

**CITY OF LAURINBURG
CITY COUNCIL MEETING
JULY 21, 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, July 21, 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).

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

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

APPROVAL OF AGENDA

Motion was made by Councilmember Rainer to approve the agenda. The motion was seconded by Councilmember Garby, and the vote was as follows:

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

PUBLIC COMMENT PERIOD

No public comments were submitted.

CONSENT AGENDA

Mayor Willis reviewed the Consent Agenda:

- a) Consider minutes of June 16, 2020 regular meeting
- b) Consider Semi-Annual Surplus Report

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

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

CITY MANAGER REPORTS

CONSIDER ORDINANCE AMENDING CHAPTER 4, ANIMALS OF THE CITY CODE

The City Manager explained that staff had prepared ordinance amending the City Code to allow chickens in the City limits based on Council's previous discussions and direction.

Councilmember Adams moved to approve Ordinance No. O-2020-07 amending Chapter 4 Animals, Article I. In General, Sec. 4-9 Keeping Swine, Goats, Chickens or Domesticated Ducks, and Sec. 4-10. Keeping Fowl, of the Code of the City of Laurinburg. The motion was seconded by Councilmember Garby, and the vote was as follows:

Ayes: Adams, Garby, Rainer, Williamson

Nays: Evans

(Ordinance No. O-2020-07 on file in city clerk's office)

CONSIDER AMENDMENT TO THE FISCAL YEAR 2020-2021 FEE SCHEDULE

The City Manager explained that the Fiscal Year 2020-2021 Fee Schedule needed to be amended to include the fee for owning chickens, Chicken Ownership Fee.

Councilmember Williamson moved to amend the FY 2020-2021 Fee Schedule to add Chicken Ownership Fee. The motion was seconded by Councilmember Garby, and the vote was as follows:

Ayes: Williamson, Garby, Rainer, Adams

Nays: Evans

REPORT ON JULY 6, 2020 COMMENTS CONCERNING CONFEDERATE SOLDIERS MONUMENT

Councilmember Evans explained that the Scotland County Board of Commissioners were very receptive to her request to remove the Confederate Soldiers Monument. She added that she spoke as an individual and not as a representative of Council. She thanked Mayor Willis for sending a letter to Chairman Bob Davis. She explained that the County Attorney was asked to research the matter.

CONSIDER REQUEST FOR KEY TO THE CITY

The City Manager explained that Ms. Valerie Sinclair, on behalf of Alpha Alpha Phi Zeta Sorority, requested that the sorority be presented a Key to the City. The sorority has done a lot of work in the City.

Mayor Willis explained that he presented a proclamation to Alpha Alpha Phi Zeta Sorority at Market Park on Sunday, July 19, 2020. Councilmembers Rainer, Evans and Adams attended

the event. They sorority installed several benches and a garden in Market Park.

Following discussion, Councilmember Evans moved to direct the City Clerk to draft resolution awarding Key to the City to Alpha Alpha Phi Zeta Sorority. The motion was seconded by Councilmember Garby, and the vote was as follows:

Ayes: Evans, Garby, Rainer, Adams, Williamson

Nays: None

CONSIDER AMENDING FISCAL YEAR 2020-2021 BUDGET APPROPRIATION ORDINANCE

The City Manager explained that in Fiscal Year 2019-2021 budget, five (5) police vehicles were budgeted, with only one (1) having been received. The Police Department is requesting to purchase and equip four (4) police vehicles. The vehicles were originally approved/encumbered in FY20; however, due to COVID-19 and plant shutdowns, the vehicles could not be received as of June 30, 2020. Prior to FY 21 budget approval, it was expected that one (1) of the vehicles would be received before year end, so the FY 21 budget only includes the amount to purchase the three (3) that were expected to be delayed. Since all four (4) were not received in time, the FY 21 budget needs to be increased to cover the additional vehicle. Each vehicle with equipment is budgeted at \$39,000 each.

Councilmember Evans moved to approve Ordinance No. O-2020-08 amending Fiscal Year 2020-2021 Budget Appropriations Ordinance (Ordinance No. O-2020-04) by allocating \$39,000.00 as increase to General Fund-Fund Balance and allocating \$39,000.00 to General Fund-Police Department Equipment Replacement for One (1) additional police vehicle. Councilmember Garby seconded by motion, and the vote was as follows:

Ayes: Evans, Garby, Williamson, Rainer, Adams

Nays: None

(Ordinance No. O-2020-08 on file in city clerk's office)

CONSIDER AUTHORIZING MAYOR TO EXECUTE ORDER TO COLLECT TAXES

The City Manager explained that every year the Mayor must execute an Order to Collect Taxes in order for the City Tax Collector to collect taxes.

Councilmember Adams moved to authorize the Mayor to execute the Order to Collect Taxes. The motion was seconded by Councilmember Rainer, and the vote was as follows:

Ayes: Garby, Rainer, Williamson, Adams, Evans

Nays: None

DISCUSSION OF I. ELLIS JOHNSON SCHOOL FUTURE

The City Manager explained that there had been discussion between the Mayor, several Councilmembers, several County Commissioners, and School Board members concerning the future of I. Ellis Johnson School. Councilmember Garby requested that this item be on the agenda.

Councilmember Rainer explained that he and others had met and toured I. Ellis Johnson School to discuss the possibility of the City, Scotland County Commissioners and Scotland County School Board working together to utilize I. Ellis Johnson School. The idea was that the County would own the school property with the City paying some of the salary costs for up to two (2) employees to operate the gym. The Scotland County School Board would participate by bringing in those with educational backgrounds to have different events at the facility.

A lengthy discussion ensued concerning the possible use of I. Ellis Johnson School and possible partnership between the City, Scotland County and the Scotland County School System. Highlights of the discussion included the following:

- In addition to using the gym for a recreation center, it was also discussed during the visit that the Scotland County Health Department and the Scotland County Social Services Department could be located at the site. Also part of the building could be used for incubator sites.
- It was suggested that the City could partner with the School System and Scotland County in order to demolish the two (2) outbuildings on the property.
- A possible Memorandum of Understanding (MOU) similar to the MOU between the City and Scotland County concerning the 911 Emergency Operations Center to transition the salaries of the City's dispatchers.
- Possible non-profits obtaining grants and utilizing the facility.
- The County's primary need to operate a recreation center at the site would be for staffing.

Councilmember Williamson explained that this was an important process and encouraged continued participation in discussion. He suggested all of Council touring the school facilities.

Mayor Willis explained that the next big step would be the County and the School Board discussing and participating. It would be a big undertaking. He added that he was hearing Council say that it was willing to partner to explore possibilities.

Councilmember Adams expressed concern about the condition of the facilities at I. Ellis Johnson School due to its age and issues with technology. She explained that she supported the idea of partnering with the Scotland County Parks and Recreation Department to use the gym and possibly the land behind the school for recreation. The City could partner with the School System and the County to demolish the outbuildings on the property.

Discussion ensued concerning the different facilities at I. Ellis Johnson School.

Councilmember Williamson expressed that he was glad that the City was pursuing the use of I. Ellis Johnson School. He added that the County and the School System needed to be active as well.

It was consensus of Council to continue the discussion with Scotland County and the Scotland County School Board about utilizing I. Ellis Johnson School for a recreation center.

Councilmember Rainer explained that County Commissioner Tim Ivey was polling the County Commissioners and obtaining their input on this matter so that it could be on the County Commissioner's next agenda for discussion.

CONSIDER AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE CONTRACT FOR REQUIRED UPDATES TO THE UNIFIED DEVELOPMENT ORDINANCE

The City Manager explained that because of changes to the North Carolina General Statutes, the City's Unified Development Ordinance (UDO) needed to be updated. Holland Consulting Planners, Inc. has been the City's consultant for the UDO since 2012.

Councilmember Williamson moved to authorize the Mayor and City Clerk to execute Contract for Consulting Services between the City of Laurinburg and Holland Consulting Planners, Inc. for required updates to the Unified Development Ordinance. The motion was seconded by Councilmember Garby, and the vote was as follows:

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

APPOINTMENT

SCOTLAND COUNTY CONFEDERATE MONUMENT COMMITTEE

Councilmember Adams moved to appoint Councilmember Mary Evans to the Scotland County Confederate Monument Committee. The motion was seconded by Councilmember Rainer, and the vote was as follows:

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

MAYOR/COUNCIL COMMENTS

Upon question by Councilmember Garby, the City Manager explained that the budget was approved with virtually no capital projects, and Cape Fear Engineering was to come back with a final presentation of its findings for Council to prioritize and determine what could be fit into the budget. The City has received a grant from the US Department of Agriculture for a watershed grant that will be used for some of the stormwater projects. Staff is working with the City Attorney concerning easements to private property.

Discussion ensued concerning drainage issues in Scotsdale and Westwood Subdivisions. When Cape Fear Engineering first presented to Council, they indicated that an easement for the ditch on Blue Drive existed so some work was done; however, the City Attorney discovered that the plat easement was never accepted by the City. Upon advice by the City Attorney and because of political pressure, the City has continued to maintain the private ditch on Blue Drive. Over the past 12 months, the ditch has been maintained nine (9) times. When storms are approaching, staff checks the storm drains. The problems with the ditch on Blue Drive are that it is on private property, and when there is a lot of rain, the debris and leaves are washed down to the grate thus stopping clogging it.

Upon question by Councilmember Rainer, the City Manager explained that Cape Fear Engineering needs to present its final report and recommendations to Council; however, COVID-19 changed everything. He reminded Council that the budget included almost no capital projects. Following discussion, the City Manager explained that he would get a final PowerPoint with dollar amounts from Cape Fear Engineering and share with Council so that Council could begin reviewing the information.

Upon question by Councilmember Evans, the City Manager explained that because the majority of the property involved in the projects is on private property, there could be costs for the property owners. He discussed the current procedures when the City tiles an exposed ditch whereby the property owner purchases the tile and the City installs. There are property owners who have followed this process for many years. He cautioned Council that there could be backlash from those who paid to have stormwater work completed if Council does not require property owners to share in the costs. The City Attorney has previously cautioned Council about possibly hundreds of plat easements for which citizens could ask the City to take over maintenance, costing the City a lot of money.

Upon question by Councilmember Williamson, the City Manager explained that staff was awaiting Governor Cooper's final decision on not extending Executive Orders 124 and 142 which prohibited disconnections for non-payment of utilities. Staff was working on a press release and methods of informing customers who have delinquent accounts and details of the payment plan.

ADJOURN

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

Ayes: Garby, Rainer, Adams, Evans, Williamson

Nays: None

The meeting adjourned at 7:47 p.m.

James T. Willis, Mayor

Jennifer A. Tippet, City Clerk