CITY OF LUMBERTON

CITY COUNCIL

MINUTES ● MAY 6, 2020

Regular 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	Present	
Melissa Robinson	Precinct 2	Present	
John R. Carroll	Precinct 3	Present	
Karen Higley	Precinct 4	Present	
John Cantey	Precinct 5	Present	
Chris Howard	Precinct 6	Present	
Eric Chavis	Precinct 7	Present	
Owen Thomas	Precinct 8	Present	
Wayne Horne	City Manager	Present	
Brandon Love	Deputy City Manager	Present	
Holt Moore	City Attorney	Present	
Laney Mitchell-McIntosh	City Clerk	Present	

B. Invocation:

II. PUBLIC COMMENT PERIOD

III. PUBLIC COMMENT PERIOD: NO COMMENTS NOTED.

IV. AGENDA ITEMS

A. Permission to Apply and Accept the 2020 Coronavirus Emergency Supplemental Funding – Michael McNeill, Police Chief

The Lumberton Police Department is asking permission to apply for and accept the 2020 Coronavirus Emergency Supplemental Funding Grant in the amount of $104,742.00. This grant will be used to purchase 800 MHz radios which will allow officers to communicate with agencies outside of this jurisdiction more efficiently as well as conduct more effective patrol. It will also be used to fund overtime for officers, specifically those who are called in to work during these uncertain times.

The Lumberton Police Department recommends that they be granted permission to apply for and accept the 2020 Coronavirus Emergency Supplemental Funding Grant in the amount of $104,742.00.

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

B. Airport Grant Approvals – Bob Snuck, Airport Manager
Approval for Work Authorization for additional engineering/architectural work due to Change Orders 1,2,3 in the amount of $48,389.00. This is reimbursed at 90% by the State of NC.
That Council approve the listed change orders.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Leroy Rising, Mayor Pro Tem
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

C. Approval of Grant for New Fuel Farm Design State Funds – Bob Snuck, Airport Manager
New Fuel Farm Design State Funds $112,500 Local Funds $12,500 The Airport has in its existing budget the monies to cover the $12,500. I will be transferring $12,500 from Account 65-00-4530-3570 M/R Runways to 42-00-8138-5994 Fuel Farm. This will cover the local share within our existing budget.
Recommend approval of the grant.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Leroy Rising, Mayor Pro Tem
SECONDER:	John R. Carroll, Precinct 3
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

D. Acceptance of the CARE ACT Grant – Bob Snuck, Airport Manager
CARE ACT Grant $30,000. I have accepted these funds with the easiest use to fund the operational needs or debt service for the Airport. This is the most expedient way to receive the funds. The FAA Airport District Office will be sending the first block grant funds for these requests. I would like to use these funds to finance existing expenses and then working with finance for the purchase a new pickup truck for the airport for $30,000. The funds cannot be used for equipment without a lengthy approval.
Acceptance of the CARE ACT grant.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Leroy Rising, Mayor Pro Tem
SECONDER:	John Cantey, Precinct 5
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

E. Replacement of 2012 Chevrolet Truck – Lamar Brayboy, Electric Utilities Director
The Electric Utilities Department is requesting to replace a 2012 Chevrolet truck with over 100,000 miles. This truck is used daily by the meter readers and has experience numerous mechanical problems. The Electric Utilities Department has received three quotes ranging from $21,199.00, $21,739.00 and $23,045.12. Modern Nissan of Winston-Salem submitted the lowest cost of $21,199.00 for a new 2wd Nissan Frontier truck.
The Electric Utilities Department seeks approval of the purchase of a new Nissan Frontier truck from Modern Nissan of Winston-Salem in the amount of $21,199.00.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Karen Higley, Precinct 4
SECONDER:	John Cantey, Precinct 5
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

F. Tanglewood Engineering Contract Amendment 2 – Rob Armstrong, Public Works Director
The Tanglewood Drainage Project original scope included extending a 60" stormwater pipe from an existing stormwater outfall near 23rd Street to the hospital at a projected cost of $3,000,000. This was the amount of the grant from the North Carolina Golden Leaf Foundaiton. During design we found the existing outfall was not large enough for deep enough and needed to be replaced. The total project cost opinion jumped to $9,840,000. The United States Economic Development Administration has awarded the City a $6,840,000 grant to pay for the increased project scope. The Wooten Company was selected to be the engineer for the project in 2017. Attached is a revised scope of engineering services, increasing the original engineering agreement by $320,900 to $739,350 total to cover the additional engineering. The entire $739,350 engineering fee will be paid for from the $3,000,000 Golden Leaf Grant
Public Works is requesting Council approval of Amendment 2 for $320,900 with the Wooten Company. The total contract amount will be $739,350 to be paid for from the North Carolina Golden Leaf Foundation Grant.

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

G. Bids for 2018 Priority Sewer Repairs – Rob Armstrong, Public Works Director
Bids for the 2018 Priority Sewer Repairs were received on Thursday, April 30th at 2:00pm. The scope of the project includes sewer rehabilitation (slip lining) in the Godwin Heights and

Sunset Heights communities. The low bidder was Tri State Utilities at $761,312, which is within the project budget. The construction work will be paid for by a combination loan and grant from the North Carolina Clean Water State Revolving Fund.
Public Works is requesting Council to award the construction contract to the lowest bidder Tri State Utilities at $761,312 to be paid from the North Carolina Clean Water State Revolving Fund loan & grant; adopt the Resolution of Tentative Award along with the adoption of the Project Budget Ordinance.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Owen Thomas, Precinct 8
SECONDER:	John R. Carroll, Precinct 3
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

H. Raw Water System Well Relocation Revised Resolution – Rob Armstrong, Public Works Director
In April Council Adopted a Resolution to apply for a North Carolina Clean Water State Revolving Fund Grant to relocate two (2) raw water production wells out of the 100 year floodplain. When developing the full application, Public Works determined we would be eligible to relocate three (3) wells. Public Works is requesting Council adopt the attached revised resolution stating we are seeking to relocate three wells.
Public Works is requesting Council adopt the attached revised North Carolina Clean Water State Revolving Loan resolution stating we are seeking to relocate three wells to be paid for by a 100% grant from the State Revolving Loan Program.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Karen Higley, Precinct 4
SECONDER:	John Cantey, Precinct 5
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

I. Acceptance of Donation of Property – Holt Moore, City Attorney
Bruce and Elizabeth Jobe have offered to donate the vacant lot located immediately to the west of 303 Highland Avenue to the City. The City has just received the 303 Highland Avenue parcel from the Jobes through the HMGP buyout program. The tax information for, as well as a map and pictures of, the offered parcel is attached. In the picture, the subject lot is the wooded area to the left of the house. It is in the 100 year flood plain and the floodway. Given that the City has obtained properties on adjacent Best Drive, as well as the 303 Highland property, staff recommends accepting the donation.
Accept the donation of the parcel being offered by Mr. and Mrs. Jobe.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Leroy Rising, Mayor Pro Tem
SECONDER:	John R. Carroll, Precinct 3
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

J. Minor Revision - Overlay Ordinance – Holt Moore, City Attorney
Council will recall passing an overlay district ordinance for a section of East Lumberton recently. As this is not technically a historic district under the relevant statutes, there are limitations on the ability to regulate aesthetic and design features. In abundance of caution, staff has added a provision to make this clear in the ordinance. Also staff has included a minimum lot size of 5,400 square feet for the area, which is consistent with the current lots but not the more recent zoning, which was intended to be approved but did not make it into the final draft approved by Council previously.
The revisions are in red on the attached draft for your review. Staff is asking that these minor administrative changes be approved without sending the matter back to the Planning Board.
Approve revision to ordinance.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Karen Higley, Precinct 4
SECONDER:	Eric Chavis, Precinct 7
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

K. Amendment to Pot Bellied Pig Ordinance – Holt Moore, City Attorney
For quite some time the City has had an ordinance allowing a citizen to have one documented pot-bellied pig, subject to various requirements, including but not limited to obtaining a license. However, technically the ordinance is written such as to apply to (allow) pigs which were in the City prior to the enactment of the ordinance, which was 1996. We have at least one person currently who would like a license for their pig. The issue is whether to remove the restriction described above and thus allow a pig which was not in the City prior to 1996. Staff is not opposed to the removal of the restriction. If Council needs time to consider this change, the matter could be acted upon at the June meeting. A copy of the current ordinance is attached, with the language at issue marked out. We will endeavor to have an Animal Control Officer present for questions.
Approve the removal of the date restriction in the pot-bellied pig ordinance, or defer action until June if additional time to consider is needed.

RESULT:	**TABLED [8 TO 0]**	**Next: 6/8/2020 6:00 PM**
MOVER:	Leroy Rising, Mayor Pro Tem	
SECONDER:	Eric Chavis, Precinct 7	
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas	
ABSTAIN:	Davis	

L. Request to purchase the property at 1117 Cherokee Street for affordable homes – Wayne Horne, City Manager

The City Council approved the condemnation of the property at 1117 Cherokee Street on September the 4^{th}. The owner of the property has approached the City staff and has offered to sell the property for $11,000. The lot is 171 ft. wide and is large enough to accommodate two single family homes. The Baptist Men recently met with staff and had asked to work with the City, with the renovation of existing properties or the construction of new affordable houses for families displaced by Hurricane Matthew and Florence. They are currently renovating the home at the corner of Coleman and Asbury Street that was acquired by the City through foreclosure, using state grant funds for materials. Jay Baugham, with the Baptist Men has looked at the property on Cherokee Street and has agreed to build two new homes on the property if the City acquires the property. The City would recover its acquisition cost when the houses are sold and other expenses through new tax value and utilities.

That Council authorizes staff to acquire the property at 1117 Cherokee Street and work with the Baptist Men to construct affordable houses on the site.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Karen Higley, Precinct 4
SECONDER:	John R. Carroll, Precinct 3
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

M. Approve Boards and Commissions / Non-Profits Budget Requests for FY2020-2021 – Wayne Horne, City Manager

The City Staff has started preparation of the FY 2020-2021 Budget. In 2002, City Council approved a policy on contracting with non-profit agencies creating procedures for evaluating proposals and creating clear responsibilities for accountability. Attached are the Boards and Commissions / Non-profits FY 2020-2021 Budget requests along with the City Manager's recommendations.

Council review the funding for boards and commissions / Non-profits budget requests and provide recommendation.

On motion of Councilman Cantey and second of Councilman Howard, Robeson County Church & Community Center is allotted $5,000.00. It carried unanimously.

Sandy Grove Summer Academy: Councilman Rising raised concerns about contributing monies to programs considering the COVID-19 pandemic and the need for social distancing at a time when I believe our recreation department has cancelled its summer programs and schools are remaining closed until August. I am just concerned that programs such as camps and academies attempting to meet and I don't think that we should be promoting that as it pertains to our youth; trainers and those who are working the camps.

Councilman Cantey voiced his concerns as to "why other organizations funding were approved without a hitch, isn't the Boys and Girls Club where our children also go? I can go right down this list and hit what Rising has pointed out. It will fit in for the Boys and Girls Club, it will fit in to the Exploration Station, it will fit in the museum. If we are going to fund them during this pandemic, nobody is going to visit there."

Councilman Cantey stated that this is in his precinct and he would ask that Council approve the request.

On the motion of Councilman Cantey and second of Councilman Howard, Sandy Grove Summer Academy was approved at the amount of $4,000.00. The motion carried with one (1) negative vote casted by Councilman Rising.

Black Girls Training Camp: Councilman Carroll voiced his concerns with the name of the camp. He expressed the fact that he is not familiar with the group; however, "when the city is trying to promote diversity and trying to break the racial divide, I just have a concern that this item goes against that.

Councilman Howard stated that this organization is not just for black girls and we have photos and cards that show a diverse group of people.

A discussion ensued and a

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Leroy Rising, Mayor Pro Tem
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

N. Approve the designation of $400.00 of CRF to Wycliffe Homeowners Association (West Side) for Beautification – Leroy Rising, Mayor Pro Tem
Councilman Rising requests $400.00 of CRF to be given to the Wycliffe Homeowners Association (West Side) for beautification.
Designate $400.00 of CRF to Wycliffe Homeowners Association (West Side) for beautification.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Leroy Rising, Mayor Pro Tem
SECONDER:	John Cantey, Precinct 5
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

O. MOA with Sheriff's Office & SRMC Re: SRMC Health Park – Holt Moore, City Attorney
Attached is a Memorandum of Agreement which was created by the hospital regarding the Health Park along I-95. The document is designed to address a major crisis such as an active shooter situation. It provides that the county communications center would advise the city communications center immediately so as to possibly garner a potentially quicker response from a city officer while deputies are responding. Once deputies arrive, the deputies would take over command due to the property being in the county. Staff has reviewed the document and believes it to be a reasonable approach to this type of scenario at this location.
Approve MOA with Sheriff and SRMC.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Eric Chavis, Precinct 7
SECONDER:	John R. Carroll, Precinct 3
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

P. Approval of Grant Modification Documents for the New Terminal Building Project (Grant 36237.30.14.1) – Bob Snuck, Airport Manager
Lumberton Regional Airport has received an additional grant of $150,000 for the New Terminal Building Project. This is Non Primary entitlement monies that were awarded to Lumberton last week. The local match is $15,000.
Lumberton Airport Manager is asking that City Council approve the local match of $15,000.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Leroy Rising, Mayor Pro Tem
SECONDER:	Eric Chavis, Precinct 7
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

V. CLOSED SESSION

VI. ADJOURNMENT