

**CITY OF LAURINBURG
CITY COUNCIL MEETING
JULY 16, 2019
CITY HALL AND POLICE DEPARTMENT
303 WEST CHURCH ST.
7:00 p.m.**

Minutes

The City Council of the City of Laurinburg held its regular meeting on Tuesday, July 16, 2019 in the Council Chambers of the City Hall and Police Department 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 Garby gave the Invocation and then led the Pledge of Allegiance.

Mayor Block recognized Boy Scout Nate Rinkacs for attending the meeting and presented him with a lapel pin.

APPROVAL OF AGENDA

Motion was made by Councilmember Adams, seconded by Councilmember Garby to approve the agenda.

Councilmember Evans explained that she wanted to know the process of notifying the public concerning Item B, Consider Semi-annual Surplus Report.

Councilmember Adams amended the motion to approve the agenda by removing Item B, Consider Semi-annual Surplus Report. Councilmember Garby seconded the amended motion

PUBLIC COMMENT PERIOD

Mayor Block briefly reviewed public comment procedures.

Ms. Joyce Davis expressed concern about the fires happening on the north side of the City in vacant buildings. She also expressed concern about the possibility of a homeless person being in the building.

Upon questions by Mayor Block, the City Manager explained that there had been more fires on the north side of the City, and that outside agencies had been called in to assist in the investigations.

Mr. Michael Edds expressed concern about Council developing and enforcing zoning laws to protect property values. He also expressed concern about potential flooding on Blue Drive and in his neighborhood because the hurricane season was approaching. He added that the storm sewers in his neighborhood do not work properly. He wanted to know when this matter would be addressed.

There was no one else to speak during Public Comment.

Mayor Block explained that he had received an email from someone with similar concerns as Ms. Davis that there seemed to be more fires on the north side of town.

A discussion ensued concerning the fires on the north side of the City. The City Manager explained that there had been more fires than usual on the north side of town. He added that the State Bureau of Investigations (SBI) and the Alcohol Tobacco and Firearms (ATF) are assisting in the investigations.

Councilmember Leak explained that not all of the fires have been in abandoned homes. He added that there had been fires in three (3) abandoned homes that had been burned, and two (2) occupied houses in East Laurinburg.

The City Manager explained that some of the fires had been set to cover up robberies. He explained that the ATF did not want much information provided at this time due to the ongoing investigation.

Mayor Block explained that he believed that the abandoned properties fed into Pastor Edds' concern in asking for more proactive role by the City. He suggested that City staff who ride through the community daily should be educated and empowered to act on code violations. He added that he and Councilmember Evans were on record in favor of more proactive code enforcement.

A lengthy discussion ensued concerning code enforcement, crime and arson. He then asked the Councilmembers if they were in favor of more pro-active code enforcement, with the results as follows:

Councilmember Leak expressed caution on the definition of abandoned houses. He explained that some are unoccupied, and waiting on tenants to move in.

Councilmember Garby explained that the only thing he did not support was telling citizens how many vehicles can be parked in a resident's yard. He added that this was the purpose of Homeowners Associations. He added that otherwise he was in favor of more pro-active code enforcement.

Councilmember Adams stated that this had been discussed several times over the last several months. She added that she was on record for supporting the City's zoning/code

enforcement officer's efforts. She further added that if the process changed, more employees would be needed, which would cost money and increase taxes.

Councilmember Evans explained that she did not think it would cost more money to be pro-active, and that the City should use what we have efficiently. She suggested that the animal control officer, the meter reader and the sanitation workers could assist by making notes of violations. She added that other cities utilize all staff.

Mayor Block stated that currently if the zoning/code enforcement officer rides by a violation, he does not do anything about the violation since his job outline is to act on complaints.

Councilmember Williamson explained that while other municipalities have police officers and sanitation workers assisting with blatant code enforcement, but he expressed concern about expecting them to learn the City Code and Zoning Ordinance, resulting in giving them another responsibility. He recommended that the zoning/code enforcement officer should be asked for his ideas and recommendation.

Mayor Block stated that he had ridden around and seen glaring violations such as abandoned homes not secured but had been a week prior. He added that it appeared that a majority of Council would like more information about code enforcement presented next month.

The City Manager explained that staff had detailed the process several times for Council. He added that City employees notify the code enforcement officer when they notice violations; however, they do not know the City Code and the Unified Development Ordinance. He further added that if a citizen sees something that does not look right, staff will research the complaint.

Councilmember Williamson explained that if Council really wanted to be more proactive, then a larger staff would be needed, and he questioned if Council was prepared to add that expense.

Councilmember Adams explained that the police chief reported several years ago that police officers report concerns to the code enforcement officer, and the code enforcement officer looks into it. She added that she received a call from a citizen about an issue, and when she called the code enforcement officer, he had already investigated the issue and contacted the property owner, so the code enforcement officer investigates issues that he sees and does not just act on complaint.

Mayor Block explained that he would add code enforcement to the agenda for August and come back with suggestions on what other cities are doing along with the cost implications.

Mayor Block then explained that Mr. Edds expressed concern about flooding, and he requested that the City Manager provide an update on the storm water consultants.

The City Manager explained that the storm water engineer had been selected and the contract had been executed. He added that Council chose the engineering firm because it had researched minutes and were aware of the problem areas.

Upon question by Mayor Block, the City Manager explained that the engineering firm had not given a timeframe for its work yet, but indicated that it would “hit the ground running”.

CONSENT AGENDA

Mayor Block reviewed the Consent Agenda:

- a) Consider minutes of April 16, 2019 regular meeting (1)
- b) REMOVED
- c) Consider authorizing Mayor Block to execute Order to Collect Taxes for Fiscal Year 2019-2020 (3)
- d) Consider setting public hearing to be held on August 20, 2019 at 7:00 p.m. for text amendments to the City of Laurinburg Unified Development Ordinance (4)
- e) Consider Ordinance No. O-2019-18 Declaring a Road Closure for National Night Out on August 6, 2019 (5)
- (f) Authorize the Mayor and City Clerk to execute deed to Annie L. Tyson for Lot 1, Block B, Section 1 of Lincoln Homes (6)

Councilmember Williamson moved to approve the Consent Agenda. The motion was seconded by Councilmember Evans, and the vote was as follows:

Ayes: Williamson, Evans, Leak, Garby, Adams

Nays: None

CONSIDER SEMI-ANNUAL SURPLUS REPORT

Upon questions by Councilmember Evans, Mr. Harold Haywood, General Services Director, explained once City property is declared surplus, it is listed for sale on the GovDeals website whereby anyone can bid on items. He added that prior to using GovDeals, the City did have live auctions; however staff has experienced faster sale of items and more items sale than did with the live auction.

Discussion ensued concerning the need to notify local residents of items that are being sold because some people do not have internet/computer.

Following discussion, Mr. Haywood explained that staff could put a notice on the website and the City’s Facebook page when items were listed for sale on GovDeals.

Upon question by Mayor Block, Mr. Haywood explained that if an item is valued at more than \$30,000.00, Council must surplus the item.

Motion was made by Councilmember Garby, seconded by Councilmember Williamson, and unanimously carried to accept the Semi-Annual Surplus List.

DELEGATIONS

ESC WIRELESS – VAN BILLINGSLY

Mr. Van Billingsly, owner of ESC Wireless, discussed his business which offers wireless and security services in the area.

Mayor Block thanked Mr. Billingsly for coming to the meeting and for the information he shared.

MICHAEL EDDS – CONCERNS ABOUT THE CHILDREN OF LAURINBURG

Mr. Michael Edds, 1207 Blue Drive, expressed concern that the City could have used the money spent on the City Hall and Police Department could have been spent on a recreation/community center for the children and youth of the community. He discussed the gang activity, crime rate, unemployment rate, collapsing infrastructure and deteriorated buildings. He stated that Council had misplaced priorities by not serving the children of the community.

CITY MANAGER REPORTS

ANNUAL REPORT – COMMUNITY DEVELOPMENT BLOCK GRANT- INFRASTRUCTURE GRANT FOR PRODUCE MARKET ROAD AREA SEWER PROJECT

The City Manager explained that a requirement of the \$2 million Community Development Block Grant-Infrastructure Grant for the Produce Market Road Area Sewer Project is that an annual report must be submitted and approved by Council. He added that the report was prepared by the Grant Administrator with McGill Associates. He further added that the project was on schedule, and the next milestone in the process will be a bid and design package to be submitted by September, 2019, approved by November, 2020, with work completed by 2021. He further explained that there was a monitoring visit on July 15, 2019

Upon question by Councilmember Leak, the City Manager explained that due to recent rains, there had been water getting into the sewer system in the area; however, the flow had been decreasing.

Motion was made by Councilmember Adams, seconded by Councilmember Leak, and unanimously carried to approve the Produce Market Road Area Annual Report for the Community Development Block Grant-Infrastructure.

UPDATE ON POSITION RECLASSIFICATION

The City Manager explained that although there were no budget implications, the Human Resources/Risk Management Director would report on a position reclassification.

Mrs. Betty Galloway, Human Resources/Risk Management Director, explained that a customer service position had been reclassified as an accounting technician/utility billing representative. She added that the position was originally added in 2017.

The City Manager explained that the Finance Director wanted to combine a position in accounting and utility billing in order to allow employees to get experience in utility billing and in accounting for promotional opportunities.

Upon question by Mayor Block, Mrs. Galloway explained that customer service training suggested by Councilmember Evans was scheduled for Thursday, July 18, 2019; however due to the death of one of the customer service representatives, it would be rescheduled.

UPDATE ON NORTH FIRE STATION.

The City Manager explained that staff had researched options concerning the North Fire Station.

Upon question by Mayor Block, the City Manager explained that the information was not included in the agenda packet because staff did not complete the information until Monday, July 16, 2019.

Mayor Block explained that he did not like last minute handouts.

The City Manager reviewed the two (2) options as follows:

- If the current facility is repaired and replace the contents, the total estimated cost was \$360,724.02. He added that if mold is discovered, there would be additional cost.
- The estimated cost to build a new facility was \$3,000,000.00.
- The Federal Emergency Management Agency (FEMA) has said that it would approve just over \$111,000.00. Therefore, to do the repairs and replace the contents, the City would need to fund \$250,000.00, pending no mold or other issues. In addition, if the City takes the FEMA money, then flood insurance would be required. Flood insurance was quoted to be \$33,103.81 per year.

Upon question by Mayor Block, Mrs. Galloway stated that the City would be required to maintain flood insurance as long as the building was in the flood zone.

The City Manager explained that the costs were estimated. He added that staff had estimated City debt financing of \$2.88 million to construct a new facility. He further added that the flood insurance would not be necessary because the building would not be located within a flood zone. He further explained that staff was still pursuing grant funding. He added that staff had met with McGill Associates today and were informed that there was some Economic Development Agency (EDA) funding that could be utilized for projects such as this.

Upon question by Mayor Block, the City Manager explained that staff's estimate for the repair of the building was \$300,000.00 and \$60,000.00 to replace the contents.

Upon question by Mayor Block, Mr. Harold Haywood, General Services Director, explained that the FEMA estimate was approximately \$250,000.00.00; however, that amount was reduced to \$111,146.28 because the North Fire Station was in a flood zone and the City did not have flood insurance. He added that the City would need to get a structural engineer to make sure that the structure was okay, and there would need to be asbestos and mold remediation.

Upon question by Councilmember Leak, the City Manager explained that the Fire Chief had emailed the State Fire Inspector, and although the State Fire Inspector did not provide exact information he stated that without a full fire station on the north side of the City, the City's ISO rating would be affected and therefore could impact citizens' insurance rates.

Councilmember Leak explained that when Scotland County built the substation on the south side of town, the purpose was to lower insurance rates for residents on the south end of the County. He added that there were 8,200 residents in District 1, and he did not want their insurance rates to increase.

Councilmember Garby explained that the State Fire Inspector stated that as long as the City is working on a plan concerning the North Fire Station, it would not affect the insurance rates.

Mayor Block explained that the response from the State Fire Inspector was an "off-the-cuff remark" and that he believed that the ISO rating was affected if a building was within five (5) miles of a manned station. He added that every single home in Laurinburg is within five (5) miles of the centrally-located South Fire Station. He further added that no house is no more than three (3) miles from the central manned station.

The City Manager explained that the State Fire Inspector had been told that there would be a manned fire station on the north end of town whether at the current location or another location, and had based his response concerning on that fact. He added that if the fire station was unmanned, there could be an impact.

Mayor Block explained that whether the City repairs the current fire station or builds a new station, there would be no impact on homeowners' insurance.

Councilmember Garby explained that what motivated him to run for City Council was that originally the new city hall was going to cost \$5 million and it ended up doubling that amount, and that now Council was provided an estimate of \$3 million, and that amount could increase. He added that it was far more of a burden to taxpayers to increase property taxes than to worry about any impact on homeowners' insurance as long as the City has a plan for the north station and actively working on it. He further added that before being elected he spoke about tying up so much money on the new city hall, and just recently Council had to add the \$10.00 Municipal Vehicle Fee to balance the budget. He further explained that he was in favor of fixing the fire station or building a new one; however, it needed to be done the right way by looking at all options and developing an appropriate plan.

The City Manager explained that staff council come up with other options if Council so directed.

Councilmember Leak explained that he believed a plan needed to be put together for a fire station in District 1. He added that District 1 now includes the Industrial Park and FCC, so a fire station is much needed.

Following further discussion, motion was made by Councilmember Leak to authorize the City Manager, staff and possibly a Councilmember to develop options and costs for the fire station on the north side of town.

Councilmember Garby seconded the motion. He added that no one was discussing not fixing the issue of not having a manned fire station on the north side of the City. He further added that more details were needed to make a decision.

The City Manager explained that the Fire Chief obtained the \$3 million estimate for a new fire station by calling fire chiefs who had new fire stations recently constructed, and if needed, to bring someone from the State Fire Inspector's Office to clarify information concerning impact on the City's ISO rating and homeowners' insurance rates.

Councilmember Williamson suggested that a structural engineer needed to look at the fire station to determine if the structure was repairable, and if mold remediation is needed.

Mayor Block explained that the storm water engineers were going to be asked to determine if any changes could be made at the current site of the North Fire Station to prevent it from flooding again.

Mayor Block asked if Council wanted to get a structural engineer and mold experts in to look at the North Fire Station.

Councilmember Leak restated his motion to authorize the City Manager and staff to start a committee to investigate options to improve the fire situation on the north side of town.

Councilmember Adams explained that she would like to know about other property, perhaps owned by the City or someone else, on the north end of town that would be available should it be decided to move the North Fire Station to higher ground. She added that the current location is a low-lying area, and that she does not believe it would be a good idea to rebuild on the current property. She further explained that some people in Lumberton rebuilt in the same location and were flooded again two (2) years later.

The City Manager clarified that Council wanted more definite numbers on a new facility and potential properties, more definite numbers on rehabbing the current facility, and the possibility of elevating the current facility.

Councilmember Garby explained that he would like to look at all options.

Councilmember Williamson explained that he believed that Hurricane Florence would not be the last time there was a big storm with flooding. He added that all options needed to be explored and the more information Council had, the better decision could be made.

Mayor Block called for the vote, and it the motion carried unanimously.

CONSIDER AUTHORIZING MAYOR TO EXECUTE LETTER OF SUPPORT FOR STATE TRANSPORTATION IMPROVEMENT PLAN (STIP) FOR SIDEWALK GRANTS

The City Manager explained that Council had previously sent a letter supporting the three (3) sidewalk grants; however, because right-of-way costs were not originally included by the Lumber River Council of Governments, the costs had to be updated.

Mr. Michael Mandeville, Community Development Director, explained that the projects were bid out by the State, but because the bids were higher than budgeted, the State rebid the projects.

Upon question by Councilmember Adams, Mr. Mandeville explained that the sidewalk projects were Atkinson Street from US Highway 401 to West Vance Street, and the second project was West Blvd. from Turnpike Road to Sunset Drive, and the third project was South Main Street from Lauchwood Drive to Crepe Myrtle.

Motion was made by Councilmember Adams, seconded by Councilmember Williamson, and unanimously carried to authorize the Mayor to execute letter of support for State Transportation Improvement Plan (STIP) for Sidewalk Grants.

The City Manager explained that when Council originally approved the sidewalk projects, the projects should have already begun, so the construction dates are estimates by the State.

Following a brief discussion concerning completion of the project at the intersection of US Highway 401 and West Blvd., the City Manager explained that he would contact the State for completion date of the project.

CONSIDER APPROVING PLAN FOR DOWNTOWN PARKING LOT

Mr. Mandeville explained that the plan for the Downtown Parking Lot began with design from McAdams Engineering, and that Mr. Walker McCoy, Beautification Supervisor, had tweaked the plan. He added that Ms. Patterson's last offer for purchasing her home was \$90,000.00. He further added that Ms. Patterson understood that the project would happen.

The City Manager explained that he had discussed the purchase numerous times with Ms. Patterson. He added that first an appraisal was completed with the property appraised at approximately \$17,000.00.

Mr. Mandeville explained that originally the City offered Ms. Patterson the appraised value of \$17,000.00; however, when the other property owners were offered the tax value, she was offered \$23,750.00.

Further discussion ensued concerning Ms. Patterson's property. The City Attorney explained that there was a mortgage of approximately \$17,000.00 on Ms. Patterson's property which, with the offers from the City, would not have provided her with sufficient funds to move.

Councilmember Leak suggested that Ms. Patterson be offered \$50,000.00 for her property.

The City Manager explained that \$483,000.00 had been budgeted for the project, and that staff was putting bid packages together.

Upon question by Councilmember Williamson, Mr. McCoy explained that in addition to removing Ms. Patterson's property from the project design, the grassy area was extended toward Main Street, which made the parking lot a little smaller with approximately 100 parking spots.

The City Manager explained that he had talked with Mr. Chris English, Executive Director of the Laurinburg/Scotland County Area Chamber of Commerce (Chamber), concerning locating Laurinburg After 5 events at the Downtown Parking Lot; however, since there had been so many positive responses from the public about the events location on Main Street, Mr. English did not want to commit to moving the event.

Mr. Mandeville explained that he was notified earlier in the day that ElectriCities had awarded the City \$10,000.00 in grant funding for the project.

Further discussion ensued concerning the design. Mr. McCoy explained that there was space for a stage at one end of the area if it was later decided to add a permanent stage.

Discussion ensued concerning the former Firestone property that was damaged during Hurricane Florence. The City Manager explained that he had talked with Mr. No, the property owner, about the possibility of the City taking ownership of the property in exchange for the amount of the clean-up costs, approximately \$30,000.00.

Further discussion ensued concerning the design, with highlights as follows:

- There would be restrooms eventually.
- All of the parking would be public parking, not just for future events.

Mayor Block suggested that for shade large oak trees could be planted.

Mr. McCoy explained that the plan was to plant trees as large as possible. He discussed the survivability of large trees with pruning the roots and the need for watering. He also discussed that there was a push to include food trucks, and that there were options to add additional features such as shaded picnic areas.

Motion was made by Councilmember Adams, seconded by Councilmember Williamson, and unanimously carried to approve the plan for the Downtown Parking Lot.

Upon question by Mayor Block, the City Manager explained that staff would love to have Ms. Patterson's house because the City could rehab it in order to use the kitchen and restroom.

Further discussion ensued concerning Ms. Patterson's house including the option of offering her \$50,000.00 for her property, the appraised amount and the amount of the existing mortgage.

Following further discussion, it was consensus of Council to authorize the City Manager to offer Ms. Patterson a purchase price that would provide her up to \$50,000.00 once the mortgage had been satisfied.

DISCUSS WRAL SPOTLIGHT

Mr. Mandeville explained that Council had been provided information concerning the WRAL proposal for a marketing campaign which would cost \$24,000.00 for a six (6) month campaign.

Following discussion, it was consensus of Council that now was not the right time to move forward with this project.

CONSIDER ORDINANCE AMENDING FY 19-20 BUDGET APPROPRIATIONS ORDINANCE (ORDINANCE NO. O-2019-17)

The City Manager explained that this budget amendment was for repairs to the Public Works shed for damage from Hurricane Florence. He added that the money was received last year; however, the work could not be completed in the last fiscal year.

Councilmember Garby moved to approve Ordinance No. O-2019-19 amending FY 19-20 Budget Appropriations Ordinance (Ordinance No. O-2019-17). The motion was seconded by Councilmember Adams, and the vote was as follows:

Ayes: Garby, Adams, Williamson, Evans, Leak
Nays: None
(Ordinance No. O-2019-19 on file in City Clerk's office)

CONSIDER SPECIAL MEETING ON AUGUST 20, 2019 AT 6:00 P.M. FOR UPDATE ON ASSET INVENTORY ASSESSMENT GRANTS

The City Manager explained that the Lumber River Council of Government (COG) staff had completed the asset inventory assessment for the City's water and wastewater assets, and wanted to present the findings to Council.

Following discussion, it was consensus to hold a special meeting on Tuesday, August 20, 2019 at 6:00 p.m. in the council chambers for an update on the Asset Inventory Assessment Grants.

AUTHORIZE MAYOR OR MAYOR PRO TEM TO EXECUTE AMENDMENT TO CITY MANAGER'S CONTRACT

The City Attorney explained that at the June Council meeting, Council authorized extending the City Manager's contract by two (2) years until February, 2024, and that Council needed to approve the amendment to the contract.

Motion was made by Councilmember Williamson to authorize the Mayor or Mayor Pro Tem and the City Clerk to execute amendment to the City Manager's contract extending the contract for two (2) years until February, 2024. The motion was seconded by Councilmember Garby.

Upon question by Mayor Block, the City Attorney explained that at the June 19, 2019 meeting, Council approved the contract extension, Council needed to approve the actual amended agreement.

Mayor Block requested a roll call vote, and the vote was as follows:

Ayes: Williamson, Garby, Adams, Evans, Leak

Nays: None

APPOINTMENT

LAURINBURG/SCOTLAND COUNTY CRIME AND DRUG COMMITTEE COMMISSION

Motion was made by Councilmember Evans, seconded by Councilmember Adams, and unanimously carried to appoint Jason L. Butler to the Laurinburg/Scotland County Crime and Drug Committee.

COMMENTS FROM MAYOR AND/OR COUNCILMEMBERS

There were no comments.

ADJOURN

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

The meeting adjourned at 9:11 p.m.

Mary Jo Adams, Mayor Pro Tem

Jennifer A. Tippet, City Clerk