



# CITY OF LUMBERTON

## CITY COUNCIL

MINUTES • MARCH 10, 2021

Regular Meeting

Third Floor Conference Room

11:00 AM

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

### I. CALL TO ORDER

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

### II. MINUTES APPROVAL

A. City Council - Regular Meeting - Jan 13, 2021 11:00 AM –

|                  |                                                                   |
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| <b>RESULT:</b>   | <b>ACCEPTED [8 TO 0]</b>                                          |
| <b>MOVER:</b>    | Owen Thomas, Precinct 8                                           |
| <b>SECONDER:</b> | John R. Carroll, Precinct 3                                       |
| <b>AYES:</b>     | Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas |
| <b>ABSTAIN:</b>  | Davis                                                             |

### III. COMMUNICATIONS

#### A. Reports

#### 1. City of Lumberton Audit Presentation- Mr. Alan W. Thompson, CPA –

Alan W. Thompson, CPA appeared before Council and gave an overview of the Fiscal Year Ended June 30, 2020, Audit results. The Audit was accepted and unanimously passed by motion of Councilman Rising and second of Councilman Thomas.

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| <b>RESULT:</b> | <b>ANNOUNCED</b> |
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### IV. PUBLIC COMMENT PERIOD

No comments were submitted.

**V. PUBLIC HEARINGS:**

- A. Joseph and Shelby Hodge annexation request for property located at 100 Arbor Lane. – ArTriel Kirchner, Planning Director

The Planning & Neighborhood Services Department received an application for annexation from Joseph and Shelby Hodge, requesting a non-contiguous annexation of property located at 100 Arbor Lane (Parcel #100205053)

The property is currently zoned City of Lumberton R-20 (Residential single family) therefore a rezoning is not required.

Recommend 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 property located at 100 Arbor Lane into the City limits. City Clerk Mitchell-McIntosh submitted the Affidavit of Publication showing that it was published in the Robesonian.

No one appeared to speak and the hearing was closed.

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

- B. Michael P Walters & Barbara M Walters annexation request for two parcels located on HARRILL RD – ArTriel Kirchner, Planning Director

The Planning & Neighborhood Services Department received an application for annexation from Michael & Barbara Walters, requesting a contiguous annexation of two parcels located on HARRILL RD (Parcel #1014-01-003 and 1014-01-00304)

The property is currently zoned City of Lumberton R-7 (Residential single family/duplex) therefore a rezoning is not required.

Recommend 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 property located on Harrill Road into the City limits. City Clerk Mitchell-McIntosh submitted the Affidavit of Publication showing that it was published in the Robesonian.

Mr. Bobby Funk appeared before Council and stated that he is available for any questions that Council may have,

No questions were presented and no one else appeared to speak and the hearing was closed.

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

- C. Jonathan W. Hunt Rezoning petition for property located on Kenric Road. (parcel # 1015-01-01209/Deed Book 1317 Page 021). – ArTriel Kirchner, Planning Director  
Jonathan W. Hunt has submitted a rezoning petition for property located on Kenric Road (parcel # 1015-01-01209/Deed Book 1317 Page 021). This request is to rezone the property from B-4, business general commercial to B-7, business general commercial/mobile home sales for the operation of a mobile home sales lot.

This property is located within Area 9 and its recommended future use is industrial as identified in our Land Use Plan. Furthermore, this property is located within the ETJ.

If this rezoning is granted the applicant must obtain a Land Use Permit from the City of Lumberton's Planning Department.

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

Mayor Davis opened the public hearing on a request to rezone property from B-4, Business General Commercial to B7, Business General Commercial/mobile home sales for the operation of a mobile home sales lot. City Clerk Mitchell-McIntosh submitted the Affidavit of Publication showing that it was published in the Robesonian.

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| <b>RESULT:</b>  | <b>REFERRED [0 TO 0]</b>                                                 | <b>Next: 3/17/2021 11:30 AM</b> |
| <b>ABSTAIN:</b> | Davis, Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas |                                 |

## VI. AGENDA ITEMS

- A. Rosewood CDBG Engineering Contract Amendment 2 – Rob Armstrong, Public Works Director  
Attached is an engineering contract amendment 2 with the Wooten Company for additional Design, Bidding and Survey work on the Rosewood Sewer Extension for \$35,000. The changes are for the additional surveying, design and coordination for the sewer crossing the Piedmont Natural Gas high pressure main and also for the additional bid services when the City rejected the low bid.  
Public Works is requesting Council approval of Engineering Amendment 2 with the Wooten Company for \$35,000 to be paid from CDBG funds

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| <b>RESULT:</b>   | <b>APPROVED [8 TO 0]</b>                                          |
| <b>MOVER:</b>    | John R. Carroll, Precinct 3                                       |
| <b>SECONDER:</b> | Owen Thomas, Precinct 8                                           |
| <b>AYES:</b>     | Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas |
| <b>ABSTAIN:</b>  | Davis                                                             |

- B. Rempac Berm Project Completion & Closeout – Rob Armstrong, Public Works Director

The Rempac Flood Control Berm is now complete and operational. Attached is clean up change order #9 from Bill Worley and Sons, Inc. deducting \$36,289 for quantities of various items that were not used on the project. Also is the final pay request showing no payment is due.

Public Works is requesting council approval of final change order #9 from Bill Worley and Sons, Inc. deducting \$36,289 from the Rempac Berm project.

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

- C. Approval of Bid for Housing Demolition – Brian Nolley, CDBG Administration  
The Planning Dept. is seeking approval to award a contract for housing demolition for 7 houses that were acquired under the city’s Hazard Mitigation Grant Program. These properties are located at:

410 Oregon St.  
105 Best Dr.  
208 Elmhurst Dr.  
303 Highland Ave.  
127 Page St.  
203 Highland Ave.  
37 National Ave.

A bid opening was held on March 2, 2021 at 2 pm. We received 6 bids with the lowest bid going to AK Grading & Demolition in the amount of \$68,198. Cost will be paid for with grant funds.

The Planning Dept. recommends awarding the contract to the lowest bidder AK Grading and Demolition.

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| <b>RESULT:</b>   | <b>APPROVED [8 TO 0]</b>                                          |
| <b>MOVER:</b>    | Leroy Rising, Mayor Pro Tem                                       |
| <b>SECONDER:</b> | Chris Howard, Precinct 6                                          |
| <b>AYES:</b>     | Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas |
| <b>ABSTAIN:</b>  | Davis                                                             |

- D. Approval of Bid for Housing Demolition – Brian Nolley, CDBG Administration  
The Planning Dept. is seeking approval to award a contract for housing demolition for 5 houses that were acquired under the city’s Hazard Mitigation Grant Program. These properties are located at:

213 Beal St.  
4116 Vann Dr.  
131 Spearman St.

208 Front St.  
216 Front St.

A bid opening was held on March 2, 2021 at 2 pm. We received 7 bids with the lowest bid going to AK Grading & Demolition in the amount of \$18,650. Cost will be paid with grant funds.

The Planning Dept. recommends awarding the contract to the lowest bidder, AK Grading and Demolition.

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

- E. Lumberton Housing Authority Annexation request for property located on Caton Rd. – ArTriel Kirchner, Planning Director

The Planning & Neighborhood Services Department received an application for annexation from Lumberton Housing Authority, requesting a contiguous annexation of property located on Caton Road (Parcel # 161001005/Deed Book 2099 Page 128).

The property is currently zoned City of Lumberton R-3 (residential multifamily) therefore a rezoning is not required.

Recommends that City Council direct the City Clerk to investigate said petition.

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| <b>RESULT:</b>   | <b>REFERRED [8 TO 0]</b>                                          | <b>Next: 4/7/2021 11:00 AM</b> |
| <b>MOVER:</b>    | Eric Chavis, Precinct 7                                           |                                |
| <b>SECONDER:</b> | Chris Howard, Precinct 6                                          |                                |
| <b>AYES:</b>     | Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas |                                |
| <b>ABSTAIN:</b>  | Davis                                                             |                                |

- F. Approve the designation of \$1,400 of Community Revitalization Funds to the Robeson County NAACP for Community Programming as follows: P1 - \$100 P2 - \$250 P3 - \$100 P4 - \$150 P5 - \$250 P6 - \$250 P7 - \$200 P8 - \$100 – John Cantey, Precinct 5

Councilman Cantey would like to designate \$250.00 of CRF to the Robeson County NAACP for Community Programming.

Designate \$250.00 of CRF to the Robeson County NAACP from Precinct 5.

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

- G. Approve the Contribution of \$1375 from Community Revitalization Funds to Lumberton Chamber of Commerce as follows: P1 - \$100 P2 - \$100 P3 - \$100 P4 - \$150 P5 - \$125 P6 - 100 P7 - \$100 – Holt Moore, City Attorney

The Mayor would like to contribute \$300 from his discretionary fund to the Lumberton Chamber of Commerce to assist them with their fundraising golf tournament. Approve \$300 donation to the Lumberton Chamber of Commerce.

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

- H. Final plat Approval for Oak Pointe Subdivision Section 3, lots 9, 10, 11, 12, 37 & 38 – ArTriel Kirchner, Planning Director  
Myra Norton requests approval of the final major subdivision plat for Final plat Approval for Oak Pointe Subdivision Section 3, lots 9, 10, 11, 12, 37 & 38. All of the infrastructure improvements are bonded with the previous approved plat, so no additional security is required.

Staff recommends that CPC approve the attached subdivision plat and authorize the City Manager to sign and record the attached plat.

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

- I. Approval of Agreement with NCSU Coastal Dynamics Design Lab – Brandon Love, Deputy City Manager  
Over the past four years Andy Fox and Travis Klondike with the NCSU Coastal Dynamics Design Lab have worked with the City of Lumberton to develop various resiliency strategies to cope with past and continued flooding in the city. Most specifically they have developed the “Lumberton Floodprint” document which has been presented to City Council and endorsed as a roadmap for recovery and resiliency in the city. Recently, Dr. Fox and Mr. Klondike have assisted with the successful preparation and submission of a \$250,000 Environmental Enhancement Grant for the restoration of Meadow Branch and the repurposing of the Scottish Packing Company site. The Coastal Dynamics Lab has submitted a proposal to provide city staff with the additional administrative capacity to help manage this \$250,000 grant, as well as an additional \$150,000 EEG grant from two years ago (see attached).  
The recommendation is to accept the NCSU Coastal Dynamics Design Lab’s proposal for administrative capacity enhancement in managing, reporting, public involvement and facilitating of the \$400,000 in Environmental Enhancement Grant funding and to authorize city staff to execute the necessary documentation resulting in \$43,700 to cover the next three years of the grant(s) cycle.

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| <b>RESULT:</b>   | <b>APPROVED [8 TO 0]</b>                                          |
| <b>MOVER:</b>    | Leroy Rising, Mayor Pro Tem                                       |
| <b>SECONDER:</b> | John Cantey, Precinct 5                                           |
| <b>AYES:</b>     | Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas |
| <b>ABSTAIN:</b>  | Davis                                                             |

- J. Approve \$1675 of Community Revitalization Funds to the Boys & Girls Club of Lumberton as follows: P1 - \$250 P2 - \$250 P3 - \$250 P4 - \$250 P5 - \$100 P6 - 75 P7 - 250 P8 - \$250 – Wayne Horne, City Manager

Attached you will find a letter of request for funds from the Chairman of the Boys & Girls Club. The letter states that the Club has suffered financial cuts from the State and National Boys & Girls Club Organizations as well as their usual funds that they receive through donations and its annual fundraiser. The Chairman also states that the organization has been dropped by United Way.

The Boys and Girls Club receives a donation of \$5,000 each year through the City's Nonprofits / Boards and Commissions Budget Requests. The City has suffered financial cuts from State and Federal funds and the budget process is underway. If Council wishes to support this request; please consider using funds from your individual CRF. Staff awaits Council's direction on how to proceed.

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

- K. Approve the designation of \$800.00 of Community Revitalization Funds to the Easter Community Programming in Precinct 5 – John Cantey, Precinct 5  
Councilman Cantey would like to designate \$800.00 of CRF for Easter Community Programming.  
Designate \$800.00 of CRF for Easter Community Programming in Precinct 5.

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

- L. Approve \$1,700 of CRF for Cape Fear Council - Boy Scouts as follows: P1 - \$250 P2 - \$150 P3 - \$250 P4 - \$250 P6 - \$50 P7 - \$250 P8 - \$250 Mayor - \$250 – Holt Moore, City Attorney  
Councilmen Thomas and Carroll would each like to donate \$250 to the Boy Scouts of America, Cape Fear Council. Any others who wish to donate may do so at the Wednesday meeting.  
Approve / add to requested CRF.

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

- M. P8 Appointment to Recreation Commission – Holt Moore, City Attorney  
Councilman Thomas would like to appoint Michael Todd to the Recreation Commission for Precinct 8; the slot is currently vacant.  
Confirm Councilman Thomas' appointment of Mr. Todd.

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

- N. Approve \$630 of CRF to Lumberton Bowling Team for State Championship from each Council Member CRF Fund – Holt Moore, City Attorney  
The Mayor would like Council to consider honoring the Lumberton Bowling Team with a plaque for each player, recognizing their accomplishment in winning the State Championship. The plaques are \$35 each, so if each Council Member were to give \$70 that would cover the entire team.  
Consider funding plaques for Lumberton Bowling Team.

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

- O. Approve \$625 of CRF to the Robeson Co. Homebuilders Ass'n as follows: P1- \$75 P2 - \$100 P3 - \$75 P4 - \$75 P6 - \$75 P7 - \$75 P8 - \$150 – Holt Moore, City Attorney  
The Robeson County Homebuilder's Association is holding a fundraiser to provide for their scholarship program. A request has been made for a \$300 sponsorship contribution from Council.  
Consider contribution to Robeson County Homebuilders Association for scholarship.

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

- P. Appointment to Airport Authority – Holt Moore, City Attorney



The Mayor would like Council to consider the appointment of Paul Matthews to fill the vacancy on the Airport Authority created by the passing of Bill Antone.  
Consider appointment of Mr. Matthews to Airport Authority.

Councilman Cantey asked a question pertaining to the residency of appointees. City Attorney Moore stated that the Ordinance does not require that a person reside in Lumberton, however, Council could definitely add that to its Ordinance.

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

## **VII. CLOSED SESSION**

## **VIII. ADJOURNMENT**