



CITY OF LUMBERTON
COUNCIL POLICY COMMITTEE
MINUTES • APRIL 4, 2018

Regular Meeting

Third Floor Conference Room

11:00 AM

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

I. INVOCATION

Attendee Name	Title	Status	Arrived
Bruce W. Davis	Mayor	Present	
Leroy Rising	Precinct 1	Present	
John Robinson	Precinct 2	Present	
Burnis Wilkins	Precinct 3	Present	
Karen Higley	Precinct 4	Present	
John Cantey	Mayor Pro Tem	Present	
Chris Howard	Precinct 6	Present	
Leon Maynor	Precinct 7	Present	
Owen Thomas	Precinct 8	Late	
Wayne Horne	City Manager	Present	
Holt Moore	City Attorney	Present	
Laney Mitchell-McIntosh	City Clerk	Present	

B. Invocation –

City Attorney Moore.

II. PUBLIC SPEAKERS

A. Police Officer Frederick –

No show.

III. ITEMS FOR COUNCIL POLICY COMMITTEE CONSIDERATION

A. Minutes Approval

1. Council Policy Committee - Regular Meeting - Mar 7, 2018 11:00 AM –

RESULT:	ACCEPTED [8 TO 0]
MOVER:	Chris Howard, Precinct 6
SECONDER:	Leon Maynor, Precinct 7
AYES:	Rising, Robinson, Wilkins, Higley, Cantey, Howard, Maynor, Thomas
ABSTAIN:	Davis

IV. AGENDA ITEMS

A. Unsafe structure located at 1003 Ash Street – Ben Andrews, Inspections Director

The structure located at 1003 Ash Street was inspected by our department was determined to be unsafe. A notice of Condemnation and Hearing was sent. A hearing was held on October

25, 2017 in which the owner was present for the hearing. An order to repair or demolish the structure was issued. The time in which the owner had to comply expired on March 16, 2018.

Staff recommends that City Council direct the building inspector to demolish and remove the unsafe structure located at 1003 Ash Street

RESULT:	REFERRED [8 TO 0]	Next: 4/9/2018 6:00 PM
MOVER:	John Robinson, Precinct 2	
SECONDER:	Leon Maynor, Precinct 7	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey, Howard, Maynor, Thomas	
ABSTAIN:	Davis	

- B. Unsafe structure located at 422 Warwick Mill Road – Ben Andrews, Inspections Director
The structure located at 422 Warwick Mill Road was inspected by our department was determined to be unsafe. A notice of Condemnation and Hearing was sent. A hearing was held on February 28, 2018 in which the owner was present for the hearing. An order to repair or demolish the structure was issued. The time in which the owner had to comply expired on April 7, 2018.

Staff recommends that City Council direct the building inspector to demolish and remove the unsafe structure located at 422 Warwick Mill Road.

RESULT:	REFERRED [8 TO 0]	Next: 4/9/2018 6:00 PM
MOVER:	Karen Higley, Precinct 4	
SECONDER:	John Cantey, Mayor Pro Tem	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey, Howard, Maynor, Thomas	
ABSTAIN:	Davis	

- C. Unsafe structure located at 204 Lafayette Street – Ben Andrews, Inspections Director
The structure located at 204 Lafayette Street was inspected by our department was determined to be unsafe. A notice of Condemnation and Hearing was sent. The notice of hearing was also published in the Robesonian and posted on the property. A hearing was held on February 28, 2018 in which the owner was not present for the hearing. An order to repair or demolish the structure was issued, published in the Robesonian and posted on the property. The time in which the owner had to comply expired on April 7, 2018.

Staff recommends that City Council direct the building inspector to demolish and remove the unsafe structure located at 204 Lafayette Street.

RESULT:	REFERRED [8 TO 0]	Next: 4/9/2018 6:00 PM
MOVER:	Karen Higley, Precinct 4	
SECONDER:	John Robinson, Precinct 2	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey, Howard, Maynor, Thomas	
ABSTAIN:	Davis	

- D. Approval to purchase a 2019 bucket Truck – Lamar Brayboy, Electric Utilities Director
In this year's capital budget, the Electric Utilities Department had planned on replacing our 2003 knuckle boom loader. The purchase was approved in the 2017-2018 budget capital code

63-00-8420-5463 in the amount of \$150,000. However due to several mechanical issues with our 2008 service bucket truck (#243) we are requesting to change our capital item and purchase a 2019 service bucket truck from Altec Industries, Inc. through National Joint Powers Alliance Bid (national government contract) for the price of \$113,402.00. This purchase is \$36,598.00 under the budgeted amount.

The Electric Utilities Department recommends the approval of the purchase of the 2019 Service Bucket Truck from Altec Industries, Inc. in the amount of \$113,402.

RESULT:	REFERRED [8 TO 0]	Next: 4/9/2018 6:00 PM
MOVER:	John Cantey, Mayor Pro Tem	
SECONDER:	Chris Howard, Precinct 6	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey, Howard, Maynor, Thomas	
ABSTAIN:	Davis	

- E. Replacement of a 2004 Ford Ranger Pickup – Lamar Brayboy, Electric Utilities Director
The Electric Utilities Department is requesting to replace a 2004 Ford Ranger (#256) pickup with 96,000 miles. The truck is used daily by the meter readers. Electric Utilities has three quotes ranging from \$12,587 to \$13,950. Baker Chevrolet in Red Springs submitted the lowest cost of \$12,500 for a 2010 Ford Ranger pickup with 54,437 miles. With a savings of \$36,598 funding will come from capital code 63-00-5420-5463.

The Electric Utilities Department is requesting to replace a 2004 with a 2010 Ford Ranger truck from Baker Chevrolet for \$12,587.00.

RESULT:	REFERRED [8 TO 0]	Next: 4/9/2018 6:00 PM
MOVER:	Chris Howard, Precinct 6	
SECONDER:	John Robinson, Precinct 2	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey, Howard, Maynor, Thomas	
ABSTAIN:	Davis	

- F. Godwin Heights & Sunset Heights Collection System Rehabilitation Project – Rob Armstrong, Public Works Director

Public Works would like to apply for a partial grant / partial loan from the North Carolina State Revolving Loan to fund another round of sanitary sewer rehabilitation in the Godwin Heights area and Sunset Heights area (see attached map). The project will be similar to the current Lambeth Street Project which is designed to slip line older concrete pipe sewer before they cave in. The total proposed project will be approximately \$1,000,000.

Public Works is requesting Council approval of the attached resolution applying for a \$1,000,000 combination grant and loan from the North Carolina State Revolving Loan to be used to rehabilitate sewer pipes in the Godwin Heights and Sunset Heights area.

RESULT:	REFERRED [8 TO 0]	Next: 4/9/2018 6:00 PM
MOVER:	Burnis Wilkins, Precinct 3	
SECONDER:	John Cantey, Mayor Pro Tem	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey, Howard, Maynor, Thomas	
ABSTAIN:	Davis	

- G. Refer the Petition for Non-Contiguous Annexation of Rob's Kwik Stop to Clerk to Investigate Sufficiency – Brandon Love, Planning Director

The Planning and Neighborhood Services Department has received a non-contiguous annexation petition from Robert Earl Sampson for property located at the intersection of NC 72 and Pine Log Road. The parcel number is 1607-01-018.03 and the current use of the property is for Rob's Kwik Stop convenience store and mini storage units.

Recommend that CPC direct the Clerk to investigate the sufficiency of the petition and direct staff to complete a serviceability study for the non-contiguous annexation request.

RESULT:	REFERRED [8 TO 0]	Next: 4/9/2018 6:00 PM
MOVER:	Leon Maynor, Precinct 7	
SECONDER:	Chris Howard, Precinct 6	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey, Howard, Maynor, Thomas	
ABSTAIN:	Davis	

- H. Appointment to Vacant Board of Adjustment Seat – Brandon Love, Planning Director

The Board of Adjustment is a five member board, appointed by the City Council to hear matters concerning items such as appeals and most often variances to the City's Land Use Ordinance. This board has historically been made up of Planning Board members, one of which must be the County's ETJ appointee. Thus, four members are then selected from the remaining Council appointed Planning Board members. There is currently one vacancy on the Board of Adjustment and staff recommends that City Council designate one Planning Board member to fill this seat.

Because of the infrequency of Board of Adjustment meetings and their inherent legal nature, prior appointments to the board have been made based solely on the attendance records of the current Planning Board members. Planning Department staff recommends that City Council appoint Randy Hammonds to the vacant Board of Adjustment seat, as Mr. Hammonds has the highest attendance record over the last four years.

RESULT:	REFERRED [8 TO 0]	Next: 4/9/2018 6:00 PM
MOVER:	Leon Maynor, Precinct 7	
SECONDER:	Leroy Rising, Precinct 1	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey, Howard, Maynor, Thomas	
ABSTAIN:	Davis	

- I. Selection of Consultant for Assistance with Charter Review – Holt Moore, City Attorney
Council recently asked the Legal Department to look into updating the City Charter to ensure compliance / consistency with state law and to generally bring it up to date. We reached out to Municode, who handles the updating the rest of our City Code, and the Lumber River Council of Governments, who we knew had assisted some other local governments with

charter revisions recently. The two proposals received are attached. The LRCOG quote is \$1,800, and the Municode quote is \$1,450. However, the LRCOG quote is more or less all inclusive, including a draft new charter document, and the Municode quote results in a document that is just a recommendation as to what the City should do. There is also the fact that LRCOG is local and therefore more accessible for whatever in-person meetings may be needed. Given the total picture, staff recommends moving forward with LRCOG. In the interest of full disclosure, I am 'Counsel of Record,' for LRCOG, but generally only do about 5 hours of work for them a year.

Staff recommends awarding the Charter revision project to LRCOG.

RESULT:	REFERRED [8 TO 0]	Next: 4/9/2018 6:00 PM
MOVER:	Leon Maynor, Precinct 7	
SECONDER:	John Cantey, Mayor Pro Tem	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey, Howard, Maynor, Thomas	
ABSTAIN:	Davis	

- J. Approval of March 2018 Tax releases – Angela Parker, Deputy Director of Public Services
Per G.S. 105-381, which authorizes the release or refund of billed and / or collected taxes when such taxes were imposed as a result of any of the following reasons:

Clerical / computational error, the tax was listed and billed in the name of the wrong taxpayer, the property did not fall within the jurisdiction of the City of Lumberton, or the tax was listed in duplicate.

The City of Lumberton Tax Office submits for approval the following tax releases which were generated primarily in response to documentation from the Robeson County Tax Assessor and/or city staff clerical errors for the years and amounts outlined below:

2009-----\$913.46	2016-----\$50.75
2010-----\$1262.47	2017-----\$2542.29
2011-----\$1189.24	
2012-----\$1121.01	
2013-----\$1114.64	
2014-----\$1570.80	
2015-----\$214.19	

<< Approve the tax releases for the years and amounts listed above. >>

RESULT:	REFERRED [8 TO 0]	Next: 4/9/2018 6:00 PM
MOVER:	John Cantey, Mayor Pro Tem	
SECONDER:	John Robinson, Precinct 2	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey, Howard, Maynor, Thomas	
ABSTAIN:	Davis	

- K. Request to Consider Traffic Signal at Linwood Ave & E. 7th Street – Burnis Wilkins, Precinct 3

We have had 35 motor vehicle collisions at the intersection of 7th and Linwood Avenue from January 1, 2013 to February 27, 2018. Listed below is the number of motor vehicle

collisions for each year:

2013	10 collisions
2014	05 collisions
2015	10 collisions
2016	04 collisions
2017	04 collisions
2018	02 collisions

The following is an estimated cost for the installation of traffic signals at Linwood Avenue and E. 7th Street. EUD will install the traffic signals and control cabinet. We will have this intersection engineered so we can have a traffic count and a set of engineered drawings:

Engineered Traffic Drawings	\$5,000.00
Traffic Signals and Control Cabinet	\$14,600.00
Miscellaneous Labor and Equipment	\$5,000.00

Total:	\$24,600.00
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The request is submitted for CPC consideration.

RESULT:	REFERRED [8 TO 0]	Next: 4/9/2018 6:00 PM
MOVER:	Burnis Wilkins, Precinct 3	
SECONDER:	John Cantey, Mayor Pro Tem	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey, Howard, Maynor, Thomas	
ABSTAIN:	Davis	

L. Consideration of Road Closure – Holt Moore, City Attorney

The pastor of El Nueve Renacer Church, which is on Oak Street near the corner with Roberts Avenue, has asked for the closure of Madison Avenue which runs by the church. As you can see on the attached map, there is no actual road there, i.e. it is a ‘paper street’ only, and the church is built up to, if not into, the would-be right-of-way. It does appear the church owns the property on both side of the area delineated as a street; thus, if the request is granted the church will take title to what is now the paper right-of-way. Staff would request that Council pass the attached resolution to begin the process, and staff will further investigate the matter; should any concerns be discovered they can be addressed at the May meeting. Pass the attached resolution to begin the process of street closure for the section of Madison Avenue on the north side of Oak Street, with a final decision to be made in May.

Councilman Thomas entered the meeting.

RESULT:	REFERRED [8 TO 0]	Next: 4/9/2018 6:00 PM
MOVER:	Burnis Wilkins, Precinct 3	
SECONDER:	Chris Howard, Precinct 6	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey, Howard, Maynor, Thomas	
ABSTAIN:	Davis	

- M. Approval of Engineering Contract with Koonce Noble & Associates for Riverwalk Phase I – Brandon Love, Planning Director

The City has received a \$150,000 appropriation from the General Assembly to construct the first phase of the Lumberton Riverwalk. Public Works and the Planning Department have met with Bo Noble, PE of Koonce Noble & Associates to solicit a proposal for engineering services to create construction documents, bid, permit and provide construction administration for Phase I of the project. Attached you will find a proposal outlining the work to be provided.

The recommendation is that CPC authorize staff to enter into a contract with Koonce Noble & Associates for the design, bidding, permitting and construction administration of Phase I of the Lumberton Riverwalk.

RESULT:	REFERRED [8 TO 0]	Next: 4/9/2018 6:00 PM
MOVER:	Chris Howard, Precinct 6	
SECONDER:	Leroy Rising, Precinct 1	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey, Howard, Maynor, Thomas	
ABSTAIN:	Davis	

- N. Approve the designation of \$1,000.00 of CRF to Cheer XCELS for Cheer Leading Competition as follows: P1 - \$100.00 P2 - \$250.00 P3 - \$100.00 P4 - \$100.00 P5 - \$100.00 P6 - \$50.00 P7 - \$100.00 P8 - \$100.00 Mayor's Discretionary Fund - \$100 – John Cantey, Mayor Pro Tem

Councilman Cantey requests \$100.00 of CRF to be given to Cheer XCEL for cheer leading competition.

Designate \$100.00 of CRF to Cheer XCEL.

RESULT:	REFERRED [8 TO 0]	Next: 4/9/2018 6:00 PM
MOVER:	Chris Howard, Precinct 6	
SECONDER:	John Robinson, Precinct 2	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey, Howard, Maynor, Thomas	
ABSTAIN:	Davis	

- O. Adopt a Resolution for the Late Police Sergeant Shawn Byrd – Bruce Davis, Mayor
Mayor Davis stated that he has been asked if Council would approved a Resolution Honoring the Late Police Sergeant Shawn Byrd.

Approve a Resolution Honoring the Late Police Sergeant Shawn Byrd.

RESULT:	REFERRED [8 TO 0]	Next: 4/9/2018 6:00 PM
MOVER:	John Cantey, Mayor Pro Tem	
SECONDER:	Burnis Wilkins, Precinct 3	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey, Howard, Maynor, Thomas	
ABSTAIN:	Davis	

- P. Approval of the Distinguished Service Medal for Jimmy Rhodes – Burnis Wilkins, Precinct 3
Councilman Wilkins is requesting that Mr. Jimmy Rhodes be presented a Distinguished Service Medal for his act of heroism in his attempts to save the life of a pilot in 2015.
Approve honoring Mr. Rhodes with a Distinguished Service Medal.

RESULT:	REFERRED [8 TO 0]	Next: 4/9/2018 6:00 PM
MOVER:	Leroy Rising, Precinct 1	
SECONDER:	Chris Howard, Precinct 6	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey, Howard, Maynor, Thomas	
ABSTAIN:	Davis	

V. DESIGNATION OF CONSENT/NON-CONSENT ITEMS

VI. ADJOURNMENT