



CITY OF LUMBERTON
COUNCIL POLICY COMMITTEE
MINUTES • MAY 6, 2015

Regular Meeting

Third Floor Conference Room

11:00 AM

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

I. INVOCATION

Attendee Name	Title	Status	Arrived
Raymond B. Pennington	Mayor	Present	
Don Metzger	Mayor Pro Tem	Present	
John Robinson	Precinct 2	Present	
Burnis Wilkins	Precinct 3	Excused	
Harry Ivey	Precinct 4	Present	
John Cantey Jr.	Precinct 5	Present	
Robert L. Jones	Precinct 6	Present	
Leon Maynor	Precinct 7	Present	
Erich Hackney	Precinct 8	Present	
Wayne Horne	City Manager	Present	
Laney Mitchell-McIntosh	City Clerk	Present	
Holt Moore	City Attorney	Present	
Alisha Thompson	Finance Director	Present	
Brandon Love	Planning Director	Present	
Michael McNeill	Police Chief	Present	
Rob Armstrong	Public Works Director	Present	
Tim Taylor	Recreation Director	Present	

2. Communications

1. Richard Monroe - Robeson County History Museum –

Richard Monroe, President of the Robeson Historic Museum appeared before the Council Policy Committee and stated that he and the other members of the board are asking the City for an additional \$1,100.00 to pay for the telephone bill. He stated that the \$5,500.00 that the Museum get from the City pays the rent. He stated that this would surely help them out a lot. Mayor Pennington stated that they would take it under advisement.

RESULT: ANNOUNCED

II. ITEMS FOR COUNCIL POLICY COMMITTEE CONSIDERATION

III. MINUTES APPROVAL

1. Council Policy Committee - Regular Meeting - Apr 8, 2015 11:00 AM –

RESULT:	ACCEPTED [7 TO 0]
MOVER:	John Cantey Jr., Precinct 5
SECONDER:	Robert L. Jones, Precinct 6
AYES:	Metzger, Robinson, Ivey, Cantey Jr., Jones, Maynor, Hackney
ABSTAIN:	Pennington
EXCUSED:	Wilkins

IV. AGENDA ITEMS

1. Authorization to apply for Bulletproof Vest Grant – Michael McNeill, Police Chief
Due to bulletproof vests replacement needs and the hiring of new officers over the next two years, it is requested that the Police Dept. be authorized to apply for Bulletproof Vest Partnership Grant to help purchase twenty (20) vests. Cost for vest will be approximately \$11,000 with a dollar for dollar match that will come from operating budget.
It is recommended that Police Department be authorized to apply for Bulletproof Vest Partnership Grant in the amount of \$11,000.

RESULT:	REFERRED [UNANIMOUS]	Next: 5/11/2015 6:00 PM
MOVER:	John Cantey Jr., Precinct 5	
SECONDER:	Leon Maynor, Precinct 7	
AYES:	Pennington, Metzger, Robinson, Ivey, Cantey Jr., Jones, Maynor, Hackney	
EXCUSED:	Wilkins	

2. Engineering Services Contract for the Lambeth Street Emergency Sewer Rehabilitation – Rob Armstrong, Public Works Director
Public Works is requesting Council to approve an Engineering Services Contract with the Wooten Company to develop an Emergency Sanitary Sewer Rehabilitation Project in the Lambeth Street Area. Public Works has discussed the urgency of this repair project during the recent Council Planning Sessions. The total project construction and design for this phase of the rehabilitation is expected to cost approximately \$500,000 which will be paid for by Water and Sewer funds that were not used in the West Lumberton Phase 3 Project. To initiate the project, Public Works would like to begin the field evaluation and design component immediately. Attached is an Engineering Services Agreement with the Wooten Company for \$77,400 for the Preliminary Scoping, Design, Bidding, Administration and Observation of the overall project.
Public Works is requesting Council approval of an Engineering Services Agreement with the Wooten Company for \$77,400 for the design of an Emergency Sanitary Sewer Rehabilitation Project in the Lambeth Street Area. The service agreement will be paid for with left over Phase 3 money within the water and sewer fund.

RESULT:	REFERRED [7 TO 0]	Next: 5/11/2015 6:00 PM
MOVER:	John Robinson, Precinct 2	
SECONDER:	John Cantey Jr., Precinct 5	
AYES:	Metzger, Robinson, Ivey, Cantey Jr., Jones, Maynor, Hackney	
ABSTAIN:	Pennington	
EXCUSED:	Wilkins	

3. Declare Old City Hall and Old Police Department Generators Surplus – Rob Armstrong, Public Works Director

The standby generator that served the old Police Department Building (Asset# 100922) and the standby generator that formerly served City Hall (No Asset Number Found) are being stored at Public Works. Each of these generators has been reviewed by a generator repair firm and determined to be obsolete and too expensive to repair or improve. Public Works is requesting Council declare these two generators as surplus assets to be sold at the next available Lloyd Meekins Auction.

Public Works is requesting City Council declare the former City Hall generator and the old Police Department generator as surplus assets to be sold at the next available Lloyd Meekins Auction.

RESULT:	REFERRED [UNANIMOUS]	Next: 5/11/2015 6:00 PM
MOVER:	Don Metzger, Mayor Pro Tem	
SECONDER:	John Robinson, Precinct 2	
AYES:	Pennington, Metzger, Robinson, Ivey, Cantey Jr., Jones, Maynor, Hackney	
EXCUSED:	Wilkins	

4. Approval of Agreement for Preliminary Engineering Report and Golden Leaf grant Application – Rob Armstrong, Public Works Director

Public Works will be applying for a \$300,000 Golden Leaf grant to extend sanitary sewer service to the proposed Sanderson Farm Hatchery site on Elizabethtown Road. The Golden Leaf Foundation requires a Preliminary Engineering Report along with a detailed grant application. Public Works is proposing to hire Koonce, Noble and Associates, Inc., for a not-to exceed fee of \$12,000, to prepare the Engineering Report and grant application. Attached is their proposal for this service.

Public Works is requesting Council approval to hire Koonce, Noble and Associates, Inc., for a not-to exceed fee of \$12,000, to prepare the Engineering Report and grant application for the extension of sanitary sewer to the proposed Sanderson Farms hatchery on Elizabethtown Road. Funds for this service will be paid out of the Water and Sewer Capital Reserve Fund.

RESULT:	REFERRED [7 TO 0]	Next: 5/11/2015 6:00 PM
MOVER:	John Cantey Jr., Precinct 5	
SECONDER:	John Robinson, Precinct 2	
AYES:	Metzger, Robinson, Ivey, Cantey Jr., Jones, Maynor, Hackney	
ABSTAIN:	Pennington	
EXCUSED:	Wilkins	

5. Adelio Cruz requests a Conditional Use Permit for property located at 3551 Lackey Street (parcel #1008-01-009-03). – Brandon Love, Planning Director
The Planning & Neighborhood Services Department received an application for a Conditional Use Permit for property located at 3551 Lackey Street (parcel #1008-01-009-03). This request is to allow the restaurant to sell alcoholic beverages.

Background:

On February 4, 2015 CPC reviewed an application for a Conditional Use Permit for property located at 3541, 3545, and 3551 Lackey Street (parcel #1008-01-009-03). This request was to allow the two restaurants to sell alcoholic beverages.

On February 17, 2015 the Planning Board reviewed the Conditional Use Permit and at that time the Planning Board requested that the applicant submit additional information. The Board then voted to table the application until its next scheduled meeting.

On March 17, 2015 the Planning Board reviewed the application for a second time. The applicant did not submit the requested information and the board voted to table the request until its next scheduled meeting.

Brandon Love, Planning Director met with the applicant and the property owner on March 18, 2015 to discuss the Board's request. At that time, the applicant amended the application to only include 3541 Lackey Street and to submit a separate application for 3551 Lackey Street.

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:	TABLED [7 TO 0]	Next: 6/3/2015 11:00 AM
MOVER:	Erich Hackney, Precinct 8	
SECONDER:	Leon Maynor, Precinct 7	
AYES:	Metzger, Robinson, Ivey, Cantey Jr., Jones, Maynor, Hackney	
ABSTAIN:	Pennington	
EXCUSED:	Wilkins	

6. Amar Mustafa rezoning for property located at 2302 Elizabethtown Road (parcel #3210-02-019). – Brandon Love, Planning Director
The Planning & Neighborhood Services Department received a rezoning application for property located at 2302 Elizabethtown Road (parcel #3210-02-019). The request is to rezone the property from R-7, residential single family to B-4(Business

General/Commercial). The proposed use of the property is an automotive dealership. 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:	TABLED [UNANIMOUS]	Next: 6/3/2015 11:00 AM
MOVER:	John Robinson, Precinct 2	
SECONDER:	Leon Maynor, Precinct 7	
AYES:	Pennington, Metzger, Robinson, Ivey, Cantey Jr., Jones, Maynor, Hackney	
EXCUSED:	Wilkins	

7. Sign City is requesting two (2) hospital signs to be located at two (2) locations zoned B-6, Medical Arts. – Brandon Love, Planning Director
Sign City is requesting two (2) hospital signs to be located at two (2) locations zoned B-6, Medical Arts. The requests are as follows:

- 1) Southeastern Health Park located at 4901 Dawn Drive
- 2) Southeastern Health Women's Clinic located at 295 W. 27th Street.

Sec. 35-282. Signs within the medical arts district. States:

Notwithstanding any other provisions of this article excepting for the provisions of section 35-281, signs in the B-6 (medical arts) district may be erected, moved, enlarged, or substantially altered pursuant to plans approved by city council.

(Ord. No. 1448, 6-27-94)

Recommends City Council Policy Committee approve the attached sign permits.

RESULT:	REFERRED [UNANIMOUS]	Next: 5/11/2015 6:00 PM
MOVER:	Erich Hackney, Precinct 8	
SECONDER:	Don Metzger, Mayor Pro Tem	
AYES:	Pennington, Metzger, Robinson, Ivey, Cantey Jr., Jones, Maynor, Hackney	
EXCUSED:	Wilkins	

8. William Chen Conditional Use Permit for property located at 3417 Lackey Street (parcel #1008-01-02203A). – Brandon Love, Planning Director
The Planning & Neighborhood Services Department received an application for a Conditional Use Permit for property located at 3417 Lackey Street (parcel #1008-01-02203A). The proposed use of the property is a restaurant with alcohol sales. 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.

Leave open to give applicant time to get the detail plan.

RESULT:	CONTINUED [UNANIMOUS]	Next: 5/11/2015 6:00 PM
MOVER:	Erich Hackney, Precinct 8	
SECONDER:	Leon Maynor, Precinct 7	
AYES:	Pennington, Metzger, Robinson, Ivey, Cantey Jr., Jones, Maynor, Hackney	
EXCUSED:	Wilkins	

9. Approval of Final Clean-up Change Order for Northeast Park Scoring Tower – Brandon Love, Planning Director

On October 28, 2014, the Lumberton City Council entered into a contract for construction of the Northeast Park scoring tower/concession stand with BW Davis Construction. The approved contract amount was \$358,505.00 with a reserve contingency of \$15,000.00. As of today, the construction of the scoring tower is essentially complete with only a few remaining punch list items. The contractor has submitted a final change order to reflect several cost increases due to items requested by the City as well as a credit for concrete work (performed by City staff) which was in the original contract. The total net change order request is for \$6,134.91.

Staff's recommendation is for the Council Policy Committee to accept the Northeast Park total change order in the amount of \$6,134.91, which shall result in an amended contract total of \$364,639.91. This additional cost shall be paid out of the \$15,000 reserve project contingency.

RESULT:	REFERRED [7 TO 0]	Next: 5/11/2015 6:00 PM
MOVER:	Don Metzger, Mayor Pro Tem	
SECONDER:	John Robinson, Precinct 2	
AYES:	Metzger, Robinson, Ivey, Cantey Jr., Jones, Maynor, Hackney	
ABSTAIN:	Pennington	
EXCUSED:	Wilkins	

10. Authorize Budget Amendments – Alisha Thompson, Finance Director

Budget amendments will be needed for the year end closing of fiscal year 2015. 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, 2015.

RESULT:	REFERRED [7 TO 0]	Next: 5/11/2015 6:00 PM
MOVER:	Don Metzger, Mayor Pro Tem	
SECONDER:	Leon Maynor, Precinct 7	
AYES:	Metzger, Robinson, Ivey, Cantey Jr., Jones, Maynor, Hackney	
ABSTAIN:	Pennington	
EXCUSED:	Wilkins	

11. Approval of Write-offs – 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 [7 TO 0]	Next: 5/11/2015 6:00 PM
MOVER:	Don Metzger, Mayor Pro Tem	
SECONDER:	Leon Maynor, Precinct 7	
AYES:	Metzger, Robinson, Ivey, Cantey Jr., Jones, Maynor, Hackney	
ABSTAIN:	Pennington	
EXCUSED:	Wilkins	

12. Authorize the April 2015 Property Tax Releases – Linda Oxendine, Public Services Director
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:

2004-----10.73
 2005-----84.83
 2006-----306.62
 2007-----74.35
 2008-----72.60
 2009-----68.19
 2010-----16.91
 2011-----14.49
 2012-----12.77
 2013-----11.16
 2014-----384.14

Approve the tax releases for the years and amounts listed above.

RESULT:	REFERRED [7 TO 0]	Next: 5/11/2015 6:00 PM
MOVER:	John Cantey Jr., Precinct 5	
SECONDER:	Don Metzger, Mayor Pro Tem	
AYES:	Metzger, Robinson, Ivey, Cantey Jr., Jones, Maynor, Hackney	
ABSTAIN:	Pennington	
EXCUSED:	Wilkins	

13. FY 2015-2016 Municipal Budget Workshops – Wayne Horne, City Manager
 As part of the annual budget process; the following dates are being presented for Council's consideration for the Budget Workshops. The Budget hearing is tentatively set for June 8, 2015.

It is recommended that City Council select from the following dates for the Annual Budget Workshops. The Workshop would start at 10:30 am if this time is convenient for Council.

* Wednesday -May 13th

Tuesday - May 19th

* Thursday - May 14th

Wednesday - May 20th

RESULT:	REFERRED [UNANIMOUS]	Next: 5/11/2015 6:00 PM
MOVER:	Erich Hackney, Precinct 8	
SECONDER:	Leon Maynor, Precinct 7	
AYES:	Pennington, Metzger, Robinson, Ivey, Cantey Jr., Jones, Maynor, Hackney	
EXCUSED:	Wilkins	

14. Boards and Commissions – Wayne Horne, City Manager

The City Staff has started preparation of the FY 2015-2016 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 FY 2015-2016 Budget requests along with the City Manager's recommendations.

That City Council review the attached information on boards and commissions and instruct staff on how to proceed.

RESULT:	REFERRED [7 TO 0]	Next: 5/11/2015 6:00 PM
MOVER:	Leon Maynor, Precinct 7	
SECONDER:	Don Metzger, Mayor Pro Tem	
AYES:	Metzger, Robinson, Ivey, Cantey Jr., Jones, Maynor, Hackney	
ABSTAIN:	Pennington	
EXCUSED:	Wilkins	

15. Sale of Jointly Owned Generating Assets to Duke Energy Progress – Holt Moore, City Attorney

This agenda item will allow the City to accomplish its role in the sale by the North Carolina Eastern Municipal Power Agency of its jointly owned generating assets, and certain other related assets, to Duke Energy Progress, Inc. Information regarding this matter and its progress has been provided on various occasions by Electricities during the last year or so. Attached are the documents which the City will need to complete in this matter. The documents between the Power Agency and the Duke Energy Progress, most of which have already been executed, are quite voluminous and for this reason have not been included herein but are available in the City Attorney's office for review. The following is a list of the attached items:

1. Debt Service Support Contract
2. Full Requirements Power Sales Agreement
3. Power Sales Agreements Termination Agreements

4. Ordinance to be adopted by the city.
5. Clerk's Certificate
6. Attorney's Opinion.

Adopt ordinance and authorize Mayor and staff to execute other related documents as required to effect asset sale.

RESULT:	REFERRED [7 TO 0]	Next: 5/11/2015 6:00 PM
MOVER:	John Cantey Jr., Precinct 5	
SECONDER:	Don Metzger, Mayor Pro Tem	
AYES:	Metzger, Robinson, Ivey, Cantey Jr., Jones, Maynor, Hackney	
ABSTAIN:	Pennington	
EXCUSED:	Wilkins	

16. Approval of Body Cameras – Burnis Wilkins, Precinct 3
Councilman Wilkins wants to discuss Body Cameras for use by the police department's Special OPS, Traffic and Housing Teams for a total of approximately 12 cameras.
That the Council Policy Committee consider the request.

RESULT:	TABLED [7 TO 0]	Next: 6/3/2015 11:00 AM
MOVER:	John Cantey Jr., Precinct 5	
SECONDER:	John Robinson, Precinct 2	
AYES:	Metzger, Robinson, Ivey, Cantey Jr., Jones, Maynor, Hackney	
ABSTAIN:	Pennington	
EXCUSED:	Wilkins	

17. Approve the Designation of Community Revitalization Funds to the Robeson County Executive Law Enforcement Officers Association – Burnis Wilkins, Precinct 3
Councilman Wilkins and Councilman Hackney are requesting funds for the Robeson County Executive Law Enforcement Officers Association for Meals at the 2015 Law Enforcement Memorial Observance to be held at Robeson Community on May 20th.
Approve the designation.

RESULT:	REFERRED [7 TO 0]	Next: 5/11/2015 6:00 PM
MOVER:	Erich Hackney, Precinct 8	
SECONDER:	Leon Maynor, Precinct 7	
AYES:	Metzger, Robinson, Ivey, Cantey Jr., Jones, Maynor, Hackney	
ABSTAIN:	Pennington	
EXCUSED:	Wilkins	

18. Approve the designation of \$501.00 of CRF to Knuckles Elementary School – John Cantey Jr., Precinct 5
Councilman Cantey requests \$100.00 of CRF to be given to Knuckles Elementary School for Positive Behavioral Program.
Designate the CRF as follows:

P2 - \$100.00 P5 – 100.00 P6 - \$101.00 and from the Mayor's Discretionary Fund \$200.00

RESULT:	REFERRED [7 TO 0]	Next: 5/11/2015 6:00 PM
MOVER:	John Cantey Jr., Precinct 5	
SECONDER:	Erich Hackney, Precinct 8	
AYES:	Metzger, Robinson, Ivey, Cantey Jr., Jones, Maynor, Hackney	
ABSTAIN:	Pennington	
EXCUSED:	Wilkins	

19. Approve the designation of \$200.00 Of CRF for Teacher's Appreciation Week – Robert Jones, Precinct 6
Councilman Jones requests CRF for teachers' appreciation Week.
Designate CRF.

RESULT:	REFERRED [7 TO 0]	Next: 5/11/2015 6:00 PM
MOVER:	Robert L. Jones, Precinct 6	
SECONDER:	John Cantey Jr., Precinct 5	
AYES:	Metzger, Robinson, Ivey, Cantey Jr., Jones, Maynor, Hackney	
ABSTAIN:	Pennington	
EXCUSED:	Wilkins	

20. Approve the designation of Community Revitalization Funds For Glasses – Leon Maynor, Precinct 7

The Lions Club of Lumberton presented the School Board with a Spot Vision Screener; a small handheld portable device used by the schools as a means of detecting vision issues on the students of all ages. Attached is report that shows the ratio of students that have been tested with this machine and how many have failed the eye exams. Many of these students have a vision disability which is the single most prevalent disabling condition among children. Many of these children cannot afford glasses after having this exam performed.

I am asking that we as a Council contribute to such a worthy cause by donating monies to help in purchasing glasses for the students who cannot afford to pay for them. All of the monies given will remain here in Lumberton

Approve the designation of CRF.

P1 - \$100.00 P2 - \$100.00 P4 - \$100.00 P6 - 100.00 P7 - \$100.00

RESULT:	REFERRED [7 TO 0]	Next: 5/11/2015 6:00 PM
MOVER:	John Cantey Jr., Precinct 5	
SECONDER:	Erich Hackney, Precinct 8	
AYES:	Metzger, Robinson, Ivey, Cantey Jr., Jones, Maynor, Hackney	
ABSTAIN:	Pennington	
EXCUSED:	Wilkins	

21. Designation Of Consent/Non-Consent Items

22. Adjournment