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**CITY OF LAURINBURG
CITY COUNCIL MEETING
OCTOBER 22, 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, October 22, 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 Adams gave the Invocation and then led the Pledge of Allegiance.

APPROVAL OF AGENDA

Motion was made by Councilmember Williamson, seconded by Councilmember Garby, and unanimously carried to approve the agenda.

SPECIAL AWARD

Representative Garland Pierce presented the Order of the Long Leaf Pine to Police Chief Darwin "Duke" L. Williams.

Chief Williams thanked Representative Pierce. He credited his mother with his values and success.

Mayor Block congratulated Chief Williams.

PUBLIC COMMENT PERIOD

Mayor Block briefly reviewed public comment procedures.

Mr. Michael Edds, 1207 Blue Drive, expressed appreciation for the recent work that had been done to ease the flooding on Blue Drive. He discussed his frustration hearing from the City Manager and members of City Council that the Scotsdale neighborhood was built in a Carolina Bay and/or a swamp, only to discover that the problem was that the drain at one end of the ditch was covered in two (2) to three (3) inches of mud. The problem was alleviated by City crews

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bringing in a small backhoe to dig out the drain where it empties into the ditch. He discussed the need for a scheduled maintenance plan to keep the drain open. He requested a copy of the schedule.

A lengthy discussion ensued concerning the cause of the flooding on Blue Drive. The City Manager explained that at the previous meeting, the City Attorney had reported that the work done by City crews on the ditch on Blue Drive should not have been done because the City did not have an easement as the easement was a private easement. The Scotsdale Subdivision is in a Carolina Bay. He expressed frustration that the employees were accused of not doing their jobs.

Councilmember Williamson explained that he grew up approximately four (4) blocks from where Mr. Edds lives and he attested to the fact that the Scotsdale and Westwood Subdivisions were constructed in a swamp, and that flooding had occurred for decades. He stated that Council needed to understand the City's responsibility concerning maintaining ditches on private property and whether the City had easements. He expressed concern for setting a precedent by doing the work on a private easement to remove the mud from the drain at the ditch on Blue Drive.

The City Attorney explained that the drain area being discussed is located on private property. The ditch is also on private property. There is a recorded plat that shows an easement; however, there is no record of the City accepting the easement to the ditch. Council could accept the easement if it wanted to do so, but once the easement is accepted, the City would be responsible for maintaining and cleaning the ditch. The City could not afford to accept all easements for ditches in the City. He discussed the private responsibility for maintaining ditches on private property.

Further discussion ensued concerning the drain, the ditch and the work done by City crews on Blue Drive. Mr. Edds stressed that the two (2) to three (3) feet of mud on the drain was the reason for the flooding on Blue Drive, not the ditch.

Mr. Edds discussed his frustration with some members of Council and that he was insulted and disrespected when he spoke with them. He stated that he had to continually contact the City Manager and talk with Council in order to get the problem rectified. He added that if flooding occurs again, he would be back before Council again.

Councilmember Williamson reiterated that Council needed a clear understanding of what the City could or could not do on private property.

Mr. Edds explained that taxpayers expected that the City maintained streets and ditches. He again expressed frustration with being insulted by some councilmembers when he complained about the problem with flooding on Blue Drive.

CONSENT AGENDA

Mayor Block reviewed the Consent Agenda:

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- a) Consider minutes of June 18, 2019 regular meeting
- b) Set public hearing to be held on Tuesday, November 19, 2019 to consider rezoning from Residential-6 to General Business the property located at 120 Sanford Road

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

Ayes: Evans, Garby, Williamson, Adams, Leak

Nays: None

PUBLIC HEARING

REQUEST TO REZONE FROM RESIDENTIAL-20 TO GENERAL BUSINESS A 5.01-ACRE TRACT OF LAND ON NC 79/GIBSON ROAD

Mayor Block explained that this was request to rezone from Residential-20 to General Business a 5.01-acre tract of land on NC 79/Gibson Road. He opened the public hearing.

Mr. Mac McInnis, Planner/Zoning Officer, explained that the request submitted by Mr. Bill Purcell on behalf of Mr. Richard and Mrs. Sharon Boles. The tract of land consists of 33 acres, but the request is to rezone only five (5) acres which are directly across from Richard Boles Funeral Service. The entire tract is currently zoned Residential-20, and the request is to rezone to General Business. Mr. Boles' funeral home is zoned General Business, and the convenience store on the corner of NC 79/Gibson Road is also zoned General Business. Planning Board considered this request at its September 10, 2019 meeting, and unanimously recommended approval. It is also staff's recommendation that the request be approved.

Upon question by Mayor Block, Mr. McInnis explained that no one was present at the Planning Board meeting that objected to the request; however, a couple was present and expressed concerns about the emissions from a crematorium.

Mr. Bill Purcell explained that he was the attorney for the Boles and the current property owners, descendants of McNeill Smith. Richard and Sharon Boles want to expand their business and build a crematorium. There is one (1) house located on West Church Street beside the subject tract of land. There has not been a house built in the vicinity for 40 years. The demand for cremation services has grown over the years, and there is currently one (1) crematorium in Laurinburg. The Boles must send cremations out of town. There are very strict regulations governing the construction and operation of a crematorium. Mr. Boles met with the couple with concerns after the Planning Board and assuaged their concerns.

Discussion ensued concerning the operation of a crematorium and screening requirements.

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

Councilmember Adams moved to approve Ordinance No. O-2019-24 rezoning from

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Residential-20 to General Business a 5.01-acre tract of land on NC 79/Gibson Road and identified as Parcel Number based as it advances the public health, safety and welfare, and it is consistent with an adopted comprehensive plan and any other officially adopted plan that is applicable because of the following:

The rezoning of a 5 acre portion of Scotland County Land Parcel Number 01020001032-O from Residential 20 to General Business is consistent with an adopted comprehensive plan and any other officially adopted plan that is applicable because:

Rezoning is Consistent

1. The General Business zoning district is established to accommodate retail and commercial service businesses which generally have as their market the entire city and surrounding area.
2. There are General Business properties located directly adjacent to the requested rezoning.
3. The property is located in close proximity to the Highway 74 Business corridor coming in to Laurinburg from the west. The Comprehensive Plan 2035 encourages permitted General Business uses on the major corridors into the City.

Reasonableness

1. The rezoning to GB will allow uses consistent with other existing uses;
2. The rezoning to GB will maintain the present character of the City while encouraging diversity and future growth.
3. The rezoning will have no detrimental impacts on surrounding properties.
4. The rezoning will require no infrastructure improvements by the City of Laurinburg.

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

Ayes: Adams, Garby, Leak, Williamson, Evans
Nays: None
(Ordinance No. O-2019-24 on file in City Clerk's office)

CITY MANAGER REPORTS

CONSIDER AUTHORIZING PURCHASE OF PROPERTY FROM JOHN ALFORD

The City Manager explained that other than the Patterson house, Mr. John Alford's property located at 105 West Railroad Street was the last piece of property needed for the Downtown Parking Project. The total appraised value for the portion of Mr. Alford's property which does not have a building on it is \$26,000.00. Mr. Alford will retain ownership of the building and the land upon which it sits. The City has easements from some of the property owners in order for the City to begin working on the Downtown Parking Project. Bids are being accepts for the concrete and asphalt.

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Following a brief discussion, motion was made by Councilmember Williamson, seconded by Councilmember Adams, and unanimously carried to authorize purchase of real property from John Alford for the appraised value of \$26,000.00, and authorize the City Attorney to prepare deed.

COMMUNITY DEVELOPMENT UPDATE

Mr. Michael Mandeville provided an update on Community Development activities with a PowerPoint with highlights as follows:

- Demolition of Dilapidated Residential Buildings
 - 76 total demolitions since 2012
 - Some burned by Fire Department as training.
 - 42% of demolitions completed by the City with City clean-up
 - 24% of demolitions completed by the property owner.
- Recent projects from Zoning Department:
 - Hardees - S. Main St.
 - Quality Oil (Shell Station) - S. Main St.
 - New Elementary School - Old Johns Rd.
 - Hospital (Parking Lot Expansion) - Lauchwood Dr.
 - Chic-Fil-A- Highway 401 South
 - Dollar General - McColl Rd.
 - Vocational Rehab Office - S. Main St.
- Beautification:
 - Tree giveaway- Tree City requirement
 - Orders taken the week of October 7-11
 - 65 trees ordered this year
 - Tree types this year:
 - Willow Oak
 - Live Oak
 - Scarlet Maple
 - Purple Leaf Plum
 - Kousa Dogwood
 - Day of Caring Project was entrance sign with civic clubs on McColl Road near intersection with Hasty Road.
 - Continue replacement of removed right-of-way trees.
 - Replaced damaged trees at fruit orchard.
 - Order/planting of fall annuals.
 - Pruning trees and shrubs
 - Planning for spring bulb planting
 - Contractor litter pickup since July 1: 1,420 pounds. Weight does not include trash collected by Beautification Department.
- Grant Work:
 - NCDOT Bicycle Planning Grant submitted in August. On hold until at least the spring due to no state budget. Will resubmit when grant reopens.
 - NCDOT Volkswagen settlement submitted in September

- Waiting to receive word on grant award; most likely this month
- DC Fast Charge charging station for parking lot project
- RPQ for level 2 charger will be out any day; will submit for this
- No limit on how many applications or awards
- State must spend money received or it will go to other states
- Brownsfield Grant:
 - Working on a new grant submission with Draper Arden Associates for December.
 - The City of Laurinburg will be submitting as a single entity. Consultant feels submitting as a single entity will give us a better chance to be funded. Narrowed focus and community representation on the DAC.
 - Award would be worth \$300,000
 - Focusing on downtown sites: Old Concrete Plant - Gill St., McKay St. and Downtown parking lot
- Golden Leaf Grant for the Fire Department:
 - City awarded \$250,000 for new fire station or North Fire Station rehab. Will assist Chief McQueen in the process.
- Community Based Grants initiative
 - 1 of 10 counties in the Sandhills prosperity zone
 - Each county can request up to 2 million dollars with a max funding per county of \$1.5 million, and up to three (3) projects. County Manager must endorse the project.
 - City of Laurinburg submitted an inquiry to County Manager of \$1 million for fiber optic network upgrade
- Downtown/Main Street
 - PlaceEconomics visited.
 - 1 of 8 cities in North Carolina selected to do a case study. Visit October 1, 2019.
 - Laurinburg's topic for the case study is: Retaining and engaging government employees downtown
 - Laurinburg was chosen by the NC Main Street program for the case study due to the partnerships in the DAC
 - Groups represented at our PlaceEconomics visit; City of Laurinburg, Scotland County, Scotland County Schools, Scotland County EDC, Scotland County TDA, Laurinburg/Scotland Chamber of Commerce, Clerk of Superior Court, Richmond Community College
 - Results of case study will be presented in April at the Main Street Conference
 - Downtown Parking Lot Project:
 - Stormwater system. Most work will be done by Public Works Department. Will require some rough grading of the property.
 - Asphalt and Concrete RFP and the bid for construction will be released this week. Hopefully construction will begin the first week of December.
 - Façade grant 18/19- \$107,517.70

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- Six (6) different projects – statistics that must be reported to NC Main Street Program:
 - Full time jobs net gain- 5
 - New businesses net gain- 2
 - Public investment- \$255,496
 - Private investment- \$503,296
 - Total investment- \$758,792
 - Volunteer hours- 8,095
 - Volunteer hours x \$23.41(NC volunteer hour value)- \$189,504
- Other downtown projects:
 - Firestone Building
 - Building enclosed and cleaned up using mostly city labor
 - UNC grad students project
 - Downtown website
 - www.downtown-laurinburg.com
 - UNC-Greensboro renderings- 3 completed, 1 in the works
 - Events
 - Summer Sidewalk Sale-bration, Meet the Scots, Farmers Market
 - Laurinburg After 5
 - Tis' the Season
 - Christmas on Main
 - Kuumba Festival
 - National Night Out
 - Spring Arts Festival

CONSIDER RESOLUTION LEASING SANFORD BUIDLING TO SCOTLAND COUNTY PARTNERSHIP FOR CHILDREN AND FAMILIES, INC.

The City Manager explained that previously Council had approved a one-year lease of the Sanford Building to the Scotland County Partnership for Children and Families, Inc. because a lease longer than one (1) year had to be advertised. The lease for four (4) additional years, for a total of the requested five (5) years, was properly advertised.

Councilmember Evans moved to approve Resolution No. R-2019-09 for leasing Sanford Building to Scotland County Partnership for Children and Families, Inc. for four (4) years. The motion was seconded by Councilmember Garby, and the vote was as follows:

Ayes: Evans, Garby, Leak, Williamson, Adams
Nays: None
(Resolution No. R-2019-09 on file in city clerk's office)

UPDATE ON STATE BANK

The City Manager explained that Council had requested staff obtain cost estimates for putting windows in the former State Bank Building. Staff received two (2) quotes to replace the

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windows, with one (1) quote being \$31,402.66, and the other was \$47,500.00. The City Attorney continues to work through other avenues to get the windows replaced by the owner.

There was no decision on this matter.

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

The City Manager explained that staff had prepared two (2) potential budget amendments for the timber sale beside the City's Smart Site. The timber was cut and the City received payment of \$74,575.00 for the sale of the timber. Staff is working with Mr. Mark Ward, Scotland County Economic Development Director, to get bids for stumping the property so that it would be site ready for marketing. The budget amendment allocates the receipt of those funds and the corresponding use of those funds to do the stump removal and land clearing to make the site "pad ready" for economic development purposes. This amount would only be enough to clear approximately 27 of the 42 acres. If the entire site is cleared, there would need to be an additional \$40,925.00 taken from General Fund-Fund Balance to complete the project at this time. consideration.

Following discussion, Councilmember Garby moved to approve Ordinance No. O-2019-25 amending FY 19-20 Budget Appropriations Ordinance (Ordinance No. O-2019-17) which increases Misc. Revenue (Timber Sale) (10-433500) by \$74,575.00 and Fund Balance Appropriated (10-439900) by \$40,925.00. The motion was seconded by Councilmember Williamson, and the vote was as follows:

Ayes: Garby, Williamson, Adams, Evans, Leak
Nays: None
(Ordinance No. O-2019-25 on file in city clerk's office)

UPDATE ON COUNTY WATER SYSTEM

The City Manager explained that staff was asking for consensus of Council to move forward with hiring a contractor to perform the required testing for the County Water System in order to remove Mr. Stacey McQuage, Public Utilities Director, as Operator in Charge of the County Water System. Staff work obtaining costs for this contracted service. The City would pay the contractor and then be reimbursed by Scotland County.

Following discussion, it was consensus of Council for staff to proceed with obtaining a contractor to conduct the required testing of the County Water System, for the cost to be billed to Scotland County, and to name the contractor as the Operator in Charge of the County Water System.

MAYOR'S REPORTS/ITEMS

UPDATE ON WATER/SEWER CAPITAL PROJECTS

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The City Manager explained that Mayor Block had requested an update on the Water/Sewer Capital Projects created in April, 2019. \$3.5 million was set aside for five (5) to six (6) projects in the Water/Sewer Fund. In July 2019, Requests for Proposals (RFPs) went out for design and development of the projects. Seven (7) proposals were received, and after evaluation, Willis Engineering was selected to for the design and development of the projects. Staff has been negotiating the contract with the final contract being received earlier in the day for review and approval by staff and the City Attorney.

SECOND STREET SAFETY CONCERNS

Mayor Block requested that this item be postponed until the November 2019 meeting.

COMMENTS FROM MAYOR AND/OR COUNCILMEMBERS

There were no comments by Mayor Block or any Councilmembers.

ADJOURN

Motion was made by Williamson, seconded by Councilmember Garby, and unanimously carried to adjourn the meeting. The meeting adjourned at 8:16 p.m.

James T. Willis, Mayor

Jennifer A. Tippett, City Clerk