



CITY OF LUMBERTON

CITY COUNCIL

MINUTES • JUNE 24, 2020

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

B. Invocation: City Attorney Moore

II. PUBLIC HEARING;

City Attorney Moore stated for clarification as to where we are in the process of this hearing; because of the restrictions with COVID-19 that written comments be submitted up to today. All comments have been submitted by email or located on the website to Council. Yesterday was an opportunity for Council to ask anyone questions that they may have had and Council had no questions at that time. What remains today is that Council has had all the evidence submitted to them and it is time to deliberate and discuss the matter and vote on the item.

Mayor Davis called upon Councilwoman Higley; who in turn made a motion to deny this request and it was seconded by Councilman Thomas.

Councilman Cantey offered a substitute motion, seconded by Councilman Howard, requesting that the item be approved. City Attorney Moore stated that once the time comes to vote the substitute motion would be voted on first.

Discussion: Councilmen Cantey and Howard voiced their opinions concerning the shortage of housing in the City of Lumberton since the flood with Hurricane Matthew. Councilman Cantey stated that it is time to come together and do what's right for the citizens of Lumberton and not just a few who does not want the housing in their area. He stated that all this talk about racial diversity and racial divide that this Council would do what is best for all residents. This is a time that we can replace some of the housing units that were lost in Myers Courts and Hilton Heights a place to live.

Councilman Howard stated that everyone knows that we are having problems being in a flood zone. He talked about all the issues with diversity, how we are judged because of the color of our skin. How comments such as place it down by the jail house it would be okay. He stated that there are things coming down the pipeline and we won't have a choice but to deal with it.

Councilwoman Higley stated that her Precinct is basically equal in race and she does not have a problem with that or she wouldn't be sitting in this seat. She stated that she has a lot going on in East Lumberton; 66 units were approved on McPhail Road for the elderly and 30 homes are being built for flood victims which any flood victim can qualify. I am not ignoring the people, there is just a lot going on in East Lumberton. She stated that these 30 home will be built with support from the State, City and NC Baptist Men Association.

A. Lumberton Housing Authority has submitted a Rezoning petition for property located at 2440 E. 5th Street – ArTriel Kirchner, Planning Director

At the March 4, 2020 City Council meeting, Council voted to continue the hearing for this petition until the next scheduled meeting. Due to Statutes relating to the COVID-19 pandemic the next scheduled public hearing was postponed until today, June 24, 2020.

Lumberton Housing Authority has submitted a Rezoning petition for property located at 2440 E. 5th Street (parcel #1014-03-026 & 1014-03-03301/Deed Book 1001 Page 296 & Deed Book 970 Page 269). This request is to rezone the property from B-7, Business general commercial/mobile home sales to R-3, multifamily for the construction of a multifamily development.

This property is located within Area 5 our Land Use Plan and its recommended future use is Industrial. 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.

On February 18, 2020 the Planning Board held the public hearing and recommends City Council approve the request.

On February 19, 2020 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 February 18, 2020 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 February 21, 2020.

On February 18, 2020 a request was sent to the Robesonian to have the legal ad for this request ran on February 21, 2020 and February 28, 2020

Recommends that City Council hold tonight's public hearing and make a decision regarding the rezoning request.

Mayor Davis opened the public hearing to consider a request to rezone property from B-7, Business general commercial/mobile home sales to R-3, multifamily for the construction of a multifamily development. City Clerk Mitchell-McIntosh submitted the Affidavit of Publication showing that the hearing was advertised in the Robesonian.

City Attorney Moore explained the procedures for the public hearing stating that anyone desiring to comment on the public hearing has 24 hours from the time of the hearing to submit their comments.

City Attorney Moore stated that under the new COVID-related statutes, the vote will need to be held at a later time (at least 24 hours after the hearing).

No one appeared to speak and the hearing was recessed until June 25, at 3:00 p.m.

RESULT:	NOT APPLICABLE
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III. AGENDA ITEMS

- A. Adopt a Resolution to take over 230 feet of VFW Road – Rob Armstrong, Public Works Director

Public Works Department is requesting that the City adopt the attached Resolution requesting that the North Carolina Department of Transportation delete from the State Highway System that portion of VFW Road from Crystal Road, 230 northwest to Cox Road from the State Highway System. This is the area within our floodgate project under I-95/railroad track which we will eventually come back and ask that it be permanently closed.

RESULT:	APPROVED [7 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis
EXCUSED:	Chavis

- B. Approval of Contractor for Phase I of the Lumberton Memorial Park – Brandon Love, Deputy City Manager

Del Crawford, Registered Landscape Architect with Crawford Design Group has advertised for bids to construct Phase I of the Lumberton Memorial Park. Phase I shall consist of the elevation of existing drainage structures, installation of a new water line and rough filling and grading of the Memorial Park site. A pre-bid meeting was held on-site, at the intersection of Elizabethtown Road and Water Street on June 8th at 2:00pm and was attended by five potential contractors. Informal bids were then accepted at City Hall until 5:00pm on June 18th.

Staff recommends that City Council accept the lowest responsible bid for construction of Phase I of the Lumberton Memorial Park and authorize staff to execute the appropriate contracts for construction.

(A certified bid tabulation sheet shall be submitted at Wednesday's City Council meeting.)

There was a question as to how many phases from beginning to end. This project will be ongoing for two (2) years. Councilman Cantey commented that a couple of years ago, we talked about the committee being formed of diversity. This is just a reminder of that. City Manager Horne stated that the recommendations for the Committee will come back to the Council.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Leroy Rising, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Davis, Rising, Robinson, Carroll, Higley, Cantey, Howard, Thomas
EXCUSED:	Chavis

IV. ADJOURNMENT