

**CITY OF LAURINBURG
CITY COUNCIL MEETING
JUNE 16, 2020
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, June 16, 2020 in the Council Chambers of the City Hall and Police Department at 7:00 p.m. with the Honorable James T. Willis, Mayor, presiding. The following Councilmembers were physically present: Mary Jo Adams, Mary Evans, James J. Garby, Jr., Donald Rainer, 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 (via teleconference). Police Chief Darwin Williams was also present.

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

Councilmember Evans gave the Invocation and then led the Pledge of Allegiance.

APPROVAL OF AGENDA

Councilmember Evans suggested that the discussion concerning allowing chickens in the City limits be put off until another time since there were some important items such as the budget on the agenda.

Councilmember Adams explained that she would like to add an item to the agenda. She added that she attended the Black Lives Matter event this past Sunday which featured a discussion between the Laurinburg Police Chief Darwin Williams, the Scotland County Sheriff Ralph Kersey, and retired Police Chief Robert Malloy. She requested that Police Chief Williams to review some of the information discussed at the event.

Councilmember Adams moved to amend the agenda to add Police Chief Darwin Williams to the agenda prior to the Public Comment Period to discuss practices in the Police Department. The motion as seconded by Councilmember Williamson, and the vote was as follows:

Ayes: Adams, Garby, Williamson, Evans, Rainer

Nays: None

Councilmember Evans moved to remove from the agenda Item 6 Discussion and Direction on Amendment to City Code to Allow Chickens in the City limits and to place on the following month's agenda. There being no second to the motion, the motion died for lack of a second.

Motion was made by Councilmember Adams to approve the agenda as amended. The motion was seconded by Councilmember Williamson, and the vote was as follows:

Ayes: Adams, Williamson, Evans, Rainer, Garby

Nays: None

POLICE CHIEF WILLIAMS

Mayor Willis thanked Police Chief Williams for attending the Black Lives Matter event on Sunday, June 14, 2020, and that the Chief and others provided great information. He added that he had faith in the Police Chief and the Police Department.

Police Chief Darwin “Duke” Williams explained that as he discussed on Sunday at the Black Lives Matter event, he has seen good times and bad times in Laurinburg. He added that in hiring for the police department, he ensures that Laurinburg and Scotland County are well represented. Police officers should not be judged by the actions of one (1) officer in Minneapolis.

PUBLIC COMMENT PERIOD

The City Clerk read aloud the following comments submitted to her via email.

**“Michael Edds
1207 Blue Drive
Laurinburg, NC
910-544-9117**

I understand that the City Council is discussing whether to allow chickens in the city limits or not. If Laurinburg was a small farming village, that would be understandable. However, Laurinburg is not a farm village but is the seat of government for Scotland County. I am opposed to allowing chickens within the city limits. I am amazed that chickens have a higher priority over human lives. People are being murdered, shot and assaulted in at an astonishing rate yet the council has taken no action. Youth need a community center instead of gangs recruiting them. Jobs are needed, abandoned buildings need removal and trash is everywhere. Streets still flood and the city infrastructure is in need of repair. These urgent issues have a far greater priority than chickens in city limits! It is astonishing that you are not addressing these issues. Please do the job you were elected to do.”

“Kenneth Samuda

Raising chickens in the city limits is a bad idea for several reasons.

1. They are noisy and can create problems with your Neighbors.
2. They are nasty they poop everywhere and they need a large area to frolic around in

Third and final reason they draw other pests and other birds that carry disease chicken should only be allowed in the country where they have room to do their business and not be a nuisance to others.

Thank you for allowing me my opinion on this matter.”

**“Rosemary Rainer
906 Isabelle Street
Laurinburg, NC 28352**

My vote is no chicken in city limits”

“Shirley Campbell

No chicken”

CONSENT AGENDA

Mayor Willis reviewed the Consent Agenda:

- a) Consider minutes of May 19, 2020 regular meeting

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

Ayes: Rainer, Adams, Garby, Williamson, Evans

Nays: None

PUBLIC HEARING

Mayor Willis opened the public hearing on the proposed Fiscal Year 2020-2021 budget.

No comments were submitted to the City Clerk for the budget public hearing.

Mayor Willis explained that because of the COVID-19 pandemic, the normal budget process could not be followed this year as there were no budget workshops. He applauded the City Manager and staff for getting the budget to this point.

The City Manager explained that there would be three (3) separate items for consideration, and which would vote on each item separately.

CONSIDER CAPITAL IMPROVEMENT PLAN

The City Manager explained that the first Capital Improvement Plan (CIP) was prepared with the assistance of some MBA students from St. Andrews, and the City has updated it every year since that time, and helps the City plan for future capital needs. The CIP is a five (5) year plan for purchasing capital assets which cost more than \$5,000.00 and last more than one (1) year. As

items are purchased, they are removed from the CIP, and new ones are added. An adopted CIP helps the City when pursuing grants. Although the Fiscal Year 2020-2021 budget includes no capital expenditures, staff was requesting that Council approve the CIP.

CONSIDER FISCAL YEAR 2020-2021 FEE SCHEDULE

The City Manager explained that the only changes to the Fee Schedule are to include the permit fee for food trucks and to add the fee for standard site plan renewal.

FISCAL YEAR 2020-2021 BUDGET

The City Manager explained that Fiscal Year 2020-2021 Budget runs from July 1, 2020 to June 30, 2021. Ordinarily Council would have had budget meetings in order to discuss in detail the budget; however because of COVID-19, there were no budget meetings this year. He discussed the potential revenue shortfalls including loss of sales tax revenue that will hit the General Fund, and decrease in utility revenue collections would hit the Electric Fund and the Water/Sewer Fund due to the Governor's Executive Orders.

The City Manager reviewed the following concerning the Fiscal Year 2020-2021 Budget:

- The budget is operationally flat from the previous year.
- Capital items were removed except from all four (4) Funds with the exception of the six (6) projects in the Water/Sewer Fund which were part of the Water/Sewer Fund Capital Project Council approved last year, and the second electric substation completion.
- Includes a two percent (2%) Cost of Living Adjustment for employees.
- Health insurance was not changed and the renewal premium included a five and nine-tenths percent (5.9%) increase.
- Last year the total approved budget for all funds was just over \$37.5 million. The budget presented this year is just barely over \$33 million for all four (4) funds.
- Approximately \$4.5 million in capital was removed from the budget.
- Hopefully once staff has a good understanding of utility collections in September or October Council could meet and begin talking about adding items into the budget.
- Also waiting for FEMA funding and funding from other federal and state agencies is slow, so staff wanted to ensure that the budget protected the City.

Upon question by Councilmember Williamson, the City Manager explained that in the General Fund, public safety is a priority. Although equipment was removed from the Police Department, the tsunami cameras were left in the budget because they are so valuable. There is a final payment on a fire truck included. Three (3) police vehicles were budgeted for the current fiscal year, but because the manufacturers shut down due to COVID-19, the vehicles will not be received by June 30, 2020, so those vehicles will be received and paid for in FY 2020-2021. Funding was left for Tis the Season, the Laurinburg/Scotland County Area Chamber of Commerce, the Scotland County Humane Society, downtown revitalization and the Scotland County Arts Council.

In the Electric Fund, the capital included in the budget is completion of the electric substation and the necessary recircuiting which was a planned \$700,000.00 expenditure. New construction projects include lighting for the new school, expansion at the Economic Development Site and the potential North Fire Station.

In the Water/Sewer Fund, Council set aside \$3.5 million in a Capital Project Fund for six (6) projects. That work is continuing and when additional funds are needed, staff will come back and request an amendment to the Capital Project Fund.

In the Solid Waste Fund, a final payment for a leaf truck is included, payment on an automatic side-loader and the typical purchase of dumpsters and carts are included. The Solid Waste Fund is self-sufficient.

Upon question by Councilmember Evans, the City Manager explained that the new school property was annexed into the City, and has electric and water/sewer service from the City connected for which the Scotland County School System has been purchasing.

Mayor Willis closed the public hearing on the FY 2020-2021 Budget.

Councilmember Williamson moved to approve the 2021-2025 Capital Improvement Plan. The motion was seconded by Councilmember Adams, and the vote was as follows:

Ayes: Williamson, Adams, Garby, Rainer, Evans
Nays: None

Councilmember Evans moved to approve the Fiscal Year 2020-2021 Fee Schedule. The motion was seconded by Councilmember Garby, and the vote was as follows:

Ayes: Evans, Garby, Rainer, Adams, Williamson
Nays: None

Councilmember Adams moved to approve Ordinance No. O-2020-04 Budget Appropriations Ordinance for Fiscal Year 2020-2021. Councilmember Garby seconded the motion, and the vote was as follows:

Ayes: Adams, Garby, Williamson, Rainer
Nays: Evans
(Ordinance No. O-2020-04 on file in city clerk's office)

CITY MANAGER REPORTS

DISCUSSION AND DIRECTION ON AMENDMENT TO CITY CODE TO ALLOW CHICKENS IN THE CITY LIMITS

The City Manager explained that staff had updated information concerning amending the City Code to allow chickens in the City limits based on Council's direction from the May 19,

2020 meeting and included a permit fee. In order to draft the ordinance, staff needs specific direction on items to include in the ordinance.

The City Attorney explained that in some neighborhoods within the City limits, restrictive covenants for a neighborhood could prohibit chickens even if the ordinance allowing chickens in the City limits is approved.

Councilmember Adams moved for staff to draft an ordinance to allow chickens in the City limits based on the considerations suggested by the Planning Department as listed below:

- Limit raising chickens to single or two family residences and school property for educational purposes.
- Number of chickens allowed – Maximum of 5.
- NO ROOSTERS ALLOWED.
- Must be confined to a coop in the **BACK YARD** of the residence with a minimum of 3 square feet per bird. An outside run no larger than 8 feet by 8 feet, connected to the coop is allowed.
- All structures associated with the chickens must be 20 feet from the property line and must be constructed of materials that are suitable for exposure to moisture without deterioration (i.e., pressure treated lumber, vinyl siding, asphalt shingle or metal roofing, and galvanized or vinyl mesh fencing).
- All waste materials (feed, manure, and litter) will be disposed of either by composting or bagging and put in trash. Piling waste on the property is not acceptable and will be considered a nuisance violation.
- The area around the coop must be kept clean and weed free to control rodents. All feed supplies must be stored in rodent-proof containers. Waste eggs or dead birds must be disposed of promptly.
- Chickens must be fed and watered on a daily basis.
- Sale of eggs is not allowed, keeping hens is for personal use not for running a business.
- No slaughtering of chickens will be allowed within the city limits in areas that may be seen from public streets or adjacent properties.
- A zoning permit prior to construction must be obtained.
- The cost of the permit is suggested at \$20.00.
- An application for owning chickens must be submitted.

Councilmember Williamson seconded the motion and added that he usually does not receive many emails or calls about an issue; however, he received a lot of calls and emails from citizens in favor of allowing chickens. He added that if the ordinance is approved, the restrictions need to be publicized so that citizens will realize that the restrictions are severe and should discourage someone from not obeying the restrictions.

Councilmember Adams explained that she had heard from one (1) citizen not in favor of chickens in the City limits and five (5) or six (6) citizens in favor.

Councilmember Garby explained that he was fine with the zoning permit for the chicken coop; however, he expressed concern about the proposed permit fee of \$20.00. He suggested

that the fee should be based on a per-chicken fee similar to what residents pay for dog and cat permits.

A brief discussion ensued concerning the hours of operation of Animal Control.

The City Manager explained that staff did not want to make the fee so high that no one would want to obtain a permit. He added that some citizens might have chickens without obtaining a permit first.

Further discussion ensued concerning Animal Control hours of operation.

Upon question by Councilmember Williamson, Councilmember Garby suggested a fee of between \$40.00 to \$50.00.

Councilmember Adams amended the motion to include that the permit fee for the chickens would be either \$40.00 or \$50.00.

Mayor Willis requested the vote on the amended motion, with the results as follows:

Ayes: Adams, Williamson, Garby

Nays: Rainer, Evans

CONSIDER ORDINANCE NO. O-2020-05 AMENDING CITY CODE TO ALLOW FOOD TRUCKS

The City Manager explained that this ordinance amends the City Code to allow food trucks in the Central Business District. This ordinance does not change how food trucks are permitted in other zoning districts.

Councilmember Rainer moved to adopt Ordinance No. O-2020-05 amending Chapter 8 Businesses, Article III. Itinerant Merchants, Peddlers, or Vendors of the Code of the City of Laurinburg to allow food trucks. The motion was seconded by Councilmember Williamson, and the vote was as follows:

Ayes: Rainer, Williamson, Evans, Adams, Garby

Nays: None

(Ordinance No. O-2020-05 on file in city clerk's office)

LAURINBURG MAXTON AIRPORT BUDGET

The City Manager explained that every year the Laurinburg-Maxton Airport Commission must present its budget to the Laurinburg City Council and the Maxton Town Commissioners for approval. He added that the budget includes no funding from the City or from the Town of Maxton.

Councilmember Adams explained that the approved Laurinburg-Maxton Airport Commission

(LMAC) budget totaled \$1,524,600.00. The airport is self-sufficient and receives grant money from the North Carolina Department of Transportation-Aviation Division and infrastructure grants for water and wastewater projects. Projects on the horizon include a new fuel farm (\$1.5 million) if the grant is awarded. Other projects include apron rehabilitation, hangar development, fencing around the perimeter of the airport, new terminal building and other hangar developments.

Councilmember Williamson moved to approve the Fiscal Year 2020-2021 Budget. Councilmember Adams seconded the motion and the vote was as follows:

Ayes: Williamson, Adams, Garby, Rainer, Evans

Nays: None

AUDIT CONTRACT WITH ROCHE, HEAD AND ASSOCIATES

The City Manager explained that Council must approve the annual audit contract with Roche Head & Associated. The maximum amount for the contract is \$37,900.00.

Councilmember Evans moved to authorize the Mayor to execute the Contract to Audit Accounts with Roche, Head and Associates, PLLC and authorize the Mayor and City Manager to execute the Engagement Letter with Roche, Head and Associates, PLLC for audit of the City's fiscal records ending June 30, 2020. Councilmember Rainer seconded the motion and the vote was as follows:

Ayes: Evans, Rainer, Garby, Adams, Williamson

Nays: None

CONSIDER BUDGET AMENDMENT TO FY 2019-2020 BUDGET

The City Manager explained that at the end of every fiscal year, expenditures that have been charged to line items in Non-Department must be allocated among all the departments in the General Fund. There is no financial impact as the funds have already been expended.

Councilmember Adams moved to approve Ordinance No. O-2020-06 amending the Fiscal Year 2019-2020 Budget Appropriations Ordinance (Ordinance No. O-2019-17) to reallocate Non-Department Budgets to other Department Budgets within the General Fund. The motion was seconded by Councilmember Rainer, and the vote was as follows:

Ayes: Adams, Rainer, Williamson, Evans, Garby

Nays: None

(Ordinance No. O-2020-06 on file in city clerk's office)

CONSIDER REQUEST TO PAVE CROSSWALK ON WEST COVINGTON STREET FOR RICHMOND COMMUNITY COLLEGE

The City Manager explained Richmond Community College (RCC) has full campus

designation in Scotland County, and will be moving some operations into the former Covington Street School. A request was submitted to change the location of the existing crosswalk in order to align better with the Honeycutt Center. RCC will pay for the curbing and sidewalks.

Councilmember Evans moved to approve the request to pave crosswalk on West Covington Street for Richmond Community College. The motion was seconded by Councilmember Williamson, and the vote was as follows:

Ayes: Evans, Williamson, Garby, Adams, Rainer

Nays: None

INFORMATION FROM SCOTLAND COMMUNITY HEALTH CLINIC

The City Clerk read the following information submitted by Mr. Andy Kurtzman regarding the Scotland Community Health Clinic:

“Scotland Community Health Clinic - a non-profit free clinic in Laurinburg since 2007 is a valuable resource to Scotland County. It provides primary medical care and chronic care management for the community’s uninsured and underserved without cost to the patient. This would also include those who might have lost insurance due to job loss during the pandemic.

What we do: SCHC provides over \$2.1M value of donated medicine to its patients, free medical supplies for diabetes testing and management, care for hypertension, COPD, and high cholesterol, free flu immunizations, retinal image screens for diabetic retinopathy, specialty care referrals and connection to non-medical resources to improve our patients’ quality of life.

Concerns:

We are concerned about the decline of our active patient census over the past 5 years and want those who might be eligible for care to know we are available to serve them and to invite them to pick up an eligibility form, and return it so we can get them scheduled for an appointment. We’re located in the trailer next to the health department on West Blvd. Without patients we cannot justify to grant funders the need for our services.

We are concerned about having limited providers to care for our patients. Right now we have 1 part time paid Nurse Practitioner twice a week and 1 volunteer Nurse Practitioner for 8 hours a month. We schedule patients by appointment only. With more providers we could possibly have a walk in clinic. We invite the interest of NC licensed volunteer providers for more clinic hours, and staff who can assist them clinically and administratively.

We are concerned that we have lost 2 major grants in the past 2 years that have helped sustain our staffing, supplies, and some of our overhead, and are therefore

facing a tough year ahead until we can apply for the next cycle of State Community Health Grants. Consequently we will reduce our clinic hours to one day a week. Without a financial turnaround this valuable community resources could close. This would be a significant loss to the vulnerable patients who need our services. SCHC is looking for ways to sustain itself through collaboration with other entities in the county. We have services that can be of value to them. But, we need help.

In summary, if you or someone you know is eligible for care- become a patient and get the care you need; if you have clinical skills - call us to volunteer; if you can help sustain us - donate.

If we can help address your needs let's have a discussion. Keep this valuable resource alive for Scotland County. Thank you.

Andrew Kurtzman, Executive Director
(910) 276-9912
schc@schclinic.org
fb: Scotland Community Health Clinic”

APPOINTMENTS

LAURINBURG-MAXTON AIRPORT COMMISSION

Councilmember Adams explained that the North Carolina Senate has voted to make changes to the membership of the Laurinburg-Maxton Airport Commission (LMAC) and to change the name of the commission to Southeastern Regional Airport Authority. The changes to the membership will become effective on January 1, 2021; therefore the appointment being considered would only be until December 31, 2020. The membership on LMAC will change to three (3) members from the City of Laurinburg appointed by the Mayor, three (3) members from the Town of Maxton appointed by the Mayor, and one (1) member from Scotland County appointed by the Chairman of the Scotland County Commissioners. The Executive Director of the Scotland County Economic Development Corporation will be an ex-officio member.

Councilmember Williamson moved to reappoint Councilmember Mary Jo Adams to the Laurinburg-Maxton Airport Commission until December 31, 2020. The motion was seconded by Councilmember Rainer, and the vote was as follows:

Ayes: Williamson, Rainer, Evans, Garby, Adams

Nays: None

BEAUTIFICATION COMMITTEE

City Manager explained that all terms on the Beautification Committee expire June 30, 2020. Staff contacted all members and they all would like to continue serving.

Councilmember Evans moved to reappoint the following to the Beautification Committee: Sandy Skamperle, Lynne Mabry, Terri Purcell, William Tyson, Corey Hughes, Chris English, Sonya Jones and Janice Creed. The motion was seconded by Councilmember Rainer, and the vote was as follows:

Ayes: Evans, Rainer, Adams, Williamson, Garby

Nays: None

LAURINBURG HOUSING AUTHORITY

Mayor Willis explained that he had appointed Mr. Michael Fedak to serve the unexpired term of Mr. Chip Shytle on the Laurinburg Housing Authority. Mr. Fedak was given the oath of office on Monday, June 8, 2020.

MAYOR/COUNCIL COMMENTS

Councilmember Adams commented about the Black Lives Matter event held this past Sunday and the peaceful protest. The event was well attended and she was proud of the community. She mentioned the event being held Friday, June 19, 2020 at the Highlands for youth and law enforcement.

Councilmember Evans expressed concern about the Confederate Soldiers Monument located at the Scotland County Courthouse. She asked if the City could be involved in removal of the statue. She discussed the controversy and removal of such statues in cities across the country.

Following discussion, the City Attorney clarified that the Mayor or any Councilmember could voice their concern at a Scotland County Commissioners meeting as long as they did not claim to be representing the City Council unless Council had designated the member to speak on behalf of the Council. Scotland County would need to research the legalities of moving the statue.

Discussion ensued concerning the manner for Council to express its concern about the statue.

The City Attorney cautioned Council on taking action on a matter that was not on the agenda but was brought up during the Mayor/Councilmember Comment Period.

The City Attorney suggested that if a Councilmember spoke at a Scotland County Commissioner meeting about the Confederate Soldiers Monument the item could be placed on the next agenda for the Councilmember to report.

Mayor Willis explained that when he was running for Mayor, he had an idea to erect a memorial or statute to the McDuffies who founded Laurinburg Institute, and that he felt the appropriate place would be the City lot. He commented on the mural in Hamlet of John Coltrane.

Councilmember Garby explained that he was interested in doing things like that such as a mural.

The City Manager explained that the idea of a mural was planned to be presented during the budget, but since staff presented a flat budget with just a few capital items included.

Councilmember Rainer discussed the June 9, 2020 virtual meeting of the Parks and Recreation Advisory Committee. He discussed the recreation center being considered for Laurel Hill, and that with Laurinburg being much larger than Laurel Hill and Wagram that a recreation center needed to be built in Laurinburg. He then discussed the failed referendum for the sales tax increase.

Councilmember Garby discussed the sales tax referendum. He clarified that the proposal was for a one-quarter percent sales tax increase. He stated that North Laurinburg School was up for sale currently, and inquired if the school property had been offered to the City.

The City Manager explained that he did not know that the school was being sold.

Councilmember Williamson explained that the Laurel Hill recreation center was going to be bigger than he imagined.

Discussion ensued concerning the recreation center that was discussed in the previous year. The City Manager explained as soon as possible, Mr. Bryan Graham, Scotland County Parks and Recreation Director, would come present an update to Council on a recreation center for Laurinburg.

Further discussion ensued concerning the idea of a recreation center in Laurinburg and the long-range plans.

CLOSED SESSION

At 8:35 p.m., motion was made by Councilmember Rainer to go into closed session pursuant to NC General Statute 143-318.11(a)(6) for personnel. The motion was seconded by Councilmember Evans, and the vote was as follows:

Ayes: Rainer, Evans, Williamson, Adams, Garby.

Nays: None

At 8:59 p.m., motion was made by Councilmember Evans to adjourn the closed session and resume the regular meeting. The motion was seconded by Councilmember Rainer, and the vote was as follows:

Ayes: Evans, Rainer, Adams, Garby, Williamson

Nays: None

SETTING CITY MANAGER'S SALARY

Councilmember Williamson moved to increase the City Manager's salary to \$129,313.00 beginning on July 1, 2020 with the possibility of revisiting compensation when the financial

situation becomes clearer. The motion was seconded by Councilmember Garby, and the vote was as follows:

Ayes: Williamson, Garby, Rainer, Adams, Evans
Nays: None

ADJOURN

Motion was made by Councilmember Williamson, seconded by Councilmember Rainer to adjourn the meeting. The vote was as follows:

Ayes: Williamson, Rainer, Evans, Adams, Garby
Nays: None

The meeting adjourned at 9:02 p.m.

James T. Willis, Mayor

Jennifer A. Tippett, City Clerk