



CITY OF LUMBERTON

CITY COUNCIL

MINUTES • APRIL 8, 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	

II. MINUTES APPROVAL

A. City Council - Regular Meeting - Sep 4, 2019 11:00 AM –

RESULT:	ACCEPTED [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

III. PUBLIC COMMENT PERIOD

The following message was read into record by City Clerk Mitchell-McIntosh submitted for the Public Comment Period.

From: Mitchell Prevatte <goatskinner00@yahoo.com <<mailto:goatskinner00@yahoo.com>>>
Date: April 7, 2020 at 11:49:16 AM EDT
To: public.coments@lumbertonnc.gov <<mailto:public.coments@lumbertonnc.gov>>
Subject: Lumberton Housing Authority...

Attn: Lumberton City Council,
I would like to voice some concerns about the Management of the Housing Authority of the City of Lumberton, NC... I have attached a few of several Photos I have recently taken

at Eastwood Terrace located on McPhail Rd to show the conditions of which I am speaking... Please Note that the Fencing Bordering the Property has been removed, and has imposed dangerous conditions to the Playground, Picnic Area and Residents Back Doors which are only a few feet away from a Main Drainage Canal... Also note that some residents are using said canal as a Dumping Ground... Items such as cans, bottles, furniture, used cooking oil, grease, and food items are being frequently dumped into this Drainage System which you can see from the included photos has interrupted the flow, and created a Haven for rodents, and vermin... Please also note that as warm weather is upon us this Stagnant water will be a Haven for Mosquitoes... We have made several attempts in the past year to have these issues corrected to which they have yet to make any effort do so... Our Community would Greatly Appreciate if you would look into this matter, and give us some answers... Sincerely: Mitch Prevatte and the Residents of East Lumberton

After hearing the message, a motion was made by Councilman Cantey, and seconded by Councilman Carroll, to send a copy of the message to Lumberton Housing Authority, and it carried unanimously.

IV. AGENDA ITEMS

- A. Approval of Bid for HMGP Home Reconstruction – Brian Nolley, CDBG Administration
The Planning Dept. is seeking approval to award a construction contract for the demo and rebuild of a home located at 531 Swann Dr. A bid opening was held March 11, 2020 with the low bid going to Faith Home Improvements & Construction at \$107,000. This home demo and rebuild is part the city's Hazard Mitigation Grant program and all costs will be paid by grant funds.
The Planning Dept. recommends awarding the contract to Faith Home Improvements in the amount of \$107,000.

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

- B. Approval of CDBG Administrative Contract-Rempac – Brian Nolley, CDBG Administration
The Planning Dept. is seeking approval to award a contract for administrative services to administer the Community Development Block Grant for the Rempac Foam project. The Planning Dept. advertised request for proposals and received 3 bids. After evaluating proposals, we are recommending awarding the contract to Hartigan Management. Services will be paid for with grant funds.
The Planning Dept. recommends awarding the contract to Hartigan Management based on evaluation of proposals.

RESULT:	TABLED [8 TO 0]	Next: 5/11/2020 6:00 PM
MOVER:	John Cantey, Precinct 5	
SECONDER:	Chris Howard, Precinct 6	
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas	
ABSTAIN:	Davis	

C. Traffic Signal Upgrade – Lamar Brayboy, Electric Utilities Director

The Electric Utilities Department was previously approved by City Council to replace the traffic signals at the intersection of 24th and 29th on Elm St. by ALS of Fayetteville. Since its approval, ALS has informed us that they cannot complete the upgrade for the quoted amount of \$56,210.58. Our next quoted price is from Fulcher Electric in the amount of \$62,411.94. The Electric Utilities Department is requesting for Council approval to award the traffic signal upgrade to the second quote to Fulcher Electric in the amount of \$62,411.94.

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

D. Rempac Flood Mitigation Project Bid Results – Rob Armstrong, Public Works Director

Bids for the Construction of the Rempac Flood Mitigation Project will be opened on Monday, April 6th at 2:00pm. Public Works will present Council with Certified bid results the day of the meeting.

Public Works will provide bid results and ask Council to award the contract to the lowest responsible bidder.

RESULT:	TABLED [8 TO 0]	Next: 5/11/2020 6:00 PM
MOVER:	Leroy Rising, Mayor Pro Tem	
SECONDER:	Owen Thomas, Precinct 8	
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas	
ABSTAIN:	Davis	

E. 3/4 Ton Work Truck for Water Plant Maintenance – Rob Armstrong, Public Works Director

This is for the purchase of a replacement truck for the Water Treatment Plant Maintenance crews. It will replace a 2002 ¾ ton GMC panel truck with over 150,000 miles. Public Works recommends council approve the purchase of a 2020 Ford F-250 4x4 work truck from Asheville Ford through the NC Sheriffs Association vehicle procurement program in the amount of \$37,199.69. This would be funded using the capital code of 60-00-8332-5460 which was previously budgeted for \$50,000.00.

RESULT:	APPROVED [8 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Eric Chavis, Precinct 7
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- F. Raw Water System Improvement Grant Resolution – Rob Armstrong, Public Works Director
Public Works would like to apply for a North Carolina Clean Water State Revolving Fund (SRF) grant to replace two (2) wells currently located in 100 yr flood plain with two (2) wells not located in 100 yr flood plain, and associated raw water piping to connect the new wells to the existing raw water system. This would be a 100% Principle Forgiveness (grant) program. Public Works is asking Council to adopt the attached resolution, allowing the City to apply for a grant to replace two water production wells currently located within a floodplain.

RESULT:	APPROVED [8 TO 0]
MOVER:	Chris Howard, Precinct 6
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- G. Northwest Sewer Diversion Project SRF Resolution – Rob Armstrong, Public Works Director

Public Works would like to apply for a combination zero percent interest loan and principle forgiveness grant from the North Carolina Clean Water State Revolving Fund (SRF) to design and construct the Northwest Sewer Diversion Project. This project was recommended by a study conducted several years ago. The project goal would be to divert wastewater flow away from the Britt's Farm and Noir Street basin over to the underutilized Wesley Pines and Harril Road basin. The project would also provide the City a second sewer crossing under I-95. Currently all the sewer from the northwest quadrant of the City only has one crossing under the interstate that was installed in the 1960's. The preliminary cost opinion for this project is approximately \$1,400,000. Public Works believes our application to SRF will score high enough to receive 25% of this amount in grant. However, if the project only qualifies for 100% loan, Public Works would still like to proceed with the project. Public Works is asking Council to adopt the attached resolution, allowing the City to apply for loan and possible grant funding for the Northwest Sewer Diversion Project.

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

- H. Award the Professional Auditing Services – Alisha Armstrong, Finance Director
The current audit contracts expired with the FY 2019 audits. Letters of interest in receiving a copy of the RFP for auditing services for the next three fiscal years were sent to four firms. Four firms received a RFP and three firms responded.

	2020	2021	2022	Total
Thompson, Price, Scott, Adams & Co., PA	\$20,700	\$20,700	\$20,700	\$62,100
W. Greene, PLLC	\$23,000	\$24,000	\$25,000	\$72,000
S. Preston Douglas & Associates, LLP	\$28,000	\$28,000	\$28,000	\$84,000

Recommend that Council award the professional auditing services for the City of Lumberton and the Lumberton Airport for the next three fiscal years to Thompson, Price, Scott, Adams & Co., PA.

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

I. MOU for Attorney General's Office Grant – Holt Moore, City Attorney

As you may recall, through the NC Attorney General's Office, Lumberton received a grant with a maximum amount of \$150,000. This was part of the Smithfield Agreement Environmental Enhancement Grant Program. The funds will be used for enhancement and flood mitigation in the area across the Meadow Branch from the former K-Mart and Ramada Inn / Econo-Lodge. The request is for Council to approve this agreement which will allow the grant process to move forward.

Recommend approving the Memorandum of Understanding.

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

J. Ratification of Utility Non-cutoff Decision – Holt Moore, City Attorney

Staff polled Council about the decision to temporarily suspend the practice of disconnecting service for non-payment of utility accounts and the decision was unanimously in favor. This agenda item is to ratify that decision. Specifically, Council will be temporarily amending all policies and/or ordinances which are inconsistent with the following approach as to utility accounts:

- Suspend all non-pay disconnects
- Late penalties are waived
- We are encouraging customers to pay what they can to avoid a high balance as the customer is ultimately still responsible for paying the bill in full.
- Customers that are having trouble making their payment will need to contact customer service to discuss their options.
- The office is not open to the public but will operate the drive through for all business needs with proper documentation.

- Customers will be able to make payments via drop box, mail, drive through, by phone or online.
- This will be in effect until further notice.

Ratify decision as described above.

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

K. Approval of Jaycee Hut Reconstruction Bid Acceptance & Contract Award – Brandon Love, Deputy City Manager

On February 11, 2020 a pre-bid meeting was held to introduce potential bidders to the Jaycee Hut reconstruction project (West Lumberton Resource Center). Five interested contractors were present, with several of them attending the on-site portion of the meeting as well. On March 5, 2020 a public bid opening was conducted yet only two bids were received. These bids were rejected and the project was re-advertised for 10 days with a public bid opening being conducted on March 16, 2020. Three bids were received, opened and then publically read aloud. Attached you will find a copy of the certified bid tabulation from the architect. Staff recommends that City Council accept bid alternate #3 for additional parking lot paving for \$17,488, award the contract to M & E Contracting, Inc. of Fayetteville in the amount of \$1,014,517.00 and authorize a 5% project contingency. City Council is also asked to instruct the City Manager to execute the required contract documents needed for construction of the West Lumberton Resource Center. Funding for this project is as follows: Golden LEAF - \$768,000, FEMA - \$22,190, Flood Insurance - \$58,610, City of Lumberton - \$165,717 (+\$50,000 contingency).

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

L. Approval of Budget Amendment to the Facade Improvement Grant Program – Brandon Love, Deputy City Manager

Staff is seeking City Council's consideration of increasing the annual downtown façade improvement grant allowance by adding an additional \$20,000 to the FY 2019-20 budget. To date, all grant funding has been expended on various façade improvements downtown, yet we have at least one and perhaps a second additional application this year. Attached you will find information related to the Britt Law Firm offices to be located at 414 & 416 North Chestnut Street. This application has been reviewed and approved for appropriateness by the façade committee and awaits funding by City Council. The second anticipated application will be from Michael Oxendine, general contractor, for a façade improvement at 315 North Elm Street.

The recommendation is for City Council to approve an amendment to the FY 2019-20 budget

by increasing the downtown façade improvement grant line item by \$20,000.

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

- M. Approve the Deobligation of \$1,250.00 of Obligated Funds back to Unobligated Funds – John Carroll, Precinct 3

At its March 4th, 2020, City Council meeting, Council requested \$1,250.00 of CRF to be given to Rowland Norment School for a field trip to Wonder Works in Myrtle Beach, SC and a field trip to Fort Fisher, NC as follows:

P1 - \$100.00 P2 - \$100.00 P3 - \$400.00 P5 - \$50.000 P6 - \$100.00 P7 - 200.00 and P8 - \$100.00 for a total of \$1,250.00

Both trips were scheduled for the month of April; however, due to the unforeseen COVID-19, schools are closed until May 15th. Councilman Carroll is requesting that the donations given by Council be deobligated back to unobligated funds as listed above.

Deobligate \$1,250 as listed above back to unobligated funds.

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

- N. Approval of Contract with Duke Energy for Floodwall – Holt Moore, City Attorney
Staff has discussed with Council on several occasions the joint project with Duke Energy to install a floodwall around our two substations on Bullard Avenue. We had an estimate of \$460,000 in August for our share of this project. The project has gone to bid and the low bid came in such that our share will be \$493,087.06. Staff requests that Council approve the contract with Duke to pay our share so that the floodwall work can get under way. Attached is various correspondence discussing the estimate and the final bid, a map of the project, and the contract, which will be provided to us in final form (the attached is in draft), within the next day. The language of the contract will not change.

Approve contract with Duke Energy for floodwall.

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

V. ADJOURNMENT