CITY OF LUMBERTON

CITY COUNCIL

MINUTES ● AUGUST 3, 2022

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	Mayor Pro Tem	Present	
Melissa Robinson	Precinct 2	Present	
John R. Carroll	Precinct 3	Present	
Karen Higley	Precinct 4	Present	
John Cantey	Precinct 5	Present	
Chris Howard	Precinct 6	Present	
Eric Chavis	Precinct 7	Present	
Owen Thomas	Precinct 8	Present	
Wayne Horne	City Manager	Present	
Brandon Love	Deputy City Manager	Excused	
Holt Moore	City Attorney	Absent	
Laney Mitchell-McIntosh	City Clerk	Present	

B. Invocation –

C. Pledge of Allegiance –

II. RETIREES RECOGNITION:

A. Danny Chavis - 13 yrs - Master Firefighter –

B. Willie Ray Clark - 50 yrs - Street Superintendent- Public Works –

C. Pete Locklear - 23 yrs - Police Lieutenant –

D. Terry Nunnery - 10 yrs - Sr. Auto Equipment Mechanic - PW –

E. Robert J. Morse - 17 yrs - Police Lieutent –

F. Albert Paul Smith - 30 yrs - Material & Inventory Specialist - PW –

G. McGregor Strickland - 30 yrs - Fire Battalion Chief –

H. Larry Thompson - 20 yrs - Crew Chief - Parks & Rec –

I. Russell Hill - 24 yrs - General Supervisor - PW –

J. Frank Smith - 22 years - Meter Reader Supervisor - EUD –

K. Connie Russ Wallwork - 20 yrs - Downtown Coordinator –

L. Patrick Bullard - 16 yrs - Sr. Fire Captain –

III. PUBLIC SPEAKERS - PUBLIC COMMENT PERIOD

A. Travis Lewis –

r. Travis Lewis appeared before Council and stated that he is in the process of filing a grievance in reference to the CDBG Program that the City is participating. He stated that it's been six (6) years and no information has been given to him concerning the buyout process for this CDBG project.. Mr. Lewis feels that he has been discriminated against and I would like some answers today and if not I will proceed with the grievance process. Mayor Davis remained him that this is a comment period and that Council is not here to respond at this time; however, your concerns are taken under advisement.

Mr. Lewis stated that he will be filing the grievance with the City Clerk after the meeting today.

IV. PUBLIC HEARINGS

Planning Board Minutes – ArTriel Kirchner, Planning Director
Please see attachment.
<< Recommendation >>

RESULT:	**NOT APPLICABLE**

A. Edna Mae Mayes annexation 593 Kenny Biggs Road – ArTriel Kirchner, Planning Director
Analysis: Edna Mae Mayes annexation petition for the following property:
Edna Mae Mayes annexation petition for the following property:
593 Kenny Biggs Road (parcel # 020801008 / Deed Book 2272 Page 830). This request is to allow for the proposed development (recycling center) to connect to city water and sewer.? This property is zoned M-2 (Heavy Manufacturing), therefore, no rezoning is required.

NOTIFICATIONS FOR PUBLIC HEARING
On July 21, 2022 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 20, 2022 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 July 20, 2022? a request was sent to the Robesonian to have the legal ad for this request ran on July 23, 2022 and July 30, 2022.
Recommends that City Council hold today's public hearing and approve the annexation request.

Mayor Davis opened a public hearing to consider extending the corporate limits by annexing property located at 593 Kenny Biggs Road. City Clerk Mitchell-McIntosh submitted the Affidavit of Publication showing that the Public Hearing was advertised in **The Robesonian**.

No one appeared to speak and the hearing was closed.

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

B. REZONING REQUEST - 3905 MLK Jr. Dr. Minuteman #25 – ArTriel Kirchner, Planning Director

Jennifer Leggett with The Gas Mart, Inc. is requesting a rezoning to B-4 (general commercial). The applicant is requesting to rezone parcel #24010300104C (deed book 1979, p.732) and parcel #24010300104B (deed book 1814, p.389) to expand the existing gas station to add a fuel canopy and diesel pump. The parcels to be used for the expansion are currently zoned R-20 (Residential) and to expand the gas station (use 2.1) to the adjacent parcels, a rezoning is required.

On July 19, 2022 the Planning Board held the public meeting and unanimously recommends City Council approve the Rezoning request.

NOTIFICATIONS FOR PUBLIC HEARING

On July 21, 2022 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 20, 2022 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 July 20, 2022 a request was sent to the Robesonian to have the legal ad for this request ran on July 23, 2022 and July 30, 2022.

The planning staff recommends that City Council hold today's public hearing, make a decision regarding this request.

Mayor Davis opened the Public Hearing to consider an amendment to the Land Use Ordinance by rezoning property; parcel #2401030014B, to B-4 (General Commercial). The purpose of the rezoning is to expand the existing gas station to add a fuel canopy and diesel pump. City Clerk Mitchell-McIntosh submitted the Affidavit of Publication showing that the Public Hearing was advertised in **The Robesonian**.

No one appeared to speak and the hearing was closed.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Precinct 5
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

C. Ray Townsend Rezoning Request - 3802 Vann Dr. – ArTriel Kirchner, Planning Director

Ray Townsend (Townsend Family Trust) is requesting a rezoning for parcel #100601019, deed book 01837, pg. 0747, from R-15 to Agriculture (A). The property is located at 3802 Vann Dr. The applicant is requesting a rezoning to Agriculture for a family farm.
Planning Boards Recommendation:
On July 19, 2022 the Planning Board held the public hearing and, with 5 voting for and 3 voting against, recommends City Council approve the Rezoning request.
NOTIFICATIONS FOR PUBLIC HEARING
On July 21, 2022 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 20, 2022 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 July 20, 2022 a request was sent to the Robesonian to have the legal ad for this request ran on July 23, 2022 and July 30, 2022.
The planning staff recommends that City Council hold today's public hearing, make a decision regarding this request.

Mayor Davis opened the Public Hearing to consider an amendment to the Land Use Ordinance by rezoning property; parcel #100601019, from R-15 to Agriculture (A). The purpose of the rezoning is for a family farm. City Clerk Mitchell-McIntosh submitted the Affidavit of Publication showing that the Public Hearing was advertised in **The Robesonian**.

No one appeared to speak and the hearing was closed.

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

D. Rezoning Request - J. Foil (J&S Family Properties) 102 & 104 W. 27th St. – ArTriel Kirchner, Planning Director
Jason Foil (J & S Family Properties) is requesting a rezoning for parcel #320804030 deed book 02235, pg. 0656 located at 102 W. 27th St. from B-3 to B-2 and parcel # 320804031, deed book 02235, pg. 0656 located at 104 W. 27th St. from B-6 to B-2. The applicant is requesting both parcels be rezoned to B-2 (Business Community) for mixed use – pharmacy commercial office space on the ground floor and rooms for rent/apartments on the second floor.
On July 19, 2022 the Planning Board held the public meeting and unanimously recommends City Council approve the Rezoning request.
NOTIFICATIONS FOR PUBLIC HEARING
On July 21, 2022 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 20, 2022 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 July 20, 2022 a request was sent to the Robesonian to have the legal ad for this request ran on July 23, 2022 and July 30, 2022

The planning staff recommends that City Council hold today's public hearing, make a decision regarding this request.

Mayor Davis opened the Public Hearing to consider an amendment to the Land Use Ordinance by rezoning property; parcel #320804030, from B-3 to B-2 and parcel #320804031 from B-6 (Medical Arts to B-2 (Business Community). The purpose of the rezoning for mixed use - pharmacy commercial office space on the ground floor and rooms for rent/apartments on the second floor. City Clerk Mitchell-McIntosh submitted the Affidavit of Publication showing that the Public Hearing was advertised in **The Robesonian**.

Mr. J. Foil appeared before Council and explained his request.

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

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

V. MINUTES APPROVAL

A. City Council - Regular Meeting - Jul 13, 2022 11:00 AM –

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

VI. AGENDA ITEMS

A. Amend the Ordinance regarding towing services – Michael McNeill, Police Chief
Fees that are set in the City Ordinance Sec. 14-269 for wrecker rotation are currently $100 for daytime and $125 for nighttime. We are asking to change the wrecker rotation fees set at this time because they are not cost-efficient for those who provide these services.
The Lumberton Police Department is recommending that the ordinance be amended to reflect $200 for both daytime and nighttime wrecker rotation fees.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Precinct 5
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

B. Godwin Pump Purchase – Rob Armstrong, Public Works Director
Public works currently operates two 6" Godwin pumps that serve as bypass pumps for the 49 lift stations that the city operates. Additionally these pumps are used by the wastewater treatment plant and water and sewer crews. The two current pumps are 21 and 13 years old.

Public works requested a new bypass pump in the capital requests for this budget year in the amount of $60,000.00.
Public Works recommends council approval of the purchase of one 6” Godwin bypass pump and associated equipment from Xylem Dewatering Solutions in the amount of $56,067.29.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Precinct 5
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

C. Lift Station 1 Spare Pump Purchase – Rob Armstrong, Public Works Director
Lift station #1 (Ed’s Tire LS) is the largest lift station that the City operates and it has the most flow of any other station. This station was rebuilt in 2001 and has had no major maintenance performed since that time. Public Works is requested in the capital items for the current budget year to purchase a new spare pump for this critical station.
Ed’s Tire LS has specific pumps that must be used and therefore this is a single source vendor item. The amount budgeted for this purchase was $85,000.00. Public works is recommending council approval of the purchase of a new spare pump for Ed’s Tire LS from Clearwater Inc. in the amount of $81,748.00.

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

D. Pines Lift Station Pump Purchase – Rob Armstrong, Public Works Director
Public Works maintains a total of 49 lift stations that serve the sewer system for the City of Lumberton. Among those are the Pines and Lovette rd lift stations that use the same pump size and type. These station both serve the southwest interceptor line for the majority of the industrial users of the city. Public works requested a new spare pump to be purchase for these stations in the current budget for the amount of $75,000.00. These pumps are specific to the stations and are a single source vendor item.
Public Works recommends council approval of the purchase of 1 new spare pump for the Pines/Lovette rd lift stations from Xylem water Solutions USA, Inc. in the amount$62,790.08.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Precinct 5
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

E. Vegetative Debris Grinding Bids at Saddletree Landfill – Rob Armstrong, Public Works Director

The vegetative debris pile at the City's LCID Landfill on Saddletree Road is ready to be ground and mulched in accordance with our operation permit. We contacted three mulching contactors for bids, only two submitting a proposal for the work. Simmons and Simmons Mgmt, Inc of Clinton submitted the lowest bid of $25,665.00. American Property Experts in Wilmington submitted a bid of $69,495.00 Hinson Grinding in South Carolina did not submit a bid.

Public Works recommends awarding the vegetative debris grinding bid at the Saddletree LCID landfill to Simmons and Simmons Mgmt, Inc. for $25,665.00 to be paid for from operation code 67-00-4710-3960. Public Works is also requesting that $25,665 be transferred from 67-00-4710-3971 (Curbside Service) to 67-00-4710-3960 (Contracted Services).

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Melissa Robinson, Precinct 2
SECONDER:	John R. Carroll, Precinct 3
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

F. UNC Health Southeastern Sign Permit Request – ArTriel Kirchner, Planning Director

UNC Health Southeastern is requesting a sign permit to place a freestanding sign at their parking lot on the corner of Elm & 31st streets, parcel #320504031. The parcel is zoned B-6 medical arts district. The sign will promote various health promotions.

Chapter 35, Article XVII, sec. 35.282 states "notwithstanding any other provisions of this article excepting for the provisions of section 35-281, signs in the B-6 (medical arts) district may be erected, moved, enlarged, or substantially altered pursuant to plans approved by city council."

The Planning Department recommends that City Council approve the request with the condition that the banner will be fully enclosed in a case or attached to a permanent hard surfaced backing where the banner can be changed out but will not be moved by the wind or other forces of nature (per Section 35-281(d) of the Land Use Ordinance).

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

G. Mike Townsend Rezoning Request 4303 Ludgate St & 581 Farringdom St. – ArTriel Kirchner, Planning Director

Mike Townsend is requesting a rezoning for parcel #10090300102, deed book 01091, pg. 0386 located at 4303 Ludgate St. and parcel #100903001, deed book 00684, pg. 0071 located at 581 Farringdom St. from B-3 (office/residential) to B-4 (general commercial) to conform with the existing B-4 zoning along Ludgate St. and Fayetteville Rd

The Planning Staff asks Council to hold today's public hearing and make a decision regarding the rezoning request.

RESULT:	**REFERRED [8 TO 0]**	**Next: 8/23/2022 6:00 PM**
MOVER:	Leroy Rising, Mayor Pro Tem	
SECONDER:	Owen Thomas, Precinct 8	
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas	
ABSTAIN:	Davis	

H. Terry Wethington with Ample Storage is requesting a rezoning of a portion of two parcels from agriculture to B-7 - E. Elizabethtown Rd. – ArTriel Kirchner, Planning Director

Terry Wethington with Ample Storage requests to rezone a portion of two parcels from Agriculture to B-7 (general commercial/mobile home sales). The property is located on NC Highway 41 adjacent to Northeast Plaza (Elizabethtown Road - parcel # 10120200102, deed book 1795, pg. 895 and parcel #10120200103, deed book 694, pg. 74).

Land Use Plan: Both parcels are currently zoned B-7, agriculture and County agriculture residential. The Land Use Plan designates the future use of this parcel as low intensity and is located in the ETJ.

The properties are zoned as follows (combined):

- The front portion of the parcels, ~ 5 acres is zoned B-7.
- The midsection of the parcels, ~ 20 acres is zoned 'A' Agriculture.
- The remaining portion of the parcels, ~ 8 acres is located within the County's jurisdiction and zoned County Residential Agriculture.

The applicant requests to extend the B-7 zoning district north to include ~ 9 acres of the portion of property zoned City's Agriculture. The applicant intends to develop both lots for a self-storage facility with a resident manager's apartment.

The Planning Staff asks Council to hold today's public hearing and approve the rezoning request.

RESULT:	**REFERRED [8 TO 0]**	**Next: 8/23/2022 6:00 PM**
MOVER:	Melissa Robinson, Precinct 2	
SECONDER:	John R. Carroll, Precinct 3	
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas	
ABSTAIN:	Davis	

I. Edgewater Industrial, LLC Rezoning Request - Sanchez Dr. – ArTriel Kirchner, Planning Director

Edgewater Industrial, LLC is requesting a rezoning of parcel #020901004, deed book 644, pg. 0162 from Agriculture (A) to M2 (manufacturing) for the development of a Class A industrial park totaling 1.9 million square feet over a 5-10-year time frame.

The parcel is currently zoned A (agriculture). The Land Use Plan designates the future use of the parcel as industrial and is located in the ETJ.

The Planning Staff asks Council to hold today's public hearing and approve the rezoning request.

RESULT:	**REFERRED [8 TO 0]**	**Next: 8/23/2022 6:00 PM**
MOVER:	Eric Chavis, Precinct 7	
SECONDER:	Owen Thomas, Precinct 8	
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas	
ABSTAIN:	Davis	

J. Special Use Permit to operate a mental health treatment outpatient office at 500 Lindsay Drive – ArTriel Kirchner, Planning Director
Analysis: Allan Craig Britt is requesting a Special Use Permit to operate a mental health treatment outpatient office at 500 Lindsay Drive (parcel # 1006-01-00703/ Deed Book 2359 Page 163/ Map Book 31 Page 14). This property is zoned B-3 (Office Residential) and to operate a mental health treatment outpatient office/facility at this location requires a Special Use Permit. They will be relocated from 711 N. Cedar Street to this location.

Land Use Plan: The Land Use Plan designates the future use of this parcel as Medium Intensity, furthermore, this property is located within precinct 2.
The Planning Staff asks Council to hold today's public hearing and approve the Special Use permit request.

RESULT:	**REFERRED [8 TO 0]**	**Next: 8/23/2022 6:00 PM**
MOVER:	Leroy Rising, Mayor Pro Tem	
SECONDER:	Chris Howard, Precinct 6	
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas	
ABSTAIN:	Davis	

K. Approval of Industrial Park Water Tank Bid – Brandon Love, Deputy City Manager
The City of Lumberton’s engineering consultant for the I-95/I-74 Industrial Park opened bids for the 500,000 gallon elevated water tank on July 26, 2022. Fortunately, we did receive the requisite three bids, from Caldwell Tanks, Inc., Phoenix Fabricators and Erectors, LLC, and Maguire Iron, Inc. The City’s estimated budget for the project was $2.5 million, but with recent price escalations in the construction market, higher bids were anticipated. Therefore, Thomas & Hutton included two bid alternates for additional tank designs. Although the lowest bid is slightly above our original estimate, it is still within range of funding, given our current allocations to the overall project. Maguire Iron, Inc. produced the lowest bid for Alternate #1 – a single “Pedesphere” design, at $2,745,500.
Staff is recommending that City Council award bid Alternate #1 for a 500,000 gallon elevated water tank (pedesphere) for the I-95/I-74 industrial park to Maguire Iron, Inc. in the amount of $2,745,500. Funding for the project will be comprised of a $1.5 million special appropriation from the General Assembly for the Industrial Park infrastructure and $1.25 million from the City’s ARPA allotment.

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

L. City Hall Heating, Ventilation and Air Condition System (HVAC) RFQ – Wayne Horne, City Manager

In recent meeting with Eddie Smith of Smith Refrigeration he made staff aware of maintenance issues with the City Hall, HVAC system. The problems that he identified is the age of the system and issues with the original design. Other problems include finding repair parts for the system when they are needed. The company that provide the mechanical equipment is no longer in business. The recent repair to the 3rd floor component of the system was delayed because parts were not available, requiring the parts to manufactured by a machine shop. While the system is working smith has advised that the system could fail on any of the three floors at any time, Because the time involved in, securing engineering services, the design and preparing of specifications, advertising and bidding the system and removing and installing a new system is estimated at 18 to 24 months. Staff would like Council authorization to proceed with RFQ for engineering services.

It is recommends that City Council authorize staff to proceed with RFQ for engineering services to prepared plans and specifications for a new City Hall HVAC system.

Councilwoman Higley left the meeting and vote will count as a yes.

Mr. Eddie Smith appeared before Council and echoing the City Manager comments stating that there are supply chain issues and yes, routine problems with the system. Mr. Smith stated that time has run out for this system. He stated that maintenance is getting worse and will come a time when it will just go out.

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

M. Ratification of $1,000 of CRF to the Lumberton Youth Softball Association (LYSA) – Wayne Horne, City Manager

Council made the following designations of CRF to the Lumberton Youth Softball Association. The funds were used to defray the costs of team equipment needs, travel and hotel expenses for the 10u team to travel to Alexandria, Louisiana on July 29th thru August 4th, 2022, for the World Series.

The designations were done by telephone poll due to time constraints, and need to be ratified at today's meeting. The designations were: Precinct 1 $100, Precinct 2 $50, Precinct 3 $100, Precinct 4 $450, Precinct 7 $100, Precinct 8 $100, and $100 from the Mayor's Discretionary Fund for a total of $1,000.

Ratify designations of CRF made during telephone poll.

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

N. Approve the designation of $1,000.00 of Community Revitalization Funds for McCormick Chapel Building Fund from Precinct 5 – John Cantey, Precinct 5
Councilman Cantey requests $1,000.00 of CRF for McCormick Chapel Building Fund.
Designate $1,000.00 of CRF to McCormick Chapel Building Fund.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Precinct 5
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

O. CRF for Lumberton Jr. High School Girls Basketball Team for Uniforms – Holt Moore, City Attorney
Councilman Cantey would like to donate $200 of Community Revitalization Funds to the Lumberton Jr. High School basketball for new uniforms and programming. Monies were previously approved for this designation; however, we designated it to the cheerleaders and the check was never given to the school. This was an oversight on my behalf. Attached you will find the agenda item as approved on 12/8/21. The funds that were allocated were returned to each Council member CRF. They are asking if we will reallocate the funds for the Girls Basketball Team uniforms.

Grant funds to Lumberton Jr. High School Basketball Teams uniforms.

Councilman Cantey explained the situation with the previous check and it was the consensus of Council reallocate the same amount of money as previously given to Lumberton Jr. High School for the basketball team uniforms as follows:

P12- $190
P2 - $190
P3 - $190
P4 - $190
P5 - $200
P6 _ $200
P7 - $100
P8 - $100 for a total of $1,360

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Karen Higley, Precinct 4
SECONDER:	Leroy Rising, Mayor Pro Tem
AYES:	Davis, Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas

P. Approve the designation of $100 of CRF to the Robeson County Community Art Guild - Precinct 8 – Owen Thomas, Precinct 8
Councilman Thomas is requesting $100 of CRF to be given to Arts County Community Art Guild as sponsorship funds to support the Art Guild 2nd Annual RAG Golf Tournament fundraiser held at Pine Crest Country Club on Saturday, September 24, 2022.
Designate $100 of CRF from P8 to Robeson County Community Art Guild as sponsorship funds.

Designations were made as follows:

P1 - $100
P2 - $100
P3 - $100
P4 - $100
P5 - $100
P6 - $75
P7 - $100
P8 - $100
Mayor - $100 for a total of $875.

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

Q. Approve the designation of $450.00 of CRF to Harvest Life Global Ministries for Back-to-School Program – John Cantey, Precinct 5
Councilmen Cantey & Howard are requesting $450.00 of CRF be given to Harvest Life Global Ministries, Inc, for a Back to School event as follows:

P5 - $250
P6 - $200
Designate $450.00 of CRF to Harvest Life Global Ministries, Inc., for their Back-to-School Program.

Allocations were made as follows:

P1 - $75
P2 - $250
P3 - $50
P4 - $250
P5 - $250
P6 - $300
P7 - $100

P8 - $100 for a total of $1,375.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Precinct 5
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

R. Approve the designation of $500.00 of CRF to First Baptist Church for Back-to-School Program – Chris Howard, Precinct 6
Councilman Howard is requesting $500.00 of CRF be given to First Baptist Church for a Back to School event.
Designate $500.00 of CRF to First Baptist Church for their Back-to-School Program.

Allocations were made as follows:

P1 - $75
P2 - $100
P3 - $50
P4 - $200
P5 - $100
P6 - $500
P7 - $50
P8 - $50 for a total of $1,125.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Chris Howard, Precinct 6
SECONDER:	John Cantey, Precinct 5
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

S. Approve the designation of $500.00 of CRF to McCormick Chapel for Back-to-School Program – Chris Howard, Precinct 6
Councilman Howard is requesting $500.00 of CRF be given to McCormick Chapel for a Back to School event.
Designate $500.00 of CRF to McCormick Chapel for their Back-to-School Program.

Allocations were made as follows:

P1 - $75
P2 - $100
P3 - $100
P4 - $150
P5 - $100
P6 - $500
P7 - $75
P8 - $50 for a total of $1,150.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Chris Howard, Precinct 6
SECONDER:	John Cantey, Precinct 5
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

T. Approve the designation of $100.00 of CRF to Kiwanis of Robeson-Lumberton for Annual Fundraiser – Owen Thomas, Precinct 8
Councilman Thomas requests $100.00 of Community Revitalization Funds to be given to the Kiwanis of Robeson-Lumberton to support their annual fundraiser.
Designate $100.00 of CRF to the Kiwanis of Robeson-Lumberton.

Allocations were made as follows:

P1 - $100
P2 - $50
P3 - $50
P4 - $100
P5 - $50
P6 - $100
P7 - $50
P8 - $100 for a total of $600.

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

U. Approval of purchasing HVAC units for Central Fire Station located at 600 N Cedar Street – Chris West, Assistant Fire Chief
The fire department requested funding in the 2022-2023 capital budget to replace the heating and air units located on Central Fire Station. Currently only three units are working and dependability has been an issue. The units are various ages dating back to 2005. The fire department attempted to collect bids from four vendors: Smiths refrigeration ($43,800), Pridgen Brothers Contractors ($52,500), William Townsend Electric ($46,073), and Southern Heating & Air (No Bid). Smiths Refrigeration has the closest lead time with an estimated 14 weeks.
The Lumberton Fire Department would like to recommend Smiths Refrigeration be awarded the HVAC replacement for the Central Fire Station with the bid of $43,800 from capital code 10-008120-5814..

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

V. Appointment of Mr. Elisha Little, Jr. to the Recreation Commission – Chris Howard, Precinct 6
Councilman Howard would like to appoint Mr. Elisha Little, Jr., to the Recreation Commission to replace Mr. Alfred Douglas.
Appointment Mr. Elisha Little, Jr., to the Recreation Commission.

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

W. Appointment of Mr. Erich Hackney to the Planning Board – Chris Howard, Precinct 6
Councilman Howard would like to appoint Mr. Erich Hackney to the Planning Board to replace Ms. Lisa Douglas.
Appointment Mr. Erich Hackney to the Planning Board.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Chris Howard, Precinct 6
SECONDER:	John Cantey, Precinct 5
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

X. Closed Session

A. Adopt a Resolution Authorizing the Retaining of Outside Counsel – Holt Moore, City Attorney
Please see the attached.
If Council so choose to adopt the attached Resolution.

City Manager Horne stated that we have received many complaints concerning Deluxe Inn located on the service road on Capuano Street. Staff reached out to the State and they have a nuisance abatement officer; Rebecca Dean that works with the SBI who came and met with us. We presented to her the information that we have and she felt that it was enough to consider this as a nuisance abatement case.

In order for her to proceed with the case; she needs the Resolution that's before you as the first step to get the process started. She mentioned that there was a case presented before the court and because the Council had not endorsed it by passing a Resolution, the case was thrown out.

She did reveal to us that she has somewhat of a history with the owners of this hotel with their other locations specifically in Jacksonville and Goldsboro. Staff would like to go ahead and proceed with this abatement. We have had an abundance of activities there, several overdoses and drug buys. Numerous complaints from the people that live around this property. We will not say that all the people/traffic that they are seeing pertains to that hotel; however, we feel that we have enough to proceed with this case.

He said that this action does not mean that they will close the hotel; however, they may place constraints and restrictions on the hotel to prevent people from coming onto the property to visit. The hotel presently rent room to individuals a month at a time instead of servicing those off of the interstate. The ones living there are having others to come in to visit; therefore, that's where a lot of the problems are being created.

City Manager Horne stated that the Resolution pretty much explains the process and we are asking for permission to continue with this process.

Councilman Rising made a motion, seconded by Councilman Chavis, adopting the Resolution Authorizing the Retaining of Outside Counsel to Assist in Nuisance Actions. It carried unanimously.

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

VII. ADJOURNMENT