUBLIC INPUT SESSION ON PROPOSED NEW CITY HALL AND POLICE STATION

The City Manager explained that the architectural firm, construction company and financial advisor would be present at the October 11, 2016 input session on the proposed new City Hall and Police Station. He added that staff wanted to know if Council wanted any ground rules for the meeting.

Following discussion, it was consensus of Council for that the following procedures and ground rules be followed for the October 11, 2016 input session:

- Sign-in sheets for speakers to provide names and addresses.
- Summary to be provided by architectural firm, construction firm and financial advisor.
- Questions should be directed to the Mayor and Council and not be repetitive.
- The City Attorney should be present.
- Flexibility in time for speakers depending upon number of speakers.

Upon question by Mayor Block, the City Manager explained that the Scotland County Building Inspector would not be present for the meeting; however, his memorandum concerning the Municipal Building and the Barrett Building would be available.

APPOINTMENTS

LAURINBURG/SCOTLAND COUNTY CRIME & DRUG COMMITTEE

Motion was made by Councilmember Willis, seconded by Councilmember Adams, and unanimously carried to appoint Ms. Queen Casey to the Laurinburg/Scotland County Crime & Drug Committee.

BEAUTIFICATION COMMITTEE

Motion was made by Councilmember Hammond, seconded by Councilmember Williamson, and unanimously carried to reappoint Terry Purcell to the Beautification Committee.

SCOTLAND COUNTY ECONOMIC DEVELOPMENT CORPORATION

Mayor Block explained that he was resigning from the Scotland County Economic Development Corporation.

Motion was made by Councilmember Adams, seconded by Councilmember Hammond, and unanimously carried to appoint Councilmember Drew Williamson to the Scotland County Economic Development Corporation Board of Directors.

LAURINBURG HOUSING AUTHORITY

Mayor Block explained that Ms. Maria Dudley's term on the Laurinburg Housing Authority Board of Directors has expired and that she would like to be reappointed. He then issued the Oath of Office to Ms. Dudley.

VOTING AND ALTERNATE DELEGATE TO NC LEAGUE OF MUNICIPALITIES CITYVISION CONFERENCE

Following a brief discussion, motion was made by Councilmember Adams, seconded by Councilmember Williamson, and unanimously carried to appoint City Manager Charles D. Nichols III as the voting delegate and Councilmember Dolores Hammond as the Alternate Delegate to the NC League of Municipalities CityVision Conference.

Mayor Block called for a short break at 9:12 p.m.

The meeting resumed at 9:17 p.m.

MAYOR'S REPORTS

Mayor Block explained that he wanted to discuss several things with Council; however he was not looking for any action by Council. He then presented a PowerPoint presentation with highlights as follows:

Laurinburg Recreation/Community Center

- Citizens have expressed interest in a recreation or community center at Public Input Sessions.
- Need to provide something healthy and constructive for youth.
- Adults have expressed interest.
- Planning Study conducted in 2013 including phone study of residents and 75% of respondents would like to have a recreation center in the City of Laurinburg to include basketball courts, indoor walking trails, and meeting rooms.
- Most respondents said they would be willing to pay \$3.00 user fees.
- Council expressed interest in forming a partnership with the Scotland County Parks and Recreation Department.
- Ballpark figures for a recreation center in 2013 was \$12.5 million to construct and \$900,000.00 annual operating costs.
- Scaled down version without a swimming pool was in the range of \$6 million with annual operating budget of \$500,000.00.
- Financial assistance from Scotland County is expected to be minimal to none.
- The recreation center is no longer in the Parks & Recreation Master Plan and there is no timeframe for building one.

Discussion ensued concerning partnering with Scotland County, Scotland Memorial Hospital and St. Andrews University.

Mayor Block explained that he had requested the architectural firm Oakley Collier to produce a rough sketch and estimate for a bare minimum recreation center. The proposed center would have 20,898 square feet and include two (2) basketball courts, meeting rooms and an elevated walking track. Mayor Block added that he requested Oakley Collier to draw the proposed on the former McDonalds Brothers lot on South Main Street since that location is centrally located. The estimated construction cost would be \$3 million. He suggested that this could be constructed using grants, financing and partnerships in the community and bring the construction costs down to well under \$2 million. He discussed the construction cost and the operating budget of the recreation center in Wagram that is approximately one-half (1/2) the size of the one submitted by Oakley Collier.

Councilmember Willis explained that he believed that if the City is looking at partnering with other entities to build such a facility, then a swimming pool should be included.

Mayor Block explained that a swimming pool was the highest scoring need on the survey. He added that there could be the option of building a recreation center with the swimming pool being part of Phase II.

Councilmember Adams explained that she would not be in favor of the City taking the lead on building a recreation center, as she felt that the Scotland County Parks and Recreation Department should have the lead. She also explained that she favored construction of a recreation center at the Morgan Recreation Complex.

Mayor Block explained that he believed that if the City wants to respond to citizens' needs and be a major financial partner in building a recreation center, then he believed that Council should tell Scotland County that it is willing to participate financially and how much it is willing to contribute.

Upon questions by Councilmember Hammond, Mayor Block explained that if the recreation center was built on the former McDonald's Brothers' lot, the cost of the lot would be in the seven (7) figure range, and if built at the Morgan Recreation Complex, there would be no cost to purchase property. He added that based upon the proposed recreation center being twice the size of the Wagram Recreation Center, he estimated annual operating fees to be in the \$100,000.00 to \$125,000.00 range. He discussed user fees and different ways to structure user fees.

Councilmember Williamson explained that he was open to the City making an overture to Scotland County to partner on construction of a recreation center. He added that he believed that consideration of locating it at the Morgan Recreation Complex should be explored and that the Scotland County Parks and Recreation Department should be in charge of the project.

Following discussion, Mayor Block summarized that it appeared to him that the best way to proceed is to work with the Scotland County Parks and Recreation Department and for a plan to be brought back in the spring of 2017 so that it could be put in the budget next year.

Councilmember Williamson explained that with the County's health care outcomes, he felt that Council should be open to considering a recreation center and that the community should qualify for funding and grants. He added that the health care system should play a part in the process.

Discussion ensued about the participants in working on a plan, with Mayor Block summarizing that he understood that Council did not want to take the lead on the project but to be financially involved, and that the Mayor should work through the County Manager to determine if the Scotland County Parks and Recreation Director could be the lead in the project and look into a recreation center.

CONSIDERATION OF A CURFEW

Mayor Block discussed the following concerning a youth curfew:

- Increase in gunshot victims.
- Several recent teen gunshot victims
- Citizens have requested that Council consider a curfew.
- Studies from National League of Cities show effectiveness of youth curfews.
- Having the Crime & Drug Committee consider a curfew.
- Needs to have community support.

Upon questions by Councilmember Hammond, Mayor Block explained that citizens would like a curfew for youth 16 and under. He added that communities do impose structure on youth.

Discussion ensued concerning previous discussions on a youth curfew including discussion held by the Laurinburg/Scotland County Crime & Drug Committee previously whereby the majority of the members at that time were not in favor of a curfew.

Councilmember Leak discussed areas in the City where youth are walking and creating problems. He explained that most of those walking the City live in the projects and walk from the projects because there are cameras in the projects. He reminded Council to consider the manpower and financial implications with instituting a curfew.

Police Chief Williams explained that a curfew can penalize the good kids as well. He discussed difficulties in enforcing a curfew and holding parents accountable.

The City Attorney explained that in prior discussions concerning a youth curfew, the District Attorney said that she would not prosecute curfew violations.

It was consensus of council for the Laurinburg/Scotland County Crime & Drug Committee to look into a youth curfew.

DISCUSSION OF STATUS OF WASHINGTON PARK ELEMENTARY SCHOOL

Mayor Block explained that he would like for Council to consider using Washington Park School as a police substation in order to address crime more. He discussed that a police officer lives in Tara Village and that his presence has been a deterrent to crime in Tara Village.

Councilmember Leak discussed that the City is divided into four (4) districts for police officers to patrol. He added that in the past, the City had partnered with local churches that allowed the police to park cars on their parking lots to have a police presence.

Councilmember Williamson suggested that the Laurinburg/Scotland County Crime & Drug Committee discuss the possibility of police substations.

Councilmember Willis suggested that Mrs. Nancy Walker be included in the discussion of police substations to determine if the Laurinburg Housing Authority might have an office or other areas that could be used.

Discussion ensued concerning putting up cameras in trouble areas of the City. There was no decision made on this matter.

DISCUSSION OF SCOTLAND COUNTY SCHOOL SYSTEMS' CONSOLIDATION PLAN

Mayor Block explained that he wanted to know if Council wanted to become involved in the School Consolidation Plan and if there was an obligation to be involved because of citizens' concerns and the impact on the neighborhoods.

Councilmember Willis explained that he did not believe it was the responsibility of one (1) governing body to tell another governing body what to do. He added that the School Board members are elected in the areas that they represent and citizens should be contacting the School Board members with their concerns. He further added that since the City of Laurinburg makes no financial contribution to the School System, he did not believe that the City of Laurinburg should become involved in school consolidation issue.

Councilmember Leak discussed school consolidation history in Laurinburg and Scotland High School.

Councilmember Willis suggested that the areas where schools will be closed should organize and lean on their school board members.

CLOSED SESSION

At 10:18 p.m., Councilmember Adams moved to go into closed session pursuant to NC General Statute 143-318.11(a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the City and pursuant to North Carolina General Statute 143-318.11(a)(4), to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations. The motion was seconded by Councilmember Willis, and carried unanimously.

At 10:44 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.

AMEND INCENTIVES AGREEMENT

Motion was made by Councilmember Willis, seconded by Councilmember Adams, and unanimously carried to approve the amended Incentives Agreement with FCC (North Carolina), LLC.

COMMENTS FROM MAYOR AND/OR COUNCILMEMBERS

Councilmember Adams expressed concern that at past Council meetings, some citizens have made personal attacks against individual councilmembers, and that this type behavior should not happen at the October 11, 2016 Public Input Meeting.

The City Attorney explained that if a speaker is out of line, he would intervene.

Upon question by Councilmember Adams, Councilmember Williamson explained that he understood that the Mayor would go to the Scotland County Manager and say that Council has authorized him to discuss the topic of a Recreation Center to determine if Scotland County is willing to explore such a venture.

ADJOURNMENT

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

The meeting adjourned at 10:50 p.m.

Matthew Block, MD, Mayor

Jennifer A. Tippett, City Clerk