



CITY OF LUMBERTON
COUNCIL POLICY COMMITTEE
MINUTES • FEBRUARY 7, 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
Owen Thomas	Precinct 8	Present	
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 Jr.	Mayor Pro Tem	Present	
Chris Howard	Precinct 6	Present	
Leon Maynor	Precinct 7	Present	
Wayne Horne	City Manager	Present	
Holt Moore	City Attorney	Present	
Laney Mitchell-McIntosh	City Clerk	Present	

II. ITEMS FOR COUNCIL POLICY COMMITTEE CONSIDERATION

III. PUBLIC SPEAKERS

1. Richard Monroe –

Representing Rediscovery Downtown Lumberton (RDL), Richard Monroe presented Council with two ideas or possibilities for downtown that would not cost the City any money. Renovations are very important to the citizens. RDL is hoping to pay for one of the projects and a grant from the State Public Health Department would pay for the other project. He stated that the State keeps coming back with questions; however, they are confident that all questions have been answered.

Mr. Monroe presented the Committee a model that was constructed by Mr. Melvin Morris that would be placed on the Plaza. Second project would consist of placing benches and trash receptacles on the City's walkway.

City Council approved the concept.

IV. MINUTES APPROVAL

1. Council Policy Committee - Regular Meeting - Nov 8, 2017 11:00 AM –

RESULT:	ACCEPTED [8 TO 0]
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	John Robinson, Precinct 2
AYES:	Thomas, Rising, Robinson, Wilkins, Higley, Cantey, Howard, Maynor
ABSTAIN:	Davis

V. AGENDA ITEMS

- A. Authorize the January 2018 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:

2008-----	\$1.56
2009-----	\$1.56
2010-----	\$2.00
2011-----	\$2.00
2012-----	\$2.00
2013-----	\$2.00
2014-----	\$2.06
2015-----	\$2.05
2016-----	\$2.04
2017-----	\$3192.13

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

RESULT:	REFERRED [8 TO 0]	Next: 2/12/2018 6:00 PM
MOVER:	John Robinson, Precinct 2	
SECONDER:	Burnis Wilkins, Precinct 3	
AYES:	Thomas, Rising, Robinson, Wilkins, Higley, Cantey, Howard, Maynor	
ABSTAIN:	Davis	

- B. Approval of advertising for the 2017–18 taxes that are lien on real property. – Angela Parker, Deputy Director of Public Services

In accordance with G.S. 105-369(a) the tax collector must report to the governing body the total unpaid 2017–18 taxes that are lien on real property. Said property taxes are attached totaling \$1,051,062.82.

Authorize the tax collector to advertise and to collect 2017/2018 taxes in accordance with the general statute.

RESULT:	REFERRED [8 TO 0]	Next: 2/12/2018 6:00 PM
MOVER:	John Robinson, Precinct 2	
SECONDER:	Burnis Wilkins, Precinct 3	
AYES:	Thomas, Rising, Robinson, Wilkins, Higley, Cantey, Howard, Maynor	
ABSTAIN:	Davis	

- C. Northwest Sewer System Improvement Engineering Contract – Rob Armstrong, Public Works Director

In January Council approved the selection of The Wooten Company to provide engineering design services for the proposed Northwest Sewer System Improvement Project. The

selection was based on Staff's recommendation after reviewing qualification statements submitted by various engineering firms. The next step is to approve the attached contract with Wooten for the services. The Engineering and Construction Administration Fee is \$74,700 and the Construction Observation Fee is estimated to be \$36,400 based on the expected number of hours of inspection. This project is funded by the Water and Sewer Capital Reserve Fund.

Public Works is requesting Council Approval of the Engineering Agreement with Wooten Company to design the Northwest Sewer System Improvement Project

RESULT:	REFERRED [8 TO 0]	Next: 2/12/2018 6:00 PM
MOVER:	Owen Thomas, Precinct 8	
SECONDER:	Leroy Rising, Precinct 1	
AYES:	Thomas, Rising, Robinson, Wilkins, Higley, Cantey, Howard, Maynor	
ABSTAIN:	Davis	

D. 6" Water Main River Crossing Engineering Contact – Rob Armstrong, Public Works Director

In January Council approved the selection of The Wooten Company to provide engineering design services for the 6" Water Main River Crossing Project funded by FEMA. The selection was based on Staff's recommendation after reviewing qualification statements submitted by various engineering firms. The next step is to approve the attached contract with Wooten for the services. The Engineering and Construction Administration Fee is \$27,950 and the Construction Observation Fee is estimated to be \$7,500 based on the expected number of hours of inspection. This project is funded by FEMA.

Public Works is requesting Council approval of the Engineering Agreement for the 6" Water Main River Crossing with The Wooten Company. The Engineering and Construction Administration fee is \$27,950 and the Construction Observation Fee is estimated to be \$7,500 based on the expected number of hours of inspection. This project is funded by FEMA.

RESULT:	REFERRED [8 TO 0]	Next: 2/12/2018 6:00 PM
MOVER:	John Cantey, Mayor Pro Tem	
SECONDER:	John Robinson, Precinct 2	
AYES:	Thomas, Rising, Robinson, Wilkins, Higley, Cantey, Howard, Maynor	
ABSTAIN:	Davis	

E. Vapor Intrusion Evaluation Proposals at CDBG Demolition Site – Rob Armstrong, Public Works Director

The NC Department of Environmental Quality is requiring the City to conduct a vapor intrusion evaluation at the areas of 608 Town Common and 610 First Street where two industrial buildings were demolished using funds provided by the State Commerce CDBG program. The evaluation will determine if the previously petroleum contaminated areas were sufficiently mitigated. Teresa Johnson received 3 proposals from qualified service providers and collectively staff scored each proposal based on the matrix below. This work will be paid for using the CDBG grant funds.

Public Works is requesting authorization to hire Blue Ridge Geological Services, Inc to conduct a vapor intrusion evaluation at the Town Common and First Street Demolition Site

Firm	1 Techni cal Appro ach	2 Experien ce of Propose d Personnel	3 Communit y Developm ent Experienc e	4 Famili arity with Localit y	5 Time to Com plete Work	6 Bid Sum mary	7 Insuranc e Require ments	Tot al Poi nts	R a n k
Points	20	20	15	15	25	5	15	115	
MID ATLANTIC	15	18	10	13	18	2	15	91	2
BLUE RIDGE	18	18	15	15	25	5	15	111	1
ECS	20	15	10	15	18	4	0	82	3

for \$6,960 to be paid for with CDBG funds.

RESULT:	REFERRED [8 TO 0]	Next: 2/12/2018 6:00 PM
MOVER:	John Cantey, Mayor Pro Tem	
SECONDER:	John Robinson, Precinct 2	
AYES:	Thomas, Rising, Robinson, Wilkins, Higley, Cantey, Howard, Maynor	
ABSTAIN:	Davis	

- F. Asphalt Tack Machine Purchase – Rob Armstrong, Public Works Director
- Public Works currently has a small 250 gallon asphalt tack machine that is over 11 years old. It's designed with a manual spray wand and to hold enough tack to accommodate a patching crew. We have modified the machine with a spray bar and use it for tacking streets ahead of our paving projects. It's really not design to support an overlay project where we are spreading a large amount of tack over several blocks. One issue is the tank is not large enough to complete full day paving project and we have to go out and hunt down the Barnhill tack truck and reload. The other issue is the modification is burning our pumps regularly. We have gone thru 7 pumps @ \$900 each in the last couple of years with the latest change out in December. We would like to purchase a new tack machine with larger storage tank (575 gallon) and larger pump that can be used for over lay tacking as well as patching. Attached are quotes for the new machine.
- Sealmaster: \$17,705.00, JFW Equipment (Marathon): \$19,550.00 & Gregory Pool (Leeboy): \$17,825.00 (when heater is added).
- Public Works is requesting authorization to purchase a new Asphalt Tack Machine from Sealmaster for \$17,705.00 to be paid for with Water and Sewer Capital Reserve funds.

RESULT:	REFERRED [8 TO 0]	Next: 2/12/2018 6:00 PM
MOVER:	Leroy Rising, Precinct 1	
SECONDER:	John Robinson, Precinct 2	
AYES:	Thomas, Rising, Robinson, Wilkins, Higley, Cantey, Howard, Maynor	
ABSTAIN:	Davis	

- G. Purchase of New Dodge Durango for Public Works – Rob Armstrong, Public Works Director
Attached is a quote from the North Carolina State Contract for a new Dodge Durango 4x4 for Public Works. The Durango replaces a 2005 Mercury Grand Marquis with 110,000 miles. Recent experiences with Hurricane Matthew and winter weather have led us to purchase a four wheel drive vehicle with a little higher ground clearance than the Grand Marquis. The total State Contract Price for the vehicle is \$37,835. Public Works has \$32,000 budgeted in the current Fiscal Year Capital Budget. We are proposing that we transfer \$5,835 from the Water and Sewer Capital Reserve Fund to cover the difference.
Public Works is requesting Council approval to purchase a 2018 Dodge Durango from the North Carolina State Contract for \$37,835. \$32,000 of this amount will come from the Capital Budget. \$5,835 will be transferred from the Water and Sewer Capital Reserve Fund to cover the difference.

RESULT:	REFERRED [8 TO 0]	Next: 2/12/2018 6:00 PM
MOVER:	John Robinson, Precinct 2	
SECONDER:	Owen Thomas, Precinct 8	
AYES:	Thomas, Rising, Robinson, Wilkins, Higley, Cantey, Howard, Maynor	
ABSTAIN:	Davis	

- H. Final plat approval of Amberdale Subdivision Section 3 Part 3 lots 46, 62, 63, 64, 71, 72, 73. – Brandon Love, Planning Director
The Planning Department received a request from Lumber River Real Estate, Inc. for final plat approval of Amberdale Subdivision Section 3 Part 3 lots 46, 62, 63, 64, 71, 72, 73.

Mr. Rob Armstrong, with the Public Works Department, has indicated that "final street paving is done. Curb and gutter issues corrected. Water and Sewer accepted". Therefore, no bond is required.

Recommend approval of the final plat for Amberdale Section 3 part 3 lots 46, 62, 63, 64, 71, 72, 73.

RESULT:	REFERRED [8 TO 0]	Next: 2/12/2018 6:00 PM
MOVER:	Leroy Rising, Precinct 1	
SECONDER:	John Robinson, Precinct 2	
AYES:	Thomas, Rising, Robinson, Wilkins, Higley, Cantey, Howard, Maynor	
ABSTAIN:	Davis	

- I. Shelter Investments Development Corporation. Rezoning petition for property located off of Dunn Road – Brandon Love, Planning Director
Shelter Investments Development Corporation has submitted a Rezoning petition property located off of Dunn Road (parcel # 1013-01-001/Deed Book 1950 Page 0590). This request

is to rezone the property from M-2 (heavy manufacturing) to B-3 (office residential). The applicants intended use of the property is for the operation of senior living facility (use#1.310 Multifamily residential other than mobile home parks).

This property is located within Area 17, as identified in our Land Use Plan. 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. This item is tabled in order for the Councilman to speak with the applicants.

RESULT:	TABLED [8 TO 0]	Next: 3/7/2018 11:00 AM
MOVER:	Leon Maynor, Precinct 7	
SECONDER:	Burnis Wilkins, Precinct 3	
AYES:	Thomas, Rising, Robinson, Wilkins, Higley, Cantey, Howard, Maynor	
ABSTAIN:	Davis	

- J. Denied the Request from Donovan Oliver for a Non-Contiguous Annexation petition for property located at the corner of NC Hwy 711 and Deep Branch Road – Brandon Love, Planning Director

The Planning & Neighborhood Services Department received an application for a non-contiguous annexation from Donovan Oliver requesting that property located at the corner of NC Hwy 711 and Deep Branch Road (Parcel # 1610-02-02901) be annexed into the City of Lumberton.

The current use of the property is a gas station and the property is currently zoned City of Lumberton B-2 (Business Community). Therefore, a rezoning is not required.

BACKGROUND: On September 8, 2008 City Council voted to deny Sonny Oliver Realty's request to annexation this property.

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

RESULT:	DENIED [8 TO 0]	Next: 2/12/2018 6:00 PM
MOVER:	Leon Maynor, Precinct 7	
SECONDER:	John Cantey, Mayor Pro Tem	
AYES:	Thomas, Rising, Robinson, Wilkins, Higley, Cantey, Howard, Maynor	
ABSTAIN:	Davis	

- K. Contracts with Dixie Youth Baseball for Tournaments – Holt Moore, City Attorney
Recently several members of the leadership of Dixie Youth Baseball, Inc., whose World Series we will be hosting in July, came to Lumberton to discuss preparations for the event. During their stay, the contracts attached to this agenda item were presented and preliminarily reviewed by staff. We wanted the Mayor and Council to be aware of the terms of our arrangement with Dixie Youth Baseball. Their contracts are rather standard from one year to the next, and given the nature of the tournaments it does not appear there is much room for negotiations. I will be glad to answer any questions.
Approve contracts submitted by Dixie Youth Baseball, Inc.

RESULT:	REFERRED [8 TO 0]	Next: 2/12/2018 6:00 PM
MOVER:	Leon Maynor, Precinct 7	
SECONDER:	Leroy Rising, Precinct 1	
AYES:	Thomas, Rising, Robinson, Wilkins, Higley, Cantey, Howard, Maynor	
ABSTAIN:	Davis	

- L. Artwork Designs for a City and Pride in Lumberton Pin – Wayne Horne, City Manager
At its meeting of January 10, 2018, Council directed Staff to bring back artwork designs for a new City Pin and a pin designed for Pride in Lumberton awards. Attached you will find examples of the artwork designs for special recognition and special events.

1. Attachment 1: Current pin is enlarged and raised/embossed.
2. Attachment 2: Current pin is enlarged, raised and color of the background has been changed.
3. Attachment 3: Examples for the Pride in Lumberton.

Direct Staff as to how to proceed.

CPC selected attachment 2 as the City Council Pin only to be won by Council and selected designees such as City Retirees. The Pride in Lumberton pin will be of the same model with a band over the City's insignia displaying Pride in Lumberton. Both pins must obtain the approval of Council before awarding.

RESULT:	REFERRED [8 TO 0]	Next: 2/12/2018 6:00 PM
MOVER:	Burnis Wilkins, Precinct 3	
SECONDER:	Leon Maynor, Precinct 7	
AYES:	Thomas, Rising, Robinson, Wilkins, Higley, Cantey, Howard, Maynor	
ABSTAIN:	Davis	

- M. Approval of a Pride in Lumberton Awards for Mr. Powers and 4 Special Needs Children – Burnis Wilkins, Precinct 3

Councilman Wilkins requests a Pride in Lumberton Award for Mr. D. J. Powers of Lumberton. On the morning of Wednesday, January 24, 2018 at approximately 7:30 a.m., DJ was able to apprehend and help identify one of the 4 suspects involved in the bank robbery of PNC Bank in Lumberton which occurred on Tuesday January 23rd. DJ, a military veteran twice deployed bravely held the suspect at gun point after observing him thru his surveillance camera system entering his yard from the woods. He is also the son of retired Lumberton Police Officer Patsy Powers.

Approve the Award of a Pride in Lumberton for Mr. DJ Powers; David Teitelbaum, Brandon Rizzuti, Alex Cook and one more special needs child.

RESULT:	REFERRED [8 TO 0]	Next: 2/12/2018 6:00 PM
MOVER:	Burnis Wilkins, Precinct 3	
SECONDER:	Karen Higley, Precinct 4	
AYES:	Thomas, Rising, Robinson, Wilkins, Higley, Cantey, Howard, Maynor	
ABSTAIN:	Davis	

- N. Approve the Robeson County Disaster Recovery Committee Deobligation of Funds to be used by the Faith-Based Groups Assisting with Fixing Houses – John Cantey, Mayor Pro Tem

Councilman Cantey is requesting that CPC take a look at the activity on the one-time \$7,000 grant that was given to the Robeson County Disaster Recovery Committee on June 9, 2017. The funds were allocated for spore testing and other related expenses from the GoFundMe account at BB&T; however, the funds have not been used.

Is that allocation of funds be deobligated for use by the Faith-Based Ministries' that are fixing houses.

RESULT:	REFERRED [8 TO 0]	Next: 2/12/2018 6:00 PM
MOVER:	John Cantey, Mayor Pro Tem	
SECONDER:	Leon Maynor, Precinct 7	
AYES:	Thomas, Rising, Robinson, Wilkins, Higley, Cantey, Howard, Maynor	
ABSTAIN:	Davis	

- O. Approve the Deobligation of Funds in Precinct 5 – John Cantey, Mayor Pro Tem
Councilman Cantey would like to deobligate \$561.00 of obligated funds from Community Watch to unobligated funds.
Return \$561.00 of obligated funds back to P5 unobligated fund.

RESULT:	REFERRED [8 TO 0]	Next: 2/12/2018 6:00 PM
MOVER:	Burnis Wilkins, Precinct 3	
SECONDER:	Karen Higley, Precinct 4	
AYES:	Thomas, Rising, Robinson, Wilkins, Higley, Cantey, Howard, Maynor	
ABSTAIN:	Davis	

- P. Approve the designation of \$875.00 of CRF for Black History Programs in Precinct 5 as follows: P1 - \$100.00 P2 - \$100.00 P3 - \$100.00 P4 - \$100.00 P5 - \$375.00 and P7 - \$100.00 – John Cantey, Mayor Pro Tem
Councilman Cantey requests \$375.00 of Community Revitalization Funds for Black History Programs.
Designate \$375.00 of CRF to the Black History Programs in Precinct 5.

RESULT:	REFERRED [8 TO 0]	Next: 2/12/2018 6:00 PM
MOVER:	John Cantey, Mayor Pro Tem	
SECONDER:	Leon Maynor, Precinct 7	
AYES:	Thomas, Rising, Robinson, Wilkins, Higley, Cantey, Howard, Maynor	
ABSTAIN:	Davis	

- Q. Approve the designation of \$750.00 of Community Revitalization Funds to the Lion's Club in Precinct 7 as follows: P1 - \$100.00 P2 - \$100.00 P3 - \$200.00 P4 - \$100.00 P6 - \$50.00 & P7 - \$200.00 – Leon Maynor, Precinct 7
Councilman Maynor requests \$200.00 of CRF to be given to the Lion's Club.
Designate \$200.00 of CRF to the Lion's Club in Precinct 7.

RESULT:	REFERRED [8 TO 0]	Next: 2/12/2018 6:00 PM
MOVER:	Leon Maynor, Precinct 7	
SECONDER:	Burnis Wilkins, Precinct 3	
AYES:	Thomas, Rising, Robinson, Wilkins, Higley, Cantey, Howard, Maynor	
ABSTAIN:	Davis	

- R. Designate \$1500 in CRF for Cape Fear Council of Boy Scouts of America from the Mayor's Discretionary Fund – Bruce Davis, Mayor
Mayor Davis requests \$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 [8 TO 0]	Next: 2/12/2018 6:00 PM
MOVER:	John Cantey, Mayor Pro Tem	
SECONDER:	Leon Maynor, Precinct 7	
AYES:	Thomas, Rising, Robinson, Wilkins, Higley, Cantey, Howard, Maynor	
ABSTAIN:	Davis	

- S. Award Contract for Alleyway and Plaza Improvements – Brandon Love, Planning Director
Del Crawford of Crawford Design Company received bids on Friday, December 22, 2017 at 2:00pm for improvements to the alleyway directly behind the Carolina Civic Center and renovation of the downtown plaza. Seven general contractors received construction documents and bid packets, however only two were returned. The bids were opened the week of January 1st and Hayes, Inc. of Fayetteville was the low bidder with a total project cost of \$609,900. Greenstate, Inc. of Lumberton was the second bidder with a total project cost of \$672,728.
Mr. Crawford has identified select demolition items that the City may undertake “in house” in an effort to lower to total project amount. The value of these in-kind services totals \$46,200. Attached to your agenda you will find an itemized cost breakdown of the entire downtown revitalization effort as well as a detailed funding summary. \$194,340 will be funded by the NC Department of Commerce grant, with the remainder of the funding from the General fund, Capital project reallocation, in-kind services and the Economic Development fund. Staff recommends that CPC award the contract to Hayes, Inc. of Fayetteville in the amount of \$553,700.

Councilman Cantey expressed his concerns with approving this item. He stated that he just can't see voting to find \$300,000 to revitalize downtown a place that most of his residents do not go and they are in need of their homes being repaired. He stated that there are probably another 300 families out of their homes, and no money has come down yet from the state.

City Manager Horne stated that all the unmet needs are being addressed. We will have money to assist with the homes. We are waiting on State to release these funds.

RESULT:	REFERRED [7 TO 1]	Next: 2/12/2018 6:00 PM
MOVER:	Leroy Rising, Precinct 1	
SECONDER:	Owen Thomas, Precinct 8	
AYES:	Thomas, Rising, Robinson, Wilkins, Higley, Howard, Maynor	
NAYS:	Cantey	
ABSTAIN:	Davis	

- T. Directed the City Attorney to Proceed with to Amending and Updating of the City's Municipal Charter – John Cantey, Mayor Pro Tem
Councilman Cantey is requesting that City Council consider adopting a Resolution of Intent to consider amending and updating the Municipal Charter.
Consider this request and provide directions.

RESULT:	REFERRED [8 TO 0]	Next: 2/12/2018 6:00 PM
MOVER:	John Cantey, Mayor Pro Tem	
SECONDER:	Leon Maynor, Precinct 7	
AYES:	Thomas, Rising, Robinson, Wilkins, Higley, Cantey, Howard, Maynor	
ABSTAIN:	Davis	

VI. DESIGNATION OF CONSENT/NON-CONSENT ITEMS

VII. CLOSED SESSION: TO DISCUSS PERSONNEL;

1. Approval of Salary Increase for City Attorney Moore – John Cantey, Mayor Pro Tem
Councilman Cantey stated that City Attorney Moore will be celebrating his fourth anniversary with the City in March 2018; and since that time he has not received a step increase with the exception of Cost of Living increase. Councilman Cantey recommended giving the City Attorney a 3% increase.

There was a unanimous consensus of the Council.
Approve a 3% increase for the City Attorney.

RESULT:	REFERRED [8 TO 0]	Next: 2/12/2018 6:00 PM
MOVER:	John Cantey, Mayor Pro Tem	
SECONDER:	Leon Maynor, Precinct 7	
AYES:	Thomas, Rising, Robinson, Wilkins, Higley, Cantey, Howard, Maynor	
ABSTAIN:	Davis	

VIII. ADJOURNMENT