



CITY OF LUMBERTON
COUNCIL POLICY COMMITTEE
MINUTES • MARCH 9, 2016

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	Mayor Pro Tem - P2	Excused	
Burnis Wilkins	Precinct 3	Present	
Karen Higley	Councilwoman	Present	
John Cantey Jr.	Precinct 5	Excused	
Chris Howard	Precinct 6	Present	
Leon Maynor	Precinct 7	Present	
Erich Hackney	Precinct 8	Present	
Wayne Horne	City Manager	Present	
Holt Moore	City Attorney	Present	
Laney Mitchell-McIntosh	City Clerk	Present	
Ben Andrews	Inspections Director	Present	
Brandon Love	Planning Director	Present	
Rob Armstrong	Public Works Director	Present	
Michael McNeill	Police Chief	Present	
Tim Taylor	Recreation Director	Present	

II. ITEMS FOR COUNCIL POLICY COMMITTEE CONSIDERATION

III. MINUTES APPROVAL

1. Council Policy Committee - Regular Meeting - Feb 3, 2016 11:00 AM –

RESULT:	ACCEPTED [6 TO 0]
MOVER:	Leon Maynor, Precinct 7
SECONDER:	Leroy Rising, Precinct 1
AYES:	Rising, Wilkins, Higley, Howard, Maynor, Hackney
ABSTAIN:	Davis
EXCUSED:	Robinson, Cantey Jr.

IV. AGENDA ITEMS

- A. Adopt an Ordinance Directing the Building Inspector to demolish and remove the structure located at 1505 E. 5th Street – Ben Andrews, Inspections Director
The Structure located at 1505 E 5th Street was inspected by our department and was determined to be unsafe. A notice of Condemnation and Hearing was sent and a hearing was held on January 12, 2016. An order to demolish the structure was issued. The time in which the owners had to demolish the structure has expired as of February 24, 2016.

Staff recommends that City Council Adopt an Ordinance Directing the Building Inspector to demolish and remove the structure located at 1505 E. 5th Street.

RESULT:	REFERRED [6 TO 0]	Next: 3/14/2016 6:00 PM
MOVER:	Chris Howard, Precinct 6	
SECONDER:	Erich Hackney, Precinct 8	
AYES:	Rising, Wilkins, Higley, Howard, Maynor, Hackney	
ABSTAIN:	Davis	
EXCUSED:	Robinson, Cantey Jr.	

- B. Adopt an Ordinance Directing the Building Inspector to demolish and remove the structure located at 2100 S. MLK Jr. Drive. – Ben Andrews, Inspections Director
- The Structure located at 2100 S. MLK Jr. Drive was inspected by our department and was determined to be unsafe. A notice of Condemnation and Hearing was sent and a hearing was held on January 5, 2016. An order to demolish the structure was issued. The time in which the owners had to demolish the structure has expired as of February 21, 2016.
- Staff recommends that City Council Adopt an Ordinance Directing the Building Inspector to demolish and remove the structure located at 2100 S. MLK Jr. Drive.

RESULT:	REFERRED [6 TO 0]	Next: 3/14/2016 6:00 PM
MOVER:	Chris Howard, Precinct 6	
SECONDER:	Leon Maynor, Precinct 7	
AYES:	Rising, Wilkins, Higley, Howard, Maynor, Hackney	
ABSTAIN:	Davis	
EXCUSED:	Robinson, Cantey Jr.	

- C. Adopt an Ordinance Directing the Building Inspector to demolish and remove the structure located at 1600 E. Elizabethtown Road – Ben Andrews, Inspections Director
- The structure located at 1600 E Elizabethtown Road was first cited for unsafe conditions on September 26, 2002. The hearing was scheduled for October 9, 2002 and the time in which the owner had to comply was December 20, 2002.

The Structure located at 1600 E. Elizabethtown Road was once again inspected by our department and was determined to be unsafe. A notice of Condemnation and Hearing was sent and a hearing was held on January 7, 2016. An order to demolish the structure was issued. The time in which the owners had to demolish the structure has expired as of March 7, 2016..

Staff recommends that City Council Adopt an Ordinance Directing the Building Inspector to demolish and remove the structure located at 1600 E. Elizabethtown Road.

Mr. Jimmy Caulder appeared before the Committee and stated that he does not know about the year if 2002. Mr. Caulder stated that he did not receive notice until January 24, 2016, which he states is not sixty days. He stated that he just wants sixty days to bring the house up to code.

The Inspections Director Ben Andrews presented to Council the chronological order of events that have taken place for this property. He stated that the property owner met with him and on January 7, 2016, and the sixty days ended on March 7, 2016. Nothing has been done to this property.

RESULT:	REFERRED [6 TO 0]	Next: 3/14/2016 6:00 PM
MOVER:	Leon Maynor, Precinct 7	
SECONDER:	Erich Hackney, Precinct 8	
AYES:	Rising, Wilkins, Higley, Howard, Maynor, Hackney	
ABSTAIN:	Davis	
EXCUSED:	Robinson, Cantey Jr.	

- D. Adopt a Resolution to apply for a \$1,000,000 low interest loan and principal forgiveness funding from the North Carolina Clean Water State Revolving Fund for sanitary sewer infrastructure repairs – Rob Armstrong, Public Works Director
- Public Works would like to apply for North Carolina Clean Water State Revolving Fund (CWSRF) low interest loan and principal forgiveness funding for the 2016 Sanitary Sewer Rehabilitation Project. The project would address sewer deficiencies in three areas of the City.

1. Lambeth Street area: The existing concrete sewer pipes and manholes in this area will be repaired and lined.
2. Ramada Inn Force Main: The sewer force main pipe conveying waste water from the Ramada Inn Lift Station off of Khan Drive to the manhole on Rowland Avenue near 32nd Street has ruptured several times in the last 6 years. The existing pipe material is asbestos cement. Public Works is proposing to replace the existing pipe with a PVC pipe using the basically the same route as the old pipe.
3. Lackey Street Area: The existing gravity sewer pipe crossing under I-95 from Lackey Street (near Cracker Barrel) to 24th Street & Capuano Drive will be lined and rehabilitated.

The total project cost opinion is \$1,000,000. As in the past, our goal is to receive ½ of the funds as principal forgiveness and ½ of the funds as a low interest loan. These three areas have been on our Capital Project list for a couple of years. In order to apply for the spring funding cycle, Council will need to adopt the attached Resolution. Also attached is a map referencing the project target areas as well as the Project Cost Opinion.

CPC recommends that Council adopt the attached Resolution to apply for a \$1,000,000 low interest loan and principal forgiveness funding from the North Carolina Clean Water State Revolving Fund for sanitary sewer infrastructure repairs in the Lambeth Street area, Ramada Inn force main and the Lackey Street area.

RESULT:	REFERRED [6 TO 0]	Next: 3/14/2016 6:00 PM
MOVER:	Erich Hackney, Precinct 8	
SECONDER:	Chris Howard, Precinct 6	
AYES:	Rising, Wilkins, Higley, Howard, Maynor, Hackney	
ABSTAIN:	Davis	
EXCUSED:	Robinson, Cantey Jr.	

- E. Refer the petition to Planning Board for their review, and authorize the Planning Director to set the date of the public hearing on a request to rezone property located at 2016 Martin Luther King, Jr. Drive – Brandon Love, Planning Director

Rafat Abudayya has submitted a Rezoning petition for two properties located on Martin Luther King, Jr. Drive. (parcel # 3251-02-015/Deed Book 1862 Page 0287 and parcel #3251-02-016/Deed Book 1862 Page 0287).

This request is to rezone parcel # 3251-02-016 from B-4 (business general commercial) and parcel # 3251-02-015 from R-7 (residential single family/duplex) to B-2 (business community) for the development of a shopping center at this location.

CPC to review the request, refer the petition to Planning Board for their review, and authorize the Planning Director to set the date of the public hearing.

RESULT:	REFERRED [6 TO 0]	Next: 3/14/2016 6:00 PM
MOVER:	Erich Hackney, Precinct 8	
SECONDER:	Burnis Wilkins, Precinct 3	
AYES:	Rising, Wilkins, Higley, Howard, Maynor, Hackney	
ABSTAIN:	Davis	
EXCUSED:	Robinson, Cantey Jr.	

- F. Refer the petition to Planning Board for their review, and authorize the Planning Director to set the date of the public hearing on a request to Rezone petition for property located off of Roberts Avenue – Brandon Love, Planning Director
MC Morgan & Associates has submitted a Rezoning petition for property located off of Roberts Avenue (parcel # 1009-02-011-01/Deed Book 1996 Page 635).

This request is to rezone the property from B-7 (business general commercial/mobile home sales) to B-2 (business community) for the development of a multifamily complex consisting of 72 multifamily units.

This use also requires a Conditional Use Permit. The applicant has submitted a Conditional Use Permit application, which is following this agenda item.

CPC to review the request, refer the petition to Planning Board for their review, and authorize the Planning Director to set the date of the public hearing.

RESULT:	REFERRED [6 TO 0]	Next: 3/14/2016 6:00 PM
MOVER:	Erich Hackney, Precinct 8	
SECONDER:	Leroy Rising, Precinct 1	
AYES:	Rising, Wilkins, Higley, Howard, Maynor, Hackney	
ABSTAIN:	Davis	
EXCUSED:	Robinson, Cantey Jr.	

- G. Refer the petition to the Planning Board for their review, and authorize the Planning Director to set the date of the public hearing for a Conditional Use Permit petition for property located off of Roberts Avenue – Brandon Love, Planning Director
MC Morgan & Associates has submitted a Conditional Use Permit petition for property located off of Roberts Avenue (parcel # 1009-02-011-01/Deed Book 1996 Page 635).

This request is to obtain a Conditional Use permit for a major subdivision consisting of the creation of a public street, the extension of public utilities and the construction of a multifamily housing development consisting of 72 multifamily units.

This applicant has also submitted a Rezoning application to rezone the property from B-7 (business general commercial/mobile home sales) to B-2 (business community). CPC to review the request, refer the petition to the Planning Board for their review, and authorize the Planning Director to set the date of the public hearing.

RESULT:	REFERRED [6 TO 0]	Next: 3/14/2016 6:00 PM
MOVER:	Erich Hackney, Precinct 8	
SECONDER:	Leroy Rising, Precinct 1	
AYES:	Rising, Wilkins, Higley, Howard, Maynor, Hackney	
ABSTAIN:	Davis	
EXCUSED:	Robinson, Cantey Jr.	

H. Draft Agreement - Benchmark-City of Lumberton Downtown Master Plan – Brandon Love, Planning Director

In September of 2015 the Lumberton City Council approved a new Comprehensive Land Use Plan which was the culmination of an almost two year planning process. This document indicates six key focus areas for steering future development and planning efforts within the City. Of those six focus areas, downtown Lumberton received perhaps the most attention. Work items DT-8 and DT-9 in the Implementation Strategies section of the plan are indicated as “Short” timeframe components with Medium to High priority. These work items involve the development of a downtown master plan and design guide for downtown development. The Planning Department has received a quote from Benchmark CMR (developers of the new Land Use Plan) to provide planning and technical assistance for drafting these documents. Please see the attached proposal and scope of work.

CPC recommends that City Council approve the attached proposal with Benchmark CMR for development of a Downtown Lumberton Master Plan and authorize staff to proceed with the appropriate contract documentation. This item was approved in last year’s 5-year capital plan and funding has been allocated in the 2015-16 Capital Budget.

RESULT:	REFERRED [6 TO 0]	Next: 3/14/2016 6:00 PM
MOVER:	Leroy Rising, Precinct 1	
SECONDER:	Burnis Wilkins, Precinct 3	
AYES:	Rising, Wilkins, Higley, Howard, Maynor, Hackney	
ABSTAIN:	Davis	
EXCUSED:	Robinson, Cantey Jr.	

I. Authorize the February 2016 Tax Releases – Linda Oxendine, Public Services Director
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:

2013-----32 cents

2014-----\$5.15

2015-----\$423.14

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

RESULT:	REFERRED [6 TO 0]	Next: 3/14/2016 6:00 PM
MOVER:	Erich Hackney, Precinct 8	
SECONDER:	Chris Howard, Precinct 6	
AYES:	Rising, Wilkins, Higley, Howard, Maynor, Hackney	
ABSTAIN:	Davis	
EXCUSED:	Robinson, Cantey Jr.	

- J. Approve April 13th and 14th, 2016 as the Planning Retreat for City Council – Wayne Horne, City Manager

As part of the City's planning process; a special meeting of the City Council is requested in order to present ideas and plans for City Council's consideration: The following dates are suggested for Council consideration.

It is recommended that City Council consider the following dates for the City's Council Planning Workshop.

- * Wednesday - March 23rd and
- * Thursday - March 24th

RESULT:	REFERRED [6 TO 0]	Next: 3/14/2016 6:00 PM
MOVER:	Erich Hackney, Precinct 8	
SECONDER:	Leroy Rising, Precinct 1	
AYES:	Rising, Wilkins, Higley, Howard, Maynor, Hackney	
ABSTAIN:	Davis	
EXCUSED:	Robinson, Cantey Jr.	

- K. Approve the designation \$2,500.00 to the Robeson County Arts Council – Leroy Rising, Precinct 1

At the September 14, 2015, City Council meeting, the President of the Robeson County Arts Council appeared before Council and asked for seed money to grow the production of the composition, "Cinderella in Spain" a bilingual musical. At the time, City Council took no action. Councilman Rising has asked that this item be placed on the agenda for further consideration.

Council Policy Committee consider discussing the item and its vote for funding.

RESULT:	REFERRED [6 TO 0]	Next: 3/14/2016 6:00 PM
MOVER:	Leroy Rising, Precinct 1	
SECONDER:	Burnis Wilkins, Precinct 3	
AYES:	Rising, Wilkins, Higley, Howard, Maynor, Hackney	
ABSTAIN:	Davis	
EXCUSED:	Robinson, Cantey Jr.	

- L. Approve the designation of \$900.00 of Community Revitalization Funds to Rowland Norment Elementary School for the English as a Second Language (ESL) Students Field Trip as follows: P1 - \$150.00 P3 - \$400.00 P4 - \$150.00 P6 - \$100 Mayor Discretionary Fund - \$100 – Burnis Wilkins, Precinct 3

Councilman Wilkins is requesting \$400.00 of Community Revitalization Funds to be given to Rowland Norment Elementary School for the ESL students field trip.

Designate \$400.00 to Rowland Norment Elementary School for a field trip.

RESULT:	REFERRED [UNANIMOUS]	Next: 3/14/2016 6:00 PM
MOVER:	Erich Hackney, Precinct 8	
SECONDER:	Chris Howard, Precinct 6	
AYES:	Davis, Rising, Wilkins, Higley, Howard, Maynor, Hackney	
EXCUSED:	Robinson, Cantey Jr.	

- M. Approve the designation of \$500.00 of Community Revitalization Funds to Godwin Heights Church for a Mission Trip and Youth Activities Program in Precinct 3 as follows: P1 - \$100.00 P3 - \$300.00 P4 - \$100.00 – Burnis Wilkins, Precinct 3

Councilman Wilkins requests that \$300.00 of Community Revitalization Funds be given to Godwin Heights Church for an upcoming Mission Trip and Youth Activities program.

Designate \$300.00 of CRF to the Godwin Heights Church.

RESULT:	REFERRED [6 TO 0]	Next: 3/14/2016 6:00 PM
MOVER:	Erich Hackney, Precinct 8	
SECONDER:	Chris Howard, Precinct 6	
AYES:	Rising, Wilkins, Higley, Howard, Maynor, Hackney	
ABSTAIN:	Davis	
EXCUSED:	Robinson, Cantey Jr.	

- N. Request for \$3500 For Front Entrance of Exploration Station – Leon Maynor, Precinct 7
Councilman Maynor has requested \$3500 to be provided to Exploration Station for improvements to their front entrance area. Materials describing the proposed improvements are attached. The County has also been asked for \$3500 as the total cost is \$7000.
Consider and vote upon the request for funding.

Councilman Maynor explained that this request is for a joint project and that the County has already given the Exploration Station \$3,500. He briefly explained what the project is about. However, after a brief discussion a request was made to bring more information back to CPC at the next meeting.

RESULT:	TABLED [UNANIMOUS]	Next: 4/6/2016 11:00 AM
MOVER:	Bruce W. Davis, Mayor	
SECONDER:	Leon Maynor, Precinct 7	
AYES:	Davis, Rising, Wilkins, Higley, Howard, Maynor, Hackney	
EXCUSED:	Robinson, Cantey Jr.	

- O. Approve the designation of \$750.00 of Community Revitalization Funds to the Robeson County Humane Society from P-8 – Erich Hackney, Precinct 8
Councilman Hackney requests that \$750.00 of Community Revitalization Funds be given to the Robeson County Humane Society.
Designate \$750.00 of CRF to the Robeson County Humane Society from P-8.

RESULT:	REFERRED [6 TO 0]	Next: 3/14/2016 6:00 PM
MOVER:	Burnis Wilkins, Precinct 3	
SECONDER:	Chris Howard, Precinct 6	
AYES:	Rising, Wilkins, Higley, Howard, Maynor, Hackney	
ABSTAIN:	Davis	
EXCUSED:	Robinson, Cantey Jr.	

- P. Designate \$1500 in CRF for Cape Fear Council of Boy Scouts of America from the Mayor's Discretionary Fund – Holt Moore, City Attorney
This is a request by Mayor Davis for \$1500 in Community Revitalization Funds to be awarded to the Cape Fear Council of the Boy Scouts of America to assist them with their various programs.
Designate \$1,500 of CRF to Boy Scouts of America.

RESULT:	REFERRED [6 TO 0]	Next: 3/14/2016 6:00 PM
MOVER:	Erich Hackney, Precinct 8	
SECONDER:	Chris Howard, Precinct 6	
AYES:	Rising, Wilkins, Higley, Howard, Maynor, Hackney	
ABSTAIN:	Davis	
EXCUSED:	Robinson, Cantey Jr.	

- Q. Approve the designation of \$375.00 of Community Revitalization Funds to Lumber River Soccer Association for Team Apparel – Leon Maynor, Precinct 7
Councilman Maynor requests \$375.00 of CRF to be given to the Lumber River Soccer Association for team apparel.
Designate \$375.00 to Lumber River Soccer Association for team apparel.

RESULT:	REFERRED [6 TO 0]	Next: 3/14/2016 6:00 PM
MOVER:	Erich Hackney, Precinct 8	
SECONDER:	Leroy Rising, Precinct 1	
AYES:	Rising, Wilkins, Higley, Howard, Maynor, Hackney	
ABSTAIN:	Davis	
EXCUSED:	Robinson, Cantey Jr.	

V. CLOSED SESSION**VI. DESIGNATION OF CONSENT/NON-CONSENT ITEMS****VII. ADJOURNMENT**