CITY OF LUMBERTON

COUNCIL POLICY COMMITTEE

MINUTES ● JUNE 13, 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	Remote	
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	
Brandon Love	Planning Director	Present	
Alisha Thompson	Finance Director	Present	
Jim Walters	Deputy Public Works Director	Present	
Michael McNeill	Police Chief	Present	

III. INVOCATION

IV. ITEMS FOR COUNCIL POLICY COMMITTEE CONSIDERATION

A. Agenda Items

1. Authorize the Police Department to apply for 2016 Edward Byrne JAG Grant – Michael McNeill, Police Chief
   The Lumberton Police Department is asking permission to apply for the 2016 Edward Byrne JAG Grant in the amount of $38,282. Funds from this grant will be used for training, equipment and overtime operations.
   It is recommended that the Lumberton Police Department be granted permission to apply for the Edward Byrne JAG Grant in the amount of $38,282.

RESULT:	**REFERRED [8 TO 0]**	**Next: 6/13/2016 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	

2. Well #6 Rehabilitation – Rob Armstrong, Public Works Director
Public Works would like to Rehabilitate Well #6. This well was originally scheduled to receive maintenance work during this fiscal year but the work was delayed. Public Works would like to proceed with the maintenance work as soon as possible. Attached are two quotes. The quote from Pearson Pump for $12,780 only includes a price for inspecting and air burst cleaning the well. Any other repair requirements discovered during the inspection would be charged in addition to the inspection fee. Additionally, Pearson's quote is for Airburst cleaning which we don't want to do because this well has a casing reducing sleeve at the screen packer seal which could be damaged during airburst cleaning. Public Works prefers contracting with Charles Underwood Inc. who proposes using and acid cleaning of the screens and has already priced in rebuilding the pump and providing a new bowl assembly and appurtenances. Charles Underwood Inc. has itemized their quote for the cleaning and inspection ($3,675 + $8,475 = $12,150) and rebuilding ($19,701) for a total of $31,851.00
Public Works is requesting Council approval to contract with Charles Underwood Inc. to rehabilitate Well #6 for a not-to-exceed price of $31,851.00 with from money allocated from the Water and Sewer Capital Reserve Fund.

RESULT:	**REFERRED [8 TO 0]**	**Next: 6/13/2016 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	

3. Repainting NC 72 Water Tank Change Order #1 & 2 – Rob Armstrong, Public Works Director
Attached are Change Orders #1 & 2 from Utility Service Group Co., Inc. for the repainting of the NC 72 elevated water tank.
Change Order #1 increases the contract price by: $2,500.00
This change order was to install a conduit on top of the tank, to run all of the coaxial cables. Prior to this installation, the cables penetrated the roof in several locations and were directly in contact with the top of the tank. Attached are the pictures of the conduit.
Change Order #2 increases the contract price by: $5,590.00
This change order is for a complete overcoat of the interior dry area above the condensate deck. When the contractor was pressure washing the interior, as specified, the paint chipped off in small portions throughout the entire area. This went back to bare steel which will eventually rust. In the contract we accounted for spot repainting, but not an entire overcoat, thus the reason for the change order. Attached are pictures of this area.
The new total adjusted contract price due to Change Orders #1 & 2 is $1,335,090.

Public Works is requesting Council approval of Change Order #1 for $2,500 and Change Order #2 for $5,590 from Utility Service Group Co., Inc for the NC 72 water tank repainting project to be paid for from capital code 60-00-8220-5860. The new total adjusted contract price due to Change Orders #1 & 2 is $1,335,090.

RESULT:	**REFERRED [8 TO 0]**	**Next: 6/13/2016 6:00 PM**
MOVER:	Leon Maynor, Precinct 7	
SECONDER:	Chris Howard, Precinct 6	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney	
ABSTAIN:	Davis	

4. 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.

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

RESULT:	**REFERRED [8 TO 0]**	**Next: 6/13/2016 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	

5. 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.

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: 6/13/2016 6:00 PM**
MOVER:	Leroy Rising, Precinct 1	
SECONDER:	Erich Hackney, Precinct 8	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney	
ABSTAIN:	Davis	

6. Approval of the Write-off of Delinquent Accounts – Alisha Thompson, Finance Director
A list of delinquent accounts is attached for review and consideration for write-off. This is a standard accounting practice to write-off accounts receivable that are three years old and taxes receivable that are ten years old and continue our efforts to collect them.
Recommend that CPC approve the write-off of the attached delinquent receivables.

RESULT:	**REFERRED [8 TO 0]**	**Next: 6/13/2016 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	

7. Authorize FY 2016 Budget Amendments – Alisha Thompson, Finance Director
Budget amendments will be needed for the year end closing of fiscal year 2016. City Manager Wayne Horne and Finance Director Alisha Thompson are requesting authorization to perform budget amendments for year end.
Recommend that CPC authorize the City Manager and Finance Director to perform budget amendments for year end closing effective June 30, 2016.

RESULT:	**REFERRED [8 TO 0]**	**Next: 6/13/2016 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	

8. Approval of Professional Banking Services – Alisha Thompson, Finance Director
Our current contract with BB&T will expire on June 30, 2016. A list of required services and general information was given to local banks to receive a competitive proposal. The options are summarized in the attached chart.
Recommend that CPC review the attached options and award the contract to First South Bank for the next three fiscal years.

RESULT:	**REFERRED [8 TO 0]**	**Next: 6/13/2016 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	

9. Adopt a Resolution to Accept Page Road from NCDOT – Holt Moore, City Attorney
The attached resolution requesting that the NC Department of Transportation concur with

the deletion of a portion of Page Road from Martin Luther King Drive (NC HWY 41), 975 feet northwest, to Kenny Biggs Road from the State Highway System and that said street be made a part of the City of Lumberton's Street System for maintenance purposes. Public Works is requesting Council Approval of the attached resolution asking that the NC Department of Transportation concur with the deletion of a portion of Page Road from Martin Luther King Drive (NC HWY 41), 975 feet northwest, to Kenny Biggs Road from the State Highway System and that said street be made a part of the City of Lumberton's Street System for maintenance purposes.

RESULT:	**REFERRED [8 TO 0]**	**Next: 6/13/2016 6:00 PM**
MOVER:	John Cantey Jr., Precinct 5	
SECONDER:	Erich Hackney, Precinct 8	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney	
ABSTAIN:	Davis	

10. Breed Specific Dog Provisions – Holt Moore, City Attorney

At the March workshop and again at the May Council Policy Committee meeting, Council considered implementing an ordinance placing additional restrictions on certain breeds of dogs. As the majority of Council seemed to feel that such an ordinance is needed, staff has prepared one for your potential approval. A memo setting forth some of the primary features of the ordinance, a marked-up version of the ordinance showing the changes, and a clean copy of the proposed new ordinance are attached.
Consider the proposed changes to the current dog ordinance, and enact said changes if Council finds them satisfactory.

Councilman Hackney asked that the Chow Chow and the Rottweiler be removed from the breed specific list. Statics show that the greatest percentage of harm is caused by the pit breed of dogs.

Councilman Cantey expressed his concerns about the cost to the dog owners especially those who are good dog owners. This ordinance would place an unfair burden on the responsible dog owner. When you add each component of the ordinance you may be looking at $1,800 or more. Councilman Cantey stated that he understands and that he wants to prevent dog attacks and is in total agreement with the physical aspects of the proposed ordinance; however, the policy is unfair to some dog owners.

Councilmen Howard and Maynor expressed concerns with the enforcement of the City's current ordinance. Councilman Howard. Councilman Howard also raised concerns about renters.

Ms. Jamie West appeared before the CPC and stated that six months ago; her son Talan West was attacked and killed by pit bulls in January while paying outside with his older brother, who also suffered serious injuries. Ms. West stated that this ordinance is needed, she promised her son that something would be done, that we have got to start somewhere. However, I do have concerns on the enforcement of the ordinance.

RESULT:	**REFERRED [5 TO 3]**	**Next: 6/13/2016 6:00 PM**
MOVER:	Erich Hackney, Precinct 8	
SECONDER:	Leroy Rising, Precinct 1	
AYES:	Rising, Wilkins, Higley, Maynor, Hackney	
NAYS:	Robinson, Cantey Jr., Howard	
ABSTAIN:	Davis	

11. Ordinance an Ordinance Regulating Basketball and Other Games on City Streets – Holt Moore, City Attorney

    At the workshop in March, Council considered whether to put in place a prohibition against playing games in city streets. This had stemmed from complaints primarily about basketball being played on city streets, making it difficult for vehicles to pass by and also causing potential danger from traffic to those playing the games. It seemed to be the general consensus of Council to put in a prohibition. Attached is proposed revision to our ordinance which would do away with the possibility of play streets and implement a ban on games on city streets and on basketball and similar goals in city right of ways.

    Consider proposed ordinance revision and pass if found to be suitable.

RESULT:	**REFERRED [8 TO 0]**	**Next: 6/13/2016 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	

12. Authorize the May 2016 Tax Releases – Holt Moore, City Attorney

    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:
    2008----------.62
    2009----------.05
    2010----------.10
    2011----------.18
    2014----------14.91
    2015----------413.37
    Approve the tax releases for the years and amounts listed above.

RESULT:	**REFERRED [UNANIMOUS]**	**Next: 6/13/2016 6:00 PM**
MOVER:	Erich Hackney, Precinct 8	
SECONDER:	Burnis Wilkins, Precinct 3	
AYES:	Davis, Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney	

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

RESULT:	**REFERRED [8 TO 0]**	**Next: 6/13/2016 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	

14. Approve the designation of $1200.00 of CRF for Godwin Heights Family Fun Day and $600.00 for Godwin Heights Community Watch – Burnis Wilkins, Precinct 3
    Councilman Wilkins requests $1,800 of Community Revitalization Funds to be given to Godwin Heights; $1,200 for the Family Fun Day and $600.00 for Godwin Heights Community Watch.
    Designate $1,800 of CRF for Godwin Heights Family Fund Day and Community Watch.

RESULT:	**REFERRED [8 TO 0]**	**Next: 6/13/2016 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	

15. Approve the designation of $850.00 of Community Revitalization Funds in Precinct 5 for a Community Day – John Cantey Jr., Precinct 5
    Councilman Cantey requests $850.00 of CRF for a Community Day in Precinct 5.
    Designate $850.00 of CRF in Precinct 5 for a Community Day.

RESULT:	**REFERRED [8 TO 0]**	**Next: 6/13/2016 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	

16. Approve the designation of $850.00 of Community Revitalization Funds in Precinct 6 for a Community Day – Chris Howard, Precinct 6
    Councilman Howard requests $850.00 of CRF for a Community Day in Precinct 6.
    Designate $850.00 of CRF in Precinct 6 for a Community Day.

RESULT:	**REFERRED [8 TO 0]**	**Next: 6/13/2016 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. ADJOURNMENT