



CITY OF LUMBERTON

CITY COUNCIL

MINUTES • APRIL 5, 2023

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	Precinct 1	Present	
Melissa Robinson	Precinct 2	Present	
John R. Carroll	Precinct 3	Present	
Karen Higley	Mayor Pro Tem	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: *Pastor LeDon Barnhill, The Pentecostals of Lumberton*

C. Pledge of Allegiance: *Led by Councilwoman Higley*

II. PUBLIC COMMENT PERIOD: MR. GRAHAM HARDIN

Mr. Graham Hardin, 105 N. Chippewa Street, appeared before Council and registered a complaint concerning the car wash located at 706 2nd Street. He complained of the noise and the outrageous goings on that do occur at all times of the day and night. He asked that Council would look into this matter because he has called the police on multiple occasions and nothing has been done. Mr. Hardin stated that of course there will only be one complaining because my house is the only one on that street. He stated that Council is aware of the situation and

III. GENERAL

A. Remove Graffiti - Leon Burden –

Mr. Leon Burden and Deana Locklear appeared before Council along with a gentleman from NC Prevention Youth Violence Organization. They have been working with the Lumberton Police Department for the past three years and they are here to talk about the program to combat graffiti that is placed by gang members. After hearing the presentation, the consensus is to meet with the organization. Staff will setup a time for them to meet.

RESULT: ANNOUNCED

IV. PUBLIC HEARINGS:

Minutes from March 21st, 2023 Planning Board Meeting – Brian Nolley, Deputy Planning Director

A copy of the draft minutes from the March 21st, 2023 Planning Board meeting are available for review.

<< Recommendation >>

RESULT:	NOT APPLICABLE
----------------	-----------------------

- A. Dunn Street, LLC is requesting a contiguous annexation of parcel # 101301011, located on Dunn Road. – ArTriel Kirchner, Planning Director

Dunn Street, LLC is requesting a contiguous annexation of property located on Dunn Road, being parcel # 101301011. The proposed development is a 56 unit multifamily complex. The applicant is also requesting the property be rezoned from R20 (single family residential) and 'A' (agriculture) to B3 (office/residential).

Recommends that City Council hold today's public hearing and approve the annexation request.

Mayor Davis opened the public hearing to consider extending the Corporate Limits by annexing contiguous property located on Dunn Road. City Clerk Mitchell-McIntosh submitted the Affidavit of Publication showing that it was advertised in The Robesonian. No one 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

- B. Matthew Harrell is requesting a rezoning of parcel # 10130100201 and 101301011 from 'A' (agriculture) and R-20 (residential single family) to B-3 (office/residential) – ArTriel Kirchner, Planning Director

Matthew Harrell is requesting a rezoning of two parcels on Dunn Road (parcel # 10130100201 and 101301011) from 'A' (agriculture) and R-20 (residential single family) to B-3 (office/residential) for a proposed multifamily development.

The Planning Staff asks City Council to hold today's public hearing and approve the rezoning request.

Mayor Davis opened the public hearing for the purpose of considering an amendment to the Land Use Ordinance by rezoning property located on Dunn Road from A (Agriculture) and R-20 (Residential Single Family) to B-3 (Office / Residential) for a proposed multifamily development.

Mr. Bill McCauley appeared before Council as a representative for Matthew Harrell. He stated the they appreciate the work of the Planning Board and staff. Councilman Chavis asked how long will it be before this project begins. Mr. McCauley stated that they are working in conjunction with the NC Housing Finance Agency and the preliminary plans were submitted in January and it will be August before they find out if they were awarded the project and from there it's a 4 to 6 months turn around.

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

City Attorney Moore polled the Council to see if they had considered all the permissible uses for the rezoning and if it is consistent with the Land Use Plan. The consensus was they had all considered and the rezoning was approved.

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

C. FGM Development Conditional Rezoning Request - Hornets Rd. – ArTriel Kirchner, Planning Director

FGM Development, LLC (Fred Mills Sr). is requesting a conditional rezoning of a portion of parcel #101002012 from 'A' (agriculture) to B2 (community business) for multifamily use only . The parcel will be subdivided. The subdivided parcel will be approximately 7.5 acres and the proposed development is a 64-unit multifamily complex. Furthermore, The Land Use Plan designates the future use of the parcel as low intensity and is located within the ETJ. The Planning Staff asks City Council to hold today’s public hearing and approve the rezoning request.

Mayor Davis opened the public hearing for the purpose of considering an amendment to the Land Use Ordinance by rezoning property located on Hornets Road from A (Agriculture) and B-2 (Community Business)with multifamily use only for the proposed development of a 64-unit multifamily complex.

Thomas Neville, Attorney from Cumberland County appeared as a representative for FGM. Attorney Neville gave an overview to further explain why this Conditional Rezoning should be granted. He showed several maps as to the surroundings and why this type housing is necessary. He stated that it would be a benefit to this area.

Ms. Tammy Sterns, appeared before Council and gave an overview of the site plan. She stated that on this site there is no requirement for cutting of trees and there are no obstacles that would hinder construction. She stated that there would be 64-units with some ADA compliant, 120 parking spacing and a community building.

Councilman Carroll asked if there would be any negative impact on the Northeast Park? City Manager Horne stated that typically with these complexes they have 24-hr management. He stated that they implement background checks and do their own type of procedures before renting. He stated that to answer your questions, I do not foresee any negative impact on the park.

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

City Attorney Moore polled the Council to see if they had considered all the permissible uses for the rezoning and if it is consistent with the Land Use Plan. The consensus was they had all considered and the rezoning was approved.

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

D. Rudy Eduardo Gallego is requesting a conditional rezoning for property located on Saxon Avenue. – ArTriel Kirchner, Planning Director

Rudy Eduardo Gallego is requesting a rezoning for property located on Saxon Avenue (parcel # 10140304305). This property is zoned -R-6 (Class 'A' mobile homes), M-2 (Heavy Manufacturing), and 'A' (Agriculture). This request is to rezone the property from Agriculture, R-6 and M-2 to CZ Agriculture, with the condition that no mobile or manufactured homes will be allowed.

The Planning Staff asks City Council to hold today's public hearing and approve the rezoning request.

Mayor Davis opened the public hearing for the purpose of considering an amendment to the Land Use Ordinance by rezoning property located on Saxon Avenue from R-6 (Class "A" Mobile Homes), M-2 (Heavy Manufacturing), and "A" Agriculture to, Conditional Zoning Agriculture with the condition that no mobile or manufactured homes will be allowed.

Larry Anderson, Anderson Engineering appeared to speak and stated that this is pretty straight forward and that there is a need for housing.

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

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

- E. Rudy Eduardo Gallego is requesting a Special Use Permit for a Major Subdivision for property located on Saxon Avenue. – ArTriel Kirchner, Planning Director

Rudy Eduardo Gallego is requesting a Special Use Permit for a Major Subdivision for property located on Saxon Avenue (parcel # 10140304305). The proposed subdivision will have 19 lots, which requires a Special Use Permit.

The Planning Staff asks City Council to hold today'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 on Saxon Avenue for a major subdivision. City Clerk Mitchell-McIntosh submitted the Affidavit of Publication showing that it was advertised in **The Robesonian**.

Larry Anderson appeared to speak and stated that he is present to answer any questions that Council may have.

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

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

- F. Amar Mustafa - Rezoning of a portion of parcel # 321002021 located at 2368 Elizabethtown Rd from R-7 (residential single family/duplex) to B-4 (business general commercial) – ArTriel Kirchner, Planning Director

Amar Mustafa is requesting a rezoning of a portion of parcel # 321002021 located at 2368 Elizabethtown Rd from R-7 (residential single family/duplex) to B-4 (business general commercial) for a proposed commercial/retail development.

The Planning Staff asks City Council to hold today's public hearing and approve the rezoning request.

Mayor Davis opened the public hearing for the purpose of considering an amendment to the Land Use Ordinance by rezoning property located at 2368 Elizabethtown Road from R-7 (residential single family/duplex) to B-4 (business general commercial) for a proposed commercial/retail development. City Clerk Mitchell-McIntosh submitted the Affidavit of Publication from The Robesonian that shows it was advertised.

Amar Mustafa appeared before Council and explained why he is requesting the rezoning. He stated that there is a split between the R-7 and B-4 zoning with no road frontage and he wants to unify the land for potential use as

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

City Attorney Moore polled the Council to see if they had considered all the permissible uses and the compatibility to the Land Use Plan for the rezoning. The consensus was they had all considered and the rezoning was approved.

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

- G. Mark Morgan is requesting a rezoning of a portion of property located at 3400 Elizabethtown Road (parcel # 101203007) from 'A' (agriculture) to B-2 (business community). – ArTriel Kirchner, Planning Director

Mark Morgan is requesting a rezoning of a portion of property located at 3400 Elizabethtown Road (parcel # 101203007) from 'A' (agriculture) to B-2 (business community) for the development of a 64 unit multifamily complex.

The Planning Staff asks City Council to hold today's public hearing and approve the rezoning request.

Mayor Davis opened the public hearing for the purpose of considering an amendment to the Land Use Ordinance by rezoning a portion of property located at 3400 Elizabethtown Road from "A" (Agriculture) to B-2 (Business Community) for the development of a 64-unit multifamily complex. City Clerk Mitchell-McIntosh submitted the Affidavit of Publication from The Robesonian that shows it was advertised.

Mr. Morgan appeared before Council and stated that he is present to answer any questions or concerns Council may have.

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

City Attorney Moore polled the Council to see if they had considered all the permissible uses for the rezoning. The consensus was they had all considered and the rezoning was approved.

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

H. Midsouth Investment Group Rezoning Woodridge Dr. – ArTriel Kirchner, Planning Director Midsouth Invest Group, LLC. is requesting a rezoning from B4 (general commercial) to B3 (office residential). The request is to rezone 2 parcels 10090201811 and 10090201810 for the construction of duplex's. *Parcel number 10090201809 is already zoned B3.

- The Planning Board held its public meeting for this item on March 21, 2023. Several residents expressed their concerns about added flooding from the proposed development.
 - The Planning Board recommends approval with the condition that the Planning Department request the Public Works Director to address the resident's drainage concerns and flooding in the neighborhood.
 - The Planning Department received the following response from Robert Armstrong, Director of Public Works:
 - This stormwater runoff drains via the open ditch behinds these houses back toward the large ditch on Linkhaw road and then under the railroad. The railroad culverts are the subject of our golden leaf funded drainage improvement project that should help this area during normal storm events but may not help so much during extreme flooding events.
 - The Planning Board unanimously recommends approval.
- The Planning Staff asks City Council to hold today's public hearing and approve the rezoning request.

Mayor Davis opened the public hearing on a request to rezone property from B4 (general commercial) to B3 (office residential) for the construction of duplexes.

Mayor Davis recused himself in case of a tie.

Mr. Brad Martin appeared to speak on behalf of Midsouth Investment Group.

Mr. Sandel Clawson, Crystal Blue Clawson and Ms. Angela Jones appeared to speak, not against but expressing their concerns with the flooding/drainage issues that already exist.

City Manager Horne and Public Works Director Rob Armstrong spoke to the grant that has been approved for this area. He stated that it is in the design phase and will definitely help with the drainage issues in this area. PW Director Armstrong stated that he is not sure about the timeline because we have to follow CSX but we will be bringing a contract back to Council.

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

I. RDC Academy Special Use Permit Request – ArTriel Kirchner, Planning Director

David McCarter is requesting a Special Use Permit to operate a private school/church at 2405 Snake Road, Parcel # 29010100103, Deed Book 873, pg. 234. Use 5.110 Elementary and secondary schools require a special use permit. The parcel is currently zoned agriculture and located in the ETJ.

The Planning Staff asks City Council to hold today'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 to operate a private school/church at 2405 Snake Road.

Mr. David McCarter appeared to speak as the applicant.

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

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

- J. Request to close Evergreen Street from Whiteville Ave to Terminix Company rear property line on East 5th Street. – Wayne Horne, City Manager

City staff received a request from Pastor Mike Bowen and Chairman of the Deacons Board, Randy Graham at East Lumberton Baptist Church, to close a portion of Evergreen Street from Whiteville Avenue to the rear corner of the Terminix Company property on East 5th Street. The purpose of the request is to allow the Church to build a new sanctuary and a new family life center. The public hearing was advertised in the Robesonian for four consecutive weeks and on March 31, 2023.

That Council conduct the public hearing and adopt an Order Closing Evergreen Street from Whiteville Avenue to Terminix Company rear property line on East 5th Street.

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

V. MINUTES APPROVAL

- A. City Council - Regular Meeting - Mar 8, 2023 11:00 AM –

RESULT:	ACCEPTED [8 TO 0]
MOVER:	Leroy Rising, Precinct 1
SECONDER:	John R. Carroll, Precinct 3
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

VI. AGENDA ITEMS

- A. 2017 HMGP Demolition Group #10 – Stephanie Canady, CDBG Administrator
The Planning Department received bids on March 30, 2023 at 2:00 pm, for 2 properties acquired under the city's Hazard Mitigation Grant Program. These properties are located at 114 Spearman Street and 3680 Kale Drive. We received 7 bids with Barfield's Backhoe bidding the lowest price at \$37,539.00. The cost will be paid for with grant funds. Staff recommends awarding the bid for the 6 properties to Barfield's Backhoe in the amount of \$37,539.00.

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. 2018 HMGP Demolition Group #1 – Stephanie Canady, CDBG Administrator
The Planning Department received bids on March 30, 2023 at 2:15 pm, for 4 properties acquired under the city's Hazard Mitigation Grant Program. These properties are located at 3950 Kings Cross Road, 1706 Maryland Street, 3087 Westminster Street, and 601 S Willow Street. We received 7 bids with Barfield's Backhoe bidding the lowest price at \$43,756.00. The cost will be paid for with grant funds. Staff recommends awarding the bid for the 6 properties to Barfield's Backhoe in the amount of \$43,756.00.

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

- C. Unsafe Structure 301 Chippewa Street – Ben Andrews, Inspections Director
The Structure located at 301 Chippewa 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 31, 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 May 10, 2022. Staff recommends the City Council direct the building inspector to demolish and remove the unsafe structure located at 301 Chippewa Street.

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

- D. Unsafe Structure 50 Carolina Avenue – Ben Andrews, Inspections Director
The Structure located at 50 Carolina 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 November 18, 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 October 8, 2022.

Staff recommends the City Council direct the building inspector to demolish and remove the unsafe structure located at 50 Carolina Avenue

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

E. Unsafe Structure 511 Bullard Avenue – Ben Andrews, Inspections Director

The Structure located at 511 Bullard 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 March 29, 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 May 5, 2022. Staff recommends the City Council direct the building inspector to demolish and remove the unsafe structure located at 511 Bullard Avenue.

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

F. Unsafe Structure 407 Bullard Avenue – Ben Andrews, Inspections Director

The Structure located at 407 Bullard 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 March 29, 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 May 5, 2022. Staff recommends the City Council direct the building inspector to demolish and remove the unsafe structure located at 407 Bullard Avenue

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

G. Unsafe Structure 215 Prevatte Street – Ben Andrews, Inspections Director

The Structure located at 215 Prevatte 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 15, 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 December 20, 2022.

Staff recommends the City Council direct the building inspector to demolish and remove the unsafe structure located at 215 Prevatte Street.

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

H. Unsafe Structure 3201 Roberts Avenue – Ben Andrews, Inspections Director

The Structure located at 3201 Roberts 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 July 28, 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 September 2, 2022.

Staff recommends the City Council direct the building inspector to demolish and remove the unsafe structure located at 3201 Roberts Avenue.

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

I. Unsafe Structure 2120 Nevada Street – Ben Andrews, Inspections Director

The Structure located at 2120 Nevada 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 10, 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 June 22, 2022. Staff recommends the City Council direct the building inspector to demolish and remove the unsafe structure located at 2120 Nevada Street.

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. Unsafe Structure 2310 Rosenwald Street – Ben Andrews, Inspections Director

The Structure located at 2310 Rosenwald 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 August 2, 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 September 6, 2022.

Staff recommends the City Council direct the building inspector to demolish and remove the unsafe structure located at 2310 Rosenwald Street.

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

- K. Chlorine Meter for City Lab – Rob Armstrong, Public Works Director
Chlorine meters for the City of Lumberton Lab are used for process control at both the Water and Wastewater Treatment Plants. Currently the lab uses the Hach DR3900 meter for this task. The lab has requested to purchase a new DR3900 meter to better help with process control at both plants. This is not a budgeted item. Please see the quotes received. Public Works is requesting council approval to purchase a new DR3900 chlorine meter from Hach in the amount of \$6,459.00 with funds coming from the Water and Sewer Capital Reserve Fund.

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

- L. Landfill Scale Repair – Rob Armstrong, Public Works Director
Public Works has \$25,000 in our Sanitation Fund Capital Budget to pay for repairs and upgrades to the LCID Landfill scales on Saddletree Road. The scales are used to track the tonnage of debris taken to the landfill. The scale repairs involve replacing existing load cells as well as upgrading the operator kiosk which no longer works. The management software and recording components are Charlotte Scale Co. items so we have considered this a sole source repair using proprietary parts. As part of our renewed LCID Permit with the State, they are requiring printed scale tickets in lieu of the hand written tickets we have been submitting in the past. In order to provide this service, \$13,335 has been added to the original quote of \$19,205.83. This brings the total repairs and improvements to \$32,540.84. We would like to pay for this using the \$25,000 allocated in the capital fund code 67-00-8147-5567 and use \$7,540.84 from the Sanitation Fund balance to complete this project. Public Works is requesting Council to approve Charlotte Scale Co., Inc. to make repairs and improvements to the LCID Landfill scales for \$32,540.84 to be paid for using the \$25,000 allocated in capital fund code 67-00-8147-5567 and using \$7,540.84 from the Sanitation Fund balance.

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

- M. Linkhaw Road Culvert Replacement Engineering Agreement – Rob Armstrong, Public Works Director

At the March meeting, Council selected the Wooten Company as the engineer for the Linkhaw Road Culvert Replacement Project, based on their qualifications. Attached is the proposed engineering contract from the Wooten Company for an overall fee of \$97,280 for the design, project management and construction observation of the project. This will be paid for out of the \$250,000 North Carolina Golden Leaf Foundation Grant for the Project. Public Works is requesting Council to approve the Linkhaw Road Culvert Replacement Engineering Contract with the Wooten Company for \$97,280 to be paid for from the grant funds received from the North Carolina Golden Leaf Foundation

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

N. FGM Development/Moss Neck Trust Annexation Request – ArTriel Kirchner, Planning Director

FGM Development, LLC (Fred Mills Sr). is requesting a contiguous annexation of property located on Hornets, being parcel # 101002012. The annexation is for a portion of the parcel (7.5 acres) that will be subdivided. The proposed development is a 64- unit multifamily complex. The applicant is also requesting the property be rezoned from ‘A’ (agriculture) to B2 (community business) with multifamily use only condition.

Planning Staff asks City Council to hold today's public hearing and approve the Contiguous Annexation.

RESULT:	REFERRED [8 TO 0]	Next: 5/3/2023 11:00 AM
MOVER:	Melissa Robinson, Precinct 2	
SECONDER:	Leroy Rising, Precinct 1	
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas	
ABSTAIN:	Davis	

O. Gloria Thornhill Annexation Request 5610 Fayetteville Rd. – ArTriel Kirchner, Planning Director

The Planning & Neighborhood Services Department received an application for annexation from Gloria Thornhill, requesting a contiguous annexation of property located at 5610 Fayetteville Rd. parcel 3100205038, Deed Book 01039, pg. 336. The property owner has connected to city sewer without city authorization. The property is currently zoned City of Lumberton R-20 therefore a rezoning is not required and is located in the City's ETJ. The City Clerk has Certified the Sufficiency of the Petition and City Council has adopted the Resolution Fixing the Date of the Public Hearing for June 7th, 2023 @ 11:00 a.m. That City Council hold the public hearing and adopt Ordinance No. 2023.06.01, Extending the Corporate Limits for the proposed Contiguous Annexation for Gloria Thornhill.

RESULT:	REFERRED [7 TO 1]	Next: 5/3/2023 11:00 AM
MOVER:	Leroy Rising, Precinct 1	
SECONDER:	Owen Thomas, Precinct 8	
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas	
NAYS:	Howard	
ABSTAIN:	Davis	

- P. George Zindros is requesting a Special Use Permit to operate a private elementary/high school at 812 E. 5th Street – ArTriel Kirchner, Planning Director
The Planning & Neighborhood Services Department received an application to amend a Conditional/Special Use Permit for an existing private school at 812 E. 5th Street. The amendment is to extend the Conditional/Special Use Permit to include grades 6 thru 12 and add parcels (3) 32340204401; (4) 32340204502; (5) 32340204501; and (7) 323402045.

All Parcel #'s (1) 323402042; (2) 323402041; (3) 32340204401; (4) 32340204502; (5) 32340204501; (6) 323402046; (7) 323402045 and (8) 323902001.

Council review the request, refer the petition to the April 18, 2023 Planning Board meeting for their review, and authorize the Planning Director to set the date of the public hearing.

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

- Q. Approval of ARP Grant Project Ordinance – Alisha Armstrong, Finance Director
Our annual ARPA Project and Expenditure Report is due April 30, 2023. Finance would like to show all funds have been expended and close this grant out. The School of Government recommends reporting that the City was reimbursed for salaries in order to close the grant out and make reporting easier for City staff and our auditors. General fund money that was budgeted for salaries will now be available for paving and purchase of the police cars and equipment, but will not be subject to any grant restrictions or timelines. Recommend that Council approve the Final ARPA Grant Project Ordinance and approve using General Fund money for the police cars, equipment and paving.

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

- R. Award the Professional Auditing Services – Alisha Armstrong, Finance Director
The current audit contracts expired with the FY 2022 audits. Letters of interest in receiving a copy of the RFP for auditing services for the next three fiscal years were sent to seven firms. Three firms received a RFP and two firms responded.

2023	2024	2025	Total
------	------	------	-------

Thompson, Price, Scott, Adams & Co., PA \$47,450 \$47,450 \$47,450
\$142,350

W. Greene, PLLC \$22,000 \$22,000 \$22,000 \$66,000

Recommend that Council award the professional auditing services for the City of Lumberton and the Lumberton Airport for the next three fiscal years to W. Greene, PLLC.

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

- S. Approve the designation of \$400.00 of Community Revitalization Funds to Wycliffe West Homeowners' Association – Leroy Rising, Precinct 1

Councilman Rising requests \$400.00 of CRF to be given to the Wycliffe West Homeowners' Association for beautification of neighborhood, pine straw/refreshments.

Designate \$400.00 of CRF to the Wycliffe West Homeowners' Association in Precinct 1.

Make check payable to Honorable Judge Stan Carmical, 4 Westchester Place.

RESULT:	APPROVED [8 TO 0]
MOVER:	Leroy Rising, Precinct 1
SECONDER:	John R. Carroll, Precinct 3
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- T. Approve the designation of \$300.00 for Cruising 2nd Street Again in Precinct 4 – Karen Higley, Mayor Pro Tem

Councilwoman Higley requests \$300.00 of CRF for “Cruising 2nd Street Again” an event that will be held on Saturday, April 19th, 2023, from 12:30-6:30 pm.

Designate \$300.00 for Cruising on 2nd Street Again.

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

- U. Lumberton Senior High School - Beta Club – Owen Thomas, Precinct 8

The City Clerk received an application from Ms. Wendy Harrell, Beta Club Advisor of Lumberton High School requesting funding. Attached you will find an application for Community Revitalization Funds for the purpose of providing students with the opportunity to compete at the national level. Funds for this activity will not only benefit the students competing, but the school and community as a whole.

That Council consider the request.

Funds were donated as follows:

P1 - \$100 P2 - \$100 P3 - \$100 P4 - \$100 P7 - \$100 P8 - \$100 for a total of \$600.00.

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

V. Donation to Baptists on Mission – Holt Moore, City Attorney

The Mayor would like to provide \$10,000 of discretionary funds to Baptists on Mission for 1 or more local housing projects.

Approve grant of discretionary funds to Baptists on Mission.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Leroy Rising, Precinct 1
SECONDER:	John Cantey, Precinct 5
AYES:	Davis, Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas

W. Pentecostals of Lumberton - Request to close a Portion of Riverside Drive from Poplar Street to Carthage Road – Holt Moore, City Attorney

City staff received a request from The Pentecostals of Lumberton, to close a portion of Riverside Drive from Poplar Street to Carthage Road for the purpose of expansion/improvements to the sanctuary and life center located on Carthage Road. Reports have been received from Staff as well as property owners have been notified. It was advertised in **The Robesonian** for four consecutive weeks.

That Council hold the Public Hearing, review the reports and render a decision.

RESULT:	REFERRED [8 TO 0]	Next: 5/3/2023 11:00 AM
MOVER:	Eric Chavis, Precinct 7	
SECONDER:	Leroy Rising, Precinct 1	
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas	
ABSTAIN:	Davis	

X. Authorize the Purchase of I-95 Widening Material_____ – Greg Prevatte, Electric Utilities Director

EUD has formally bid out the materials needed to relocate electric power lines along the I-95 widening project. Border States was the only vendor that met the formal bid requirements. The cost for these materials is \$1,080,076.27, At this time no vendors were able to provide a bid for overhead transformers. Also, the wood utility poles will be bid out at a later date.

EUD is requesting the approval from council to award this bid to Border States for \$1,080,076.27, so EUD can start the purchasing process. EUD would like to start ordering these materials as soon as possible due to the long delivery dates for these materials.

EUD Prevatte added that this is a project that we put pay forward and will be reimbursed for the project, Councilman Cantey had a question as to the funding and the Finance Director Alisha Armstrong stated that luckily the Electric Fund will be able to handle this and it will not come from the General Fund.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Leroy Rising, Precinct 1
SECONDER:	Owen Thomas, Precinct 8
AYES:	Davis, Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas

VII. ADJOURNMENT