CITY OF LUMBERTON

CITY COUNCIL

MINUTES ● APRIL 15, 2024

Regular Meeting **Council Chambers** **6:00 PM**

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

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Bruce W. Davis	Mayor	Present	
Alfred Douglas	Precinct 6	Present	
Leroy Rising	Precinct 1	Present	
Melissa Robinson	Precinct 2	Present	
John R. Carroll	Precinct 3	Present	
Karen Higley	Precinct 4	Present	
John Cantey	Precinct 5	Present	
Eric Chavis	Precinct 7	Present	
Owen Thomas	Mayor Pro Tem	Present	
Wayne Horne	City Manager	Present	
Brandon Love	Deputy City Manager	Excused	
Holt Moore	City Attorney	Present	
Laney Mitchell-McIntosh	City Clerk	Present	

II. Invocation –

III. Pledge of Allegiance –

IV. RETIREES' RECOGNITION:

A. Donna K. Halliburton - 21 years of service as a Lieutenant with Lumberton Police Department –

V. PUBLIC COMMENT PERIOD

VI. Audit Presentation: W. Green, PLLC –

Mr. W. Greene presented to Council the Audit Presentation for Fiscal Year Ending June 30, 2023. Mr. Greene spoke to all of the financial balances such as the city's general fund balance which saw an increase at the end of the fiscal year 2023 over that of FY2022.

The Light and Power Fund Balance as well as the Sanitation Fund saw an increase even though the Water and Sewer Fund saw a decrease; however, Mr. Greene stated that it is still in good shape. Overall, the City of Lumberton received a clean audit.

VII. PUBLIC HEARING

A. Alice McLean Rezoning Request - MLK Jr. Dr. – ArTriel Kirchner, Planning Director
Alice McLean is requesting to rezone parcel #32540100408, deed bk 2319 pg. 677 located on Martin Luther King Jr. Dr. from R-7 to B-4 for the construction of an event center.

Planning staff recommends the Planning Board hold tonight's public meeting, entertain public comment, and make a recommendation to city council regarding this matter.

City Attorney Holt Moore opened the public hearing to consider rezoning property located on Martin Luther King, Jr. Drive from R-7 to B-4 for the construction of an event center. City Clerk Mitchell-McIntosh presented the Affidavit of Publication showing that it was advertised in **The Robesonian**.

Ms. Alice McLean, the applicant appeared before Council and stated that the additional information regarding activities are outlined in the business plan. It also includes all the concerns specifically what would be going on, i.e. security and hours of operation. Since the first public hearing I have gone with Powers Survey to see how the structure would be elevated and parking spaces. Ms. Lean feels that she has addressed all the concerns.

District Court Judge Krystal Melvin, appeared on behalf of the applicant and stated that she is a longtime resident of South Lumberton and she lives approximately 1 mile from this location. She stated that it is good to see some development and it's much needed. She has no intentions of leaving South Lumberton because it's her home and she was raised there. This would be a good thing for this area.

Ms. Patricia McDougal, 54-B Platt Lane appeared before Council and stated that she really didn't understand what this was going to be; however, since she arrived here that she spoke with Ms. McLean and she understands that it will be an event center. Ms. McDougal stated that this event center would be at her back door and if it passes will there be a privacy fence because I would not want this to get out of control.

Mr. Mike McKoy, stated that we have someone trying to do this. He stated that nothing is being developed on the south side. We just have a bunch of abandoned houses. It's time for something new.

Councilman Cantey stated that the major portion of South Lumberton is in a flood zone and that it's impossible to bring HUD money into the area. I agree that we need some type of development in this area.

Mr. James Stewart, a resident of South Lumberton resides near Village Inn, spoke against the application for rezoning.

A long discussion as to the concerns of the residents; proximity of the proposed event center to a residential area approximately 132 feet on all sides of the proposed center, age restrictions, and security to include hours of operation. Councilman Cantey stated that the business plans state that Bring Your Own Bag/Beverage (BYOB) will be allowed for events at the site and concerns through speaking with the residents: opioids usage along with alcohol is a serious issue within our communities and county and people don't make the best decisions during usage. While offering the BYOB leads to people making decisions whether to finish off the bottle and get more intoxicated, throw the rest away (which not going to happen- too expensive) or ride with an open container in their vehicle. This just poses too many possibilities of threats to our community.
The responsible authority during events to curb intoxication or when the building is in use by teens or young adults' parties, their concern on that as well is alcohol and young adults usually bring their problems to the parking lot at all venues and with homes only being 100 feet away. They fear the possibility of the escalation to gun fire.
Councilman Douglas expressed his concerns with the BYOB and the noise. He stated that there are elderly people who have been in the neighborhood for years and would like to continue living there.
Councilman Carroll stated that I agree there is something needed in the community but who is there to manage. We don't want kids exposed …do you think that security will be able to manage that.
Councilman Cantey stated that the site plan does not address the drainage issue and with all due respect we should know the how you plan to deal with this ahead of approval but it's just not conducive. This property floods and when a downpour comes even if the property is elevated there will be runoff issues and according to your surveyor it stated that parking will be an issue.

Councilman Rising asked how much of the property is already zoned. Is there potential or possibilities of doing conditional zoning, it would allow Council to put conditions on it. Councilman Cantey replied with structurally, it will not change the problems, it will not solve the issues. with additional flooding;

After a long discussion, Councilman Cantey stated that this agenda item is important to quite a few people and whatever we decide here tonight will not be the right answer for some. There will be No winners because someone will be disappointed. I along with others have weighed the Pros and Cons of this proposed rezoning and the Prosperity if any and the negative or positive impact on the lives of the Citizens that resides in this immediate area.
He stated that I would have hoped that since all parties involved have been victims of flooding and excessive wate that we could really appreciate any issues that our neighbors are having with any type of flooding still on their properties, whether it's run off, drainage or heavy down pours.
We have heard from the Citizens in writing and word of mouth. Now, it's up to us to make an informed decision on the correct path to follow.
The questions before us are:
Do we need another business in our Community? Yes, we all do.
But is the business in Harmony with the Community and its Residents? Does it bring an economic impact to the Community? Does it provide jobs for the Citizens? Or….
Does it put an extra strain on drainage, property flooding and the residents?
Does it potentially cause unnecessary noise to the residents at late night?
Does Allowing Alcohol on site increase the possibilities of harm to Community Residents residing 100 feet away on all 3 sides of the site.
Does it increase traffic to an already congested area? (Maybe).
And all the other concerns that the Residents wanted addressed.
Decisions sometimes loses friendship or political support but the only way to look at this particular issue is……What is Morally and Ethically correct…You have a small community of elderly and middle-age home owners that has enjoyed their home and property for decades and would like to continue to live in peace for another decade.
And rezoning this property has the possibilities of causing Undo stress, anxiety, sleepless nights and fear of safety for them. We who do not live there can build or rent the building, disturb them and return home to the confines of our homes.
They have to remain and endure whatever comes for years and with that being said. This just isn't a good site for this when it's surrounded on 3 sides by a Residential community.
At this time, I make a motion to deny the request for rezoning based upon, it will not be in Harmony with the Neighborhood**.**

RESULT:	**DENIED [8 TO 0]**
MOVER:	John Cantey, Precinct 5
SECONDER:	Alfred Douglas, Precinct 6
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis

B. 2nd Reading - 'Recriminalization' of Certain City Ordinances – Holt Moore, City Attorney
Some time ago, the NC Legislature decriminalized all city ordinances. They allowed a City's ordinances to be 'recriminalized' by specifically adding them back in. The attached spreadsheet is a list of the items we lost by the legislation (in terms of citing criminally), that we would like to add back in, and the proposed fines. These can be tweaked but it requires two readings and staff wanted to get them in the pipeline.
Approve list of ordinances to be punishable as misdemeanors, and updated fines.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Karen Higley, Precinct 4
SECONDER:	Melissa Robinson, Precinct 2
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis

VIII. CONSENT AGENDA

A. Ratify Minutes for March 26, 2024 Poll for the Financing of the HVAC Replacement System Project - City Manager
Approval of minutes for March 26, 2024, Poll pertaining to the financing of the HVAC Replacement System.
That Council adopt said minutes

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Leroy Rising, Precinct 1
SECONDER:	John Cantey, Precinct 5
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis

B. Ratify the Poll for the Designation of CRF to the Robeson County Slug Fest as follows: P1 - $150 P2 - $100 P3 - $125 P4 - $150 P5 - $50 P6 - $100 P7 - $150 and P8 - $200 for a total of $1,000.00 - City Manager
On March 27th, Council approved by telephone poll a CRF designation to the Robeson County Slug Fest as follows: P1 - $150 P2 - $100 P3 - $125 P4 - $150 P5 - $50 P6 - $100 P7 - $150 and P8 - $200 for a total of $1,000.00 to benefit the five traditional high schools of the Public Schools of Robeson County.

Ratify designations as stated.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Leroy Rising, Precinct 1
SECONDER:	John Cantey, Precinct 5
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis

C. Approve the Ratification of Resolution Number 2024.03.03 In Support of the Week of the Young Child - City Manager
On March 21, 2024, City Clerk McIntosh polled City Council on a request from Robeson County Partnership for Children seeking a Resolution in Support of the Week of the Young Child which was April 6 - 12th, 2024. They were asking for the City's official support. The resolution is attached as adopted on the stated date.
That City Council ratify Resolution No. 2024.03.03 as stated above.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Leroy Rising, Precinct 1
SECONDER:	John Cantey, Precinct 5
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis

D. Ratify All Documents Approving the Financing of the HVAC System for City Hall - City Manager

On March 26, 2024, City Clerk Mitchell-McIntosh conducted to a poll seeking approval for the following items:

1) The Finance Department obtained quotes for financing the HVAC Replacement.

HVAC for 15 years

Truist Bank	5.14%
United Bank	6.00%
Lumbee Guaranty Bank	2.85%

Approval of financing for the HVAC Replacement System to Lumbee Guaranty Bank at a rate of 2.85% over 15 years.

2) Adopt a Resolution Authorizing the Filing of an Application for Approval of the Financing Agreement with the North Carolina Local Government Commission for approval of the Project; and
3) Adopt the Capital Budget Ordinance for the HVAC replacement system for city hall.

That Council ratify all documents as listed and attached pertaining to the financing of the HVAC replacement system.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Leroy Rising, Precinct 1
SECONDER:	John Cantey, Precinct 5
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis

E. Ratification of Resolutions in Support of Rural Downtown Economic Development Grant Application and 5% Match if Awarded - City Manager

A telephone poll was conducted on April 10, 2024 and the Resolutions were approved by City Council.

On March 22, 2024 Sarah Beth Ward (Downtown Development Coordinator) and Brandon Love (Deputy City Manager) met with Lisa Rueh and Grace Lawrence with North Carolina Main Street in regards to the Rural Downtown Economic Development Grant opportunity through the North Carolina Department of Commerce. The result of this meeting was the encouragement from NC Main Street to apply for the RDED Grant to help fund the Carolina Civic Center Annex project. The City of Lumberton applied for $200,000.00. The deadline for this application was April 1, 2024.

Two of the required documents for our application were the **Local Government Resolution** and the **Local Government Resolution for a 5% Match**. The application was allowed to be submitted contingent on the approval of these Resolutions by City Council. Since the submission of this grant application, we have been contacted by NC Main Street

with an encouraging ask for the approval of these Resolutions by the end of day (April 11th) to complete the application.
City Staff recommends City Council ratify the Resolution in support of the RDED Grant application as well as the Resolution for a 5% match if awarded the RDED Grant.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Leroy Rising, Precinct 1
SECONDER:	John Cantey, Precinct 5
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis

IX. AGENDA ITEMS

A. Approval of Tornado Shades in Dick Taylor Plaza – Sarah Ward, Downtown Coordinator
On March 4th, Friends of Main Street Lumberton voted to purchase three (3) 15' x 20' Tornado Shades to install around the Dick Taylor Plaza. The purpose of the Tornado shades is to provide shade solutions to protect the public from the sun's harmful U.V. rays during outdoor events while offering a sculpture-like appeal.

In order to install the Tornado Shades, a large concrete footing will have to be poured at the top of each stairwell for an arching steel central support column to create a 5-point tensioned shade canopy. Electrical accommodations can be added for night lighting and speakers.

Friends of Main Street Lumberton has applied for several grants to fund this project. It is uncertain how much external funding will be available but as of now, Friends of Main Street Lumberton has set aside $18,500.00 to put toward this project which includes an $11,000 contribution from Friends and $7,500.00 from the Local Board of Realtors.
Friends of Main Street Lumberton is requesting City Council approval to install three tornado shades in the Dick Taylor Plaza contingent on available funding for the project.

Dencie Lambdin, representing Friends of Main Street Lumberton presented this item. She stated that Friends of Main Street applied for a T-Mobile grant of $50,000 and is hopeful that they will receive it. She stated that Laurinburg and Elizabethtown have received prior grants from T-Mobile. She stated that if approved for the grant that the requested $10K from the City would not be needed that they would have more than enough to fund this project.

Councilman Rising stated that he had an opportunity to attend an event at North Myrtle Beach complex and that the tornado shades looked nice.

Councilman Carroll asked about the placement of the shades if they would block the vision of the people. Ms. Lambdin explained that they along with City staff (Deputy City Manager Brandon Love) and looked at the placement of the shades and we think that they will be located in an area that will not block anyone vision.

The approval of the $10K will be contingent upon approval of the T-Mobile grant.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Leroy Rising, Precinct 1
SECONDER:	Eric Chavis, Precinct 7
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis

B. 2017 HMGP Demoltion Group #11 – Stephanie Canady, CDBG Administrator
The Planning Department received bids on March 14, 2024 at 2pm, for the demolition of 2 properties acquired under the city's Matthew HMGP project. These properties are located at 520 Swann Drive and 1712 Nevada Street. We received 5 bids with Finesse Builders Inc. bidding the lowest price for both properties at $17,480.00.
Staff recommends awarding the bid for the demolition of the 2 properties to Finesse Builders Inc. in the amount of $17,480.00.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Alfred Douglas, Precinct 6
SECONDER:	John Cantey, Precinct 5
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis

C. Unsafe Structure 107 Hayes Street – Ben Andrews, Inspections Director
The Structure located at 107 Hayes Street was inspected by our Department and was determined to be unsafe. A notice of Condemnation and Hearing was sent. A hearing was held on March 07, 2024 in which the owners were present. An order to demolish the structure was issued. The time in which the owners had to comply expired on April 10, 2024
Staff recommends the City Council direct the Building Inspector to demolish and remove the unsafe structure located at 107 Hayes Street

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

D. Unsafe Structure 1102 13th Street – Ben Andrews, Inspections Director
The structure located at 1102 13th Street was inspected by our Department and was determined to be unsafe. A notice of Condemnation and Hearing was sent. A hearing was held on May 30, 2023 in which the owners were present. An order to demolish the structure was issued. The time in which the owners had to comply expired on July 01, 2023.
Staff recommends the City Council direct the Building Inspector to demolish and remove the unsafe structure located at 1102 13th Street

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

E. Unsafe Structure 528 E 8th Street – Ben Andrews, Inspections Director
The structure located at 528 E 8th Street was inspected by our Department and was determined to be unsafe. A notice of Condemnation and Hearing was sent. A hearing was held on January 4, 2024 in which the owners were not present. An order to demolish the structure was issued. The time in which the owners had to comply expired on February 10, 2024.
Staff recommends the City Council direct the Building Inspector to demolish and remove the unsafe structure located at 528 E 8th Street

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

F. Unsafe Structure 1410 E 11th Street – Ben Andrews, Inspections Director
The structure located at 1410 E 11th Street was inspected by our Department and was determined to be unsafe. A notice of Condemnation and Hearing was sent. A hearing was held on May 30, 2023 in which the owners were present. An order to demolish the structure was issued. The time in which the owners had to comply expired on July 01, 2023.
Staff recommends the City Council direct the Building Inspector to demolish and remove the unsafe structure located at 1410 E 11th Street

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

G. Mrs. Myra Norton formally requests that City Council release the bond for Oak Pointe subdivision in the amount of $406,250 – ArTriel Kirchner, Planning Director
At its meeting of October 11, 2019, the City Council voted to approve the Final Plat for Oak Pointe subdivision, and set a bond in the amount of $406,250 for the completion of the required infrastructure and landscaping.

As of March 6, 2024 all of the requirements have been met and Mrs. Myra Norton formally requests that City Council release the bond for Oak Pointe subdivision in the amount of $406,250.
Recommends that City Council release the bond for Oak Pointe subdivision.

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

H. Ray Townsend is requesting to rezone 306 E. 21st St. from PCU-B-2 (Business Community Florist Shop only) to R-3 (Residential Multi-Family). – ArTriel Kirchner, Planning Director
Ray Townsend is requesting to rezone 306 E. 21st St. from PCU B-2 (floral shop only) to R-3 (multifamily) for single family residential use.
Council review the request, refer the petition to the April 23, 2024 Planning Board meeting for their review, and authorize the Planning Director to set the date of the public hearing.

RESULT:	**REFERRED [8 TO 0]**	**Next: 4/23/2024 6:00 PM**
MOVER:	Alfred Douglas, Precinct 6	
SECONDER:	John R. Carroll, Precinct 3	
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas	
ABSTAIN:	Davis	

I. Special Use Permit for a major Subdivision for property located on Old Whiteville Road. – ArTriel Kirchner, Planning Director
Jason Britt is requesting a Special Use Permit for a major Subdivision for property located on Old Whiteville Road.
CPC review the request, refer the petition to the April 23, 2024 Planning Board meeting for their review, and authorize the Planning Director to set the date of the public hearing.

RESULT:	**REFERRED [8 TO 0]**	**Next: 4/23/2024 6:00 PM**
MOVER:	Karen Higley, Precinct 4	
SECONDER:	John R. Carroll, Precinct 3	
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas	
ABSTAIN:	Davis	

J. Burnis Wilkins is requesting to rezone parcel # 10150103702, located at 300 Commerce Ave. from M-3 to SUP M-2. – ArTriel Kirchner, Planning Director
Analysis: Sheriff Burnis Wilkins is requesting a rezoning and Special Use Permit for parcel # 10150103702, Deed Bk/Pg. 01490 / 0049 located at 300 Commerce Ave. from M-3 (planned industrial district) to SUP M-2 (Special Use Permit Heavy Manufacturing) to facilitate a department of the Sheriff's Office. This request is to rezone the property to M-2 (Heavy Manufacturing). The Special Use Permit application follows this request.
Council review the request, refer the petition to the April 23, 2024 Planning Board meeting for their review, and authorize the Planning Director to set the date of the public hearing.

RESULT:	**REFERRED [8 TO 0]**	**Next: 4/23/2024 6:00 PM**
MOVER:	Eric Chavis, Precinct 7	
SECONDER:	Owen Thomas, Mayor Pro Tem	
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas	
ABSTAIN:	Davis	

K. Burnis Wilkins is requesting a Special Use Permit for parcel # 10150103702, located at 300 Commerce Ave. – ArTriel Kirchner, Planning Director
Analysis: Sheriff Burnis Wilkins is requesting a Special Use Permit for parcel # 10150103702, Deed Bk/Pg. 01490 / 0049 located at 300 Commerce Ave. to facilitate a department of the Sheriff's Office. The Rezoning application precedes this request.
Council review the request, refer the petition to the April 23, 2024 Planning Board meeting for their review, and authorize the Planning Director to set the date of the public hearing.

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

L. Ford Place Lift Station Pump – Rob Armstrong, Public Works Director
Lift Station #3 (Ford Place) is in need of a new pump to replace one of the older pumps. Council recently approved the purchase of 1 new pump for this station and it has been installed. Once the new pump was installed it showed just how bad the other pump was performing when compared to the new one. Public Works is requesting council approval to purchase another pump for this station to get the station back closer to the original operating design.
Public Works recommends council approval of the purchase of a new 10 inch pump for the Ford Place lift station from Tencarva Machinery Company in the amount of $18,432.00 with funds being made available through the Water and Sewer Capital Reserve Fund. Tencarva is the sole distributor in our region for this pump.

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

M. 4276 : Purchase a 14000 lbs Winch – Rob Armstrong, Public Works Director
Public Works would like to purchase a 14,000 lb pulling capacity winch that attaches to our maintenance tractor, to be used to safely pull a pipe cleaning pig thru storm drain pipes, as part of our maintenance strategy. We have received three quotes (attached), from Quality Equipment in Whiteville, Vause Equipment in Fayetteville and Dillon Tractor in Dillon. The lowest price was submitted by Quality Equipment for $9,374.04. Vause Equipment quoted $9,640.00 (no taxes) and Dillon Tractor quoted $9,834.00
Public Works is request approval to purchase a 14,000 lb capacity winch from Quality

Equipment for $9,374.04 to be paid for from the Drainage Operations Code for Equipment

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Karen Higley, Precinct 4
SECONDER:	Owen Thomas, Mayor Pro Tem
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis

N. Purchase Two Tandem Dump Trucks – Rob Armstrong, Public Works Director
Public Works has $440,000 in this year's capital budget to purchase two tandem dump trucks. Originally these were to be purchased with a loan, to be paid back from the Water and Sewer Capital Reserve Fund. We have an immediate need for these trucks so we would like to pay for them directly from the water and sewer capital reserve fund. These two new trucks will be replacing a 1999 International and a 2000 GMC. We have found two 2024 International HV507 Trucks with Cummins Engines and Allison Transmissions from Smith International, Sourcewell Contract 060920-NVS, for $176,284.60 each. This is $87,430.80 below the total budgeted amount for the purchase of the two trucks.
Public Works is requesting Council approval to purchase two 2024 International Tandem Dump Trucks from Smith International, Sourcewell Contract 060920-NVS, for $176,284.60 each using funds from the Water and Sewer Capital Reserve Fund, Capital Codes 10-00-8130-5430 & 60-00-8221-5460.

Director Rob Armstrong stated that the trucks will not be delivered until February 2025.

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

O. Adopt a Resolution to Apply for a Lead Service Inventory Grant – Rob Armstrong, Public Works Director
New rules have been issued by the EPA and administered by NCDEQ, regarding lead and copper water services connected to our public water system. The rules require the City to inventory water service material types within our distribution system which involves physically digging down to a percentage of services and verifying material types. Our first reporting milestone is in October of this year. Public Works attempted to start the physical verification stage of the requirement but has made little progress. We would like to apply for a combination grant/loan thru the State Revolving Loan Program that was developed specifically to aid water systems with this EDA mandate. The funding will be 50% grant and 50% zero percent interest loan for 20 years. We would like to apply for a $1,000,000 grant/loan which will be used to fund material verification and database development for Phase 1. Based on our initial cost opinion, this amount should also fund the bulk of a second phase which would comply with the milestones set by EDA. There may be future phases depending on how much information is collected on the first two phases.
Public Works is Requesting Council to adopt the attached resolution to apply for grant and loan funding thru NC DEQ SRF for a Lead and Copper Water Service Study

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Leroy Rising, Precinct 1
SECONDER:	Eric Chavis, Precinct 7
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis

P. Utility Betterment Associated with I-95 Widening – Rob Armstrong, Public Works Director
In 2015, The Wooten Company completed a sanitary sewer study of the northwestern area of the City which includes the area west of I-95 around exit 22. The study recommended a future project that diverts sanitary sewer from this basin over to the Northeast Interceptor. The goal of this project is twofold: 1) The diverted waste water would help relieve downstream Sanitary Sewer Overflows around Noir Street and Stephens Park. 2) The diversion project would also add sewer capacity to this area of the City, which is reaching maximum capacity with the completion of Springhill Suites and the UNC Health building on Dawn Drive. The project remains an unfunded future capital project however, with the I-95 widening project, Public Works feels that now is the time to install one critical component of the project; a steel carrier casing under I-95, near Bailey Road, which will be used as a sewer force main casing in the future when the entire project is constructed,. DOT's Design/Build team, Flatiron United has given us a price of $495,008.06 to install this casing as a betterment. The City will be responsible for paying 100% of the cost of this betterment. Because of the nature of the I-95 widening, handling this as a betterment with DOT's contractor is the only way to get this item accomplished.
Public Works is requesting Council approval to contract with Flatiron United to install a 24" steel casing under I-95 as a utility betterment to the NCDOT I-95 Widening Project for $495,008.06 to be paid for by State Appropriations given to the City for infrastructure improvements.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Leroy Rising, Precinct 1
SECONDER:	Melissa Robinson, Precinct 2
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis

Q. Waste Water Treatment Plant Grit Chamber Auger – Rob Armstrong, Public Works Director
The Wastewater Treatment Plant uses a screw type auger to remove heavy grit that builds up in the head works of the plant. The current grit chamber screw is made of mild steel and has been repaired and rebuilt multiple times over its life and is currently in need of replacement. Public Works would like to replace this screw auger with a stainless steel version that will hold up better in the harsh environment of the wastewater plant. Quotes were requested from Motion Industries for $37,694.58, KWS Manufacturing Company, Ltd. For $40,178.43, and Thoas Conveyor Company for $38,071.77.
Public Works recommends council approval of the purchase of a new stainless steel screw auger for the grit chamber from Motion Industries in the amount of $37,694.58 with funds being made available through the Water and Sewer Capital Reserve Fund.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Owen Thomas, Mayor Pro Tem
SECONDER:	Karen Higley, Precinct 4
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis

R. Well Replacement Project Engineering Amendment #1 – Rob Armstrong, Public Works Director
The ASDRA SRF funded Well Relocation Flood Mitigation Project is in the final stages of design and permitting. The North Carolina DEQ Water Supply section has concerns about a former underground storage tank petroleum leak within 500 feet of one of proposed well sites. The leak was many years ago and State records indicate that the site is clear however, DEQ is requiring that we install a temporary monitoring well to verify there are no petroleum contaminates that may endanger the water source. Attached is Amendment #1 to the Wooten Company’s engineering contract for $36,510 to install the monitoring well.
Public Works is requesting Council approval of Amendment #1 for $36,510 with the Wooten Company for additional monitoring well services to be paid for by the ASDRA grant funds awarded to the project.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Eric Chavis, Precinct 7
SECONDER:	Melissa Robinson, Precinct 2
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis

S. Demolition - 720 E. 8th Street – Holt Moore, City Attorney
720 E. 8th Street is a City-owned property. It was badly damaged by fire, and Inspections has thoroughly reviewed the property and determined that it is cost-prohibitive to repair. Staff seeks Council’s approval to demolish the property. We believe in its current state it is a liability.
Approve demolition of 720 E. 8th Street.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Precinct 5
SECONDER:	John R. Carroll, Precinct 3
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis

T. Request for Refund of Tax Interest – Holt Moore, City Attorney
Please see the attached request for a refund of interest on property taxes. Staff will need to provide additional information on this matter prior to the Council meeting.
<< Recommendation >>

RESULT:	**TABLED [8 TO 0]**	**Next: 5/6/2024 11:00 AM**
MOVER:	John R. Carroll, Precinct 3	
SECONDER:	Owen Thomas, Mayor Pro Tem	
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas	
ABSTAIN:	Davis	

U. Renewal / Revision of Contract with Zacchaeus Legal Services – Holt Moore, City Attorney
Attached is correspondence from the firm with which we have been working for quite a few years on tax foreclosures. There is a need for a fee increase but they demonstrate specifically in the materials attached that they are less expensive than the primary competitor. Also, in most cases the person buying the property pays the fees, not the City. The Tax Department and other staff are all pleased with Zacchaeus and would recommend approval of the new proposed contract.

Approve new contract with Zacchaeus legal services.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Leroy Rising, Precinct 1
SECONDER:	Owen Thomas, Mayor Pro Tem
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis

V. CRF Request for Chamber Golf Tournament – Holt Moore, City Attorney
The Lumberton Chamber of Commerce has asked the City to sponsor its golf tournament fundraiser in the amount of $500. Last year Council made a total contribution of $550.
Consider request from Lumberton Chamber of Commerce for Golf Sponsorship.

P1 - $50 P2 - $50 P3 - $50 P4 - $50 P5 - $50 P6 - $50 P7 - $50 P8 - $50 & from the Mayor's discretionary fund $100 for a total of $500.

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

W. Approve the designation of $350.00 for Cruising 2nd Street Again in Precinct 4 – Karen Higley, Precinct 4
Councilwoman Higley requests $350.00 of CRF for "Cruising 2nd Street Again" an event that will be held on Saturday, May 5, 2024 from 1:00 to 6:00 p.m.
Designate $350.00 for Cruising on 2nd Street Again.

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

X. Approve the designation of $350 of Community Revitalization Funds to the Readers' Guild Book Club – Owen Thomas, Mayor Pro Tem
Councilman Thomas is requesting $350 of CRF be designated to the Readers' Guild Book Club to install a Little Free Library to promote reading in the community. The box will be placed on the grounds of St. Mark's Lutheran Church located at 202 W. 24th Street.
Approve the designation as stated above.

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

X. ADJOURNMENT