CITY OF LUMBERTON

CITY COUNCIL

MINUTES ● JULY 11, 2016

Regular Meeting | **Third Floor Conference Room** | **4:00 PM**

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

I. CALL TO ORDER

II. ROLL CALL

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	
Laney Mitchell-McIntosh	City Clerk	Excused	
Holt Moore	City Attorney	Present	
Heath Graham	Police Officer	Present	
Ronnie Hayes	Police Officer	Present	
Tim Taylor	Recreation Director	Present	
Michael McNeill	Police Chief	Present	

III. INVOCATION

Councilman Chris Howard

IV. PLEDGE OF ALLEGIANCE

Led by Councilman Cantey.

V. PUBLIC COMMENT PERIOD

Johnny Britt appeared before Council and discussed the Lumberton Softball Association. He stated that they have played in the World Series for three years straight and that they went 9-1 in the conference. He stated that he told the girls that he would get them new uniforms this year since they haven't had any in so long. He stated that the price of the uniforms is $1,617. He stated that we are certainly grateful for all the support that they have received from council and hope that they can receive some donations to help with the uniforms.

Councilman Maynor asked if they receive any other monies or donations. Mr. Britt stated that they receive donations as well as have carwashes and any other ideas they may have to offset the expense.

On a motion by Councilman Hackney, and a second by Councilman Maynor, $2,000 of Community Revitalization Funds was given to the Lumberton Softball Association as follows:

P1 - $200 P2 - $200 P3 - $200 P4 - $200 P5 - $100 P6 - $200
P7 - $250 P8 - $250 Mayor's Discretionary Fund - $400.00

The motion carried unanimously.

VI. AGENDA ITEMS

1. Stark Investment Properties and Oakridge Land Development Co., LLC annexation request for property located in Amberdale Subdivision Section 3 Part 3, lots #43, 44 & 45. – Brandon Love, Planning Director
   Stark Investment Properties and Oakridge Land Development Co., LLC requests a contiguous annexation of property located in Amberdale Subdivision Section 3 Part 3, lots #43, 44 & 45. (Portion of Parcel # 1004-02-080).
   The Planning & Neighborhood Services Department received an application for a contiguous annexation from Stark Investment Properties and Oakridge Land Development Co., LLC requesting that property located in Amberdale Subdivision Section 3 Part 3, lots #43, 44 & 45, being a portion of Parcel # 1004-02-080, be annexed into the City of Lumberton.
   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 August 8, 2016

   City Manager Horne presented this item in the absence of the Planning Director Brandon Love.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Leroy Rising, Precinct 1
SECONDER:	John Cantey Jr., Precinct 5
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney
ABSTAIN:	Davis

2. Acceptance of Engineering Services Proposal for Bill Sapp Gynmasium – Tim Taylor, Recreation Director
   During Capital Improvement workshop discussions with Council, the installation of a central air system for the Bill Sapp gymnasium has been identified as a priority to allow for year round use of this space. Recreational activities and private rentals are suspended during the summer and fall months when temperatures rise above 100 degrees making the space unusable.

   CBHF Engineers, PLLC propose to provide engineering services to create construction documents needed to solicit bids for installation of an HVAC system in the gymnasium that would condition interior during full load conditions and during unoccupied empty times.

   CBHF Engineers, PLLC has experience in renovations of this type and has previously provided the engineering documents for Lumberton's Police Department Headquarters and served as a consultant with the Becker Morgan Group on other projects with the City.

   Estimated cost of engineering services is **$20,500**.

   Capital Reserve Funds were approved in FY15/16 and FY16/17 for this project.
   Staff recommends that City Council accept CBHF Engineering Services proposal and authorize the City Manager to execute the attached agreement.

RESULT:	**APPROVED [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	

3. Review of Option / Contract with Preservation NC – Holt Moore, City Attorney
The option agreement we have with Preservation NC regarding the historic fire station, will automatically renew at the end of August, unless the City (or either party) cancels it by the end of July. As the July 11th meeting is the last meeting prior to that deadline, staff is bringing this to council for your review.
Advise staff as to whether council wishes to renew or cancel the current option agreement with Preservation NC.

A lengthy discussion ensued concerning this item. Councilman Maynor acknowledged that the Robeson County Partnership is looking at another building. He stated that the relationship between the Partnership and NC Preservation has deteriorated. He stated that the Partnership does not want to work with NC Preservation. However, there's nothing concrete at this point.

City Manager Horne stated that NC Preservation stated that they have been working to sell the building and has shown the building to 15 or 20 perspective buyers, some which have expressed serious interest; however, nothing has come through as of yet.

Councilman Rising would like to see the building utilized and really hope that NC Preservation could

Councilman Cantey asked if

RESULT:	**TABLED [6 TO 2]**	**Next: 8/8/2016 6:00 PM**
MOVER:	John Cantey Jr., Precinct 5	
SECONDER:	Chris Howard, Precinct 6	
AYES:	Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor	
NAYS:	Rising, Hackney	
ABSTAIN:	Davis	

4. Approve the designation of $400.00 of Community Revitalization Funds to Wycliffe East Homeowners Association for a Community Day Event – Leroy Rising, Precinct 1
Councilman Rising requests $400.00 of CRF to be given to the Wycliffe East Homeowners Association for a community event.
Designate $400.00 of CRF to the Wycliffe East Homeowners Association.

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

5. Approve the designation of $250.00 of Community Revitalization Funds for Parkview Activity Center Summer League Basketball Program from Precinct 2 – John Robinson, Mayor Pro Tem
Councilman Robinson requests $250.00 of CRF for Parkview Activity Summer League Basketball program.
Designate $250.00 of CRF to Parkview for the Summer League Basketball program.

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

6. Approve the designation of $150.00 of Community Revitalization Funds for Parkview Activity Center Summer League Basketball Program from Precinct 5 – John Cantey Jr., Precinct 5
Councilman Cantey requests $150.00 of CRF for Parkview Activity Summer League Basketball program.
Designate $150.00 of CRF to Parkview for the Summer League Basketball program.

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

7. Approve the designation of $100.00 of Community Revitalization Funds for McCormick Chapel Youth Program from Precinct 5 – John Cantey Jr., Precinct 5
Councilman Cantey requests $100.00 of CRF for McCormick Chapel Youth program.
Designate $100.00 of CRF to McCormick Chapel Youth program.

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

8. Approve the designation of $400.00 of Community Revitalization Funds for Community Day in Precinct 5 – John Cantey Jr., Precinct 5
Councilman Cantey requests $400.00 of CRF for Community Day.

Designate $400.00 of CRF for Community Day.

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

9. Approve the designation of $150.00 of Community Revitalization Funds for Community Watch in Precinct 5 – John Cantey Jr., Precinct 5
Councilman Cantey requests $150.00 of CRF for Community Watch.
Designate $150.00 of CRF for Community Watch.

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

10. Approve the designation of $250.00 of Community Revitalization Funds for Parkview Activity Center Summer League Basketball Program from Precinct 6 – Chris Howard, Precinct 6
Councilman Howard requests $250.00 of CRF for Parkview Activity Summer League Basketball program.
Designate $250.00 of CRF to Parkview for the Summer League Basketball program.

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

11. Approve the designation of $100.00 of Community Revitalization Funds for McCormick Chapel Youth Program from Precinct 6 – Chris Howard, Precinct 6
Councilman Howard requests $100.00 of CRF for McCormick Chapel Youth program.
Designate $100.00 of CRF to McCormick Chapel Youth program.

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

12. Approve the designation of $400.00 of Community Revitalization Funds for Girls Training Camp from Precinct 6 – Chris Howard, Precinct 6
Councilman Howard requests $400.00 of CRF for the Girls Training Camp.

Designate $400.00 of CRF to the Girls Training Camp in care of Ms. Kawanda Merritt.

A motion was made by Councilman Hackney, seconded by Councilman Cantey, adding the additional discretionary funds as indicated below: Totaling $1,050

Pl - $100.00 P2 - $150.00 P3 - $100.00 P4 - $100.00 P5 - $100.00 P7 - $100.00

It carried unanimously.

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

VII. PUBLIC HEARINGS

A. Rezoning petition for property located at 602 Glendale Avenue (parcel # 3247-04-005.01/Deed Book 1151 Page 0786). – Brandon Love, Planning Director
Marlita M. Moujahed has submitted a Rezoning petition for property located at 602 Glendale Avenue (parcel # 3247-04-005.01/Deed Book 1151 Page 0786).

This request is to rezone the property from M-1 (light manufacturing) to R-3 (residential mulit-family) for the operation of a boarding house (use#1.510) at this location.

This use also requires a Conditional Use Permit. The applicant has submitted a Conditional Use Permit application, which is following this agenda item.

The additional information submitted to the Planning Board is provided in your City Council packet, for your review.
Recommends that City Council hold tonight's public hearing and deny the rezoning request.

Mayor Davis opened the Public Hearing to consider rezoning property located at 602 Glendale Avenue from M-1 (Light Manufacturing) to R-3(Residential Multi-family) for the operation of a boarding house. City Clerk Laney Mitchell-McIntosh submitted the Affidavit of Publication showing that the Notice of the Hearing was advertised in The Robesonian.

Ms. Marlita Moujahed appeared before Council and stated that Council sent her request back to the Planning Board who in turn made the issue more about her character than the action itself. Ms. Moujahed wanted to know if her property is not rezoned what she could possibly do with it.

Ray Hunt, Glen Base, R. D. Locklear, Dale Bartley spoke in favor of the rezoning based on the fact that the home would serve as a shelter for those who have fallen on hard financial times.

Robert Barnes, Ray L., Ann Holmes, Charles Powell, Libby Kane, spoke against the rezoning because of their concerns for safety and the value of their homes. Concerns were voiced as to the monitoring of the facility.

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

RESULT:	**DEFEATED [8 TO 0]**
MOVER:	Karen Higley, Precinct 4
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney
ABSTAIN:	Davis

B. Marlita M. Moujahed Conditional Use Permit petition for property located at 602 Glendale Avenue (parcel # 3247-04-005.01/Deed Book 1151 Page 0786). – Brandon Love, Planning Director
Marlita M. Moujahed has submitted a Conditional Use Permit petition for property located at 602 Glendale Avenue (parcel # 3247-04-005.01/Deed Book 1151 Page 0786).

This request is to obtain a Conditional Use for the operation of a boarding house (use#1.510) at this location.

This applicant has also submitted a rezoning application for this property, which preceded this agenda item.

The additional information submitted to the Planning Board is provided in your City Council packet, for your review.
Recommends that City Council hold tonight's public hearing and deny the Conditional Use Permit request.

RESULT:	**WITHDRAWN**

C. Rezoning petition for two properties located on Wintergreen Drive (parcel # 1003-04-004.02/Deed Book 1357 Page 0608 and parcel # 1003-01-023.04/Deed Book 1630 Page 0697). – Brandon Love, Planning Director
Niranjan "Jim" Shah has submitted a rezoning petition for two properties located on Wintergreen Drive (parcel # 1003-04-004.02 /Deed Book 1357 Page 0608 and parcel # 1003-01-023.04/Deed Book 1630 Page 0697).
This request is for the construction and operation of a hotel (use#1.530 Hotels, motels, and similar businesses or institutions providing overnight accommodations) at this location.
On June 21, 2016 the Planning Board held the public meeting and unanimously recommends that City Council approve the rezoning request.
On June 27, 2016 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 June 23, 2016 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 1, 2016.
On June 24, 2016 a request was sent to the Robesonian to have the legal ad for this request ran on July 1, 2016 and July 8, 2016.
Recommends that City Council hold tonight's public hearing and approve the rezoning request.

Mayor Davis opened the Public Hearing to consider rezoning properties located at on Wintergreen Drive for the construction and operation of a hotel. City Clerk Laney Mitchell-McIntosh submitted the Affidavit of Publication showing that the Notice of the Hearing was advertised in The Robesonian.

No one spoke at the public hearing and the hearing was closed.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Leroy Rising, Precinct 1
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney
ABSTAIN:	Davis

VIII. ADJOURNMENT