



**CITY OF LUMBERTON**  
**COUNCIL POLICY COMMITTEE**  
**MINUTES • MAY 4, 2016**

**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            | Precinct 1         | Present |         |
| John Robinson           | Mayor Pro Tem - P2 | 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 |         |

***B. Speaker - Richard Monroe - Robeson County Heritage Showcase (Museum)***

**II. MINUTES APPROVAL**

A. Council Policy Committee - Regular Meeting - Apr 6, 2016 11:00 AM –

|                  |                                                                        |
|------------------|------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ACCEPTED [8 TO 0]</b>                                               |
| <b>MOVER:</b>    | Erich Hackney, Precinct 8                                              |
| <b>SECONDER:</b> | Leon Maynor, Precinct 7                                                |
| <b>AYES:</b>     | Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney |
| <b>ABSTAIN:</b>  | Davis                                                                  |

**III. AGENDA ITEMS**

- A. Adopt a Resolution to surplus a 2000 Ford F550 Mini Pumper – Paul Ivey, Fire Chief  
Lumberton Fire Department is requesting to surplus a 2000 Ford F550 Mini Pumper. This vehicle hasn't been in service since 2007 and we don't foresee us using it in the future. Robeson Community College Emergency Services Training Division has expressed interest in this vehicle and would like for it to be donated to Robeson Community College Emergency Services Training Facility. The donation of this vehicle would enhance their ability to provide quality fire training and reduce their reliance on fire departments to supply pumpers for training evolutions. Brindlee Mountain Fire Apparatus Dealer has given us an estimated value of \$20,000.  
Lumberton Fire Department recommends CPC adopt a resolution declaring a 2000 Ford F550 Mini Pumper as surplus and consider donating this vehicle to Robeson Community

## College Emergency Services Training Division.

|                  |                                                                        |                               |
|------------------|------------------------------------------------------------------------|-------------------------------|
| <b>RESULT:</b>   | <b>REFERRED [8 TO 0]</b>                                               | <b>Next: 5/9/2016 6:00 PM</b> |
| <b>MOVER:</b>    | Burnis Wilkins, Precinct 3                                             |                               |
| <b>SECONDER:</b> | Leon Maynor, Precinct 7                                                |                               |
| <b>AYES:</b>     | Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney |                               |
| <b>ABSTAIN:</b>  | Davis                                                                  |                               |

## B. Authorization to Apply for Bulletproof Vest Partnership Grant – Michael McNeill, Police Chief

Due to replacement needs and the hiring of new officers, it is requested that the Police Department be authorized to apply for Bulletproof Vest Partnership Grant to help purchase fifteen (15) vests. Approximate cost for vest is \$8,925 with a dollar for dollar match that will come from operating budget.

It is recommended that City Council authorize the Police Department to apply for Bulletproof Vest Partnership Grant in the amount of \$8,925.

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| <b>RESULT:</b>   | <b>REFERRED [8 TO 0]</b>                                               | <b>Next: 5/9/2016 6:00 PM</b> |
| <b>MOVER:</b>    | Leon Maynor, Precinct 7                                                |                               |
| <b>SECONDER:</b> | Leroy Rising, Precinct 1                                               |                               |
| <b>AYES:</b>     | Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney |                               |
| <b>ABSTAIN:</b>  | Davis                                                                  |                               |

## C. Wastewater Treatment Plant Influent Pump Replacement – Rob Armstrong, Public Works Director

One of the 90HP submersible Flygt Influent Pumps at the Wastewater Treatment Plant needs replacement after 20 years of service. Repairing the 20 year old pump is estimated to cost \$27,310 while replacing the pump with a new pump is estimated to be \$91,040.00. Given the critical tasks these pumps perform, Public Works is recommending replacing the pump with new equipment. Funding for the replacement pump will be from cost savings on past capital projects budgeted in the water and sewer capital reserve fund.

Public Works is requesting Council approval to purchase a new 90 HP Flygt influent pump for the Wastewater Treatment Plant from Xylem Water Solutions USA, Inc. for \$91,040.00 with funds taken from the water and sewer capital reserve account.

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|------------------|------------------------------------------------------------------------|-------------------------------|
| <b>RESULT:</b>   | <b>REFERRED [8 TO 0]</b>                                               | <b>Next: 5/9/2016 6:00 PM</b> |
| <b>MOVER:</b>    | Erich Hackney, Precinct 8                                              |                               |
| <b>SECONDER:</b> | Leroy Rising, Precinct 1                                               |                               |
| <b>AYES:</b>     | Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney |                               |
| <b>ABSTAIN:</b>  | Davis                                                                  |                               |

## D. Adopt a Resolution for Application of a CWSRF Wastewater Regionalization Study – Rob Armstrong, Public Works Director

As discussed during the Council Budget Planning Session, Public Works is requesting Council authorization and approval of the attached resolution to apply for a North Carolina Clean Water State Revolving Fund (NC CWSRF) grant to study wastewater regionalization

between the Town of St. Pauls, Robeson County Landfill and the City of Lumberton. If awarded, the grant will study the potential operational and environmental benefits of regionalization for all of the participants. The grant would fund 100% of the study and there is no monetary match from any of the participants required. The study is non-binding and none of the participants are obligated to act on any of the study's findings.

Public Works is requesting Council authorization to apply for a North Carolina Clean Water State Revolving Fund (NC CWSRF) grant to study wastewater regionalization between the Town of St. Pauls, Robeson County Landfill and the City of Lumberton.

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|------------------|------------------------------------------------------------------------|-------------------------------|
| <b>RESULT:</b>   | <b>REFERRED [8 TO 0]</b>                                               | <b>Next: 5/9/2016 6:00 PM</b> |
| <b>MOVER:</b>    | Leon Maynor, Precinct 7                                                |                               |
| <b>SECONDER:</b> | Leroy Rising, Precinct 1                                               |                               |
| <b>AYES:</b>     | Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney |                               |
| <b>ABSTAIN:</b>  | Davis                                                                  |                               |

- E. Water Plant High Service Pump Motor Replacement – Rob Armstrong, Public Works Director

One of the Five High Service Pump Motors at the Water Plant has quit working. The existing motor has been repaired on two occasions in the past totaling with work totaling about \$25,000 with repairs for this current event expected to be around \$10,000. Public Works would like to replace the existing motor with a new motor for a cost of \$27,501.69. Public Works is requesting authorization to replace the existing Water Plant high service pump motor with a new motor from Charles Underwood, Inc. for a cost of \$27,501.69 to be paid from the Water and Sewer Capital Reserve Fund.

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| <b>RESULT:</b>   | <b>REFERRED [8 TO 0]</b>                                               | <b>Next: 5/9/2016 6:00 PM</b> |
| <b>MOVER:</b>    | Erich Hackney, Precinct 8                                              |                               |
| <b>SECONDER:</b> | Leroy Rising, Precinct 1                                               |                               |
| <b>AYES:</b>     | Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney |                               |
| <b>ABSTAIN:</b>  | Davis                                                                  |                               |

- F. Adopt a Resolution to apply for a NC CWSRF Asset Inventory Grant – Rob Armstrong, Public Works Director

During the Council Budget Planning Session, Public Works discussed the concept of asset inventory to account for all of our water and sewer infrastructure. Public Work is requesting Council approval to apply for a North Carolina Clean Water State Revolving Fund (NC CWSRF) Asset Inventory grant to continue to map the final reaches of the City's sanitary sewer system. If awarded, the City will be responsible for a \$50,000 match which is already budgeted in our Capital budget, code number 60-00-8331-5560 in this fiscal year.

Public Work is requesting Council approval to apply for a North Carolina Clean Water State Revolving Fund (NC CWSRF) Asset Inventory grant to continue to map the final reaches of the City's sanitary sewer system.

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|------------------|------------------------------------------------------------------------|-------------------------------|
| <b>RESULT:</b>   | <b>REFERRED [8 TO 0]</b>                                               | <b>Next: 5/9/2016 6:00 PM</b> |
| <b>MOVER:</b>    | Erich Hackney, Precinct 8                                              |                               |
| <b>SECONDER:</b> | Leon Maynor, Precinct 7                                                |                               |
| <b>AYES:</b>     | Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney |                               |
| <b>ABSTAIN:</b>  | Davis                                                                  |                               |

- G. Mr. Greg M. Caulder formally requests that City Council release the bond for Wyndam Estates Townhomes -Phase III. – Brandon Love, Planning Director  
At its meeting of June 3, 2015, the City Council voted to approve the Final Plat for Wyndam Estates Townhomes - Phase III and set a bond in the amount of \$23,000 for the completion of the required infrastructure and landscaping.

As of April 7, 2016 all of the requirements have been met and Mr. Greg M. Caulder formally requests that City Council release the bond for Wyndam Estates Townhomes -Phase III.

Recommends that City Council release the bond for Wyndam Estates Townhomes -Phase III.

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|------------------|------------------------------------------------------------------------|-------------------------------|
| <b>RESULT:</b>   | <b>REFERRED [8 TO 0]</b>                                               | <b>Next: 5/9/2016 6:00 PM</b> |
| <b>MOVER:</b>    | John Robinson, Mayor Pro Tem - P2                                      |                               |
| <b>SECONDER:</b> | Burnis Wilkins, Precinct 3                                             |                               |
| <b>AYES:</b>     | Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney |                               |
| <b>ABSTAIN:</b>  | Davis                                                                  |                               |

- H. Approve the Designation of Community Revitalization Funds in Precinct 1 – Leroy Rising, Precinct 1  
Councilman Rising requests that \$500.00 of CRF be moved from 10-00-4935-6901 (Unobligated Funds) to 10-00-4313-2125 (Community Watch Fund) for a community watch meeting.  
Designate \$500.00 of CRF from 10-00-4935-6901 (Unobligated Funds) to 10-00-4313-2125 (Community Watch Fund).

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|------------------|------------------------------------------------------------------------|-------------------------------|
| <b>RESULT:</b>   | <b>REFERRED [8 TO 0]</b>                                               | <b>Next: 5/9/2016 6:00 PM</b> |
| <b>MOVER:</b>    | Burnis Wilkins, Precinct 3                                             |                               |
| <b>SECONDER:</b> | John Robinson, Mayor Pro Tem - P2                                      |                               |
| <b>AYES:</b>     | Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney |                               |
| <b>ABSTAIN:</b>  | Davis                                                                  |                               |

- I. Approve the designation of \$400.00 of Community Revitalization Funds to Oakridge Association for a Community Day Event – Leroy Rising, Precinct 1  
Councilman Rising requests \$400.00 of CRF to be given to the Oakridge Association for a community event.  
Designate \$400.00 of CRF to the Oakridge Association.

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|------------------|------------------------------------------------------------------------|-------------------------------|
| <b>RESULT:</b>   | <b>REFERRED [8 TO 0]</b>                                               | <b>Next: 5/9/2016 6:00 PM</b> |
| <b>MOVER:</b>    | Erich Hackney, Precinct 8                                              |                               |
| <b>SECONDER:</b> | John Robinson, Mayor Pro Tem - P2                                      |                               |
| <b>AYES:</b>     | Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney |                               |
| <b>ABSTAIN:</b>  | Davis                                                                  |                               |

- J. Approve the designation of \$2,000.00 to the Sandy Grove Baptist Church Summer Youth Academy as follows: P1 - \$100.00 P2 - \$300.00 P3 - \$200.00 P4 - \$200.00 P5/P7 - \$300 P6 \$300.00 P8 - \$300.00 and from the Mayor's Discretionary Fund - \$300.00 – John Cantey Jr., Precinct 5

Councilman Cantey is asking for financial support for the Summer Youth Academy Conducted by Faith Forecasters which is an outreach ministry of Sandy Grove Baptist Church. The Academy is designed using certified teachers to help underachieving students that struggle to stay on grade level and pass benchmark tests. This is the fourth year that the Academy has been in existence and I am requesting your support.  
Consider donating to the Sandy Grove Baptist Church Summer Academy.

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|------------------|------------------------------------------------------------------------|-------------------------------|
| <b>RESULT:</b>   | <b>REFERRED [8 TO 0]</b>                                               | <b>Next: 5/9/2016 6:00 PM</b> |
| <b>MOVER:</b>    | Erich Hackney, Precinct 8                                              |                               |
| <b>SECONDER:</b> | Leon Maynor, Precinct 7                                                |                               |
| <b>AYES:</b>     | Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney |                               |
| <b>ABSTAIN:</b>  | Davis                                                                  |                               |

- K. Adopt a Resolution Directing the City Clerk to Certify the Petition for a Ditch Tiling Assessment for Woodrow Beck for Property Located at 417 Londonderry Drive – Holt Moore, City Attorney

This is a request for ditch tiling at 417 Londonderry Drive. The owners of 415 Londonderry Drive, which is adjacent, have also expressed interest but as of this writing their petition has not been received. As a practical matter the work will not be done until both are received.  
Adopt the Resolution granting the petition.

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|------------------|------------------------------------------------------------------------|-------------------------------|
| <b>RESULT:</b>   | <b>REFERRED [8 TO 0]</b>                                               | <b>Next: 5/9/2016 6:00 PM</b> |
| <b>MOVER:</b>    | Leroy Rising, Precinct 1                                               |                               |
| <b>SECONDER:</b> | Burnis Wilkins, Precinct 3                                             |                               |
| <b>AYES:</b>     | Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney |                               |
| <b>ABSTAIN:</b>  | Davis                                                                  |                               |

- L. Breed Specific Dog Provisions – Holt Moore, City Attorney

At the recent workshop, Council considered implementing an ordinance placing additional restrictions on certain breeds of dogs. For Council's further consideration, attached is the ordinance from Edenton which utilizes such an approach, and a memorandum summarizing the main points of that ordinance.

Consider the provisions, and determine whether Council wishes to move forward with such an ordinance change, and if so, what if any modifications to the Edenton ordinance you would like made. If the decision is to move forward, the matter can be advertised for a public hearing and potential approval at your June meeting.

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|------------------|----------------------------------------------------------------|--------------------------------|
| <b>RESULT:</b>   | <b>REFERRED [7 TO 1]</b>                                       | <b>Next: 6/8/2016 11:00 AM</b> |
| <b>MOVER:</b>    | Leroy Rising, Precinct 1                                       |                                |
| <b>SECONDER:</b> | Erich Hackney, Precinct 8                                      |                                |
| <b>AYES:</b>     | Rising, Robinson, Wilkins, Higley, Cantey Jr., Maynor, Hackney |                                |
| <b>NAYS:</b>     | Howard                                                         |                                |
| <b>ABSTAIN:</b>  | Davis                                                          |                                |

M. Approve the Settlement Agreement & New Contract for Time Warner Pole Connection – Holt Moore, City Attorney

As you may recall, as a result of a court decision and a new statute, it was necessary to reduce our rate charged to Time Warner Cable for pole connections to \$5.99 per pole per year. If they had received the entire ‘back due’ amount, between the time the law went into effect, August 9, 2012, and the time of our settlement discussions, approximately February of 2015, the amount would have been \$56,957.16. Council and Time Warner agreed to resolve that claim for the back-due by the City paying them half of that amount, or \$28,478.58. Instead of having to pay this in a lump sum, we are giving them six annual credits of \$4,746.43 each on their bills. They will receive credits through 2019.

Attached are (1) a simple settlement agreement memorializing those terms, and (2) a new contract setting forth the rate going forward. I have reviewed both documents and they appear appropriate. The new contract is very similar to that we had in place other than the new rate.

Approve settlement agreement and new contract.

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| <b>RESULT:</b>   | <b>REFERRED [8 TO 0]</b>                                               | <b>Next: 5/9/2016 6:00 PM</b> |
| <b>MOVER:</b>    | John Cantey Jr., Precinct 5                                            |                               |
| <b>SECONDER:</b> | Chris Howard, Precinct 6                                               |                               |
| <b>AYES:</b>     | Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney |                               |
| <b>ABSTAIN:</b>  | Davis                                                                  |                               |

N. Basketball and Other Games on City Streets – Holt Moore, City Attorney

Staff has received concerns from citizens about basketball goals been placed on the curb of the right-of-way and persons playing basketball in the city streets. This issue is not specifically addressed in the City Code. We do have a provision which allows one or more citizens to petition Council to have a street designated as a “play street,” and if this request is granted, signs will be placed on the area designated as a play street accordingly.

Various options exist to deal with this issue. Some cities, such as Charlotte, simply ban the playing of ball games of any sort on city streets entirely. Gibsonville also has a provision against balls games and such games as marbles being played on city sidewalks.

Some other cities have the play street permitting process and add a provision that there shall be no traffic in the play street, except by those who live or work I that marked area and only then under extreme caution. If we were to keep the play street permitting option, staff believes that adding this provision would be prudent, as well as adding a provision that

playing of all ball or other games on city streets, outside of play street designated areas, is prohibited, with violations receiving the usual civil citations or infractions associated with traffic violations. A summary of a few jurisdictions' ordinances is attached.

Staff requests Council to consider, at a minimum, clarifying in the ordinance that games are not allowed on city streets not labeled as play streets, or prohibiting games in city streets entirely. We would recommend banning, as Charlotte has done, basketball goals in the right of way, and perhaps similar items such as soccer goals which would encourage game playing or practicing in the streets.

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|------------------|------------------------------------------------------------------------|--------------------------------|
| <b>RESULT:</b>   | <b>REFERRED [8 TO 0]</b>                                               | <b>Next: 6/8/2016 11:00 AM</b> |
| <b>MOVER:</b>    | Erich Hackney, Precinct 8                                              |                                |
| <b>SECONDER:</b> | Chris Howard, Precinct 6                                               |                                |
| <b>AYES:</b>     | Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney |                                |
| <b>ABSTAIN:</b>  | Davis                                                                  |                                |

O. Potential Amendments to Various Aspects of Boards and Commissions – Holt Moore, City Attorney

At the recent workshop there was a discussion concerning city-appointed boards and commissions. There were some potential new provisions that were discussed at that time, and the Mayor also has some additional provisions he would like the Council to consider. A memo discussing all of these items is attached.

Staff would recommend that Council consider these provisions and possibly take whatever action it deems appropriate as to each at its budget workshop in May.

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|------------------|------------------------------------------------------------------------|--------------------------------|
| <b>RESULT:</b>   | <b>REFERRED [8 TO 0]</b>                                               | <b>Next: 6/8/2016 11:00 AM</b> |
| <b>MOVER:</b>    | Erich Hackney, Precinct 8                                              |                                |
| <b>SECONDER:</b> | Leon Maynor, Precinct 7                                                |                                |
| <b>AYES:</b>     | Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney |                                |
| <b>ABSTAIN:</b>  | Davis                                                                  |                                |

P. Approve Boards and Commissions for FY2016-2017 – Wayne Horne, City Manager

The City Staff has started preparation of the FY 2016-2017 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 2016-2017 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.

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|------------------|--------------------------------------------------------|-------------------------------|
| <b>RESULT:</b>   | <b>REFERRED [6 TO 2]</b>                               | <b>Next: 5/9/2016 6:00 PM</b> |
| <b>MOVER:</b>    | Burnis Wilkins, Precinct 3                             |                               |
| <b>SECONDER:</b> | Erich Hackney, Precinct 8                              |                               |
| <b>AYES:</b>     | Rising, Robinson, Wilkins, Higley, Cantey Jr., Hackney |                               |
| <b>NAYS:</b>     | Howard, Maynor                                         |                               |
| <b>ABSTAIN:</b>  | Davis                                                  |                               |

***CLOSED SESSION***

Councilman Hackney made a motion, seconded by Councilman Cantey entering into executive session to consult with the City Attorney.

***IV. DESIGNATION OF CONSENT/NONCONSENT ITEMS*****CLOSED SESSION****V. ADJOURNMENT**