

**CITY OF LAURINBURG
CITY COUNCIL MEETING
DECEMBER 12, 2017
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, December 12, 2017 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, Mary Evans, James J. Garby, Jr., Curtis B. Leak, and Andrew G. Williamson, Jr.

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 gave the Invocation and then led the Pledge of Allegiance.

Mayor Block welcomed former Mayor Tom Parker.

APPROVAL OF AGENDA

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

Councilmember Evans requested that the Mayor/Councilmember Comments be moved on the agenda to prior to the City Manager's Reports.

Councilmember Leak explained that he did not want to amend his motion.

A voice vote was taken with the results as follows:

Ayes: Adams, Leak, Williamson

Nays: Evans, Garby

PUBLIC COMMENT PERIOD

Mayor Block reviewed Public Comment procedures.

There was no one present to speak.

CONSENT AGENDA

Mayor Block presented the Consent Agenda as follows:

- a) Consider minutes of August 31, 2017 special meeting; September 19, 2017 special meeting and September 19, 2017 regular meeting

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

Ayes: Williamson, Adams, Evans, Garby, Leak

Nays: None

PUBLIC HEARING

CONSIDER AMENDING ARTICLE 4 LEGISLATIVE/QUASI-JUDICIAL PROCEDURES, SECTION 4.1 AMENDMENT/REZONING PROCEDURES; ARTICLE 5 DEVELOPMENT REVIEW PROCESS, SECTION 5.7 SUBDIVISION PROCEDURES; ARTICLE 7 SUPPLEMENTAL REGULATIONS, SECTION 4.43 WIRELESS COMMUNICATION TOWERS; ARTICLE 9 PERFORMANCE STANDARDS, PART IV SUBDIVISIONS; AND APPENDIX A, DEFINITIONS OF THE UNIFIED DEVELOPMENT ORDINANCE

Mayor Block opened the public hearing.

Mr. Dale Holland of Holland Consulting explained that all of the amendments recommend for the Unified Development Ordinance (UDO) are as a result of legislation, and the City must adopt the amendments in order to be consistent with State Statutes. He discussed major changes as follows:

- The biggest change to be dealt with telecommunications with the advent of small cell devices whereby municipalities are required to allow on their rights-of-way. These devices are supposed to improve reception in rural areas and reduce proliferation of high-rise cell towers. A municipality can charge fees, and the City's ordinance allows for the highest fee possible. The ordinance also limits the number that can be placed on a pole and height limitations.
- Consistency statements or inconsistency statements must also include statement that the legislative action is consistent with the Comprehensive Plan and why it is consistent or inconsistent.
- Technical changes in the subdivision regulations such as requirements surveyors must meet with regard to preliminary and final plats.

Mr. Holland explained that the City Attorney has reviewed the changes, and agreed that the proposed changes would be consistent with the NC General Statutes.

Upon question by Councilmember Williamson, Mr. Holland explained that applications for the small cell devices would be submitted by the wireless companies. He added that municipalities were telling providers that they could not put the devices on their poles, so the

state became involved.

The City Manager added that the requirement for municipalities to allow the small cell devices on the municipalities' poles was being researched by Electricities.

There being no one to speak in opposition to the amendments, Mayor Block closed the public hearing.

Councilmember Williamson moved to approve Ordinance No. O-2017-20 amending the City of Laurinburg Unified Development Ordinance and adopt the following Consistency and Reasonableness Statements:

- a) The proposed amendments to the UDO advance the public health, safety and general welfare.
- b) 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 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.
- c) 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 Garby, and the vote was as follows:

Ayes: Williamson, Garby, Leak, Adams, Evans
Nays: None
(Ordinance No. O-2017-20 on file in City Clerk's office)

DELEGATIONS

JO ANN GENTRY - CONSIDER RESOLUTION NO. R-2017-26 GRANTING THREE (3) TOTAL COMPENSATION AGREEMENTS FOR PERMANENT EASEMENT, TEMPORARY CONSTRUCTION EASEMENT AND DAMAGES BETWEEN LAURINBURG-MAXTON AIRPORT COMMISSION AND PIEDMONT NATURAL GAS COMPANY, INC.

Mrs. Jo Ann Gentry, Executive Director of Laurinburg-Maxton Airport Commission, explained that LMAC had agreed to grant three (3) easements to Piedmont Natural Gas across the airport property, one (1) temporary construction easement and two (2) permanent easements. She added that the property is not essential for the airport and will not affect surrounding property. She further added that the airport will receive \$4,500.00 for the temporary construction easement and \$81,035.00 for the other easements.

Upon question by Councilmember Adams, Ms. Gentry explained that the funds would go into the airport's Fund Balance.

Councilmember Adams moved to approve Resolution No. R-2017-26 granting three (3) total compensation agreements for easements and damages between Laurinburg-Maxton Airport Commission and Piedmont Natural Gas Company, and authorizing the Mayor and City Clerk to execute easements. The motion was seconded by Councilmember Leak, and the vote was as follows:

Ayes: Adams, Leak, Evans, Williamson, Garby
Nays: None
(Resolution No. R-2017-26 on file in City Clerk's office)

CARL HEAD – FISCAL YEAR 2016-2017 AUDIT

Mr. Carl Head of Roche, Head & Associates, PLLC, explained that he audited the City's finances for the Fiscal Year ending June 30, 2017, and he thanked Council for allowing him to present the findings. He added that first he wanted to discuss what an audit was and was not. Highlights of his discussion included the following:

- An audit is not a primary consultation on how to run the City and the auditor does not participate in management functions.
- An auditor does not participate in setting fees. However, if a fund is in distress, an auditor can recommend that Council evaluate expenditures and fees.
- An audit is not a fraud investigation; however, if potential fraud is brought to his attention, he would look into it.
- An audit is a third party confirmation and includes ratio analysis.
- An audit expresses an opinion on the financial statements.

Mr. Head explained that an audit provides reasonable, not absolute assurance on the financial condition. He further explained that the opinion of the auditor is an unmodified opinion, which is the best that can be given by an auditor. He then reviewed the financial information below:

General Fund

Net change in fund balance 2014	(74,800)
Net change in fund balance 2015	387,944
Net change in fund balance 2016	83,576
Net change in fund balance 2017	(459,343)

Mr. Head explained that the General Fund fluctuates throughout the fiscal year.

Enterprise Funds

	Electric	Water	Solid Waste	Total
Income or less before transfers and other, 2013	(1,422,682)	(294,040)	(80,265)	(1,796,987)
Income (loss) before transfers and other, 2014	(900,300)	(703,162)	48,234	(1,555,228)
Income (loss) before transfers and other, 2015	(314,437)	10,311	48,234	(1,555,228)
Income (loss) before transfers and other, 2016	2,628,848	1,728,520	41,540	4,398,908
Income (loss) before transfers and other, 2017	1,372,915	1,939,287	292,078	3,604,280

Cash

	GENERAL FUND	ELECTRIC	WATER	SOLID WASTE	TOTAL
2015	2,824,194	590,196	128,625	34,925	3,577,940
2016	3,953,213	1,139,251	2,326,792	122,810	7,542,066
2017	3,394,349	1,897,975	3,976,025	385,684	9,654,033

Mr. Head explained that in 2015, the Electric and Water Funds cash was extremely low, and the cash in the Solid Waste Fund was also low. He added that in the Water Fund, approximately \$750,000.00 remains from the FCC Project that at some point will be spent on further expansion or for repairs in the FCC Project. He further added that in 2016, cash improved in the Electric Fund, but still not enough to appropriate to balance the budget.

Statement of Cash flows: from operations	Electric	Water	Solid Waste
Operating cash increase (decrease) 2013	(741,086)	989,035	213,486
Operating cash increase (decrease) 2014	(986,550)	700,890	153,238
Operating cash increase (decrease) 2015	414,802	1,274,817	212,936
Operating cash increase (decrease) 2016	3,005,579	3,025,609	308,626
Operating cash increase (decrease) 2017	1,096,059	3,561,743	485,867

Mr. Head explained that in 2017 the enterprise funds had increases in cash from operations. He added that after acquisitions of capital assets and payments on loans, the bottom line net cash increase in each enterprise fund was as follows:

Electric Fund net cash increase of \$758,724
 Water Fund net cash increase of \$1,649,233
 Solid Waste Fund net cash increase of \$262,874

Mr. Head explained that the Local Government Commission (LGC) recommends that the General Fund have a certain fund balance available in order to handle emergencies, and that the benchmark amount is eight percent (8%). He added that the City is in good shape with

42.9%, a little less than the prior year of 54.66%. He further added that the slight drop was nothing to be concerned about.

Upon question by Councilmember Garby, Mr. Head explained that in the Water Fund, the bottom line increase for 2016 would be the \$3,976,025.00 minus the \$750,000.00 appropriated for the FCC Project.

Upon question by Mayor Block, Mr. Head explained that the LGC had no guidelines for cash on hand for the enterprise funds, and that the enterprise funds would fluctuate. He further explained that in 2003, the Water Fund had \$3.6 million in cash, and in 2015, the Water Fund only had \$128,000.00 in cash. He added that just like any other entity, the City has needs and projects that require accumulation of funds. He further added that in 2013, 2014 and 2015, there were increases in the cost of power purchases for the City; however, the City did not pass on all of the increases to its customers, resulting in issues in the Electric Fund. He added that during those years, the LGC began writing caution letters to the City about the condition of the enterprise funds, and that he had recommended that the City review its fee structure. He further explained that although cash in enterprise funds fluctuates, it was very unusual for the City's Water Fund to have gotten down to \$128,000.00 in 2015, but it is not uncommon for an enterprise fund to a large amount of cash such as the current cash balances in the Water Fund and the Electric Fund.

Mr. Head explained that if weaknesses in internal controls are noted, they must be reported. He added that fund balance was appropriated in the Electric Fund that was not available to be appropriated. He added that there was also an overstatement of expenditures with the Powell Bill. He further added that there was a change in the software program within the Powell Bill which might have caused this issue, and that he was notified by staff of the error. He further explained that the error must be corrected, and an amended report filed with the State.

Upon question by Mayor Block, Mr. Head explained that once the City's bank accounts are reconciled each month, the monthly cash on hand could be determined; however, with the different projects that the City has ongoing, it would be complicated. He suggested that the auditor should provide the amount of cash on hand to Council. He added that staff could call him for the cash on hand balances if needed. He further added that if the Mayor or Council had any questions or needed any information in the audit explained, that he was available to meet with anyone.

Upon question by Mayor Block, Mr. Head reiterated that the City's General Fund-Fund Balance was 42%, and the LGC required eight percent (8%). He added that municipalities' Fund Balances were varied, and that above eight percent (8%), there was no benchmark.

The City Manager explained that in 2008, Council adopted a General Fund-Fund Balance Policy that requires the City's Fund Balance to be 23% total Fund Balance and 16% unassigned Fund Balance.

Upon question by Councilmember Evans, Mr. Head explained that the City's funds were in much better shape than two (2) years prior.

Upon question by Councilmember Garby, Mr. Head explained that he could not address whether the City should decrease its water rates as he did not know what capital projects needed to be undertaken by the City, or what the City's engineer would recommend.

Mr. Head verified Mayor Block's statement that in the course of two (2) years with the current water rates, the Water Fund net position had gone from a negligible amount to \$3.2 million, accruing funds at roughly \$1.5 million per year.

MICHAEL EDDS – RECOMMENDATIONS CONCERNING CRIME

Mr. Michael Edds, 1207 Blue Drive, thanked Councilmember Leak for recognizing the pastors present earlier in the day at the Organizational Meeting. He discussed his concern for the community and the increasing crime, and how two (2) similar communities addressed issues of crime, unemployment, drugs and gangs as follows:

- Country of Iceland
 - Those 16 and under had to be in by 10:00 p.m.
 - The parents were involved and signed a pledge acknowledging rules for behavior.
 - The children were kept occupied, and were given a \$500.00 voucher for afterschool activities.
 - The kids filled out a survey each year on aspects of their lives to measure relationships, substance abuse, etc. to develop a needs assessment.
 - Politicians were involved to provide support and funding.

He explained that he has discussed this issue and others with Council several times. He stated that he believed a curfew was needed to keep kids 16 and under off the streets and that a "No Loitering" law needed to be instituted.

He then discussed a program in West Virginia in which he was personally involved. Two (2) governmental agencies, the board of education and the county parks and recreation department, partnered in order to establish a community centers without building a building. The board of education provided schools and hired a community education coordinator, which he was one (1). His job as community education coordinator was to develop job training classes, computer training classes, business classes, sewing, crafts, Bible Study, GED, the coal mining recertification classes, computer classes, etc., and to also include leisure time classes such as clogging, belly dancing, free well-baby clinics, and blood pressure clinics. The county parks and recreation department handled sports activities. He explained that the program was successful, the cost was minimal, the crime rate dropped, unemployment dropped, and the school dropout rates decreased. He suggested that the Scotland County Board of Education and the City could provide funding for a community recreation coordinator at \$50,000.00 to head the program. He further added that the Scotland County Parks and Recreation Department already has a recreation coordinator to provide the recreation activities. He offered the use of his church's 25-acre property. He discussed conducting a needs assessment and developing four (4) nine (9) week programs with a supervised summer program partnering with the summer feeding program. He also discussed

seeking financial help from private organizations such as The Morgan Foundation and the Cannon Foundation. He offered his assistance with seeking funding. He requested that Council appoint a task force comprised of himself and Councilmembers Evans and Williamson to meet with the Board of Education and the County Commissioners to see if this idea is a possibility, and for the task force to report back to Council in March.

Upon question by Councilmember Evans, Mr. Edds explained that this was not a temporary fix, but could be a permanent fix so that no community center had to be built since he had seen this succeed in West Virginia.

Councilmember Leak discussed various agencies with which partnerships could be developed such as the Ministerial Alliance, fraternities and sororities, Masons, and the Chamber of Commerce, to name a few.

Mr. Edds explained that first he wanted the task force to check with the Scotland County Board of Education and the Scotland County Parks & Recreation Department to see about partnership for funding, and that the second phase would be to include other partners.

Councilmember Leak discussed the partnerships formed to develop the Crime and Drug Committee. He suggested that Mr. Edds start with the Crime and Drug Committee before going to the Board of Education and County Commissioners.

Mr. Edds explained that he had previously served on the Crime and Drug Committee. He added that he would like for the committee to look at a youth curfew. He added that he had offered Council an approach to deal with the crime in the community, and that he would like to see if there is a potential to develop a partnership.

Upon question by Councilmember Adams, Mr. Edds explained that he had not discussed this idea with the Scotland County Commissioners because he is a pastor in Laurinburg and Laurinburg was his first concern.

Mayor Block asked Mr. Edds if he had discussed the proposal with Councilmembers Evans and Williamson because it was asking a lot of someone to commit to an initiative that is so entailed without any background information.

Mr. Edds stated that there is division in the community and he would like for everyone to start working together. He added that all he was "asking is that we investigate it." He added that he wanted to know what Council was going to do about the crime rate and when was it going to do something.

Councilmember Adams explained that in his presentation he discussed the partnership between the Board of Education and the Parks and Recreation Department. She added that the Parks and Recreation Advisory Board and the Scotland County Board of Education would be the appropriate places to for Mr. Edds to make his presentation. She also mentioned the Crime and Drug Committee and the Juvenile Crime Prevention Committee as being excellent organizations for him to make his presentation.

Councilmember Adams explained that in response to Mr. Edd's question as to what Council was going to do about the crime rate, that the City has an excellent police chief and police department. She added that she believed Mr. Edds had a good idea; however, coming to the City Council meeting once a month will not make it happen.

Mr. Edds stated that was why he presented an idea tonight for Council to consider. He added that the idea behind the task force was for it to meet with possible partners and then bring in more organizations. He further added that the chief of police had great ideas; however, the department is underfunded. He explained that he came tonight to try to work with Council and that if it did not want to, then his church would undertake his idea.

Councilmember Williamson explained that he believed Mr. Edds' ideas have some merit and that he was honored to be included on the task force; however, he would like for the idea to gain traction with the school system and the parks and recreation department with Mr. Edds giving the same presentation to those boards. He further added that his idea would be that those boards would then appoint individuals and hold a group meeting. He added that the police chief, the sheriff and the crime and drug committee would be involved.

Mr. Edds stated that if Council would facilitate getting the board of education and the parks and recreation advisory committee together, he would make his presentation to those boards.

Mayor Block explained that he understand Mr. Edds' frustration with the slow movement of government, and that he believed Mr. Edds' proposal was an attempt to cut through the red tape. He added that Council will hold a retreat in January, and that he anticipated that the crime rate will be a major topic. He further added that there were a lot of issues involved with opening the schools for after-school activities as Mr. Edds proposed. He suggested that Mr. Edds should have a concrete outline and give his presentations to the other bodies mentioned during this discussion.

Mr. Edds requested that Council facilitate a joint meeting because he believed he would get the same responses from the other organizations.

CITY MANAGER REPORTS

COMMUNITY DEVELOPMENT UPDATE AND INTRODUCTION OF DOWNTOWN COORDINATOR AND PUBLIC INFORMATION OFFICER

Mr. Michael Mandeville, Community Development Director, reported on the following:

- Applied for Brownsfield Grant in partnership with the Scotland County Economic Development Corporation in November, and should know in March or April if grant is received.
- Looking to do a master plan for the parking lot behind the Walk Through. Interviews with two (2) firms will be held. The project will involve burying utilities, repaving, adding lighting and adding greenspace.

Upon question by Mayor Block, Mr. Mandeville explained that six (6) firms submitted Request for Qualifications (RFQs), and staff picked the top three (3). One firm dropped out this week.

Upon question by Councilmember Evans, the City Manager explained that the funds were budgeted in the current budget to pay for the master plan.

Mr. Mandeville explained that the cost of the master plan was \$15,000.00, and that implementation of the project would be in future budgets. He added that once the City becomes a Main Street City, there may be additional grant funds available.

Discussion ensued concerning ownership of the parking lot behind the Walk Through.

Upon question by Councilmember Williamson, the City Manager explained that staff will look at replanting trees in the downtown area.

Mr. Mandeville provided an update on the wayfinding signage. He explained that Electricities provided a grant of \$4,000.00, \$4,000.00 was in the City budget, and the Scotland County Tourism Development Authority (TDA) will also provide \$4,000.00 for the wayfinding signage. He added that staff and the TDA have met with Rodney's Signs out of Apex, NC. He further added that Rodney's Signs will assist with locations for the signs and the contents of the signs.

Discussion ensued concerning the selection of Rodney's Signs. Mr. Mandeville explained that no local companies provided the same services as Rodney's Signs since it is not just making the signs.

Mr. Mandeville introduced Mr. Daniel Walters as the City's Public Information Officer (PIO)/Downtown Development Coordinator.

Upon question by Councilmember Evans, Mr. Mandeville explained that Mr. Walters will be responsible for finalizing the City as a Main Street City and working with the City's website and social media. He added that Mr. Walters did not write grants as that was his responsibility.

CONSIDER RESOLUTION NO. R-2017-27 AMENDING ARTICLE VII. HOLIDAYS AND LEAVE OF ABSENCES, SECTION 7. VACATION LEAVE: ACCRUAL RATE, AND SECTION 8. VACATION LEAVE: MAXIMUM ACCUMULATION, OF THE CITY OF LAURINBURG'S PERSONNEL POLICY (RESOLUTION NO. R-2013-02)

Mrs. Betty Galloway, Human Resources/Risk Management Director, explained that when the Personnel Policy was revamped in 2013, several vacation leave accrual charts were inadvertently omitted from the Personnel Policy and Council wanted to limit the payout of accrued vacation to 240 hours upon an employee's separation from the City. The wording in the 2013 Personnel Policy limited each employee to 240 hours per year accumulation such that at any time an employee had excess above 240 hours, that excess was immediately transferred to sick leave. The previous Personnel Policy allowed employees to accumulate without a maximum throughout the year at two (2) times the annual accrual amount, and then at the end of

the calendar year, any excess accumulation over the two (2) times annual accrual amount would be transferred to sick leave. The proposed amendment adds back in the previously omitted vacation leave accrual charts, allows employees to accumulate vacation leave with no maximum throughout the year with maximum accumulation of two (2) times the annual accrual rate, with any excess transferred to sick leave at the end of the calendar year, and provides that no employee separated from the City will receive payout of accrued vacation to 240 hours. If at time of separation an employee has over 240 hours of vacation leave accumulated, the excess will be added to the employee's sick leave balance, which is not paid out. These changes will result in less adjustments for accounting staff and still keep with Council's intent in 2013.

Councilmember Adams expressed concern about the accruing up to two (2) times the annual accrual rate allowing employees to accumulate during the year above 240 hours.

Upon question by Councilmember Leak, Mrs. Carrie Neal, Finance Director, explained that this change would reduce the work done each month by Accounting since it has been done manually.

Following a lengthy discussion concerning the possibility of employees having an accumulation of vacation time in excess of 240 hours during a year, Councilmember Adams moved to approve Resolution No. R-2017-27 approve Resolution No. R-2017-27 amending Article VII. Holidays and Leave of Absences, Section 7. Vacation Leave: Accrual Rate, and Section 8. Vacation Leave: Maximum Accumulation, of the City of Laurinburg's Personnel Policy with amendments as recommended. The motion was seconded by Councilmember Garby, and the vote was as follows:

Ayes: Adams, Garby, Leak, Williamson, Evans

Nays: None

(Resolution No. R-2017-27 on file in City Clerk's office)

STORM DRAINAGE REPORT – CHUCK WILLIS, WILLIS ENGINEERING

Mr. Chuck Willis of Willis Engineering, Inc., explained that his firm have been investigating storm drainage issues in the City for approximately a year. He presented a PowerPoint presentation with highlights as follows:

- Stormwater is rainfall that is not absorbed into the ground and flows into creeks and rivers.
- Network of pipes, ditches and creek with various owners, public and private.
- Topography of Scotland County makes Stormwater Management challenging.
- Types of Conveyances:
 - Regulated Floodways – Major creeks regulated by FEMA (i.e. Leith Creek, Bridge Creek)
 - Public Facilities – Culverts and ditches providing drainage for City/State roads
 - Private Property – all other creeks, ponds, culverts and ditches
- Standard Practices in Smaller Cities and Towns:
 - Maintain culverts and ditches in City streets
 - Maintain facilities outside street right-of-way but in dedicated easements

- Do not pay for improvements on private property but offer an “assessment” program to assist property owners
- Standard Practices in Larger Cities and Surrounding Towns:
 - Maintain culverts and ditches in City streets and dedicated easements
 - Regulated by a NPDES Stormwater Permit
 - Operate a Stormwater Utility with separate enterprise fund, collect Stormwater Fees
 - Fund major improvement projects and may also offer an “assessment” program
- What Laurinburg Currently Does:
 - Maintains culverts and ditches to support street drainage system and beyond (over 50 miles of culverts and 8 miles of ditches)
 - Maintains major section of Leith Creek in cooperation with US Army Corp of Engineers
 - Is not subject to NPDES Phase II regulations
 - Does not operate as a “utility” or collect fees
 - Does not currently have a program to make drainage improvements on private property
- Recommendations:
 - Establish a written policy
 - Create an assessment program to facilitate private improvement projects
 - Consider whether the City should help pay for improvement projects on private property
 - If so, develop an orderly program
 - Inventory, assess, prioritize
 - Funding mechanism
 - Policies and procedures

Upon question by Councilmember Williamson, Mr. Willis explained that when there is a lot of rainwater, the streets can be flooded and even flood into yards. He added that this is a significant problem due to there being too much water in a short period of time. He further added that this is considered “nuisance flooding” as long as it is not hazardous to transportation. He further explained that this can be expensive to repair, and that Council needed to determine what was in the best interests of its constituents.

Mr. Willis explained that the problems are usually seen in existing developments whereby the lots have flooded for many years. He added that this is not necessarily something the City needed to fund, and the City is not obligated to do so.

Mayor Block explained that he had not heard citizens complain about flooding in their yards, but more about nuisance flooding. He added that there are certain problem areas where the streets do not drain during heavy rainfall, but it becomes more of a nuisance because the streets are impassable at times. He further added that he believed Council wanted to develop an inventory of problem areas and address those areas that are more than nuisance flooding.

Mr. Willis explained that Council needed to develop an inventory and prioritize the problem areas with public health and safety in mind. He added that there are projects that need to be addressed, and that Council needed to decide how far onto private property it would go to

address the problems. He further added that seldom are storm drainage issues alleviated by addressing the streets alone as usually there is too much distance to the conveyance area to adequately fix the problem.

Upon question by Mayor Block, Mr. Stacey McQuage, Public Utilities Director, explained that one of the problem areas is Blue Drive in Scotsdale. He discussed the efforts to keep it clean that are hampered because part of the ditch is on private property and the ditch goes uphill.

Upon question by Councilmember Adams, Mr. McQuage explained that until several years ago, the City had a policy whereby a citizen or group of citizens could petition for stormwater improvements whereby the citizen or the group would pay for one-half (1/2) the cost of 15-inch tile, and the City would pay the remainder and install. He added that when the Unified Development Ordinance (UDO) was rewritten several years ago, that policy was not included in the UDO.

Following further discussion, Mr. Willis suggested that the inventory should be conducted of problem areas where the public health and safety issues occur and areas where property damage occurs prioritized. He added that his company does not work in stormwater management; however he could recommend an engineering firm that specializes in stormwater management to assist the City in developing a policy and recommended fixes.

CONSIDER ORDINANCE NO. O-2017-21 AMENDING CHAPTER 24, OFFENSES AND MISCELLANEOUS PROVISIONS, SEC. 24-10 PUBLIC CONSUMPTION OF ALCOHOLIC BEVERAGES OF THE CITY CODE OF ORDINANCES

The City Manager explained that the amendment to Chapter 24 of City Code concerns allowing alcoholic beverages on City property for festivals and other events. He added that a permit would be required with strict guidelines. He further added that the idea arose when discussing the Spring Arts Festival and combining that event with Scotland Healthcare's FUNd run, and a special Laurinburg After 5 concert downtown. He further explained that the City Attorney reviewed the amendment. He added that staff believed that the change would be beneficial to future growth in the downtown area.

The City Attorney explained that the State treats beer and wine different from spirits, in that beer and unfortified wine are permitted unless an ordinance prohibits. He added that approximately 99% of North Carolina municipalities have prohibited public consumption of beer and wine. He further added that this ordinance would allow the consumption on City streets and sidewalks during public events. He added that the City would not be selling, and that the appropriate ABC permits would need to be in place.

Upon question by Mayor Block, the City Attorney explained that he was somewhat concerned about liability for the City; however, the event organizer would have suitable liability insurance and name the City as the Loss Payee.

Upon question by Councilmember Adams, the City Attorney explained that the City Manager would approve the boundaries where the consumption would be allowed and a permit would

have to be approved.

Following further discussion, Councilmember Garby moved to approve Ordinance No. O-2017-21 amending Chapter 24, Offenses and Miscellaneous Provisions, Sec. 24-10 Public Consumption of Alcoholic Beverages of the City Code of Ordinances. The motion was seconded by Councilmember Williamson, and the vote was as follows:

Ayes: Garby, Williamson, Leak, Adams

Nays: Evans

(Ordinance No. O-2017-21 on file in City Clerk's office)

CONSIDER ORDINANCE NO. O-2017-22 AMENDING THE FY 2017-2018 BUDGET APPROPRIATIONS ORDINANCE BY INCREASING GENERAL FUND-FUND BALANCE APPROPRIATED BY \$100,000.00 AND ALLOCATING TO PROFESSIONAL SERVICES

The City Manager explained that this budget amendment if approved would increase the Professional Services line item which includes attorney fees and auditing services. He added that because of issues with the City Hall including hiring specialized attorneys and massive public records requests, staff did not believe that the \$95,000.00 budgeted was sufficient; and therefore, recommended that the line item be increased by \$100,000.00.

Councilmember Adams moved to approve Ordinance No. O-2017-22 amending the FY 2017-2018 Budget Appropriations Ordinance by increasing General Fund-Fund Balance Appropriated by \$100,000.00 and allocating to professional services. The motion was seconded by Councilmember Leak.

Councilmember Evans explained that she ran her campaign on "No New City Hall" and that she felt this item and the next several items on the agenda needed to be discussed further. She said that she did not believe that all means possible had been exhausted. She suggested obtaining another opinion concerning the needs.

Councilmember Williamson explained that he appreciated Councilmember Evans sticking to her position; however he felt that over the last two (2) years Council had done the due diligence on the City Hall Project.

Councilmember Evans stated that Council listened to one (1) architect.

Councilmember Williamson explained that the committee chose the architect that best met the qualifications and with which the committee felt most comfortable. He added that he was not going to change his position on building a new City Hall.

Mayor Block explained that what Councilmember Evans was saying is that the City Hall Project will going to be a sore spot for some time. He added that a sizable majority of citizens feel that moving forward with construction was not the best way to proceed, and that a truly objective

analysis of space needs has not been done.

Councilmember Adams called for the question and the vote was as follows:

Ayes: Adams, Leak, Williamson, Garby

Nays: Evans

(Ordinance No. O-2017-22 on file in City Clerk's office)

CONSIDER ORDINANCE NO. O-2017-23 AMENDING THE FY 2017-2018 BUDGET APPROPRIATIONS ORDINANCE BY INCREASING GENERAL FUND-FUND BALANCE APPROPRIATED BY \$74,575.95 AND ALLOCATING TO GENERAL FUND-INTEREST ON BONDS; BY INCREASING ELECTRIC FUND-FUND BALANCE APPROPRIATED BY \$18,643.00 AND ALLOCATING TO ELECTRIC FUND-INTEREST ON BONDS; AND INCREASING WATER/SEWER FUND-FUND BALANCE BY \$18,643.00 AND ALLOCATING TO WATER/SEWER FUND-INTEREST ON BONDS

The City Manager explained that since approval of the financing of the new City Hall did not occur until after the Fiscal Year 2017-2018 budget had been approved, a budget amendment was needed to make an interest payment in the April, 2018 timeframe.

Upon question by Councilmember Evans, the City Manager explained that the interest payment was a little over \$111,000.00.

Councilmember Williamson moved to approve Ordinance No. O-2017-23 amending the FY 17-18 Budget Appropriations Ordinance by increasing General Fund-Fund Balance Appropriated by \$74,575.95 and allocating to General Fund-Interest on Bonds; by increasing Electric Fund-Fund Balance Appropriated by \$18,643.00 and allocating to Electric Fund-Interest on Bonds; by increasing Water/Sewer Fund Balance Appropriated by \$18,643.00 and allocating to Water/Sewer Fund-Interest on Bonds. The motion was seconded by Councilmember Adams, and the vote was as follows:

Ayes: Williamson, Adams, Leak

Nays: Evans, Garby

(Ordinance No. O-2017-23 on file in City Clerk's office)

CONSIDER ORDINANCE NO. 2017-24 AMENDING THE FY 2017-2018 BUDGET APPROPRIATIONS ORDINANCE BY INCREASING ELECTRIC FUND-FUND BALANCE APPROPRIATED BY \$87,645.02 AND ALLOCATING TO ELECTRIC FUND-MISCELLANEOUS; AND INCREASING WATER/SEWER FUND-FUND BALANCE APPROPRIATED BY \$87,645.02 AND ALLOCATING TO WATER/SEWER FUND-MISCELLANEOUS

The City Manager explained that this budget amendment deals with funds already spent for the City Hall Project. He added that the auditor wanted the expenditures for the City Hall Project in one (1) line item until the financing was approved. He further explained that this budget amendment appropriates the \$642,000.00 already spent on the City Hall Project among the three

(3) funds involved – General Fund, Electric Fund and Water/Sewer Fund on the same ratio as the financing, 67%, 16.5% and 16.5%.

Councilmember Adams moved to approve Ordinance No. 2017-24 amending the FY 2017-2018 Budget Appropriations Ordinance by increasing Electric Fund-Fund Balance Appropriated by \$87,645.02 and allocating to Electric Fund-Miscellaneous; and increasing Water/Sewer Fund-Fund Balance Appropriated by \$87,645.02 and allocating to Water/Sewer Fund-Miscellaneous. The motion was seconded by Councilmember Leak, and the vote was as follows:

Ayes: Adams, Leak, Garby, Williamson

Nays: Evans

(Ordinance No. 2017-24 on file in City Clerk's office)

CITY ATTORNEY FOLLOW-UP ON SALE OF COMMUNITY DEVELOPMENT BLOCK GRANT LOT

The City Attorney explained that the City owns several lots throughout the City from redevelopment projects. He added that the City obtained special legislation that allows the City to dispose of those lots any way that the City wants and forego bidding or auction process. He added that in the past when someone wanted to purchase one of the lots subject to the special legislation, Council has required an appraisal of the lot and the purchaser must pay for the appraisal and the appraised price for the lot. He further added that most of the lots cannot be developed because of the size of the lot. He further explained that two (2) months ago, Ms. Hattie McLaughlin requested that Council give her remedy on the purchase price because her mother, Ms. Doris McLaughlin, has maintained the lot for several years and the City has benefitted from that maintenance. Ms. Doris McLaughlin previously purchased another lot adjacent to her home for the appraised price of \$1,750.00 and paid for the appraisal. Council instructed the City Attorney and City Manager to develop a plan and policy for dealing with such matters. He recommended that the policy be such that if a lot is not developable and an adjoining property owner to said lot has maintained the lot, the property owner be given a credit of \$250.00 per year for each year the lot has been maintained up to and including the appraised value of the lot. He explained that due to the lengthy of time Ms. McLaughlin has maintained the lot she has requested the credit she should be given exceeds the appraised value of the lot and cost of an appraisal; therefore a quitclaim deed conveying the lot to Ms. McLaughlin should be prepared.

Motion was made by Councilmember Williamson to adopt a policy for dealing with the lots identified on the special legislation for the City by crediting the interested purchaser \$250.00 per year for each year the lot has been maintained by the interested purchaser up to the appraised value of the lot and the cost of the appraisal, and to authorize the Mayor and City Clerk to execute the quitclaim deed conveying the property to Ms. McLaughlin. The motion was seconded by Councilmember Garby, and carried unanimously.

UPDATE ON SOUTH FIRE SUBSTATION

The City Manager explained that the bids for Scotland County's north and south fire substations

came back above the County's estimate; however, the County reduced some of the mobile functions. He added that the buildings would still have front and back doors, and that the front could be paved by NC Department of Transportation (DOT) up to 25,000 square feet. He further added that until Council gave its final approval of the project, staff had not cleared the property or extended the sewer.

Following discussion, motion was made by Councilmember Garby, seconded by Councilmember Leak, and unanimously carried for the City to move forward with next steps for construction of the south fire substation.

CONSIDER 2018 COUNCIL MEETING SCHEDULE

The City Manager explained that the regular Council meeting is always the first Tuesday after the 15th of each month; however the last several years, the November and December meetings have been moved forward a week to avoid the holidays.

Motion was made by Councilmember Adams, seconded by Councilmember Garby, and unanimously carried to approve the 2018 Council Meeting Schedule as submitted.

CONSIDER 2018 BUDGET SCHEDULE

The City Manager explained that typically Council has held a retreat to kick off the annual budget schedule, and then the Citizen Input Session would be held. He briefly reviewed the proposed budget schedule through the end of the fiscal year.

Motion was made by Councilmember Adams, seconded by Councilmember Williamson, and unanimously carried to approve the 2018 Budget Schedule as submitted.

CONSIDER SETTING DATE, TIME AND TOPICS FOR COUNCIL RETREAT

Discussion ensued concerning the date, time and topics for the Council Retreat. He explained that normally retreats begin at 5:00 p.m. or 5:30 p.m. and dinner is served. He added that he would need to know if department heads needed to be present.

Following discussion, it was consensus of Council for the City Manager to determine if the Small Business Innovation Center (SBIC) was available on January 29 or January 30, 2018, and for members to email or call the City Manager and/or City Clerk with topics. The City Manager will notify Council of the date and time of the retreat.

APPOINTMENTS

BOARD OF ADJUSTMENT

Mayor Block explained that Mr. David Ellison's and Ms. Iris Lockhart's terms on the Board of Adjustment end December 31, 2017, and that both would like to be reappointed.

Motion was made by Councilmember Williamson, seconded by Councilmember Adams, and unanimously carried to re-appoint Mr. David Ellison and Ms. Iris Lockhart to three (3) year terms on the Board of Adjustment.

COMMENTS FROM MAYOR AND/OR COUNCILMEMBERS

Councilmember Leak expressed concern about the speed limit of 70 miles per hour on US 74 coming through Laurinburg.

Councilmember Adams explained that she would discuss his concerns at the January Transportation Advisory Committee, and that the City Manager could present it at the Transportation Coordinating Committee meeting.

Upon question by Mayor Block, the City Manager explained that the contractor has started on the footers and the foundation of the new City Hall.

Councilmember Williamson welcomed Councilmembers Evans and Garby, and he wished everyone Merry Christmas.

Discussion ensued concerning Christmas on Main with comments as follows:

- Mayor Block commented that there had not been a tree lighting in several years.
- Councilmember Adams commented that there as great participation and a lot of sales. She added that the Pass Through property looked good.
- Councilmember Garby commented that parking was an issue and there could have been more participation.

Upon question by Mayor Block, the City Manager explained that all of the funding that had previously been turned over to Laurinburg Downtown Revitalization Corporation (LDRC) came under the City's umbrella now with its designation as a Downtown Associate. He added that once the City becomes a Main Street, the State recommends the formation of other committees for downtown.

A brief discussion ensued concerning Mr. Edds' presentation earlier in the meeting.

ADJOURN

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

The meeting adjourned at 10:30 p.m.

Matthew Block, MD, Mayor

Jennifer A. Tippet, City Clerk