



CITY OF LUMBERTON

CITY COUNCIL

MINUTES • JULY 8, 2019

Special Meeting

Third Floor Conference Room

11:00 AM

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

I. CALL TO ORDER

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

B. Invocation

C. Invocation: City Attorney Holt Moore

II. MINUTES APPROVAL

A. City Council - Special Meeting - Mar 11, 2019 6:00 PM –

RESULT:	ACCEPTED [7 TO 0]
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Leroy Rising, Precinct 1
AYES:	Chavis, Carroll, Rising, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis

III. PUBLIC COMMENT PERIOD

Mr. Randy Lewis, 506 E. 22nd Street with Community Comes First (CCF); appeared before Council and stated that Community Comes First has been restoring homes to help the victims of Hurricanes Matthew and Florence since 2016. He stated that Community Comes First has been doing all this work for free. Mr. Lewis stated that they have now expanded to help the elderly and has partnered with Food Lion to help those 65 years of age and over who receives less than \$1,100 per month of income. He stated that a Food Lion truck is at his location offloading food at the present time. Today, I am asking for Council assistance in paying the rent for two months and the electric bill. The electric bill is \$512; however, we just got 10 new appliances and I know that it will be increasing.

Mr. Lewis offered to for submission his lease and his nonprofit paperwork. City Attorney stated that it might be helpful if we knew what the rent is and how much the electric bill is. He stated that the rent is \$1,900 per month and the last electric bill is \$512; however, we just got 10 new appliances and I know that it will be increasing.

Mayor Davis stated that Council would take this information under advisement and we will get back with you.

City Attorney Moore asked Mr. Lewis to leave a copy of his paperwork with the receptionist and he would pick it up.

IV. CONSENT AGENDA

- A. Approve the Ratification of a Telephonic Poll to use \$400 of CRF in Precinct 7 for Summer Camp - City Council

Councilman Chavis requested to give Robeson County Recreation Department \$400.00 of CRF to help with sending 21 kids from various housing areas to summer camp. The poll was held on June 18, 2019 with a unanimous vote.

That City Council ratify the unanimous vote designating \$400.00 to Robeson County Recreation Department in support of sending 21 kids to summer camp.

RESULT:	APPROVED [7 TO 0]
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Chavis, Carroll, Rising, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis

V. AGENDA ITEMS FOR COUNCIL'S CONSIDERATION:

- A. Bharat Kumar L. Patel Rezoning petition for property located at on Farmbrook Drive and Hatfield Court – ArTriel Kirchner, Interim Planning Director

Bharat Kumar L. Patel has submitted a Rezoning petition for property located on Farmbrook Drive and Hatfield Court (parcel #'s 1003-04-021 and 1003-04-02802/Deed Book 1670 Page 23 and Deed Book 2180 Page 747). This request is to allow for the construction of a four story hotel at this location. This property is zoned B-4 (business general commercial) and this request is to rezone the parcels to B-5, highway services which allows a maximum building height of 60 feet.

This property is located within Area 12 and its recommended future use is high intensity, as identified in our Land Use Plan. Furthermore, this property is located within Council Precinct #1.

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

CPC to review the request, refer the petition to the July 16, 2019 Planning Board meeting for their review, and authorize the Interim Planning Director to set the date of the public hearing.

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

- B. James L. Gibson and wife, Oakridge LAND Development Co., Stark Investment Properties, LLC & Kyle J. Keating and wife annexation request for property located in Amberdale Subdivision Section 3 Part 3, lots # 46, 62, 63, 64, 71, 72, & 73. – ArTriel Kirchner, Interim 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.

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 12, 2019

RESULT:	APPROVED [7 TO 0]
MOVER:	Leroy Rising, Precinct 1
SECONDER:	Eric Chavis, Precinct 7
AYES:	Chavis, Carroll, Rising, Higley, Cantey, Howard, 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, Interim 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 requesting a contiguous annexation of 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.

Recommends that City Council direct the City Clerk to investigate said petition.

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

- D. Brenda Taylor Phillips Rezoning petition for property located at 3505 Elizabethtown Road – ArTriel Kirchner, Interim 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.

CPC to review the request, refer the petition to the July 16, 2019 Planning Board meeting for their review, and authorize the Interim Planning Director to set the date of the public hearing.

RESULT:	APPROVED [7 TO 0]
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	John R. Carroll, Precinct 3
AYES:	Chavis, Carroll, Rising, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis

- E. City of Lumberton Rezoning petition for property located at 503 McPhail Road. – ArTriel Kirchner, Interim Planning Director

City of Lumberton has submitted a Rezoning petition for 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 senior housing multifamily development.

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.

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

Council to review the request, refer the petition to the July 16, 2019 Planning Board meeting for their review, and authorize the Interim Planning Director to set the date of the public hearing.

RESULT:	APPROVED [7 TO 0]
MOVER:	Karen Higley, Precinct 4
SECONDER:	Eric Chavis, Precinct 7
AYES:	Chavis, Carroll, Rising, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis

- F. Ordinance Revision - Rollout Containers at Mobile Home Parks – Holt Moore, City Attorney
This item is designed to address those mobile home parks which pre-dated our current ordinance which states that mobile home parks with 5 or more units may not have city-

sponsored rollout containers for their solid waste, but must either have a dumpster or *non-city-sponsored* rollout containers. The new ordinance gives them 90 days to either switch to a dumpster or non-city rollouts. Without the new ordinance, they are legally grandfathered. Public Works has found the city-sponsored rollouts at the parks to be problematic. A memo and the draft ordinance revision (proposed additions in red), are attached. Thank you. Approve proposed ordinance revisions.

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

- G. Proposed Fishing Pier at Stephens Park. – Holt Moore, City Attorney
Please find attached a memorandum and other materials describing a fishing pier at Stephens Park which has been proposed by the North Carolina Wildlife Resources Commission.
Approve agreement with NC Wildlife Resources Commission.

RESULT:	APPROVED [7 TO 0]
MOVER:	Eric Chavis, Precinct 7
SECONDER:	Chris Howard, Precinct 6
AYES:	Chavis, Carroll, Rising, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis

- H. Authorizing the Installation of Interactive Public Art Piece – Brandon Love, Deputy City Manager

Rediscover Downtown Lumberton (RDL) has approached the City with the intention of installing an interactive, public art piece along the newly constructed Riverwalk next to Water Street. RDL will be furnishing half of the purchase amount, with a private donor providing the balance of funding. RDL is requesting City Council authorization to place the artwork next to the Riverwalk and to provide oversight for its installation.

City Council to authorize the placement of the interactive, public art piece on City owned property, adjacent to the Riverwalk and direct staff to supervise its installation.

Sherman Southerland, President of RDL, appeared before Council and stated that this art piece will be an enhancement for the Riverwalk. He stated that RDL had not made an active financial contribution and we believe that this contribution will demonstrate RDL's commitment to the effort. He stated that this is a tasteful piece of artwork.

Deputy City Manager explained that this is a whispering bench with a fish design; people will be able to interact with each other.

RESULT:	APPROVED [7 TO 0]
MOVER:	Chris Howard, Precinct 6
SECONDER:	John Cantey, Mayor Pro Tem
AYES:	Chavis, Carroll, Rising, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis

VI. KEY TO THE CITY

William Surles “Bill” McArthur, Jr., (Colonel, United States Army, Retired) a native of Red Springs, was selected for the Astronaut Program in January 1990. He is a veteran of four spaceflights logging 224 days, 22 hours, 28 minutes and 10 seconds in space to include 24 hours and 21 minutes of spacewalk time in four spacewalks. His last assignment was as director of safety and mission assurance for the Johnson Space Center and retired from NASA in 2017.

Mr. McArthur will be conducting some assignment with our youth and a special program is being held at Robeson Community College in his honor. Ms. Dencie Lambdin has asked if the City would present him with a Key to the City.

Councilman Thomas made a motion, seconded by Councilman Howard, authorizing the Mayor to present a Key to the City to William Surles “Bill” McArthur, Jr. (Colonel, US Army, RET).

VII. ADJOURNMENT

Before the meeting adjourned; City Manager Horne asked Council if they want them to bring before them items concerning the installation of materials from RDL or other organizations that are under \$5,000. He stated that the thought is Council should know what is being installed within the City so you just don’t walk up on something and be taken by surprise.

Council consensus is that they would like to see everything that is being installed beforehand.

City Manager Horne also asked about the flooring and Council left that decision to the City Manager.