



CITY OF LUMBERTON
COUNCIL POLICY COMMITTEE
MINUTES • AUGUST 3, 2016

Regular Meeting

Third Floor Conference Room

11:00 AM

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

I. INVOCATION

Attendee Name	Title	Status	Arrived
Bruce W. Davis	Mayor	Present	
Leroy Rising	Precinct 1	Present	
John Robinson	Mayor Pro Tem	Present	
Burnis Wilkins	Precinct 3	Present	
Karen Higley	Precinct 4	Present	
John Cantey Jr.	Precinct 5	Present	
Chris Howard	Precinct 6	Present	
Leon Maynor	Precinct 7	Present	
Erich Hackney	Precinct 8	Present	
Wayne Horne	City Manager	Present	
Holt Moore	City Attorney	Present	
Laney Mitchell-McIntosh	City Clerk	Present	
Alisha Thompson	Finance Director	Present	
Ben Andrews	Inspections Director	Present	
Brandon Love	Planning Director	Present	
Michael McNeill	Police Chief	Present	
Rob Armstrong	Public Works Director	Present	
Teresa Johnson	CDBG	Present	

II. ITEMS FOR COUNCIL POLICY COMMITTEE CONSIDERATION

A. Communications

i. Events

1. Police Officer Joseph Frederick - 3rd New York City Marathon –

RESULT:	ANNOUNCED
----------------	------------------

III. MINUTES APPROVAL

1. Council Policy Committee - Regular Meeting - May 4, 2016 11:00 AM –

RESULT:	ACCEPTED [8 TO 0]
MOVER:	John Cantey Jr., Precinct 5
SECONDER:	Leon Maynor, Precinct 7
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney
ABSTAIN:	Davis

2. Council Policy Committee - Regular Meeting - Jun 13, 2016 4:00 PM –

RESULT:	ACCEPTED [8 TO 0]
MOVER:	John Cantey Jr., Precinct 5
SECONDER:	Burnis Wilkins, Precinct 3
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney
ABSTAIN:	Davis

IV. AGENDA ITEMS

- A. Unsafe Structure located at 2108 S. MLK Jr. Drive – Ben Andrews, Inspections Director
The Structure located at 2108 S. MLK Jr. Drive was inspected by our department and was determined to be unsafe. A notice of Condemnation and Hearing was sent by first class mail, certified mail and also published in the Robesonian. The hearing was held on May 17, 2016. An order to demolish the structure was issued. The time in which the owners had to demolish the structure has expired as of July 25, 2016.
Staff recommends that City Council Adopt an Ordinance Directing the Building Inspector to demolish and remove the structure located at 2108 S. MLK Jr. Drive.

RESULT:	REFERRED [UNANIMOUS]	Next: 8/8/2016 6:00 PM
MOVER:	Chris Howard, Precinct 6	
SECONDER:	John Cantey Jr., Precinct 5	
AYES:	Davis, Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney	

- B. Unsafe Structure located at 2110 S. MLK Jr. Drive – Ben Andrews, Inspections Director
The Structure located at 2110 S. MLK Jr. Drive was inspected by our department and was determined to be unsafe. A notice of Condemnation and Hearing was sent by first class mail, certified mail and also published in the Robesonian. The hearing was held on May 17, 2016. An order to demolish the structure was issued. The time in which the owners had to demolish the structure has expired as of July 25, 2016.
Staff recommends that City Council Adopt an Ordinance Directing the Building Inspector to demolish and remove the structure located at 2110 S. MLK Jr. Drive.

RESULT:	REFERRED [8 TO 0]	Next: 8/8/2016 6:00 PM
MOVER:	Chris Howard, Precinct 6	
SECONDER:	John Cantey Jr., Precinct 5	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney	
ABSTAIN:	Davis	

- C. 814 W 24th Street Demolition Debris Removal – Ben Andrews, Inspections Director

The Structure located at 814 W 24th Street was inspected by our department and was determined to be unsafe. A notice of Condemnation and Hearing was sent by first class and certified mail. The hearing was held on March 2, 2016. An order to demolish the structure was issued with a compliance date of May 6, 2016.

The Owner has demolished the structure but still has debris from the demolished structure on the lot.

Staff recommends that City Council Adopt an Ordinance Directing the Building Inspector remove the debris of the demolished structure located at 814 W 24th Street

RESULT:	REFERRED [8 TO 0]	Next: 8/8/2016 6:00 PM
MOVER:	Erich Hackney, Precinct 8	
SECONDER:	Burnis Wilkins, Precinct 3	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney	
ABSTAIN:	Davis	

D. 900 W 24th Street Demolition Debris Removal – Ben Andrews, Inspections Director

The Structure located at 900 W 24th Street was inspected by our department and was determined to be unsafe. A notice of Condemnation and Hearing was sent by first class and certified mail. The hearing was held on March 2, 2016. An order to demolish the structure was issued with a compliance date of May 6, 2016.

The Owner has demolished the structure but still has debris from the demolished structure on the lot.

Staff recommends that City Council Adopt an Ordinance Directing the Building Inspector remove the debris of the demolished structure located at 900 W 24th Street

RESULT:	REFERRED [8 TO 0]	Next: 8/8/2016 6:00 PM
MOVER:	Erich Hackney, Precinct 8	
SECONDER:	John Robinson, Mayor Pro Tem	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney	
ABSTAIN:	Davis	

E. Southeastern Health would like to replace (5) of their freestanding campus directional signs located at 300 27th St – Brandon Love, Planning Director

Southeastern Health would like to replace (5) of their freestanding campus directional signs located at 300 27th St. (Main campus)- Lumberton, NC 28358. Please see attached sign permit application, sign location map, and sign specifications. Southeastern Health would like to replace signs at the following locations: 3, 4, 5, 6, & 7.

The property is zoned B-6 (medical arts) and City Council approval is required for the erection, alteration, and/or modification of all signs within this district.

Sec. 35-282. Signs within the medical arts district. 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.

(Ord. No. 1448, 6-27-94)

Recommends City Council Policy Committee approve the attached sign permits.

RESULT:	REFERRED [8 TO 0]	Next: 8/8/2016 6:00 PM
MOVER:	Erich Hackney, Precinct 8	
SECONDER:	John Cantey Jr., Precinct 5	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney	
ABSTAIN:	Davis	

- F. Proposed revision to Sec. 35-186. Building height limitations – Brandon Love, Planning Director

As discussed at the planning workshop, the Planning Department has requested approval to investigate the possibility of revising Sec. 35-186. Building height limitations. Considering the number of variance requests to this section, the Planning Department recommends we increase the building height limitations for some of our business zoning districts. Attached, please find the list of variances pertaining to building height, which have been approved by the Board of Adjustments.

CPC to review the request, refer the petition to Planning Board for their review, and authorize the Planning Director to set the date of the public hearing.

RESULT:	REFERRED [8 TO 0]	Next: 8/8/2016 6:00 PM
MOVER:	Leon Maynor, Precinct 7	
SECONDER:	Leroy Rising, Precinct 1	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney	
ABSTAIN:	Davis	

- G. Rezoning petition for property located at 2300 N. Pine Street (parcel # 3214-01-012/Deed Book 1609 Page 0338). – Brandon Love, Planning Director

Sylvia C. Harriss has submitted a rezoning petition for property located at 2300 N. Pine Street, requesting the properties be rezoned from B-2 (business community) to B-4 (business general commercial).

The reason for this request is to open up the property for a broader range of commercial uses appropriate to the neighborhood.

CPC to review the request, refer the petition to Planning Board for their review, and authorize the Planning Director to set the date of the public hearing.

RESULT:	REFERRED [8 TO 0]	Next: 8/8/2016 6:00 PM
MOVER:	John Robinson, Mayor Pro Tem	
SECONDER:	Burnis Wilkins, Precinct 3	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney	
ABSTAIN:	Davis	

- H. Rezoning petition for property located at 409 E. 19th and Street 406 E. 20th Street (parcel #'s 3214-02-009 and 3214-02-00901A/Deed Book 2022 Page 496 and 3214-02-00901/Deed Book 2033 Page 0118). – Brandon Love, Planning Director

Sylvia C. Harriss and Zella Ann Cooper have submitted a rezoning petition for three (3) properties located at 409 E. 19th Street and 406 E. 20th Street, requesting the properties be rezoned from R-7 (residential single family) to B-2 (business community).

The current zoning of the property (R-7) does not support the current use of the property (multi-family residential). This request is to eliminate the non-conforming situation on the property and maintain the current use as multi-family.

CPC to review the request, refer the petition to Planning Board for their review, and authorize the Planning Director to set the date of the public hearing.

RESULT:	REFERRED [8 TO 0]	Next: 8/8/2016 6:00 PM
MOVER:	John Robinson, Mayor Pro Tem	
SECONDER:	Leroy Rising, Precinct 1	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney	
ABSTAIN:	Davis	

- I. Rezoning petition property located at 465 Kenric Road (Parcel #0204-01-003; 0207-02-006). – Brandon Love, Planning Director

On March 14, 2016 the City of Lumberton annexed property located at 465 Kenric Road (Parcel #0204-01-003; 0207-02-006) with an effective date of May 14, 2016. As of today, the zoning of the property is County Highway District, we are requesting to rezone the property to B-4 (business general commercial).

CPC to review the request, refer the petition to Planning Board for their review, and authorize the Planning Director to set the date of the public hearing.

RESULT:	REFERRED [8 TO 0]	Next: 8/8/2016 6:00 PM
MOVER:	Leon Maynor, Precinct 7	
SECONDER:	Erich Hackney, Precinct 8	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney	
ABSTAIN:	Davis	

- J. Rezoning petition for property located off of Meadow Road (Parcel #1010-01-008-05; 1010-01-008-03; and 1010-02-002). – Brandon Love, Planning Director

Previously, the City of Lumberton annexed property located off of Meadow Road (Parcel #1010-01-008-05; 1010-01-008-03; and 1010-02-002). As of today, the properties are zoned County Residential Agriculture and R-6 (City, residential class 'A' mobile home). We are requesting to rezone all of the properties to City Agriculture.

CPC to review the request, refer the petition to Planning Board for their review, and authorize the Planning Director to set the date of the public hearing.

RESULT:	REFERRED [8 TO 0]	Next: 8/8/2016 6:00 PM
MOVER:	John Robinson, Mayor Pro Tem	
SECONDER:	Burnis Wilkins, Precinct 3	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney	
ABSTAIN:	Davis	

- K. Rezoning petition for property located at 9020 NC Hwy 74 (Parcel #0207-01-007) – Brandon Love, Planning Director

Previously, the City of Lumberton annexed property located at 9020 NC Hwy 74 (Parcel #0207-01-007). As of today, the property is zoned County Heavy Industrial. We are requesting to rezone the property to B-5 (City, highway services).
CPC to review the request, refer the petition to Planning Board for their review, and authorize the Planning Director to set the date of the public hearing.

RESULT:	REFERRED [8 TO 0]	Next: 8/8/2016 6:00 PM
MOVER:	Leon Maynor, Precinct 7	
SECONDER:	John Robinson, Mayor Pro Tem	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney	
ABSTAIN:	Davis	

- L. City of Lumberton Rezoning petition for property located off of NC Hwy 301 North (Parcel #2017-02-028-04) – Brandon Love, Planning Director

Previously, the City of Lumberton annexed property located off of NC Hwy 301 North (Parcel #2017-02-028-04). As of today, the property is zoned County Residential Agriculture. We are requesting to rezone the property to 'A' (City, Agriculture).
CPC to review the request, refer the petition to Planning Board for their review, and authorize the Planning Director to set the date of the public hearing.

RESULT:	REFERRED [8 TO 0]	Next: 8/8/2016 6:00 PM
MOVER:	Leroy Rising, Precinct 1	
SECONDER:	Burnis Wilkins, Precinct 3	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney	
ABSTAIN:	Davis	

- M. Conditional Use Permit petition for property located at 4880 Kahn Drive (parcel # 1006-01-014.01/Deed Book 1958 Page 854). – Brandon Love, Planning Director

Justus 4, LLC has submitted a Conditional Use Permit petition for property located at 4880 Kahn Drive. This request is to allow the restaurant to sell alcoholic beverages.
CPC to review the request, refer the petition to Planning Board for their review, and authorize the Planning Director to set the date of the public hearing.

RESULT:	REFERRED [8 TO 0]	Next: 8/8/2016 6:00 PM
MOVER:	Leroy Rising, Precinct 1	
SECONDER:	John Robinson, Mayor Pro Tem	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney	
ABSTAIN:	Davis	

- N. Award of Contract for Warehouse Demolition Project – Holt Moore, City Attorney

The bid opening for the grant funded demolition work of the two buildings on First Street took place on July 19. Cecil Holcomb Renovations from Raleigh was the low bidder at \$260,000. The list of the other bidders can be found at the bottom of this memo. To date, Mr. Holcomb has refused to sign some of the minority participation paperwork required by the federal government, without which it would be impossible for him to move forward with the project. He has also refused to provide a written request to withdraw his bid, but we

have no option to interpret his refusal to sign the mandatory paperwork as a withdrawal of his bid. State statutes require that he be entitled to a hearing in front of a city representative or the city council, as to whether or not the city will pursue a claim against that bid bond. Staff requests that council advise whether it would prefer for the Public Works Director, in conjunction with our contract engineers to conduct that hearing, or whether council would like to. Also, because Cecil Holcomb Renovations will not be able to participate under any scenario, having effectively withdrawn its bid, staff requests that council award the contract to the second lowest bidder, 4 Seasons Site and Demo from Wilmington, whose bid was \$296,896.00.

Remaining bids:

NEO Corporation, Canton, NC: \$306,500
 Muter Construction, Zebulon, NC: \$384,078
 Empire Dismantlement, Grand Island, NY: \$454,000
 Driven Contractors, Maxton, NC: \$474,800
 DH Griffin Wrecking Co., Wilmington, NC: \$524,200

Advise staff whether Council wishes to conduct the hearing regarding whether the city should pursue Cecil Holcomb's bid bond, or whether you would prefer the Public Works Director to do so, in conjunction with the contract engineer, and award the contract to 4 Seasons Site and Demo at \$296,896.00.

RESULT:	REFERRED [8 TO 0]	Next: 8/8/2016 6:00 PM
MOVER:	Erich Hackney, Precinct 8	
SECONDER:	John Cantey Jr., Precinct 5	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney	
ABSTAIN:	Davis	

- O. Adopt a Resolution Directing the City Clerk to Certify the Petition for a Ditch Tiling Assessment for William C Rowan for Property Located at 2360 Oak Street – Holt Moore, City Attorney

This is a petition for ditch tiling at 2360 Oak Street.

Adopt the Resolution relating to the petition for ditch tiling.

RESULT:	REFERRED [8 TO 0]	Next: 8/8/2016 6:00 PM
MOVER:	Burnis Wilkins, Precinct 3	
SECONDER:	John Cantey Jr., Precinct 5	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney	
ABSTAIN:	Davis	

- P. Approval of June 2016 Tax Releases – Linda Oxendine, Public Services Director
 Per G.S. 105-381, which authorizes the release or refund of billed and / or collected taxes when such taxes were imposed as a result of any of the following reasons:
 Clerical / computational error, the tax was listed and billed in the name of the wrong taxpayer, the property did not fall within the jurisdiction of the City of Lumberton, or the tax was listed in duplicate.

The City of Lumberton Tax Office submits for approval the following tax releases which were generated primarily in response to documentation from the Robeson County Tax Assessor and/or city staff clerical errors for the years and amounts outlined below:

2007-----1.00

2015-----52.23

Approve the release of the June 2016 property taxes.

RESULT:	REFERRED [8 TO 0]	Next: 8/8/2016 6:00 PM
MOVER:	John Cantey Jr., Precinct 5	
SECONDER:	Burnis Wilkins, Precinct 3	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney	
ABSTAIN:	Davis	

- Q. Approve the designation of \$500.00 of Community Revitalization Funds to B.B. Thompson Choir, Inc. – Erich Hackney, Precinct 8

Councilman Hackney is requesting \$500.00 of Community Revitalization Funds to be given to the B.B. Thompson Choir, Inc., for their educational ministry, workshops and the Annual Concert.

Designate \$500.00 of CRF to the BB Thompson Choir Inc.

RESULT:	REFERRED [8 TO 0]	Next: 8/8/2016 6:00 PM
MOVER:	John Cantey Jr., Precinct 5	
SECONDER:	Chris Howard, Precinct 6	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney	
ABSTAIN:	Davis	

- R. Approve the designation of \$700.00 of CRF to Redstone-Hayswood School as follows: P2 - \$100.00 P3 - \$100.00 P4 - \$100.00 P6 - \$300.00 Mayor's Discretionary Fund - \$100.00 – Chris Howard, Precinct 6

Councilman Howard requests \$300.00 of CRF to be given to Redstone-Hayswood School for a celebration.

Designate \$300.00 of CRF to Redstone-Hayswood School.

RESULT:	REFERRED [UNANIMOUS]	Next: 8/8/2016 6:00 PM
MOVER:	Erich Hackney, Precinct 8	
SECONDER:	John Cantey Jr., Precinct 5	
AYES:	Davis, Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney	

- S. Approve the designation of \$950.00 of Community Revitalization Funds to Team for Kids in Honor of Joseph Frederick - Marathon Runner as follows: P1 - \$100.00 P2 - \$150.00 P3 - \$100.00 P4 - \$100.00 P5 - \$100.00 P6 - \$100.00 P7 - \$100.00 P8 \$100.00 and from the Mayor's Discretionary Fund - \$100 – Holt Moore, City Attorney

As it meeting of August 3, 2016, the Council Policy Committee heard a request from Police Officer Joseph Frederick requesting support in his efforts to raise funds for youth health and wellness as part of the 2016 New York City Marathon in which he is a participant.

Approve the designation of \$950.00 of Community Revitalization Funds to Team for Kids in

Honor of Joseph Frederick - Marathon Runner as follows: P1 - \$100.00 P2 - \$150.00 P3 - \$100.00 P4 - \$100.00 P5 - \$100.00 P6 - \$100.00 P7 - \$100.00 P8 - \$100.00 Mayor's Discretionary Fund \$100.00

RESULT:	REFERRED [8 TO 0]	Next: 8/8/2016 6:00 PM
MOVER:	Erich Hackney, Precinct 8	
SECONDER:	Leon Maynor, Precinct 7	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney	
ABSTAIN:	Davis	

V. DESIGNATION OF CONSENT/NON-CONSENT ITEMS

VI. ADJOURNMENT