CITY OF LUMBERTON

CITY COUNCIL

MINUTES ● AUGUST 7, 2019

Regular Meeting **Council Chambers** **11:00 AM**

500 N Cedar St, Third Floor, Lumberton, NC 28358

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Bruce W. Davis	Mayor	Present	
Leroy Rising	Precinct 1	Present	
Melissa Robinson	Precinct 2	Present	
John R. Carroll	Precinct 3	Present	
Karen Higley	Precinct 4	Present	
John Cantey	Mayor Pro Tem	Present	
Chris Howard	Precinct 6	Present	
Eric Chavis	Precinct 7	Present	
Owen Thomas	Precinct 8	Present	
Wayne Horne	City Manager	Present	
Holt Moore	City Attorney	Present	
Laney Mitchell-McIntosh	City Clerk	Present	

B. Invocation: City Attorney Moore –

C. Pledge of Allegiance: Led by City Attorney Moore –

II. OATH OF OFFICE - COUNCILWOMAN ELECT - MELISSA ROBINSON

City Clerk Mitchell-McIntosh administered the Oath of Office to Councilwoman-Elect Melissa Robinson.

III. PRIDE IN LUMBERTON AWARDS - WAIVE THE 1ST READING

A. Approve a Pride in Lumberton to Robeson United Basketball Team for Outstanding Accomplishments and Designate $200.00 of Community Revitalization Funds in Support of their Banquet held on August 16th, 2019 – John Cantey, Precinct 5
Councilman Cantey wishes to designate $200.00 of CRF to Robeson United Basketball Team. He would also like to honor them a Pride in Lumberton Award for their outstanding accomplishments as a team of 7th graders through seniors in high school throughout the county with the exception of Red Springs. Please see the attached list of accomplishments. Councilman Cantey would like to give them $200.00 to assist them with their banquet on August 16, 2019, at Pinecrest Country Club.
Designate $200.00 of CRF to the Robeson United Basketball Team and honor them with a Pride in Lumberton.

The Robeson United Basketball Team was presented with a Pride in Lumberton Award for their outstanding season accomplishments.

Community Revitalization Funds were designated as follows:

Pl $100.00 P2 - $100.00 P3 - $100.00 P4 - $100.00 P5 - $200.00 P6 - $150.00 P7 - $100.00 P8 - $100.00 and from the Mayor's Discretionary Fund $100.00 for a total of $1,050.00.

School Board member John Campbell appeared before Council and stated that he is honored to be here on this historic occasion as Councilwoman Robinson is the first black female to hold this officer. He stated that he is so proud of the young men on this basketball team. He also thanked Council for affording the Public School Board a place to meet for the last 2 years and hope that the relationship continues.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

B. Approval of a Pride in Lumberton Award for Ms. Gail McLean for her Service with the Robeson County Public Library – Owen Thomas, Precinct 8
Councilman Thomas would like to present Ms. Gail McLean with a Pride in Lumberton Award for her service as a member of the Robeson County Public Library Board.
Honor Ms. McLean with a Pride in Lumberton Award.

Gail was originally appointed to the Board in 1985. According to the previous library director's report and board minutes, the Lumberton City Council, upon the motion of Councilman Glenn Maynor, appointed Gail to serve the unfinished term of Wyman Scarborough. She was welcomed to her first board meeting on September 18, 1985 by Chairman Paul Graham.
Gail served on the Robeson County Public Library Music Committee.
Gail served on the Children's Library Committee from 1995 - 2002. Her dedication and leadership contributed to the renovation of the main library building, and establishment of the current children's library and the Osterneck Auditorium.
Gail has spent many years caring for the World War I Memorial Park beside the library. She can often be seen planting flowers and tending to the plants in the park. She recently [2019] facilitated a repair to the fish pond with funds donated from the Lumberton Garden Council to the Friends of the Library.
Gail was the Chair of the Board of Trustees from 2009 - 2018. During this time, she guided the board through two library renovations [Pembroke & St. Pauls], establishing service with a new affiliated library [Red Springs], changes in library administration, oversaw the library's recovery process following Hurricane Matthew, supported reopening of the Honorable Dexter Brooks Memorial Room in Pembroke, supported policy changes to reduce community barriers to accessing library services, and constantly advocated for increased support and funding for library services to local government entities. It is impossible to list all of the wonderful things Gail has done to support our public libraries over her long service on the board. Her legacy will benefit our community for generations to come.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

IV. PUBLIC COMMENT PERIOD

Bruce Mullis along with Adrian Lowery appeared before Council and gave highlight of the Dixie Youth Baseball Tournament recently held at the Raymond B. Pennington Sports Complex. Mr. Lowery also announced that Lumberton has been selected to host the 2020 Dixie Youth World Series.

V. COMMUNICATIONS

A. General

1. TCS NYC Marathon –

Officer Joseph Frederick appeared before Council and announced that he will be running in the CS NYC Marathon for his sixth consecutive year with a goal of raising at least $3,000.00 for New York Road Runners (NYRR) youth programs by running for Team for Kids. Officer Frederick as if Council would like to donate to this worthwhile charity:

Council donated as follows:
P1 - $50.00
P2 - $100.00
P3 - $50.00
P4 - $100.00
P5 - $150.00
P6 - $50.00
P7 - $100.00
P8 - $50.00

Totaling $650.00 given.

Councilman Cantey made a motion, seconded by Councilman Howard, and it passed unanimously.

RESULT:	**ANNOUNCED**

VI. PUBLIC HEARINGS:

A. Brenda Taylor Phillips Rezoning petition for property located at 3505 Elizabethtown Road – ArTriel Kirchner, Planning Director
Brenda Taylor Phillips has submitted a Rezoning petition for property located at 3505 Elizabethtown Road (parcel #1012-01-013/Deed Book 2183 Page 29). This request is to rezone the property from B-4, business general commercial to M-1, light manufacturing for the operation of a paint and body shop.
This property is located within Area 3 and its recommended future use is medium intensity, as identified in our Land Use Plan. Furthermore, this property is located within Council Precinct #2.
If this rezoning is granted the applicant must obtain a Land Use Permit from the City of Lumberton?s Planning Department.
On July 16, 2019 the Planning Board held the public meeting and recommends that City Council approve the rezoning request.
On July 17, 2019 the Planning Department sent out letters to the adjacent property owners within 150 feet of the petitioned property, notifying them of the rezoning request.

On July 17, 2019 a request was sent to Public Works Department to have a sign placed on the property, notifying the adjacent property owners of the rezoning request, on or before July 26, 2019.
On July 17, 2019 a request was sent to the Robesonian to have the legal ad for this request ran on July 26, 2019 and August 2, 2019.
Recommends that City Council hold the public hearing and approve the rezoning request

Mayor Davis opened the public hearing to consider rezoning property located at 3505 Elizabethtown Road from B-4, Business General Commercial to M-1, Light Manufacturing for the operation of a paint and body shop. City Clerk Mitchell-McIntosh submitted the Affidavit of Publication showing that it was advertised in the Robesonian.

Ms. Brenda Phillips appeared before Council and stated that see would like to see this property rezoned and have already started updating the building.

No one else appeared to speak and the hearing was closed.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Melissa Robinson, Precinct 2
SECONDER:	Leroy Rising, Precinct 1
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

B. Annette Wallwork - Conditional Use Permit petition for property located at 605 N. Elm Street – ArTriel Kirchner, Planning Director
Annette Wallwork has submitted a Conditional Use Permit petition for property located at 605 N. Elm Street (parcel # 323202037/Deed Book 082 Page 43). This request is to allow for the operation of a wine shop for sales and tasting (use #2.112) at this location. This property is zoned B-2 (business community) and this use requires a Conditional Use Permit. This property is located within Area 16 and its recommended future use is downtown district, as identified in our Land Use Plan. Furthermore, this property is located within Council Precinct #6.
If this Conditional Use Permit is granted the applicant must obtain a Land Use Permit from the City of Lumberton?s Planning Department.
On June 18, 2019 the Planning Board held the public meeting and recommends that City Council approve the rezoning request.
On July 17, 2019 the Planning Department sent out letters to the adjacent property owners within 150 feet of the petitioned property, notifying them of the request.
On July 17, 2019 a request was sent to Public Works Department to have a sign placed on the property, notifying the adjacent property owners of the request, on or before July 26, 2019.
On July 17, 2019 a request was sent to the Robesonian to have the legal ad for this request ran on July 26, 2019 and August 2, 2019
Recommends that City Council hold the public hearing and approve the Conditional Use Permit request.

Mayor Davis opened the public hearing to consider the issuance of a Condition Use Permit for property located at 605 N. Elm Street. City Clerk Mitchell-McIntosh submitted the Affidavit of Publication showing that it was advertised in the Robesonian.

Annette Wallwork appeared before Council and stated that she would like to open a wine and beer shop to include an art gallery and that there is an area that we could sponsor events. She stated that the hours of operation would be from 11:00 a.m. to 7:00 p.m. and that the Planning Board granted those hours of 8:00 a.m. to 12:00 a.m. because we intend to have special events. She stated that she is working with the ABC Board and found that the City has a valid Referendum that does not allow the purchase of beer or wine on the premises if you do not meet the requirement of being able to seat 36 people and have a food menu. She stated that they would be able to meet both requirements of 36 people and a menu for food service.

Councilman Cantey addressed concerns about parking and especially on Sunday morning from 8:00 a.m. – 12:00 p.m. and the possibility of beer and wine being sold between these hours. Ms. Wallwork stated that she does not plan to be opened on Sundays or Mondays and that the hours are mainly for classes and if we are having some type of special event.

She stated that there is an alleyway that we will use to park in the back. She stated that she will be leasing parking spaces from Mr. Caton and that 5:00 p.m. would most likely be there busiest time.

Councilman Howard expressed his concerns about opening on Sundays. He stated that he is concerned about the churches. He would not think that this establishment would consider being opened on a Sunday morning. Councilman Howard concerns mentioned sending the application back to the Planning Board for further consideration because of his concerns about the opening on Sundays.

Councilman Rising stated that the application has been to the Planning Board and that they were okay with it and we must think about the timeline and the availability of the building. He stated that it would only enhance downtown and sending it back to the Planning Board would only delay the process.

Councilman Cantey stated that we could approve the application with any stipulations that we would want to place on the property and not waste any more time of this item.

After the discussion, the Conditional Use Permit was approved with the stipulation:

Having heard all the evidence and argument presented at the hearing, the Council finds that the application is complete, that the application complies with all of the applicable requirements of the Lumberton Land Use Ordinance for the development proposed, and that, therefore, the application to make use of the above-described property for the purpose indicated is hereby approved, subject to all applicable provisions of the Lumberton Land Use Ordinance and the following conditions:

(1) The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Council, a copy of which is filed in the Planning and Neighborhood Services Department of the City of Lumberton, North Carolina.

(2) In granting the Conditional Use Permit, the Council has placed the following additional conditions or requirements upon the owner, his successors and assigns in exercising the rights granted herein:

The operating hours are no earlier than 8:00 am to no later than 12:00 am.
Comply with state law regarding liquor sales.

(3) If any of the conditions affixed hereto or any part thereof shall be held invalid or void, this permit shall be void and of no effect.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Chris Howard, Precinct 6
SECONDER:	John R. Carroll, Precinct 3
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

C. Contiguous Annexation Request from James L. Gibson, et.al – ArTriel Kirchner, Planning Director
The Planning & Neighborhood Services Department received an application for a contiguous annexation from James L. Gibson and wife, Oakridge Land Development Co., Stark Investment Properties, LLC & Kyle J. Keating and wife requesting a contiguous annexation of property located in Amberdale Subdivision Section 3 Part 3, lots #46, 62, 63, 64, 71, 72, & 73 (Parcel #'s 1001-02-080.44, 1001-02-080.45, 1001-02-080.46, 1001-02-080.47, 1001-02-080.48, 1001-02-080.49, and 1001-02-080.50).

The property is currently zoned City of Lumberton B-3 (Office Residential) therefore a rezoning is not required.

On July 17, 2019 the Planning Department sent out letters giving notice of the annexation request.
On July 17, 2019 a request was sent to Public Works Department to have a sign placed on the property, notifying the adjacent property owners of the annexation request, on or before July 26, 2019.
On July 17, 2019 a request was sent to the Robesonian to have the legal ad for this request run on July 26, 2019 and August 2, 2019.
Recommend that City Council hold the public hearing and approve the annexation request.

Mayor Davis opened the public hearing to consider rezoning property located at 503 McPhail Road from R-7, Residential Single Family, to B-2, Business Community for the construction of a multifamily development for senior housing. City Clerk Mitchell-McIntosh submitted the Affidavit of Publication showing that it was advertised in the Robesonian.

No one appeared to speak and the hearing was closed.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Leroy Rising, Precinct 1
SECONDER:	John R. Carroll, Precinct 3
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

D. City of Lumberton Rezoning petition for property located at 503 McPhail Road. – ArTriel Kirchner, Planning Director
The Administrative Staff feel it necessary to add some comments on this item, as it is not an ordinary rezoning. This is the parcel which the City purchased on McPhail Road, with Council's approval, for the development, in partnership with the Development Finance Initiative, of a senior housing project. The project was presented at two community watch meetings, with approximately 80 persons attending, in the area surrounding the subject

parcel, and received an overwhelmingly positive response. However, in response to approximately 5-6 speakers who spoke in opposition, the Planning Board, as noted below, recommended denial. The recommendation of denial, was, in part, chosen as an alternative to tabling the item; tabling would have delayed the matter such that it may have not been possible to complete the project within the required timeframe. The Administrative Staff still believe this is a positive project which has much to offer in terms of needed senior housing, to Lumberton. Conceptual pictures of the proposed project are found on the 1st page of the 5th attachment.

Chronologically, Council purchased the property and expressed your conceptual approval of the senior housing project, staff tendered the necessary rezoning application on Council's behalf, and the CPC referred the application to the Planning Board and instructed the Interim Planning Director to set this public hearing.

The rezoning petition is for the property located at 503 McPhail Road (parcel #3240-01-002/Deed Book 2183 Page 295). This request is to rezone the property from R-7, residential single family to B-2, business community for the construction of a multifamily development for senior housing.

This property is located within Area 15 and its recommended future use is medium intensity, as identified in our Land Use Plan. Furthermore, this property is located within Council Precinct #4, and borders on Precinct #3. Presentations were made at community watch meetings in both precincts as noted above.

If this rezoning is granted the applicant must obtain a Land Use Permit from the City of Lumberton's Planning Department.

On July 16, 2019 the Planning Board held the public meeting and ultimately recommended denial based upon the following contentions from those few present who spoke:

1) The roads, drainage, and water is inadequate and will not support the multifamily development.
2) The crime rate is high, concerns regarding safety of the residences.
3) The development will not be in harmony with the neighboring properties.

On July 17, 2019 the Planning Department sent out letters to the adjacent property owners within 150 feet of the petitioned property, notifying them of the rezoning request.

On July 17, 2019 a request was sent to Public Works Department to have a sign placed on the property, notifying the adjacent property owners of the rezoning request, on or before July 26, 2019.

A request was sent to the Robesonian to have the legal ad ran on July 26, 2019 and August 2, 2019.

In this unique situation, the Administrative Staff is asking Council to approve this rezoning despite the recommendation of denial by the Planning Board.

Mayor Davis opened the public hearing to consider rezoning property located at 503 McPhail Road from R-7, Residential Single Family to B-2, Business Community for construction of a multifamily development for senior housing. City Clerk Mitchell-McIntosh submitted the Affidavit of Publication showing that it was advertised in the Robesonian.

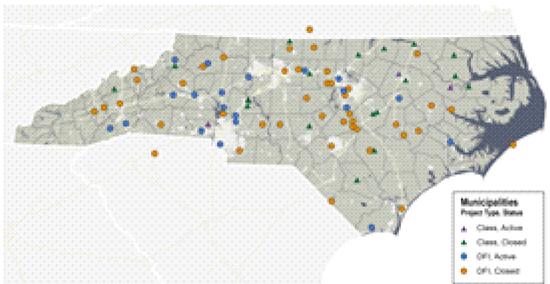
Sarah Odio, Project Manager, DFI, appeared before the Council Policy Committee and gave an overview of the Linwood and McPhail Development Project. She stated that committees all over the State which consisted of:

Agenda

- DFI @ UNC School of Government
- P3s for Housing Project to Date
- Next Steps
- Q&A

dfi

Development Finance Initiative (DFI)



The Development Finance Initiative (DFI) is a program of UNC Chapel Hill's School of Government and advises communities in NC to attract private investment for transformative projects by providing specialized real estate development and finance expertise.

dfi

Public-Private Partnerships (P3s) for Housing

DFI engaged by State to assist with attracting private investment for the development of affordable housing for low- and/or moderate-income households in hurricane-impacted communities, **prioritizing households displaced by Hurricane Matthew.**

P3s for Housing process:

1. Identification of suitable development sites in Hurricane Matthew-impacted communities
2. Development feasibility analysis
3. Solicitation of a private development partner

dfi

P3s for Housing & NCHFA Site Suitability

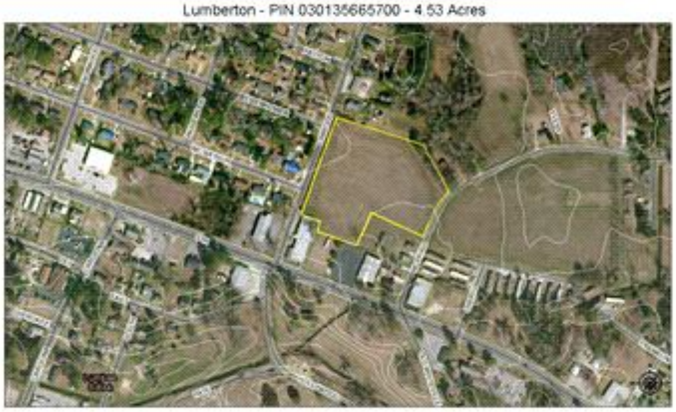
P3s for Housing Requirements

- Outside 100-year and 500-year flood zones
- Large enough for minimum 48 units
- Public ownership or clear path to site control
- Existing connections to public utilities
- Suitable for residential development
- Meets NC Housing Finance Agency (NCHFA) site requirements, including:
  - Access to amenities (grocery, pharmacy, shopping, etc.)
  - Absence of incompatible uses
  - Neighborhood characteristics

dfi

Linwood & McPhail Development Site

Lumberton - PIN 030135665700 - 4.53 Acres



dfi

Key Definitions

Affordable housing is defined by U.S. HUD as housing that costs no more than 30% of a household's monthly gross income, including utilities for renters and property taxes, insurance and utilities for owners.

Area Median Income (AMI) is the median income of all households in Robeson County, calculated by HUD annually using U.S. Census Bureau data.

Segment	HUD Defined
Extremely Low Income	Households with Incomes <30% AMI
Very Low Income Housing	Households with income 30%-50% AMI
Low Income Housing	Households with income 51%-80% (LIHTC at <60%)
Moderate Income (Workforce Housing)	Households with income 81%-120% AMI (this varies by community)

dfi

Robeson County 2019 Income Limits

HUD Area Median Income (AMI) is $43,800 for a family of 4.

Family of 2	30% AMI	60% AMI	80% AMI
Income Limit	$13,250	$26,500	$35,400
Gross Rent	$310	$610	$820
Utilities	$145	$145	$145
Max Rent	**$165**	**$465**	**$665**

dfi

Market Analysis Summary

Prior to Hurricane Matthew:

- An estimated 6,000 renter households earning less than 50% AMI in Robeson County lived in substandard and/or overcrowded housing, and/or were cost-burdened.
- Despite overall decline in population, significant growth in senior population (est. 2,800 individuals) expected over next five years.
- Median household income not expected to increase.

Hurricane Matthew displaced nearly 500 very low-income households → many renter households.

dfi

Linwood & McPhail Development Site

- Targeting elderly households (55+) earning 80% Area Median Income (AMI) or less.
- Accommodate up to 68 apartments – mix of single story and two-story buildings

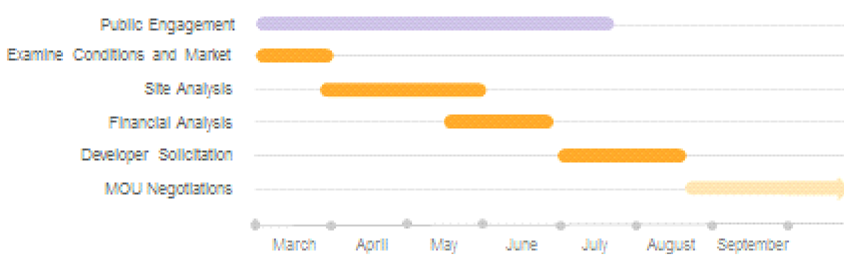
Examples of LIHTC Development in NC

- NCHFA establishes strict design quality standards.
  - High-quality materials and methods used in the construction of all projects financed privately with Low-Income Housing Tax Credits (LIHTC)
- Development must also meet green building standards.
- NCHFA monitors all developments.

Next Steps

- DFI is soliciting a qualified, private development partner (G.S. 157-9).
- City and NCORR will select preferred partner to enter into Memorandum of Understanding (MOU) negotiations.
- Development partner's pre-development process → finalize design and secure project financing (LIHTCs and State funds).

Lumberton Proposed Project Timeline



Note: Timeline subject to change due to market conditions, as well as response during private developer outreach.

As the public hearing ensued; several people spoke in opposition of the project: Linda Baker, 619 McPhail Road, Marcus Bryan, Andre Thompson, Lorie Hoffman; 404 McArthur Street, Alice Faye Evers, and Brenda Johnson; 450 Evers Street, expressed concerns about the safety because of the high crime; squatters, vandalism and prostitution in this area and flooding that apparently nothing can be done about it. They spoke about the gutter and how that gutter caps are broken in half.

Councilwoman Higley addressed their concerns; however, the need for the senior housing units can outweigh the problems because we can address these situations. With that said, Councilwoman Higley made a motion, seconded by Councilman Carroll, approving the rezoning of property located at 503 McPhail Road.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Karen Higley, Precinct 4
SECONDER:	John R. Carroll, Precinct 3
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

VII. MINUTES APPROVAL

A. City Council - Regular Meeting - Jan 14, 2019 6:00 PM –

RESULT:	**ACCEPTED [8 TO 0]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

B. City Council - Regular Meeting - Jun 10, 2019 6:00 PM –

RESULT:	**ACCEPTED [8 TO 0]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

VIII. AGENDA ITEMS

A. Approval of Position Reclassification – Paul Ivey, Fire Chief
Lumberton City Council approved in the 2019-20 budget, an Assistant Chief position over Fire Department Training. The pay for this position was approved at an 18 Pay Grade. The Assistant Chief over Daily Operation is at a 20 Pay Grade and the Assistant Chief position over Logistics is also at a 20 Pay Grade. Lumberton Fire Department has 3 Battalion Chiefs that are at an 18 Pay Grade.

In order to clarify chain of command, properly compensate personnel consistent with responsibilities and work load, I am requesting the following:

1. Change the title of the Assistant Chief (Training) to Battalion Chief (Training) at the same pay grade approved (Grade 18).
2. Change the title of the Assistant Chief (Logistics) to Battalion Chief (Logistics) and change the pay grade from Grade 20 to Grade 18 to match the other Battalion Chiefs.

Lumberton Fire Department recommends City Council approve the following:

1. Change the Assistant Chief (Training) to Battalion Chief (Training)
2. Change the Assistant Chief (Logistics) to Battalion Chief (Logistics)
3. Change the Assistant Chief (Logistics) pay grade from a Grade 20 to Grade 18.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Leroy Rising, Precinct 1
SECONDER:	John Cantey, Mayor Pro Tem
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

B. Approval of Memorandum of Understanding (MOU) with Lumberton Rescue and EMS – Paul Ivey, Fire Chief
Lumberton Fire Department would like to request permission to enter into a Memorandum of Understanding (MOU) agreement with Lumberton Rescue and EMS. The agreement is for the purpose of forming a joint specialized swift water/flood team for disaster relief operations. This agreement would grant Lumberton Fire Department access to specialized swift water/flood equipment and enable Lumberton Fire Department to supplement Lumberton Rescue with additional Swift Water Certified Technician's. Together, this team would be available for deployment by N.C. Emergency Management to Water Emergencies in and outside the State of North Carolina. It would also be available for response to any local water rescue emergencies as requested. The City Attorney has reviewed the MOU and changes requested by him have been made.

Lumberton Fire Department recommends City Council approve the request for Lumberton Fire Department to enter into a Memorandum of Understanding Agreement with Lumberton Rescue and EMS.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John R. Carroll, Precinct 3
SECONDER:	Eric Chavis, Precinct 7
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

C. Russell Kinlaw, Ernest R. Britt, Sr., and Thomas Ray Lee annexation request for property located at 1390 Linkhaw Road – ArTriel Kirchner, Planning Director
The Planning & Neighborhood Services Department received an application for a contiguous annexation from Russell Kinlaw, Ernest R. Britt, Sr., and Thomas Ray Lee for the property located at 1390 Linkhaw Road (parcel #1009-01-00505A/deed Book 2178 Page 751).

The property is currently zoned City of Lumberton B-4 (Business general commercial) therefore a rezoning is not required.

The City Clerk has certified the sufficiency of the petition and the Planning Department recommends City Council set the date of the public hearing for September 9, 2019

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Owen Thomas, Precinct 8
SECONDER:	Eric Chavis, Precinct 7
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

D. Permission to apply for 2019 Bulletproof Vest Partnership Grant – Michael McNeill, Police Chief
Due to bulletproof vests replacement needs, the Lumberton Police Department is requesting permission to apply for Bulletproof Vest Partnership Grant to assist in funding the purchase of sixty (60) vests. The cost for the vests will be approximately $36,000 with a 50% match. It is recommended that the Lumberton Police Department be granted permission to apply for the 2019 Bulletproof Vest Partnership Grant in the amount of $36,000.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Melissa Robinson, Precinct 2
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

E. Authorize the Police Department to Apply for 2019 Edward Byrne JAG Grant in the amount of $32,425. – Michael McNeill, Police Chief

The Lumberton Police Department has received notification of open solicitation for the FY 2019 Edward Byrne Memorial Justice Assistance Grant (JAG) for which our department was allocated $32,425.00.
This is a three-year grant and if awarded, monies will be used to fund training ($9,200), equipment ($14,000) and overtime ($9,225). Training and travel for all police personnel will be funded to enhance, develop, and increase skills of staff to include, records management, patrol officers, special operations, SWAT, administration, and other essential command staff. Overtime operations will include patrol officers, drug enforcement team, interdiction team, detectives, gang officers, hot spot officers and housing officers who will conduct special operations within the city. Monies for equipment will be used to purchase 10 printers and printer mounts to complete the outfitting of patrol vehicles in addition to computers and computer mounts for those vehicles as well.
It is requested that the Lumberton Police Department be granted permission to apply for and submit the Edward Byrne Memorial Justice Assistance Grant.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Karen Higley, Precinct 4
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

F. Selection of Engineer for the Rempac Flood Mitigation Project – Rob Armstrong, Public Works Director
In June, Public Works received one response to the advertised Request for Qualifications related to selecting an engineering firm to design the Rempac Flood Mitigation Project. Catlin Engineers and Scientists submitted the only Qualification Statement. Catlin is the firm that conducted the original hydraulic study that recommended a berm protective system around the facility.
Public Works is recommending that Council award the Engineering services for the Rempac project to Catlin Engineers and Scientists of Wilmington.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

G. Alamo Rear Mowing Deck – Rob Armstrong, Public Works Director
Public Works purchased a new side arm bush hog and tractor late last FY. We have just received this equipment. Our intent was to transfer the old rear mowing deck from the old machine to the new tractor to make a complete mowing set up with the new side arm bush hog and the old rear bush hog. In the weeks of heavy use waiting for the new tractor to come in, the old rear deck is not serviceable. Public Works is requesting Council authorization the purchase a new Alamo rear deck mower from state contract for $8,375 to be paid for out of drainage fund code 10-00-4512-2960.
Public Works is requesting Council authorization the purchase a new Alamo rear deck

mower from state contract for $8,375 to be paid for out of drainage fund code 10-00-4512-2960.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

H. Purchase of Federal Surplus Bulldozer – Rob Armstrong, Public Works Director
Public Works has the opportunity to purchase a federal government surplus 2006 Caterpillar D6N LGP for use at the cities LCID landfill. The current bulldozer used at this site is a 2000 Caterpillar D6N model that is well used and is not ideal for the type of work it's being used for at the LCID site.
This surplus bulldozer is newer, with more features, and lower hours than our current bulldozer.
Public Works is recommending council approve the purchase of the federal surplus caterpillar D6N LGP bulldozer in the amount of $5,000.00 to be paid from operating code 67-00-4710-3520 to the North Carolina Department of Administration Federal Surplus Property Agency.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

I. 90Hp Flyght pump at wastewater treatment plant – Rob Armstrong, Public Works Director
During Hurricane Florence the influent pumps at the wastewater treatment plant were damaged by the surcharge of flood water into the sewer collections system. These are 90HP Flyght pumps. Public works does not have a spare pump to be used in this critical capacity and failure of the pumps is inevitable. *From Legal: This is a sole-source-type item; that is the reason for having only one quote.*
Public Works is recommending council approval of one new 90HP Flyght influent pump from Xylem Water Solutions in the amount of $80,556.20 to be purchased using capital code 60-00-8330-5560.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John R. Carroll, Precinct 3
SECONDER:	Karen Higley, Precinct 4
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

J. Lovette rd and Pines Lift Stations wear parts purchase – Rob Armstrong, Public Works Director
The city of Lumberton operates 48 different lift stations in its sewer collections system.

These stations have pumps and over time the pumps have wear parts that need to be replaced to keep the stations operating. For 2 of those stations, Lovette rd. and Pines, the pumps are to the point that they need maintenance kits in order to maintain operation. This is a single source item in this region.
Public Works is recommending council approval to purchase Impeller and wear ring insert kits for Lovette rd. and Pines lift stations from Xylem Water Solutions in the amount of $31505.89 to be used from the capital code of 60-00-8332-5960 for 2 different line items in the capital operating budget.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Chris Howard, Precinct 6
SECONDER:	John Cantey, Mayor Pro Tem
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

K. Close Out Change Order 2 for 2016 Sewer Rehab Project Contract 2 – Rob Armstrong, Public Works Director
Attached is Final Change Order #2 for Contract 1 of the 2016 Lambeth Street Sewer Rehab Project with Prism Contractors. The Change Order is a deduction of $84,677.45 bringing the final project construction cost to $309,604.55.
Public Works is requesting Council approval of Change Order 2 with Prism Contractors, deducting of $84,677.45 from Contract 1 of the 2016 Lambeth Street Sewer Rehab Project, bringing the final project construction cost to $309,604.55.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Melissa Robinson, Precinct 2
SECONDER:	John Cantey, Mayor Pro Tem
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

L. Ramada Inn Force Main Replacement Change Order 1 FINAL – Rob Armstrong, Public Works Director
The Ramada Inn Force Main Project is complete. Attached is a final close out change order request from Frank Horne Construction for $35,860.00. The changes are an accumulation of additional work required during construction, including: an additional gate valve, replacement chain link fence, gravity sewer repair, erosion control devices and a force main drop at the terminal manhole. The final contract construction price is $396,970.00. The change order costs will be covered by the North Carolina Clean Water SRF grant / loan funds awarded for the project.
Public Works is requesting Council approval for the final close out change order request from Frank Horne Construction for $35,860.00 on the Ramada Inn Force Main Replacement Project to be paid for by North Carolina Clean Water SRF grant / loan funds. The final contract construction price is $396,970.00.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Owen Thomas, Precinct 8
SECONDER:	John Cantey, Mayor Pro Tem
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

M. 2 Year Generator Service Agreement – Rob Armstrong, Public Works Director
For the past year the City of Lumberton has been in a service agreement with Gregory Poole Caterpillar for the various generators used at city properties. This current service agreement has now ended and Public Works has been given an updated 2 year service agreement from Gregory Poole Caterpillar for $30,230.54 per year or $60461.08 for both years. Public Works has been very satisfied with the level of performance we have received from Gregory Poole over the last year and would like to continue to work with this company on this service agreement.
Public Works recommends that Council approve the contract for the generator service to Gregory Poole in the amount of $30,230.54 per year for a 2 year period.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Owen Thomas, Precinct 8
SECONDER:	Karen Higley, Precinct 4
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

N. Renewal of Contract with Westlaw – Holt Moore, City Attorney
The Legal Department is seeking Council's approval to renew it's contract with Westlaw. The service provides virtually all of the legal research information the office uses, replacing many expensive hardbound books. It provides totally updated local, state and federal cases, regulations and statutes. This service also provides the invaluable people-finding and skip-tracing information needed for title searches and the like. We consider it to be a sole-source item, in terms of the products we use; not really available to the same extent from any other source. Aside from salaries this is the primary expense incurred by the Legal Department.

Approve renewal of Westlaw contract.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Leroy Rising, Precinct 1
SECONDER:	Karen Higley, Precinct 4
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

O. Termination of Contract for Biosolids Disposal – Holt Moore, City Attorney
The City has had a contract in place since 2013 with Synagro for removal and disposal of biosolids from the City's wastewater treatment plant. Due to ongoing problems with service, Public Works would like to cancel this contract and use another provider. The current term will expire, if notice is provided, on August 14, 2019 and Public Works would like to provide notice to cancel effective on that date.

Cancel contract with Synagro.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Leroy Rising, Precinct 1
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

P. Resolution to Reinstate Early Voting – Holt Moore, City Attorney
The City Council passed a resolution in August of 2018 to suspend early voting, with the intention being to not have early voting *only* for the special elections for the vacancies in Precincts 3 and 7, and then that was continued for the special election which was held in July of 2019 for Precinct 2. As those now have passed, pursuant to the original plan of suspending early voting only for those special elections, staff is bringing for approval the resolution to reinstate early voting for the regular November elections and going forward. The Board of Elections staff has opined that for the City to not have early voting when all of the other November elections will have it, would create considerable confusion and the City staff agrees.

Pass resolution reinstating early voting.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John R. Carroll, Precinct 3
SECONDER:	Karen Higley, Precinct 4
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

Q. Discussion of Policy No. 225.00 Health Insurance for Retirees and Elected Officials – Wayne Horne, City Manager
Councilman Cantey would like to discuss the above referenced Policy No. 225.00 Health Insurance for Retirees and Elected Officials.
Consider the recommended changes.

RESULT:	**REFERRED [8 TO 0]**	**Next: 9/4/2019 11:00 AM**
MOVER:	John Cantey, Mayor Pro Tem	
SECONDER:	Owen Thomas, Precinct 8	
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas	
ABSTAIN:	Davis	

R. Approval of the Grant Agreement for Robeson Food Demolition Project – Wayne Horne, City Manager
The City applied for and has been awarded a CDBG economic development grant in the amount of $400,000 to assist with demolition and removal of a pre-existing 72,700 sq/ft motel and restaurant which was inundated by flood waters by both Hurricanes Matthew and Florence. In order to receive the grant award; the City must accept and authorize the

execution of the Grant Agreement.
Council authorize the acceptance and execution of the Grant Agreement for the Robeson Food Demolition Project..

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Leroy Rising, Precinct 1
SECONDER:	Eric Chavis, Precinct 7
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

S. Approval of the Grant Agreement for Rempac Foam Stormwater Protection Project – Wayne Horne, City Manager
The City applied for and has been awarded a CDBG economic development grant in the amount of $1,100,000 to assist in the construction of a protective berm around the Rempac facility which includes a flood gate with protected access and internal dewatering capabilities. In order to receive the grant award; the City must accept and authorize the execution of the Grant Agreement.
Council authorize the acceptance and execution of the Grant Agreement for Rempac Foam Stormwater Protection Project.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Eric Chavis, Precinct 7
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

T. Approve the designation of $200.00 of CRF to the 26 Blackout AAU Basketball Organization – Holt Moore, City Attorney
Councilwoman Robinson would like to designate $200.00 of CRF to the 26 Blackout AAU Basketball Organization.
Designate $200 of CRF to the 26 Blackout AAU Basketball Organization.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Leroy Rising, Precinct 1
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

U. Approve the designation of $200.00 of CRF to Greater Chrysolite Church for a Back-to-School Event on August 2, 2019. – Holt Moore, City Attorney
Councilwoman Robinson would like to designate $200.00 of CRF to Greater Chrysolite Church for a Back-to-School event on August 2, 1019.
Designate $200 of CRF to Greater Chrysolite Church for a Back-to-School event on August 2, 2019.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Leroy Rising, Precinct 1
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

V. Approve the designation of $1,200 of Community Revitalization Funds for a Community Day in Precinct 3 – John Carroll, Precinct 3
Councilman Carroll is requesting $1,200 of CRF for a Community Day in Precinct 3 to be held on August 31, 2019.
Designate $1,200 of CRF for a Community Day in Precinct 3.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John R. Carroll, Precinct 3
SECONDER:	John Cantey, Mayor Pro Tem
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

W. Approve the designation of $525.00 of CRF to for the St. John's Day – John Cantey, Precinct 5
Councilman Cantey would like to designate $525.00 in celebration of St. John's Day held on September 15th, 2019, held at Sandy Grove Baptist Church.
Designate $525.00 of CRF to Sandy Grove Baptist Church for the Golden Leaf Lodge Prince Hall St. John's Day.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

X. Approve the designation of $1,500 of CRF to "Guns Down, Water Guns Up" Program to be held on September 22, 2019 – Holt Moore, City Attorney
Councilmen Cantey and Howard along with Councilwoman Robinson would like to donate $1,500 to a Stop the Violence Program, "Guns Down, Water Guns Up" being held on September 22, 2019, at the Bill Sapp Recreation Center as follows: P2 - $500.00 P5 - $500.00 and P6 - $500.00.
Designate $1,500 to "Guns Down, Water Guns Up" Stop the Violence program being held on September 22, 2019, at the Bill Sapp Recreation Center.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Owen Thomas, Precinct 8
SECONDER:	John Cantey, Mayor Pro Tem
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

Y. Approve the designation of $500.00 of Community Revitalization Funds for a Community Day on September 28, 2019, at Tanglewood School Park – Owen Thomas, Precinct 8
Councilman Thomas requests that $500.00 be designated for a Community Day in Precinct 8 to be held on September 28, 2019, at Tanglewood School Park.
Designate $500.00of CRF to a Community Day.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Owen Thomas, Precinct 8
SECONDER:	John Cantey, Mayor Pro Tem
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

Z. Approve the designation of $1,200.00 of CRF to The Pentecostals of Lumberton as follows: P3 - $400.00 P7 - $200.00 P8 - $400.00 and $200.00 from the Mayor's Discretionary Fund. – Owen Thomas, Precinct 8
Councilman Thomas is requesting that $1,200.00 of CRF be given to The Pentecostals of Lumberton for a Back to School event as follows: P3 - $400.00 P7 - $200.00 P8 - $400.00 and $200.00 from the Mayor's Discretionary Fund.
Designate $1,200.00 of CRF to The Pentecostals of Lumberton as follows: P3 - $400.00 P7 - $200.00 P8 - $400.00 and $200.00 from the Mayor's Discretionary Fund.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Owen Thomas, Precinct 8
SECONDER:	John Cantey, Mayor Pro Tem
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

AA. Approve the Appointment of Sarah Griffin-Greene to the Robeson County Public Library Board of Trustees – Owen Thomas, Precinct 8
Councilman Thomas would like to recommend that Ms. Sarah Griffin-Greene be appointed to the RCPL Board of Trustees replacing Ms. Gail McLean.
Appoint Ms. Sarah Griffin-Greene to the RCPL Board of Trustees.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Owen Thomas, Precinct 8
SECONDER:	John R. Carroll, Precinct 3
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

AB. Approve the designation of $300.00 to Lumberton High School Sports Calendar – Owen Thomas, Precinct 8

Designate $300 of CRF to Lumberton High School Sports Calendar.

Designate $300 of CRF to Lumberton Senior High School Sports Calendar.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Owen Thomas, Precinct 8
SECONDER:	John Cantey, Mayor Pro Tem
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

AC. Hazard Mitigation Grant Program - Rejection of Elevation Bids #1 – Brian Nolley, CDBG Administration

The city received bids for the first group of home elevations under our Hazard Mitigation Program on May 23, 2019. The lowest bid total for elevating 6 homes was for $945,679.00 with a budget of $546,660. The Adams Co. as asked the state for guidance on how to proceed with to no avail. It is the Adams Co. recommendation along with city staff to reject the 3 bids received on May 23rd and re-bid each home individually.

We are recommending that the initial bids be rejected so that we can rebid the first six homes for elevation individually.

Councilman Cantey asked for an update on the addresses that have been worked on.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

AD. Ratification of CRF - Lumberton Jr Dixie Boys All Star Baseball – Holt Moore, City Attorney

Mayor and Council made the following designations of CRF to the Lumberton Jr Dixie Boys All Star Baseball team, who won the state championship. The funds will help defray their cost in going to the World Series in Aiken, SC. The designations were done by telephone poll due to time constraints, and need to be ratified at today's meeting. The designations were: Mayor, $250, Precinct 1 $250, Precinct 2 $100, Precinct 3 $250, Precinct 4 $250, Precinct 5 $100, Precinct 6 $200, Precinct 7 $250, and Precinct 8 $250, for a total of $1,900.

Ratify designations of CRF made during telephone poll.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Leroy Rising, Precinct 1
SECONDER:	Eric Chavis, Precinct 7
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

IX. ADJOURNMENT