



CITY OF LUMBERTON

CITY COUNCIL

MINUTES • APRIL 6, 2022

Regular Meeting

Council Chambers

11:00 AM

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

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Bruce W. Davis	Mayor	Present	
Leroy Rising	Mayor Pro Tem	Present	
Melissa Robinson	Precinct 2	Present	
John R. Carroll	Precinct 3	Present	
Karen Higley	Precinct 4	Present	
John Cantey	Precinct 5	Present	
Chris Howard	Precinct 6	Present	
Eric Chavis	Precinct 7	Present	
Owen Thomas	Precinct 8	Present	
Wayne Horne	City Manager	Present	
Brandon Love	Deputy City Manager	Present	
Holt Moore	City Attorney	Present	
Laney Mitchell-McIntosh	City Clerk	Present	

B. Invocation: City Attorney Holt Moore –

C. Pledge of Allegiance - 4-H Titans Club: Led by Vivian Barnes –

D. Proclamation: Public Safety Communicators Week Presented to Bill French, Director of Communication along with Tammy McLeod, Deputy Director and Monica Reed. –

E. Public Comment Period

1. Rev. Dr. Leslie Sessoms –

Rev. Dr. Leslie Sessoms appeared before Council and introduced a 501C Non-Profit organization: Ministers for Justice. She stated that they are committed to providing our congregations a solid biblical foundation for doing justice; promoting understanding and partnership between ethnic groups through education, dialogue and fellowship. She stated that the organization is also committed to publicly taking a stand against all forms of injustice and praying for one another and our community in our pursuit of peace and reconciliation.

She stated that their mission is to be a group of ethnically diverse Robeson County ministers promoting unity and doing justice in our community. Their vision is to create a peaceful community where broken relationships are reconciled and equity is achieved. Rev. Sessoms stated that their mandate is based on Micah 6:8 “What does the Lord require of us, but to do justice, love mercy and walk humbly with our God.”

Councilman Rising made a motion, seconded by Councilman Thomas, to donate CRF to this good cause as follows: P1 - \$200 P2 - \$200 P3 – 200 P4 - \$200 P5 - \$150 P6 - \$100 and from the Mayor’s discretionary fund \$100 for a total of \$1,250.00.

II. PUBLIC HEARINGS:

March 2022 Planning Board Minutes - For Council Information – ArTriel Kirchner, Planning Director

The Planning Board met on March 22nd, 2021 and held a public meeting for the following:

1. Edna Mae Mayes Rezoning Request: Operation of Eazy Recycling Center at 395 Kenny Biggs Rd. Parcel #020801008, deed book 2272, pg. 830
2. Special Use Permit Request - Earnest Britt, Jr. is requesting a Special Use Permit to operate a multifamily conversion at 820 E. 7th St. parcel #3231-02-0005/Deed Book 2329 page 774.
3. Rezoning Request: Charles F. Irick, Jr. (Fitch Irick Development) has submitted a rezoning request for property at 2960 E. Elizabethtown Rd for the development of a 56 unit apartment complex.

A. 2119 W. 5th Street Appeal – Ben Andrews, Inspections Director

The owner of property located at 2119 W. 5th Street, Carolee McLinnahan is appealing the building official's decision that was issued on February 1st, 2022, to have the building demolished by March 5th, 2022.

Staff recommends the City Council hear the appeal and make a recommendation on the property located at 2119 W. 5th Street.

The hearing was opened on 2119 W. 5th Street with Ms. Carolee McLinnahan and Ms. LaTosha Murray appearing before City Council. Ms. McLinnahan stated that she first received the letter from the City back in February and she immediately called the Inspections Department to ask for an extension.

Ms. Murray speaking as a representative for Ms. McLinnahan stated that Ms. Carolee lives out of town and I have been her eyes and ears for this place. Ms. McLinnahan is recently divorced and this property has been tied up in probate for months for equitable distribution. Her intention is to take care of the property and sale it and she needs an extension of 90 days in order to do so.

Director Ben Andrews stated that the findings will still go over to the next owner stating that code violations stay with the property.

Councilman Chavis stated that time has been allotted for this and it's time to move forward with the demolition process. He stated that there has been a fair opportunity to take care of the property.

RESULT:	APPROVED [8 TO 0]
MOVER:	Eric Chavis, Precinct 7
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

B. Request for Annexation- Bethel Baptist Church – ArTriel Kirchner, Planning Director

The Planning & Neighborhood Services Department received an application for annexation from Bethel Baptist Church, requesting a contiguous annexation of property located at 417 Hornets Rd. (Parcel #10100201205/ Deed Book: 2206 Page: 0783). The property is currently zoned City of Lumberton A (Agricultural) therefore a rezoning is not required.

This property is located within the City's ETJ.

This property is located in Area 3 of our Land Use Plan and designates the future use as medium intensity.

On March 24, 2022 the Planning Department sent out letters to the adjacent property owners within 150 feet of the petitioned property, notifying them of the annexation request.

On March 24, 2022 a request was sent to Public Works Department to have a sign placed on the property, notifying the adjacent property owners of the annexation request.

On March 24, 2022 a request was sent to the Robesonian to have the legal ad for this request ran on March 26th and April 2, 2022.

Recommend that City Council hold tonight's public hearing and approve the annexation request.

RESULT:	APPROVED [8 TO 0]
MOVER:	Melissa Robinson, Precinct 2
SECONDER:	Leroy Rising, Mayor Pro Tem
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- C. Edna Mae Mayes is requesting a rezoning to operate a recycling center at 593 Kenny Biggs Road (parcel # 020801008 / Deed Book 2272 Page 830). – ArTriel Kirchner, Planning Director

Edna Mae Mayes has submitted a Rezoning petition for property located at 593 Kenny Biggs Road (parcel # 020801008 / Deed Book 2272 Page 830). This request is to allow for the development of a recycling center (use #11.000-Scrap Materials Salvage Yards, Junkyards, Automobile Graveyards).

This property is currently zoned 'A' (Agriculture) and to develop a recycling center at this location requires a rezoning. The applicant is requesting the property be rezoned to M-2 (Heavy Manufacturing).

On March 22, 2022 the Planning Board held the Public Meeting and unanimously recommends Council approve the rezoning request.

On March 24, 2022 the Planning Department sent out letters to the adjacent property owners within 150 feet of the petitioned property, notifying them of the rezoning request.

On March 24, 2022 a request was sent to Public Works Department to have a sign placed on the property, notifying the adjacent property owners of the rezoning request.

On March 24, 2022 a request was sent to the Robesonian to have the legal ad for this request ran on March 26th and April 2, 2022.

Recommend that City Council hold tonight's public hearing and approve the rezoning request.

Mayor Davis opened the public hearing to consider rezoning property located at 593 Kenny Biggs Road from A (Agricultural) to M-2 (Heavy Manufacturing). City Clerk Mitchell-McIntosh submitted the Affidavit of Publication showing that it was advertised in The Robesonian.

Mr. Bobby Mayes appeared to speak on behalf of the applicant.

No one else appeared to speak and the hearing was closed.

RESULT:	APPROVED [8 TO 0]
MOVER:	Eric Chavis, Precinct 7
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- D. Rezoning Request: Ernest Britt, Jr. is requesting a Special Use Permit to operate a multifamily conversion at 820 E. 7th Street, parcel # 3234-02-005/Deed Book 2329 Page 774. – ArTriel Kirchner, Planning Director

Ernest Britt, Jr. has submitted a Special Use Permit to operate a multifamily conversion at 820 E. 7th Street, parcel # 3234-02-005. The structure was previously used as a triplex, however it remained vacant for more than 180 days. Under the current ordinance, because the use is considered nonconforming and has been vacant for more than 180 days, a Special Use Permit must be granted to continue the previous use. The Land Use Plan designates the future use of this parcel as Low Intensity, furthermore, this property is located within precinct 5.

On March 22, 2022 the Planning Board held the Public Meeting and unanimously recommends Council approve the Special Use Permit request.

On March 24, 2022 the Planning Department sent out letters to the adjacent property owners within 150 feet of the petitioned property, notifying them of the Special Use Permit request.

On March 24, 2022 a request was sent to Public Works Department to have a sign placed on the property, notifying the adjacent property owners of the Special Use Permit request.

On March 24, 2022 a request was sent to the Robesonian to have the legal ad for this request ran on March 26th and April 2, 2022.

Recommend that City Council hold tonight's public hearing and approve the Special Use Permit request.

Mayor Davis opened the public hearing to consider the issuance of a Special Use Permit for property located at 820 E. 7th Street to operate a multifamily conversion. City Clerk Mitchell-McIntosh submitted the Affidavit of Publication showing that it was advertised in *The Robesonian*.

Mr. Ernest Britt Jr. Appeared before City Council and stated that he first purchased this property at the first of this year and would like to renovate hoping to provide good housing next to the Elementary School. He very much would like Council's approval of the conversion.

Councilman Cantey asked Mr. Britt if he intended on turning this property into a quad because when he went by to check it out he was told that you have the intention of converting the garage into an apartment. Mr. Britt stated that it was just a passing thought. If it is possible; I may consider it because it will allow no more than 4. Councilman Cantey asked if there are people living in there now. Mr. Britt stated that not to his knowledge. A discussion ensued and Councilman Cantey stated that he would consider tabling the item until further clarity is given.

However, Councilman Rising expressed concerns about tying the hands of the owner who is trying to make housing available for citizens of this City. Councilman Thomas made a motion, seconded by Councilman Rising, approving the Special Use Permit to operate a multifamily conversion located at 820 E. 7th Street.

RESULT:	APPROVED [5 TO 3]
MOVER:	Owen Thomas, Precinct 8
SECONDER:	Leroy Rising, Mayor Pro Tem
AYES:	Rising, Carroll, Higley, Chavis, Thomas
NAYS:	Robinson, Cantey, Howard
ABSTAIN:	Davis

- E. Charles F. Irick rezoning petition for property located at 2960 E. Elizabethtown Rd – ArTriel Kirchner, Planning Director
Charles F. Irick, Jr. (Fitch Irick Development) has submitted a Rezoning petition for property located at 2960 E. Elizabethtown Road (parcel # 1012-01-045/Deed Book 1770 Page 467). This request is to allow for the development of a 56 unit apartment complex (use #1.310).

On March 22, 2022 the Planning Board held the Public Meeting and unanimously recommends Council approve the rezoning request.

On March 24, 2022 the Planning Department sent out letters to the adjacent property owners within 150 feet of the petitioned property, notifying them of the rezoning request.

On March 24, 2022 a request was sent to Public Works Department to have a sign placed on the property, notifying the adjacent property owners of the rezoning request.

On March 24, 2022 a request was sent to the Robesonian to have the legal ad for this request ran on March 26th and April 2, 2022.

Recommend that City Council hold tonight's public hearing and approve the rezoning request.

RESULT:	APPROVED [8 TO 0]
MOVER:	Melissa Robinson, Precinct 2
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

III. CONSENT AGENDA

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

- A. City Council - Regular Meeting - Mar 2, 2022 11:00 AM -

- B. Ratify the Funding Request for the I-95/I-74 Industrial Park Water Tank - City Manager
At its meeting of March 30, 2022, Council's Planning Workshop; Council heard a request from the City Manager pertaining to the appropriation of ARP funds to be used as a match for the State Budget approved \$1.5M to construct a 500K gallon water tank in I-95/I-74 Industrial Park. The estimated cost for this project is \$2.5M. AMENDMENT: This item will need to be pulled from the consent agenda to approve the ordinance amendment that goes with it, which is attached.
Ratify the approval to appropriate \$1M of ARP funds as a local match for the Construction of the I-95/I-74 Park Water Tank, and approve required ordinance amendment.
- C. Adopt a Resolution In Support of SAFE (S.A.F.E.) Raise Grant - City Manager
At its meeting of March 30, 2022, Council's Planning Workshop, City Council adopted a Resolution after a final report was made by VHB & NCDOT on a comprehensive pedestrian safety study for the City. Ms. Blackburn, AICP, Senior Project Manager stated that they would apply for the City which the application is due by April 14th and that there is no local match required. She also announced that NCDOT is paying all of the expenses for VHB as the consultant so there is no cost to the City.
That City Council ratify the adoption on the attached Resolution in Support of S.A.F.E (Safer Access for Everyone) in the City of Lumberton.
- D. Ratification of the HMGP Matthew Contract Agreement - City Attorney
At its meeting of March 30, 2022, City Council's Planning Workshop; Council considered a revision of rates from the original 2018 contract agreement for the HMGP Matthew project at the request of John Kaukola of Kaukola Land Surveying for the HMGP Matthew project. There has been no rate increase since 2018 and the rate increase will be for the remaining HMGP Matthew properties.
That City Council ratify the approval of the revised contract agreement with Kaukola Land Surveying.
- E. CRF Ratification - Lumberton Christian Care Center - P6 Request - City Attorney
Councilman Howard requested \$350 of CRF for their feeding efforts. A telephone poll was conducted, and the following was offered: Mayor - \$200, P1- \$200, P2- \$100, P3 - \$200, P4 - \$350, P5 - \$150, (P6 - \$350), P7 - \$200, and P8 - \$50.
Ratify CRF requests.
- F. CRF - Robeson County Humane Society - P8 Request - City Attorney
Councilman Thomas requested \$100 of CRF for the Robeson County Humane Society's golf tournament. A telephone poll was conducted, and the following was offered: Mayor - \$100, (P1- \$100), P2- \$100, P3 - \$100, P4 - \$100, P5 - \$50, P6 - \$100, P7 - \$100, and P8 - \$100.
Ratify CRF requests.

IV. AGENDA ITEMS

- A. Approval of Airport Grant Local Match Funding - Runway 23 – Gary Lewis, Airport Manager
This is a request from the Airport for approval of additional Grant funding for the Partial Parallel Taxiway and Turnaround Runway 23 Construction Project. The State Department of

Transportation provided additional funding to offset increased costs for the project. The State will contribute an additional \$1,291,500 (90%) of the total costs of \$1,435,000. The City and County will contribute \$71,750 each (5% each) totaling \$143,500 (10% total). These funds need to be budgeted for to cover local match of the Grant. See attached Award Letter.

Approve airport agreement and attached budget amendment.

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

- B. Approval of Dispatch Console Project – Bill French, Emergency Services Director
The current dispatch consoles in the 911 Center were installed when we moved into this building and need replacement. I sought and received three bids, one from Horizon Consoles, Watson Consoles, and Evans Consoles. Horizon bid **\$96,508.65**, Watson bid **\$77,155.73**, and Evans bid **\$100,126.78**. The specifications were a POD design with collaborative areas which means a dispatch console in each corner. All bidders but Watson furnished a POD design as we found they do not do POD designs, so their bid was rejected. The bid was awarded to Horizon Consoles for **\$96,508.65**. Dispatch Consoles are 911 Fund eligible equipment. In the last two years, with the assistance of the 911 Fund, through Grants and Funding Reconsiderations, I have added over \$500,000 worth of equipment to the 911 Center at no cost to the City.
I am requesting the approval of Horizon Consoles' bid of **\$96,508.65**.

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

- C. Unsafe Structure 412 Columbia Avenue – Ben Andrews, Inspections Director
The structure located at 412 Columbia Avenue 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 25, 2022, 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 March 5, 2022.
Staff recommends the City Council direct the building inspector to demolish and remove the unsafe structure located at 412 Columbia Avenue.

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

D. Unsafe Structure 2306 Burke Street – Ben Andrews, Inspections Director

The structure located at 2306 Burke 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 November 30, 2021, 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 14, 2022

Staff recommends the City Council direct the building inspector to demolish and remove the unsafe structure located at 2306 Burke Street.

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

E. Unsafe Structure 212 Front Street – Ben Andrews, Inspections Director

The structure located at 212 Front 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 February 3, 2022, 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 March 10, 2022.

Staff recommends the City Council direct the building inspector to demolish and remove the unsafe structure located at 212 Front Street.

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

F. Unsafe Structure 225 Front Street – Ben Andrews, Inspections Director

The structure located at 225 Front 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 February 3, 2022, 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 March 10, 2022.

Staff recommends the City Council direct the building inspector to demolish and remove the unsafe structure located at 225 Front Street.

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

G. Unsafe Structure 529 East 8th Street – Ben Andrews, Inspections Director

The structure located at 529 East 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 November 16, 2021, 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 December 23, 2021.

Staff recommends the City Council direct the building inspector to demolish and remove the unsafe structure located at 529 East 8th Street.

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

H. Adopt an Ordinance Reducing the Speed Limit in the Highland and Inverness Community – Michael McNeill, Police Chief

It is requested that the speed limit in the Highland and Inverness Community be reduced to 25 mph on the listed streets.

Walnut, Rosewood, Roslyn, Best Drive, Fuller, Elmhurst, Sandlin, Arlington,
Newgate, Vann, Highland Avenue, Stirling, Tartan Road, Kensington, Dayalpur, Ludgate,
Oban, Aldwych, Cricklewood and Farringdon Street

Consider reducing the speed limit to 25 mph on the listed streets above by adopting the attached Ordinance.

RESULT:	ADOPTED [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

I. Wastewater Plant generator warranty – Rob Armstrong, Public Works Director

The wastewater treatment plant headworks generator was replaced with a new Caterpillar 200kw generator in April 2018. At the time of purchase it came with a 4 year warranty. We now are at the end of that time period and have the option to purchase an additional 5 year extended warranty for \$5,680.

Public Works recommends council approval for the purchase of the 5 year extended warranty for the head works generator at the wastewater treatment plant in the amount of \$5,680.00.

Funding for this would come from funds not used in the capital code of 60-00-8330-5560

WWTP Aerators.

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

- J. Purchase of Offset Rear Cutting Deck – Rob Armstrong, Public Works Director
- Public Works would like to purchase an offset rear mowing deck to mow drainage right of ways and around the base of the landfill mound. The offset deck would be used in lieu of the standard deck which takes multiple passes and places the tractor and operator near the slope of canals. Attached are quotes for a John Deere FC15R from Southeast Farm Equipment for \$25,923.39, Bush Hog 2815 Flex Wing from Vause Equipment for \$26,211.00 and a Landpride RC5014 from Tyler Equipment Co. in Conway for \$27,899.64. This piece of equipment is no longer offered on State Contract and these three equipment providers are the only ones who could meet our specification. Public Works would like to purchase the John Deere FC15R from Southeast Farm Equipment and pay for this unit by transferring money from two capital projects budgeted in this fiscal year that will be delayed. We would like to transfer \$5,923.39 from the landfill capital code 67-00-8147-5867 and \$20,000 from the Street Department Capital Code 10-00-8130-5530. The landfill code was originally intended for a new shingled roof replacement. Public Works will place metal panel on this roof using our own staff. The street department code was originally intended to purchase a new air compressor. We will delay this purchase until next fiscal year.
- Public Works is requesting Council approval to purchase a John Deere FC15R offset rear mowing deck from Southeast Equipment Co. in Lumberton for \$25,923.39 to be paid by transferring \$5,923.39 from the landfill capital code 67-00-8147-5867 and \$20,000 from the Street Department Capital Code 10-00-8130-5530.

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

- K. Adopt a Resolution for the 2022 Wastewater System Improvements NC Clean Water SRF Grant Application – Rob Armstrong, Public Works Director
- Public Works would like to apply for a \$4.1M Wastewater System Improvement Grant through the North Carolina Clean Water State Revolving Fund. The planned improvements include pump station rehabilitations, gravity sewer rehabilitation and backup power generation at the Wastewater Treatment Plant. This is basically the same application submitted last year that was awarded all loan and no grant funds. We've added more gravity sewer rehabilitation to this application and believe it will score high enough to qualify for all or nearly all grant this funding cycle. The attached resolution will need to be approved by Council in order to apply for the grant.
- Public Works is requesting Council to adopt a resolution to apply for a \$4.1M Wastewater

System Improvement Grant through the North Carolina Clean Water State Revolving Fund

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

L. 202 Noir Street Wastewater Interceptor Study Grant Resolution – Rob Armstrong, Public Works Director

Public Works would like to apply for a \$250,000 North Carolina Clean Water State Revolving Fund Grant to study the sanitary sewer outfall in the Noir Street area that extends from the WWTP to Lift Station #1 next to the Lumber River. This outfall conveys a significant amount of the City's collected wastewater and is one of the last major sources of sanitary sewer overflows during heavy rains. A hydraulic flow study conducted two years ago found the outfall to be hydraulically challenged however we were not able to pin point a specific problem area. Our next phase is to Clean and TV inspect the outfall to assess the condition of the pipe. Since the pipe is so large and carries so much flow during all hours of the day, cleaning and inspecting may involve by pass pumping and special camera inspection equipment.

Public Works is requesting Council to adopt a resolution to apply for a \$250,000 North Carolina Clean Water State Revolving Fund Grant to study the sanitary sewer outfall on Noir Street

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

M. Approval of Subscription to DebtBook software – Alisha Armstrong, Finance Director

The City of Lumberton and Lumberton Airport Commission have to implement GASB-87 beginning with our June 30, 2022 audits. The Finance Department will be required to consolidate all of our lease agreements, test to determine whether they are subject to the reporting requirements, calculate schedules and include this information in our audits. Our auditor recommended a subscription to DebtBook software to help us with implementation. We will also be able to keep track of our debt service payments and amortization schedules with this software. The annual fee is \$9,750 and will

be split between the City and Airport.

Recommend that Council approve the attached annual contract with DebtBook.

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

- N. Accept the road leading to Griffin Park Apartments – ArTriel Kirchner, Planning Director
The Planning Department received a request from Mark Morgan asking the City to accept the road leading to Griffin Park Apartments. All infrastructure improvements are complete, except for the required shade trees. This request also asks the council to accept the road without the required street trees.
- Upon investigation, due to the location of utilities and cross access to adjoining properties, the Planning Department finds that there is not sufficient room to plant the required trees. The Planning Department asks Council to review the request and accept the road with the elimination of the required street trees.

RESULT:	APPROVED [8 TO 0]
MOVER:	Melissa Robinson, Precinct 2
SECONDER:	John R. Carroll, Precinct 3
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- O. Final plat Approval for Oak Pointe Subdivision Section Four, lots 13-24, & 34-36 – ArTriel Kirchner, Planning Director
Myra Norton requests final plat approval for Oak Pointe Subdivision Section Four, lots 13-24, & 34-36. All of the infrastructure improvements are complete and no bond is required. Staff recommends that CPC approve the request and authorize the City Manager to sign and record the attached plat.

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

- P. Contiguous Annexation Request - Autumn Leaf Ct Lots 239-247 Oakridge Subdivision – ArTriel Kirchner, Planning Director
The Planning & Neighborhood Services Department received an application for annexation from Oakridge Land Development Co. This request is for contiguous annexation of property located at Autumn Leaf Ct Lots 239-247 Oakridge Subdivision (Parcel #100402080, deed book 01760, pg. 0792). The property is currently zoned City of Lumberton B3 (Office/Residential) therefore a rezoning is not required.
Recommends that City Council hold today's public hearing and approve the annexation request.

RESULT:	REFERRED [8 TO 0]	Next: 5/11/2022 11:00 AM
MOVER:	Leroy Rising, Mayor Pro Tem	
SECONDER:	Eric Chavis, Precinct 7	
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas	
ABSTAIN:	Davis	

- Q. City of Lumberton is requesting a Special Use Permit to construct a publicly owned and operated park (pocket park) at 306 N. Elm Street. – ArTriel Kirchner, Planning Director
Analysis: The City of Lumberton has submitted a Special Use Permit petition for property located at 306 N. Elm Street (parcel # 323302030 & 323302031/Deed Book 2261 Page 612). This request is to allow for the operation of a publicly owned and operated pocket park (use #6.220). According to the Table of Permissible Uses, publicly owned and operated parks require a Special Use Permit.
CPC review the request, refer the petition to the April 19, 2022 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: 5/11/2022 11:00 AM
MOVER:	John Cantey, Precinct 5	
SECONDER:	Chris Howard, Precinct 6	
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas	
ABSTAIN:	Davis	

- R. Donation of Property - 701 Columbia Ave - Pittman Family – Holt Moore, City Attorney
The Pittman family has offered to donate to the City the property located at 701 Columbia Avenue. It is .5 acres and has a tax value of \$8,300. There was a home on the property but it burned and only the shell remains; it will need to be demolished by Public Works. Staff believes it would be advantageous for the city to have the property to potentially use for affordable housing.
Accept donation of the property from the Pittmans.

RESULT:	APPROVED [8 TO 0]
MOVER:	Chris Howard, Precinct 6
SECONDER:	Eric Chavis, Precinct 7
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- S. Approval of Downtown Pocket Park Construction Bid – Brandon Love, Deputy City Manager
City Council previously authorized staff to proceed with the final construction documents and bidding of the downtown pocket park, to be located adjacent to the "Lumberton" mural, on the parcel donated by Mr. Dick Taylor. Crawford Design Company advertised this project for bid, the City Attorney placed the advertisement in the Robesonian and on the NC State's Historically Underutilized Bidders (HUB) site, and the Downtown Development Director placed the bid posting on the City's website. In addition to the proper advertisements, Del Crawford contacted four landscaping contractors to solicit bids for the project. Bid packets were received Friday, March 25th however only one bid was received.

Staff has consulted with the project designer and the City Attorney and have determined that because this was an "informal" bid, which was properly advertised, and that a good faith effort was made to receive multiple bids, City Council may proceed with the lone bidder. Greenstate Landscape & Nursery provided a price to complete the pocket park of \$94,087.76 plus a required contingency of \$6,000, resulting in a total bid amount of \$100,087.76.

Recommendation from staff is to award the bid to Greenstate Landscape & Nursery, and authorize staff to negotiate with the contractor to reduce the overall price by identifying items which the City may complete separately. Furthermore, staff is recommending that Council authorize the utilization of funding allocated to Phase II of the Memorial Park in the current fiscal budget (\$50,000), combined with funding originally intended for the Pocket Park (\$25,000) in order to complete this project. Any additional funding required would come from the undesignated General Fund.

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

- T. Adopt a Resolution Regarding the Designation of an Official ABC Enforcement Officer - Control Commission of ABC Permit Applications - Resolution No. 2022.04.01 – Wayne Horne, City Manager

The City needs an official to service in the capacity as the City's ABC Enforcement Officer. A resolution is needed to designate Police Chief Michael McNeill as the Official to notify the North Carolina Alcoholic Beverage Control Commission of the recommendations of the City of Lumberton regarding the suitability of persons and location for ABC permits within the City's jurisdiction.

Recommend that Council adopt of the Resolution Designating Police Chief McNeill as an official to make recommendations to the North Carolina Alcoholic Beverage Control Commission on ABC permit applications.

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

- U. CRF - Community Events - P3 – John Carroll, Precinct 3

Councilman Carroll has requested \$200 in CRF for community watch events in the Highland / Inverness and Godwin Heights neighborhoods; \$100 for each event.

Approve CRF request.

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

- V. Approve the designation of \$100 to the Titans 4-H Club – John Cantey, Precinct 5

The Titans 4-H Club is a program where our youth learn leadership skills, public speaking, decision making, and goal setting, building on their strengths and weaknesses while increasing confidence and self-esteem.

Designate \$100 of CRF to the Titans 4-H Club.

Each Council member to include the Mayor gave to this item for a total of \$900.00.

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

- W. Approve the designation of \$250 of CRF to the Las Amigas Inc. for Hayswood Community Event – John Cantey, Precinct 5

Councilman Cantey would like to designate \$250 of CRF to Las Amigas Inc. in support of the Hayswood Community Event/Pop Up Shop and Easter Egg Hunt on April 9th from 10 AM - 4 PM at Hayswood Community Center.

Designate \$250 to Las Amigas Inc. for the Hayswood Hut Community event.

The following donations were given to the Hayswood Community Event - P2 - \$150 P3 - \$100 P4 - \$200 P5 - \$250 P6 - \$200 P7 - \$100 for a total of \$1,000.00.

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

- X. Approve the designation of \$750.00 of CRF for Community Events – John Cantey, Precinct 5

Councilman Cantey requests \$750.00 of Community Revitalization Funds for Community Events.

Designate \$750.00 of CRF to Community Events in Precinct 5.

A total of \$900 were given to this event as follows: P5 - \$750.00 and P-6 \$150.00.

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

- Y. Approve the designation of \$200.00 of CRF to First Baptist Church for Men's' Activities – John Cantey, Precinct 5

Councilman Cantey would like to designate \$200 of CRF to First Baptist Church Men's Organization for youth enrichment activities.

Designate \$200 of CRF to First Baptist Church Men's Organization.

A total of \$650 contributed as follows: P5 - \$150 and P6 - \$450.00

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

- Z. Approve the designation of \$500 of CRF to Delta Kappa Gamma Society – Eric Chavis, Precinct 7

Councilman Chavis would like to designate \$500 of CRF to Delta Kappa Gamma Society in care of Ms. Pamela T. Wright for the StoryWalk Robeson event on Saturday, April 9th, 2022, at 10:45. This event will be held at Luther Britt Park. Delta Kappa Gamma is a society of Women Educators representing Robeson and Scotland Counties. Robeson County ranks 94 out of 100 counties in 3rd Grade Reading Proficiency. This is why it is so important that we support this group of educators as they sponsor the first StoryWalk in Robeson County. Please see the attached letter for more information.

Approve the designation of \$500 of CRF to Delta Kappa Gamma Society for the first StoryWalk in Robeson County.

A total of \$1,000.00 contributed as follows: P1 - \$100 P2 - \$50.00 P3 - \$100 P4 - \$100 P5 - \$50 P6 - \$100 P7 - \$500.

RESULT:	APPROVED [8 TO 0]
MOVER:	Eric Chavis, Precinct 7
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- AA. Approve the designation of \$200.00 for Cruising 2nd Street Again in Precinct 4 – Karen Higley, Precinct 4

Councilwoman Higley requests \$200.00 of CRF for “Cruising 2nd Street Again” an event that will be held on April 24, 2022 at 5:30 p.m.

Designate \$200.00 for Cruising on 2nd Street Again.

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

- AB. Sale of obsolete fire hydrant parts – Holt Moore, City Attorney

Public Works would like to sell some fire hydrant parts to two private vendors. They are parts the City can no longer use. The negotiated price is what we have on our books, \$5000.

Approve sale of fire hydrant parts.

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

V. ADJOURNMENT