



CITY OF LUMBERTON

CITY COUNCIL

MINUTES • FEBRUARY 1, 2024

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	
Alfred Douglas	Precinct 6	Present	
Leroy Rising	Precinct 1	Present	
Melissa Robinson	Precinct 2	Present	
John R. Carroll	Precinct 3	Present	
Karen Higley	Precinct 4	Present	
John Cantey	Precinct 5	Present	
Eric Chavis	Precinct 7	Present	
Owen Thomas	Mayor Pro Tem	Present	
Wayne Horne	City Manager	Present	
Brandon Love	Deputy City Manager	Excused	
Holt Moore	City Attorney	Present	
Laney Mitchell-McIntosh	City Clerk	Present	

B. Invocation: City Attorney Holt Moore –

C. Pledge of Allegiance: Led by Councilman Rising –

II. PUBLIC COMMENT PERIOD -

A. Katie Fountain, Director of Robeson County Public Library –

Ms. Fountain, Director of the Robeson County Public Library appeared before Council and shared the progress of a landscaping project that is on the way at the second street

B. Donnie Douglas - Humane Society –

Donnie Douglas appeared before Council and spoke on behalf of the Humane Society.

C. Carol T. Richardson –

D. Brianna Goodwin –

Brianna Goodwin, Executive Director of Robeson County Church and Community Center (RCCCC), appeared before Council and stated the interaction that the City has had with RCCC concerning housing for the homeless residents of Robeson County. She stated that the City officials first spoke in support of the housing but have not responded in that way. After the initial meeting with staff, somewhat have been hesitant citing that the City does not have several hundred thousands of dollars to have the houses empty which she stated was her first indication of hesitation on the City's part. She stated "that there are many experts in the room, experts at the law, as well as building and designing, at policing, and any number of disciplines," however "we are experts at helping, and we've come to ask you to allow us to do just that."

III. PUBLIC SPEAKERS

A. Marla Hardenbergh, MD –

Dr. Hardenbergh, Physician in Robeson County, stated that she originally moved here as an OB/GYN but she is also Board Certified in Addiction Medicine. However, what I helped found was an Inpatient Addiction Medicine Service with the hospital. When she moved here and realized how severely impacted this hospital was by substance abuse disorder or addiction, I realized that we would benefit by having a formal way to help treat the patient when they come into the hospital for a border related diagnosis.

This is uncompensated care. The hospital contracts this service out and we come and provide the service. There really is no payer for this; so, there is a nonprofit arm that raises money to be able to pay the staff to provide the service. So, we see all the patients that come in with an overdose, alcohol withdrawals, and with stimulant use disorders. Dr. Hardenberg, stated that she supervises the diagnosis accurately, and match it up with a treatment plan according to the American Society of Addiction Medicine. Then our team walks with the patient from the hospital to aftercare.

She stated that ever since our service has been there we have seen a reduction in ED visits for overdoses reduced by 41%. She stated from July 1st, 2023 to December 31st, 2023, we have seen 822 unduplicated patients in the hospital. Ninety percent of them took her treatment plan. So now, we are being recognized at the State level. They are asking what are you doing in Robeson County. We are the only community-based hospital in the State of North Carolina providing this kind of expert addiction medicine care. So now the State, Raleigh, UNC School of Medicine are looking, however, they all have one question, who is supporting you locally.

Dr. Hardenbergh, stated that she is coming before Council today asking for help for her and to help these folks. When local bodies of officials support what we are doing it folks like the lady who was willing to come and present this item in my place, it pays our staff but it does not pay me, she said.

Councilman Rising asked Dr. Hardenbergh if she has talked with the County, Dr. Hardenbergh, responded yes, we are the only organization in Robeson County to be awarded Opioid settlement funds and we had the first distribution and just provided our deliverables because she has access to EMR that preserves our data. Because the State wanted a very strict way of making sure the deliverables were preserved, thank God she has that because she works for UNC. She stated that they had their first disbursement and our first set of deliverables and in November they got they 2nd disbursement of the settlement funds.

Councilman Rising stated that this is an endeavor that needs to be addressed by everyone not just the City because the patients are coming from across the county. Dr. Hardenbergh stated that the County Commissioners have supported this endeavor.

IV. MINUTES APPROVAL**A. City Council - Regular Meeting - Jan 8, 2024 6:00 PM –**

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

V. PUBLIC HEARING

- A. Alice McLean Rezoning Request - MLK Jr. Dr. – ArTriel Kirchner, Planning Director**
Alice McLean is requesting to rezone parcel #32540100408, deed bk 2319 pg. 677 located on Martin Luther King Jr. Dr. from R-7 to B-4 for the construction of an event center.

The planning staff recommends that City Council hold today's public hearing, and approve the rezoning request.

City Attorney Moore opened the public hearing on a request to rezone property located off of Martin Luther King, Jr. Drive, from R-7(residential single-family duplex) to B-4 (business general commercial) for the construction of an event center. City Clerk Mitchell-McIntosh submitted the Affidavit of Publication showing that the hearing was advertised in The Robesonian.

Ms. McLean-Melvin, owner, appeared before Council and stated that she is a long-life member of South Lumberton and of 1st Baptist Church and also a member of the Zeta Phi Beta Sorority which designs programs that enrich the community in which they serve. She stated that this building will help assist in meeting the needs of the people and assist other nonprofits.

Councilman Cantey reminded Ms. McLean-Melvin of a previous conversation that they had in where he asked her to go into the community and speak with the people and to develop a site plan. He expressed his concerns about the lack of a site plan especially since he has a petition with 22 signatures from neighbors who are concerned about potential noise and security issues since the property is located 50 feet from some of the residents.

He stated that this location is in a flood plain which raises concerns not only about flooding but the structure of the building. With these concerns, we feel that it would be best that a site plan is submitted before this action is approved because once it is approved it cannot be revised with any conditions.

Councilman Rising expressed the same sentiments that a site plan would be appropriate for this location.

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

RESULT:	TABLED [8 TO 0]	Next: 3/4/2024 6:00 PM
MOVER:	John Cantey, Precinct 5	
SECONDER:	Leroy Rising, Precinct 1	
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas	
ABSTAIN:	Davis	

B. 2nd Reading of Proposed Revision - Begging Ordinance – Holt Moore, City Attorney

This is the second review of the second reading of the new proposed ordinance regarding soliciting. No additional concerns have been raised by Council since the last review, other than one suggestion has been made to include the intersections / on-and-off ramps of I95 & Roberts Ave. and Fayetteville Road, which is included. Also specific fines have been added which was raised at the last meeting. *The latest version is the 3rd attachment.*

Review draft ordinance and offer approval subject to second reading.

City Attorney Moore stated that this is the second reading for the Begging Ordinance and if anyone would like to speak to it.

Brittany Love, Director of Systemic Programming for the Robeson County Church and Community Center, appeared and spoke in reference to homelessness. She stated that "to criminalize homelessness creates more criminals". She stated that in 2021 a state law was passed that decriminalize local ordinances, stating that individuals should not be convicted for violations if there are no new violations within 30 days or if there is evidence of a good-faith effort to seek assistance to address underlying factors. These factors are listed as unemployment, homelessness, mental health or substance abuse.

Ms. Love spoke in reference to a state law that passed in 2021 that decriminalize local ordinances, stating that individuals should not be convicted for violations if there are no new violations and if there is a good-faith

effort to seek assistance to address the underlying factors as stated above. She expressed that whether the begging ordinance is passed with or without modification, anyone who contacts the Church and Community Center about a local ordinance violation will have the proof of a good-faith effort by the time that go to court.

No one else appeared to speak.

City Attorney Moore stated that since the Begging Ordinance was presented in the January meeting; a few revisions have been made. He stated that the original proposed would ban panhandling in all public rights-of-ways and also “aggressive panhandling.” After further review, it is determined that the portion of the Ordinance addressing the rights-of-ways was too broad, so we want to whittled it down to four of the busiest intersections within the City where pan handlers stand on narrow medians that presents unsafe traffic situations. Naming the intersections as Roberts Avenue at Elm Street and Highland Avenue; Roberts Avenue and Fayetteville Road, Fayetteville Road., Jackson Court and Wintergreen Drive. The intersection of Fayetteville Road., Liberty Hill Road and Barker Ten Mile Road. He also mentioned that the state stature relating to panhandling in such a way as to impede traffic at any location and no one shall solicit from a median which is less than 6’ in width.

Attorney Moore went on the express the concerns of the motorists who feel that the lives of the pan handlers and the motorists are endangered. He stated that if a person steps off the median into the pathway of a car and is struck and killed, then the driver is liable.

Councilman Rising stated that this problem is not limited to Lumberton but is epidemic throughout especially in poverty-stricken areas. He stated that the ordinance is already in place and that the proposed revisions pertain to intersections where folks are standing and endangering not only their lives but the motoring public. Councilman Rising asked City Attorney Moore if the existing ordinance could be modified to include begging at these intersections. Attorney Moore responded by saying that if you carve a third of this ordinance out, to mesh it with the existing ordinance, we could look at that for next month. However, I would rather table this item until next month to address the goal you are setting, or I say pass the whole thing.

City Attorney Moore asked for a point of privilege to give clarification on the breakdown of communication between the City and RCCCC. He stated that nothing is a done deal and as far as the article I explained some of the concerns we had in trying to move forward.

RESULT:	TABLED [8 TO 0]	Next: 3/4/2024 6:00 PM
MOVER:	Leroy Rising, Precinct 1	
SECONDER:	Karen Higley, Precinct 4	
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas	
ABSTAIN:	Davis	

VI. AGENDA ITEMS

- A. Authorize the Lumberton Police Department to apply for and accept the FY25 GHSP Grant – Michael McNeill, Police Chief

The Lumberton Police Department is requesting permission to apply for and accept the 2025 GHSP Grant in the amount of \$152,387.00 This is the fifth year the DWI team would be funded; there is a 25% match.

It is recommended that the Lumberton Police Department be granted permission to apply for and accept the 2025 GHSP Grant in the amount of \$152,387.00.

RESULT:	APPROVED [8 TO 0]
MOVER:	Karen Higley, Precinct 4
SECONDER:	John Cantey, Precinct 5
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis

- B. Authorize the Lumberton Police Department to Purchase 2023 Dodge Charger to Replace Totaled Vehicle – Michael McNeill, Police Chief

The Lumberton Police Department is requesting permission to purchase a 2023 Dodge Charger on State contract in the amount of \$35,328.69. This vehicle will replace a totaled Dodge Charger (car #616) that was struck by a vehicle on I 95 while the officer was assisting a stranded motorist.

It is recommended that the Lumberton Police Department be granted permission to purchase a 2023 Dodge Charger on State contract in the amount of \$35,328.69 to replace a totaled patrol vehicle.

RESULT:	APPROVED [8 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Karen Higley, Precinct 4
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis

- C. Permission to Continue Annual Reporting Subscription from Central Square – Michael McNeill, Police Chief

The Lumberton Police Department is requesting permission to continue the subscription for software from Central Square. This is a paperless software used by the entire department for the reporting system. The cost of this software is \$34,197.68.

It is recommended that the Lumberton Police Department be granted permission to continue their subscription of software from Central Square in the amount of \$34,197.68.

RESULT:	APPROVED [8 TO 0]
MOVER:	Owen Thomas, Mayor Pro Tem
SECONDER:	Karen Higley, Precinct 4
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis

- D. Unsafe Structure 811 E 9th Street – Ben Andrews, Inspections Director

The structure located at 811 E 9th 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 December 18, 2023 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 January 25, 2024

Staff recommends the City Council direct the Building Inspector to demolish and remove the unsafe structure located at 811 E 9th Street

RESULT:	APPROVED [8 TO 0]
MOVER:	Karen Higley, Precinct 4
SECONDER:	John Cantey, Precinct 5
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis

E. Unsafe Structure 904 Willow Street – Ben Andrews, Inspections Director

The structure located at 904 Willow 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 December 12, 2023 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 January 20, 2024

Staff recommends the City Council direct the Building Inspector to demolish and remove the unsafe structure located at 904 Willow Street

RESULT:	APPROVED [8 TO 0]
MOVER:	Karen Higley, Precinct 4
SECONDER:	John Cantey, Precinct 5
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis

F. Unsafe Structure 109 Old Whiteville Ave – Ben Andrews, Inspections Director

The Structure located at 109 Old Whiteville 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 December 12, 2023 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 January 20, 2024

Staff recommends the City Council direct the Building Inspector to demolish and remove the unsafe structure located at 109 Old Whiteville Avenue.

RESULT:	APPROVED [8 TO 0]
MOVER:	Karen Higley, Precinct 4
SECONDER:	John Cantey, Precinct 5
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis

G. Unsafe Structure 113 Old Whiteville Avenue – Ben Andrews, Inspections Director

The structure located at 113 Old Whiteville 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 December 12, 2023 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 January 20, 2024

Staff recommends the City Council direct the Building Inspector to demolish and remove the unsafe structure located at 113 Old Whiteville Avenue

RESULT:	APPROVED [8 TO 0]
MOVER:	Karen Higley, Precinct 4
SECONDER:	John Cantey, Precinct 5
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis

H. Ford Place Lift Station Pump – Rob Armstrong, Public Works Director

Lift Station #3 (Ford Place) is in need of a new replacement pump. These pumps are specific to this station and made by a single source vendor. Tencarva Machinery Company of Greensboro NC is the region vendor for this pump. Public Works has received a quote from Tencarva in the amount of \$18,432.00 for this pump.

Public Works recommends council approval for the purchase of a new 10IN SUPER T-SERIES W/ERADICATOR MODEL T10C60SC-B pump from Tencarva Machinery Company of Greensboro, NC in the amount of \$18,432.00 with funds coming from the water and sewer capital reserve fund.

RESULT:	APPROVED [8 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Owen Thomas, Mayor Pro Tem
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis

I. Purchase of CAT D4 Dozer – Rob Armstrong, Public Works Director

Public Works has \$265,000 in the current fiscal year capital budget to purchase a new bull dozer for the LCID landfill operations. This new dozer will replace our 20 + year old dozer we use now. The dozer is used to place and pack all of the vegetative debris brought to the LCID site. We have found a Caterpillar D4 on NC State Contract (Contract #2210A) for \$278,929.75. Public Works would like to purchase this piece of equipment and take the additional \$13,929.75 over the capital budget amount from the Sanitation Fund Balance. Public Works is requesting Council approval to purchase a Caterpillar D4 on NC State Contract (Contract #2210A) for \$278,929.75 from Gregory Poole Equipment Co. to be paid for with \$265,000 appropriated in capital code 67-00-8147-5567 and \$13,929.75 from the Sanitation Fund Balance.

RESULT:	APPROVED [8 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Karen Higley, Precinct 4
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis

J. Raw Water Intake Engineering Amendment Correction – Rob Armstrong, Public Works Director

In November 2023, Council approved an amendment to the engineering contract with the Wooten Company for the Raw Water Intake Flood Mitigation Project. The amendment was to cover additional construction administration time since the project has extended beyond the original time line. The amendment originally presented to us mistakenly provided the

wrong total contract amount. Wooten has corrected the contract amendment to show the total engineering contract to be \$154,130.

Public Works is asking for Council's approval of the corrected Amendment #1 to the professional services contract with The Wooten Company for the Raw Water Intake Flood Mitigation Project, changing the final contract price to \$154,130 from \$130,078 to be paid from the water and sewer capital reserve fund.

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

- K. Floodgate Pile Load Testing Bid Award – Rob Armstrong, Public Works Director
Public Works will be receiving bids for Phase 1 construction of the floodgate – Pile Load Testing – on January 30th. Bids will be presented to Council for consideration at the February 1st Meeting.

<< Recommendation >>

Public Works Director Rob Armstrong stated that due to a lack of bids for this project we are not seeking any approval. We will combine this scope of work with the overall project. Request that this item be withdrawn.

RESULT:	WITHDRAWN
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- L. CSX Right of Entry Agreement for Floodgate Pile Load Test – Rob Armstrong, Public Works Director

The attached Right of Entry with CSX will need to be approved by Council in order for the pile load test phase of the floodgate to proceed. Also there is a \$47,028 protective services fee to CSX that needs to be paid before we can enter CSX property. This is to pay for flagmen etc. to monitor the pile project while the contractor is on the right of way.

Public Works is requesting Council approval of the attached Right of Entry Agreement with CSX Transportation for the Floodgate Pile Load Testing Project with the \$47,028 protective services fee to CSX to be paid from funds appropriated to the project by the North Carolina General Assembly

RESULT:	WITHDRAWN
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- M. Adopt a Resolution Closing out the Water System Mapping AIA Grant – Rob Armstrong, Public Works Director

In 2021, the City was awarded a \$150,000 Asset Inventory Assessment (AIA) grant to begin mapping our water system. The first phase of mapping has been complete. Attached is a resolution closing out the AIA water system mapping grant.

Public Works is requesting Council adopt the attached resolution closing out the AIA Water System Mapping Grant.

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

N. Approval of Pocket Park Naming – Sarah Ward, Downtown Coordinator

The pocket park in downtown Lumberton was installed on a vacant lot donated by a local businessman. Since receiving the donation of land, City Staff and Main Street Lumberton have added a Lumberton flora and fauna wall mural, recreational infrastructure, and a metal sculpture.

With the pocket park in downtown Lumberton complete, Main Street Lumberton and City Staff are requesting City Council approval to name the pocket park located at 306 N. Elm Street, “Elm Street Pocket Park”.

Main Street Lumberton Advisory Board and City Staff are recommending City Council approve the naming of the Downtown Lumberton pocket park to “Elm Street Pocket Park.”

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

O. Appointment to ABC Board – Holt Moore, City Attorney

Mr. Cornell Underwood has been suggested for appointment to the ABC Board. He would be replacing Ms. Ericka Jones Whitaker. This position has been open for some months and the state Commission is urging the City to fill this vacancy per its guidelines.

<< Recommendation >>

RESULT:	APPROVED [8 TO 0]
MOVER:	Leroy Rising, Precinct 1
SECONDER:	Alfred Douglas, Precinct 6
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis

P. The designation of \$900 of CRF to Lumberton Alumnae Chapter of Delta Sigma Beta Sorority, Inc. for a Coat Drive for MLK Celebration – Holt Moore, City Attorney
Councilman Cantey would like to un-designate \$200 of CRF to Lumberton Alumnae Chapter of Delta Sigma Beta Sorority, Inc. for a Coat Drive for MLK Celebration.

Each council member designated \$100 of CRF to this cause.

Vanessa Burton, President of the Lumberton Alumnae Chapter of Delta Sigma Beta Sorority, Inc. and Commissioner Heather Siebles, of Fairmont appeared before Council and stated that they are present to bring clarity to the donation of funds for the coat drive held on MLK day. After a point of clarification and being stated that the funds are no longer needed, a motion was made a seconded to de-obligate the funds.

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

- Q. Resolution of Reimbursement - City Hall HVAC – Holt Moore, City Attorney
The award of the contract for the HVAC replacement in City Hall is on the 2/1/24 agenda for your consideration. In connection with that, staff would like your approval to use a Resolution of Reimbursement. This is a mechanism, approved by the NC Local Government Commission, whereby we will use City funds in order to be able to start the work as soon as possible, and then reimburse ourselves out of the eventual funding source(s) as those funds become available.
Approve use of Resolution of Reimbursement for City Hall HVAC work.

RESULT:	ADOPTED [8 TO 0]
MOVER:	Eric Chavis, Precinct 7
SECONDER:	Karen Higley, Precinct 4
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis

- R. Acceptance of Bid for City Hall HVAC Replacement – Brandon Love, Deputy City Manager
Scott Ennis, PE with the Wooten Company held two mandatory pre-bid meetings for the HVAC replacement for City Hall on Tuesday, December 19, 2023 and Friday, January 5, 2024. A total of three mechanical contractors attended the meetings. Bids for this work were accepted on Wednesday, January 17th and two contractors submitted bids. Because the pre-bid meetings were mandatory and at least three contractors attended, Mr. Ennis was able to open bids and consider the third contractor as a “no bid.” Attached you will find a certified bid tabulation, a copy of the low bid from Smith’s Refrigeration of Lumberton, a Letter of Recommendation from the Wooten Company, and a Notice of Award.
Staff asks that City Council accept the Wooten Company’s recommendation to award the HVAC replacement contract to Smith’s Refrigeration of Lumberton at a price of \$989,400 and authorize the issuance of the attached notice of award. We will be taking this recommendation to the Local Government Commission (LGC) at their March meeting for approval of the installment financing.

RESULT:	APPROVED [8 TO 0]
MOVER:	Owen Thomas, Mayor Pro Tem
SECONDER:	Eric Chavis, Precinct 7
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis

- S. Approval of De-obligation of Funds for Scope of Work Change – Brandon Love, Deputy City Manager
City Council previously entered into an agreement with the NCSU Coastal Dynamics Design Lab to administer certain grant funds related to the Scottish Packing boat ramp and wetlands

enhancement project. Due to the unfortunate fire which destroyed the old packing plant, the scope of the construction work has been significantly reduced. Thus, the funding anticipated from the EEG and BRIC grants to pay for administration should be reallocated in concert with the scope change to the overall project. The de-obligated funding may be used for other project related components such as the recently approved Duke Energy power line adjustments.

The initial funding amount directed towards grant administration was \$43,700 and the revised grant amount due to the reduced scope of the project is now \$28,750. Staff recommends that City Council de-obligate \$14,950 from grant administration and authorize the issuance of the attached de-obligation letter.

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

T. Replacement of City Hall Generator and Roof – Wayne Horne, City Manager

The City Hall generator that supports essential services such as 911 Center, the city's computer system and Scada system is down with a cracked head, the estimated cost for repairs is \$47,307.34. In September the radiator was replaced at a cost of \$22,000 along with an in-line heater. The generator when installed was used, so repairs will not be covered with a warranty. The cost for a 500 KW Caterpillar generator with a transfer switch and a 1200-gallon fuel tank on state contract is \$262,055.46, this price includes installation and 5yr warranty for labor and materials. Because of the 9-12 months' time require to order and install a new generator, staff request an appropriation of \$25,000 for a small generator and circuits modification for emergency backup power.

The roof on City Hall has been inspected by Ben Andrews and a roofing contractor who have determine that the current roof need to be replaced. We are losing shingles with heavy rains and strong winds, resulting in leaks on the 3rd floor. Replacing the roof with 25-year architectural shingles and making necessary repairs is estimated at \$80,000.

Staff recommends that Council consider approval of the 500 KW Caterpillar generator with transfer switch and 1,200-gallon fuel tank on state contract for \$262,055.46 and \$25,000 for a smaller emergency generator with transfer switch and circuits modification.

Staff also recommends that Council consider approval of \$80,000 appropriation for the replacement and repairs to City Hall roof with 25 year architectural shingles.

The attached Grant Project Ordinance releases \$500,000 in ARP funds from the SE Crossroads Industrial Park, water tank project, reallocating these funds to the City Hall generators and roof repair project.

RESULT:	APPROVED [8 TO 0]
MOVER:	Owen Thomas, Mayor Pro Tem
SECONDER:	Melissa Robinson, Precinct 2
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis

- U. Approve the designation of \$100 of CRF to the Robeson County Community Art Guild - Precinct 1 – Leroy Rising, Precinct 1

Councilman Rising is requesting \$100 of CRF to be given to Arts County Community Art Guild.

The Robeson Art Guild has been selected by the Contemporary Art Museum of Raleigh for an exhibition of Robeson County Art. This is a three-month exhibition beginning in March and is sponsored by The North Carolina Arts Council and Wells Fargo Corporation. It will be a repeat event for other counties throughout North Carolina, with Robeson initiating this.

The Guild must raise \$5000.00 in local funding to support this opportunity to present Robeson County to the State of North Carolina in a positive spot light. I am asking your support with a contribution to the Robeson Art Guild to assist us in achieving our goal.

If any other Council members would like to donate it will be greatly appreciated. If so, the check is made payable to:

Robeson Art Guild
P O Box 437
Lumberton, N C 28359

Designate \$100 of CRF from P1 to Robeson County Community Art Guild for the purpose stated above.

Approved the designation of \$750 to Robeson County Community Art Guild as follows:

P1 - \$100 P2 - \$50 P3 - \$100 P4 - \$100 P6 - \$100 P7 - \$100 P8 - \$100 and \$100 from the Mayor's discretionary fund.

RESULT:	APPROVED [8 TO 0]
MOVER:	Leroy Rising, Precinct 1
SECONDER:	Karen Higley, Precinct 4
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis

- V. Approve the designation of \$500.00 of CRF for Community Watch in Precinct 4 – Karen Higley, Precinct 4

Councilwoman Higley requests \$500.00 of CRF for Community Watch in Precinct 4.

Designate \$500.00 of CRF in Precinct 4 for Community Watch.

RESULT:	APPROVED [8 TO 0]
MOVER:	Karen Higley, Precinct 4
SECONDER:	Alfred Douglas, Precinct 6
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis

- W. Approve the designation of \$200.00 of CRF for Community Watch in Precinct 6 – Alfred Douglas, Precinct 6
Councilman Douglas requests \$200.00 of CRF for Community Watch in Precinct 6.
Designate \$200.00 of CRF in Precinct 6 for Community Watch.

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

- X. P8 - CRF Request for Robeson County Humane Society Golf Tournament – Owen Thomas, Mayor Pro Tem
Councilman Thomas is requesting \$100 of CRF for the Robeson County Humane Society's golf tournament.

Designate \$100 of CRF as indicated above.

Approve the designation of \$1,500 of CRF to Robeson County Humane Society as follows:

P1 - \$200 P2 - \$100 P3 - \$150 P4 - \$150 P5 - \$150 P6 - \$100 P7 - \$150 P8 - \$200 and \$300 from the Mayor's discretionary fund.

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

- Y. Mayor's Discretionary Fund - Handicapped Accessible Playground – Holt Moore, City Attorney
The Mayor would like to provide \$1,000 of his discretionary funds towards the handicapped-accessible playground which Kiwanis of Lumberton / Robeson County are constructing at Pennington Park. Any other contributions would be welcomed.
Approve use of discretionary funds and contribute as you would like.

Approve the designation of \$3,350 of CRF to the Kiwanis of Lumberton / Robeson County for a handicapped-accessible playground as follows:

P1 - \$500 P2 - \$100 P3 - \$200 P4 - \$300 P5 - \$50 P6 - \$100 P7 - \$100 P8 - \$1,000 and \$1,000 from the Mayor's discretionary fund.

RESULT:	APPROVED [8 TO 0]
MOVER:	Melissa Robinson, Precinct 2
SECONDER:	John Cantey, Precinct 5
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis

- Z. Acceptance of 2023 Non Primary Entitlement Grant – Gary Lewis, Airport Manager
The Airport receives \$150,000 per year as a non-competitive grant called Non Primary Entitlement Grant. These funds are directed and used for projects as determined by the Airport. This grant requires a local match of \$16,666.
It is recommended City Council approve a budget amendment accepting these funds of \$150,000 and providing the local match of \$16,666.

RESULT:	APPROVED [8 TO 0]
MOVER:	Leroy Rising, Precinct 1
SECONDER:	Karen Higley, Precinct 4
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis

- AA. Acceptance of Legislative Funds from the FY24 Transportation Reserve Program grant. – Gary Lewis, Airport Manager
The Lumberton Regional Airport has been awarded \$10,000,000 by the North Carolina Legislature. These funds will be administered through the Department of Transportation Division of Aviation from the FY24 Transportation Reserve Program. \$5,000,000 will be released to the Airport by late January or early February 2024 and the remaining \$5,000,000 will be released to the Airport by April 2024. This Grant will be used for Capital improvements to the Airport such as hangar development, runway extension, taxiway improvement, and land acquisition. This is a 100% Grant with no local match percentage required.
Recommend City Council accept the Transportation Reserve Grant in the amount of \$10,000,000.

RESULT:	APPROVED [8 TO 0]
MOVER:	Leroy Rising, Precinct 1
SECONDER:	Karen Higley, Precinct 4
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis

- AB. Authorize the Advertisement of Tax Liens – Wayne Horne, City Manager
In accordance with G.S. 105-369 the tax collector must report to the governing body the total amount of unpaid taxes for the current fiscal year that are liens on real property. A municipal tax collector's report is due the second Monday in February. Upon receipt of the report, the governing body must order the tax collector to advertise the tax liens. The total amount of unpaid taxes for the current fiscal year totals \$1,002,375.29 in real property.

That City Council directs the Tax Collector to advertise the attached tax liens.

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

AC. Graffiti Ordinance Revisions – Holt Moore, City Attorney

Council may recall that at a recent meeting you approved revisions to the ordinance regarding graffiti. Because the ordinance involves a misdemeanor as a penalty option, a second reading is required. We request that Council confirm the approval of the revised ordinance with a misdemeanor fine of up to \$500 for graffiti-related violations.

Confirm changes to graffiti ordinance upon second reading.

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

AD. Approval of a 2023 Pickup Truck for the Airport – Gary Lewis, Airport Manager

The Airport wishes to purchase a 2023 pickup truck to replace our 2001 truck. One is available from Capital Chevrolet Inc. The purchase price is \$48,461.48. The Airport has \$50,000 budgeted for the purchase.

RESULT:	APPROVED [8 TO 0]
MOVER:	Eric Chavis, Precinct 7
SECONDER:	Owen Thomas, Mayor Pro Tem
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis

AE. Approve the designation of \$200.00 of Community Revitalization Funds for McCormick Chapel Youth Program from Precinct 5 – Holt Moore, City Attorney
Councilman Cantey requests \$200.00 of CRF for McCormick Chapel Youth Department.
Designate \$200.00 of CRF to McCormick Chapel Youth Department.

Funds were designated as follows: P5 - \$200 and P6 - \$100 for a total of \$300.00

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

VII. ADJOURNMENT