



CITY OF LUMBERTON

CITY COUNCIL

MINUTES • JANUARY 11, 2023

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	
Leroy Rising	Precinct 1	Present	
Melissa Robinson	Precinct 2	Excused	
John R. Carroll	Precinct 3	Present	
Karen Higley	Mayor Pro Tem	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	Excused	
Brandon Love	Deputy City Manager	Present	
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

Ms. Mary Gipson, Small Business Administration appeared before Council and stated that she has reached out to our Public Information Officer, Bill French and our City Manager prior to coming today. She also stated that she has reached out to Ms. Sarah Beth to have information posted to our website concerning small businesses that could have been economically impacted from Hurricane Ian. She stated you may not have had any physical damage but you could see economic impact by now. I am encouraging small businesses to apply and will have until August 21 to do so.

III. COMMUNICATIONS

A. Reports

1. Katie Fountain, Director of Robeson County Public Library - Library Service Update –

Ms. Katie Fountain, Director of Robeson County Public Library along with Mr. Patrick Parker appeared before Council give an update of the library services. Ms. Fountain discussed the addition to programming highlighting the availability for residents in the County to rent Google Chromebooks. There are 50 available for rent. She stated that there are four literary centers throughout the county with one being located here in Lumberton at the laundromat on Roberts Avenue. She stated that this is a place where children can read and learn at a time when they are with their parents.

She also stated that they are baby welcome bags to send to UNC Health Southern; encourage reading from all ages, and how the library has relaunched the “1000 books before kindergarten” program.

Ms. Fountain announced grant funds that are intended to grow library services in the Native American communities. Councilman Howard proceeded to ask, what is the library doing to make similar progressions in African -American communities.

Ms. Fountain stated that the library system has a five-year strategic plan, which was implemented July 1, 2021, and a part of that plan is “trying to be strategic and intentional” in this context. The library has

RESULT:	ANNOUNCED
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B. General

1. JoAnne Branch - Sail Initiative –

Ms. JoAnne Branch, Chair, Board of Directors for Sail Initiative, appeared before City Council stating that Sail Initiative is an organization which raises funds to operate Breeches Buoy Addiction Medicine Services, which help patients with critical substance abuse disorder at UNC Health Southeastern.

Ms. Branch stated that in the past 18 months, nearly 2,300 patients have received help from this service with 70% of the patients moving on to receive treatment. At the beginning of her presentation, she had asked that Council remember the numbers 19-19-14, which she stated that 19 patients were referred to Breeches Buoy on Monday 1/9, another 19 on Tuesday and 14 had already been referred today before the 11:00 a.m. meeting.

Ms. Branch stated that over 60% of the referrals to the Robeson County Department of Social Services are secondary to substance use disorder and within the neonatal intensive care unit 70% of infants are being treated for withdrawals due to substance use disorder from the mother.

Councilman Howard expressed his concerns/feeling as to the work that is being done to help with this type of disorder and with that said Councilman Howard made a motion, seconded by Councilman Chavis, with donations made as follows:

P1 - \$500 P2 - \$200 P3 - \$500 P4 - \$500 P5 - \$200 P6 - \$500 P7 - \$500 and P8 - \$500 for a total of \$3,400.

RESULT:	ANNOUNCED
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IV. PUBLIC HEARINGS:

- A. SUP Request - Jimmy Cox 163 Crestwood Dr. – ArTriel Kirchner, Planning Director
Jimmy Ray Cox is requesting a Special Use Permit to build a mother-in-law suite addition at 163 Crestwood Dr. in the backyard. Parcel #100202032, Deed Book 02311, pg. 707 The addition is approx. 20’ by 33’. The maximum is 750 square feet, per the Variance. Use 1.130 Single Family residences with accessory apartment requires a Special Use Permit in the R-20 zoning district. This property is located within the ETJ.

The Land Use Plan designates the future use of this parcel as rural.

The Planning Staff recommends that City Council hold today's public hearing and approve the Special Use Permit request without the requested added condition that the accessory apartment cannot be used for rental property.

Mayor Davis opened the public hearing for the purpose of considering an amendment to the Land Use Ordinance by issuing a Special Use Permit for property located at 163 Crestwood Drive to build a mother-in-law suite. City Clerk Mitchell-McIntosh submitted the Affidavit of Publication showing that the hearing was advertised in **The Robesonian**.

Mr. Jimmy Cox appeared to speak and stated that he was born here and has a total of 51 years of military service and federal employment. He stated that he has always wanted to live in Greenview Acres and he purchased this home way before he moved back. He has several siblings that live there and he moved in on November 21st. He stated that he really does not understand why the Planning Board placed a condition on the permit.

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

Councilman Rising stated additional dwelling units are common now and do not understand why a condition would be placed on this. He asked Director Kirchner if the Planning Board stated the reason why. She stated that they really did not give a reason.

The Special Use Permit was approved with no conditions attached.

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

B. FY17 COMMUNITY DEVELOPMENT BLOCK GRANT INFRASTRUCTURE (CDBG-I) PROGRAM SEWER SYSTEM IMPROVEMENTS GRANT #17-I-2967 – Stephanie Canady, CDBG Administrator

This project addressed failing septic systems at the Rosewood Mobile Home Park on Elizabethtown Road. These failing septic systems could have led to environmental and public health issues. Some residents of the mobile home park were already served by City sewer, however, the existing pump station at Gavintown Road was unable to handle the additional flow from the MHP. After Hurricane Matthew, it became a priority of the City to improve housing conditions. Project activities included the installation of approximately 3,800 LF of gravity sewer lines, construction of a new sewer lift station to handle the additional flow, and approximately 3,000 LF of force main to route the sewer discharge to the Harrill Road pump station. Offsite work generally included force main installation along Elizabethtown and Harrill Roads. The original grant amount was \$1,997,500. The grant funds received was \$1,736,238.19 and \$261,261.81 deobligated, City of Lumberton funds in the amount of \$5,124.00 was utilized for LMI units and funds from Rosewood MHP in the amount of \$25,900 to serve the non-LMI household in the project area.

Staff recommends holding the public hearing and review any public comments.

Mayor Davis opened the public hearing for the purpose of reviewing and assessing the performance of the City's FY17 Community Development Block Grant Infrastructure project for the Rosewood Mobile Home Park Wastewater System Improvements and allow the residents of Lumberton an opportunity to express their views. City Clerk Mitchell-McIntosh submitted the Affidavit of Publication showing that the hearing was advertised in **The Robesonian**.

**FY17 COMMUNITY DEVELOPMENT BLOCK GRANT INFRASTRUCTURE (CDBG-I) PROGRAM
SEWER SYSTEM IMPROVEMENTS GRANT #17-I-2967****PURPOSE OF HEARING**

The purpose of the public hearing is to discuss the program performance for the FY17 Community Development Block Grant- Infrastructure (CDBG-I) project for the sewer system improvements project and allow residents an opportunity to express their views.

PROJECT SUMMARY

This project addressed failing septic systems at the Rosewood Mobile Home Park on Elizabethtown Road. These failing septic systems could have led to environmental and public health issues. Some residents of the mobile home park were

already served by City sewer, however, the existing pump station at Gavintown Road was unable to handle the additional flow from the MHP. After Hurricane Matthew, it became a priority of the City to improve housing conditions.

Project activities included the installation of approximately 3,800 LF of gravity sewer lines, the construction of a new sewer lift station to handle the additional flow, and approximately 3,000 LF of force main to route the sewer discharge

to the Harrill Road pump station. Offsite work generally included force main installation along Elizabethtown and Harrill Roads. The original grant amount was \$1,997,500. Total grant funds expended \$1,736,238.19 and \$261,261.81

deobligated, City of Lumberton funds in the amount of \$5,124 was utilized for LMI units and Rosewood Mobile Home Park in the amount \$25,900 to serve the Non-LMI households in the project area.

Rosewood Mobile Home Park was plagued by sewerage disposal problems due to the age of the septic system. The MHP owner attempted to address this problem by removing homes from the park however the problems persisted

necessitating the gravity sewer installation and new pump station. Rosewood MHP serves low to moderate-income residents that could not afford the cost of the improvements. 49 LMI homes were initially intended to be connected to the new system.

PROJECT SCOPE

CDBG funds allowed the City to extended public sewer service to the LMI areas of the city.

Proposed activities:

1. Installing approximately 3400 LF of 8" diameter Gravity Sanitary Sewer Collection System along with manholes,

a. 105 lots occupied by LMI residents received new connections paid for with CDBG-I grant funds.

b. 7 lots received new connection paid for with \$5,124 of the City of Lumberton funds.

c. 19 lots received new connections paid for with \$15,029 of the Rosewood Mobile Home Park 2

d. Unserved lots will have a 4" diameter service available for the home's tie-in eliminating the need for septic tank disposal.

Project Performance and Accomplishment**CHANGES TO THE PROJECT**

There was one (1) change order and one budget amendment to the project approved during the course of construction.

#1- Adjustment of final contract quantities

a. The following contract quantities were adjusted:

Item No.	Description	Bid Qty	Actual Qty	
6,7,8	6-inch Force Main*		2,745 LF	2,661 LF
9	16-inch Bore & Jack*	107 LF	53 LF	
16	4" Sewer Service LMI	41 EA	32 EA	
17	4" Sewer Service non-LMI	16 EA	19 EA	

18,19	Plumbing reconnection	11 EA	10 EA
20 S	septic Tank Abandonment	40 EA	44 EA
21	Septic Tank Removal	3 EA	0 EA
24	Connect 8" SS to Ex. MH	4 EA	5 EA
27	Asphalt Paving Patching	3,340 SY	2,944 SY
30	Undercut	365 CY	31 CY
31	Select Backfill	450 CY	0 CY
32	Rock Excavation	50 CY	0 CY
33	Tree Removal up to 24"	21 EA	12 EA
35	Tree Protection	25 EA	0 EA
37	Const. Entrance, 12" D/W Pipe	1 EA	0 EA
38	Silt Fence Outlet	13 EA	6 EA
39	Check Dams	4 EA	0 EA
40	Inlet Protection	11 EA	4 EA
41	Silt Fence	8,000 LF	5,400 LF
42	EC Matting	85 SY	1,450 SY
46	Liquid Propane Allowance	\$1,200	\$1,410

*A new SSMH was set by others on the west side of Harrill Road eliminating the need for a bore and jack and associated force main piping.

Unit price contract quantities are an estimate and often are adjusted during the prosecution of the work.

PROJECT BUDGET

Project Activities

	Proposed Budget (At Time of Construction Contract)		
	CDBG-I	MHP Funds	City Funds
Total			
Wastewater Improvements (Including Engineering, Construction Inspection)	\$1,745,469.00	\$25,900	\$0.00
\$1,771,369.00			
Administration (Including City reimbursements)		\$177,750.00	\$0.00
\$177,750.00			
Total	\$1,950,119.00	\$0.00	\$0.00
\$1,950,119.00			
Percent	98.67%	1.33%	0%
100%			

Project Activities

	Final Budget (Expended)		
	CDBG-I	MHP Funds	City Funds
Total			
Wastewater Improvements (Including Engineering, Construction Inspection)	\$1,587,689.58	\$15,029	\$5,124
\$1,756,391.19			
Administration (Including City reimbursements)		\$136,048.61	\$0.00
\$136,048.61			
Total	\$1,723,738.19	\$15,029	\$5,124
Percent	%	%	
100%			

The total CDBG-I grant is \$1,997,500.00. **Eligible CDBG-I activities were maximized with this project.** City funds in the amount of \$5,124 were utilized for 7 Non-LMI Units. The Rosewood Mobile Home Park funds in the amount of \$25,900

for 19 Non-LMI Units. Because not all water funds were used, administrative funds also need to be returned to the State.

A total of \$261,261.81 is being deobligated.

Project Activities to CDBG	Budget	Expended	% Expended	Return
Rehabilitation (City Contribution)	\$0.00	\$5,124.00		
N/A	N/A			
Rehabilitation (RW MHP Contribution)	\$25,900.00	\$15,029.00		58.03%
N/A				
Rehabilitation (LMI Connections)	\$183,450.00	\$114,766.09	62%	
\$68,683.91				
Wastewater (Construction & Engineering)	\$1,636,300.00	\$1,472,923.49	90%	
\$163,376.51				
Administration (Including PER, Enviro, Grant Admin & City Reimbursements)	\$177,750.00	\$148,548.61	83%	
\$29,201.39				
	\$2,023,400.00	\$1,756,391.19		\$261,261.81

PROJECT BENEFIT

This project provided a combination of city-wide and income surveyed benefit, with 544 persons will be assisted with

improved access to public sewer, with a LMI benefit of approximately 96.82%. No new connections took place. Estimated benefit according to American Community Survey and income survey data combined:

Persons Assisted	Number
Elderly and/or disabled	12HH/ 13 P
Female Head-of-Household	11
White	15
Black/African American	24
Multi-Racial	246
Hispanic (of any race)	235

PROJECT COMPLIANCE & PERFORMANCE

A combination of City Administration Staff and Public Works Staff provided oversight of all contracted parties required to

complete this project. While there have been a few bumps in the road and extensions, largely attributed to weather

delays, COVID-19, navigating work during school operation, and additional time needed for locating existing water utilities

for reconnections, this has been a successful project and *generally* remained in compliance with the required federal

regulations associated with funding. The project was monitored twice. The City also conducted quarterly activities to

affirmatively further fair housing to maintain compliance with its fair housing plan and Assessment of Fair Housing. Such

activities included distribution of FH info to public places, housing-related entities, a community survey, presentations,

and outreach via community-wide mailings and the City's website.

CITIZEN COMMENTS

Comments should be postmarked no later than [Wednesday, January 4, 2023](#), and a written response will be made within 10 business days. A written response will be made within 10 business days for comments received. Public grant documents are available at City Hall upon request, between the hours of 9:00 AM and 4:00 PM. Hours and access may be limited to COVID-19. For additional information or to submit written comments, please contact:

Laney Mitchell-McIntosh, City Clerk
City of Lumberton
PO Box 1388
500 N Cedar St,
Lumberton, NC 28359
PH:
FX:
TDD:
scanady@ci.lumberton.nc.us
<http://www.ci.lumberton.nc.us/>

This This information is available in Spanish or any other language upon request. Please contact (Community Development Administrator Brian Nolley) at (910-671-3844) or at (PO Box 1388, 500 N Cedar Street, Lumberton, NC 28358) for accommodations for this request. Esta información está disponible en español o en cualquier otro idioma bajo petición. Por favor, póngase en contacto con (Community Development Administrator Stephanie Canaday) al (910-671-3844) o en (PO Box 1388, 500 N Cedar Street, Lumberton, NC 2835) de alojamiento para esta solicitud.

Photos are on attachment.

RESULT:	NOT APPLICABLE
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V. CONSENT AGENDA

A. Minutes Approval

1. City Council - Regular Meeting - Dec 7, 2022 11:00 AM -

RESULT:	ACCEPTED [7 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Robinson

VI. AGENDA ITEMS FOR COUNCIL'S CONSIDERATION

A. Audit Presentation - Mr. Alan Thompson with Thompson, Price, Scott, Adams & Company

Mr. Alan Thompson, Thompson, Price, Scott, Adams & Co, appeared before City Council to present an audit report. He stated that the City finances has received a clean report by issuing a unmodified report, which is the highest level of a quote-unquote clean report. He stated that the total fund balance for the general fund is \$8,045,768 for FY2021, which is up from the \$5,832,914 in 2021.

After reviewing the financials, Mr. Thompson stated that the City remain on the Local Government Commission's "watch list" based on the general fund balance and how that compares as a percentage to its general fund expenditures. The Local Government Commission says its threshold is 25% and the City is at a 19.07%.

There was some discussion as to the impact of the disasters and COVID-19 pandemic have had on these numbers as well as how the American Rescue Plan Act (ARPA). Councilman Rising stating that the City will no longer receive the ARPA funds and this needs to be a conservative year.

B. HMGP Florence Asbestos Services Recommendation – Stephanie Canady, CDBG Administrator

The city received quotes for asbestos services for the HMGP Florence program. Attached you will find the quotes from companies expressing interest in providing these services. With Kennan Construction & Consulting, Co. having the lowest quote at \$575.00/per house including samples for inspection and \$125.00 per house for clearance. Staff recommends awarding the asbestos services to Keenan Construction and Consulting, Co.

RESULT:	APPROVED [7 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Leroy Rising, Precinct 1
AYES:	Rising, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Robinson

- C. Approval of __Multi Band Radio Purchase_____ – Bill French, Emergency Services Director

You probably recall last year when I installed the 800 mhz Viper system in the 911 Center. We will still use our VHF and UHF radios along with the 800 mhz radios. I have been looking for a radio that has all three bands (VHF, UHF and 800 Viper). Kenwood is now making one that has all 3, the VM7000. It is somewhat pricy due to it having to have a separate module for each band. Having all 3 on one control head and instant access to all three is important. These radios are proprietary and not many manufacturers make them like this. I got two quotations from vendors that make these kinds of radios: From TriComm (which is a local vendor) the Kenwood Viking VM-7000 for \$5,674.85 and from Mobile Communications America the Motorola APX-8500 for \$7,779.50 installed. I am recommending Council approve the purchase of the Kenwood Viking VM7000 for \$5,674.85. I have adequate funds in my budget to purchase this radio in my 2605 inventory/non fixed asset budget.

RESULT:	APPROVED [7 TO 0]
MOVER:	John R. Carroll, Precinct 3
SECONDER:	Karen Higley, Mayor Pro Tem
AYES:	Rising, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Robinson

- D. Tanglewood Drainage Project Change Order #3 – Rob Armstrong, Public Works Director
- Attached is Change Order #3 from Terrahawk LLC for \$309,377.75 for the Tanglewood Drainage Project. This Change Order covers select backfill material required when unsuitable soils were encountered. The Change Order also covers overruns for curb and gutter and sidewalk replacement that was not originally anticipated. Public Works proposes to pay for this change order amount using State Legislative Appropriations allocated for drainage infrastructure.
- Public Works is requesting Council approval of the Tanglewood Drainage Project Change Order #3 with Terrahawk LLC for \$309,377.75 to be paid for from State Appropriations for Drainage Infrastructure.

RESULT:	APPROVED [7 TO 0]
MOVER:	Chris Howard, Precinct 6
SECONDER:	John R. Carroll, Precinct 3
AYES:	Rising, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Robinson

- E. Meredith A. Edwards is requesting a Special Use Permit to operate a family entertainment center (Game Centers-with more than 5 arcade games) at 3561 Lackey Street. – ArTriel Kirchner, Planning Director

Analysis: Meredith A. Edwards is requesting a Special Use Permit to operate a family entertainment center with more than 5 arcade games at 3561 Lackey Street. The proposed use of the property, indoor miniature golf and arcade with more than 5 arcade machines, is considered a combination use (6.110 & 6.150). Use # 6.150 (Game Centers-with more than 5 arcade games) require a special use permit in the B-5 zoning district.

The Planning Staff asks City Council to hold today's public hearing and approve the Special Use Permit request with the condition that the business hours be from 8 am to 11 pm and no alcohol be allowed on premises.

RESULT:	REFERRED [7 TO 0]	Next: 1/24/2023 6:00 PM
MOVER:	Owen Thomas, Precinct 8	
SECONDER:	Eric Chavis, Precinct 7	
AYES:	Rising, Carroll, Higley, Cantey, Howard, Chavis, Thomas	
ABSTAIN:	Davis	
EXCUSED:	Robinson	

- F. Special Use Permit/Rezoning Request: Greg Caulder is requesting a Special Use Permit and Rezoning for a Major Subdivision located on Meadow Road. – ArTriel Kirchner, Planning Director

Greg Caulder is requesting a Special Use Permit and Rezoning for a Major Subdivision to include an Architecturally Integrated Subdivision located on Meadow Road (parcel # 1004-02-08068/Deed Book 2337/Page 857; Map Book 58/ Page 72). This property is zoned B-3 (Office Residential) and 'A' (Agriculture). The subdivision requires a Special Use Permit and they are requesting the portion zoned Agriculture be rezoned to B-3, office/residential.

The Planning staff asks City Council to hold today's public hearing and approve the rezoning and Special Use Permit request with the condition that the development will not exceed 16 town homes as presented in the packet.

RESULT:	REFERRED [7 TO 0]	Next: 2/8/2023 11:00 AM
MOVER:	Leroy Rising, Precinct 1	
SECONDER:	John R. Carroll, Precinct 3	
AYES:	Rising, Carroll, Higley, Cantey, Howard, Chavis, Thomas	
ABSTAIN:	Davis	
EXCUSED:	Robinson	

G. I-95 / I-74 Industrial Park Overlay District Ordinance Amendment – ArTriel Kirchner, Planning Director

The Planning Department asks Council to approve an ordinance amendment for the I-95 / I-74 Industrial Park Overlay District. The proposed amendments are as follows:

- Add setback requirements for freestanding and high-rise signs.
- Add entrance sign regulations.
- Add directional sign regulations.

The Planning Board held the public meeting on February 21, 2023, and with a unanimous vote, recommends that City Council approve the rezoning request.

The Planning Department recommends Council approve the ordinance amendment for the I-95 / I-74 Industrial Park Overlay District.

RESULT:	REFERRED [7 TO 0]	Next: 2/21/2023 6:00 PM
MOVER:	Eric Chavis, Precinct 7	
SECONDER:	Owen Thomas, Precinct 8	
AYES:	Rising, Carroll, Higley, Cantey, Howard, Chavis, Thomas	
ABSTAIN:	Davis	
EXCUSED:	Robinson	

H. Approval to Accept Lumber River Council of Governments Quote to Further Update the Land Use Ordinance – ArTriel Kirchner, Planning Director

Attached you will find two quotes for further updates to the Land Use Ordinance. The Planning Department, during the Capital Improvement Plan, requested \$35,000 for the updates to the Land Use Ordinance. Since that time the cost to update has increased, and we are asking Council to accept Lumber River Council of Government's quote of \$50,000 (an increase of (\$15,000)) to complete the revisions. This will be paid out of the budget for contracted services and maintenance.

That Council approve Lumber River Council of Government's quote of \$50,000 for further updates to the Land Use Permit.

RESULT:	APPROVED [7 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Robinson

I. Increase Planning Application Fees – ArTriel Kirchner, Planning Director

Due to the increase in advertisement costs (in the Robesonian), the Planning Department asks Council to increase the following application fees:

- Rezoning fees from \$250.00 to \$350.00
- Variance fees from \$250.00 to \$350.00
- Special Use Permit fees from \$250.00 to \$350.00
- Appeal fees from \$250.00 to \$350.00
- Annexation fees from \$100.00 to \$200.00
- Zoning letter fee from \$5.00 to \$15.00
- Also, we recommend adding a fee for Zoning Text Amendments to be set at \$300.00

According to our records, rezoning, variance, special use permit, appeal, and annexation fees have not been changed since before 2001.

All of the applications mentioned above, excluding zoning letters) require, either by General Statutes or the Land Use Ordinance or both, to be advertised in a newspaper with general circulation.

<< Recommendation >>

RESULT:	APPROVED [7 TO 0]
MOVER:	Leroy Rising, Precinct 1
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Robinson

- J. Consideration of NCDOT Property Offer - Parcel #274 – Holt Moore, City Attorney
As we have discussed, NCDOT will need to take a number of easements and outright ownerships of property due to the widening of I-95. This item pertains to one of those, and the information relating to the property is attached. This property, and the three others that are coming before you today, are largely in the floodway or remote locations, and have little monetary value. For this reason, staff is recommending accepting DOT's offer, in hopes that it will benefit our credibility when we argue for higher values on other parcels in more valuable locations. All of these transactions will be contingent upon resolving any access issues to City maintained facilities that may exist.

Accept NCDOT's offer for a permanent easement on parcel number 274 for \$11,425.00.

RESULT:	APPROVED [7 TO 0]
MOVER:	Leroy Rising, Precinct 1
SECONDER:	John Cantey, Precinct 5
AYES:	Rising, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Robinson

- K. Consideration of NCDOT Property Offer - Parcel 264 – Holt Moore, City Attorney
As we have discussed, NCDOT will need to take a number of easements and outright

ownerships of property due to the widening of I-95. This item pertains to one of those, and the information relating to the property is attached. This property, and the three others coming before you today are largely in the floodway or in remote locations, and have little monetary value. For this reason, staff is recommending accepting DOT's offer, in hopes that it will benefit our credibility when we argue for higher values on other parcels in more valuable locations. All of these transactions will be contingent upon resolving any access issues to City maintained facilities that may exist.

Accept NCDOT's offer of \$19,275 for right of way and easement on parcel number 264.

RESULT:	APPROVED [7 TO 0]
MOVER:	Leroy Rising, Precinct 1
SECONDER:	John Cantey, Precinct 5
AYES:	Rising, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Robinson

- L. Consideration of NCDOT Property Offer - Parcel #171 – Holt Moore, City Attorney
As we have discussed, NCDOT will need to take a number of easements and outright ownerships of property due to the widening of I-95. This item pertains to one of those, and the information relating to the property is attached. This property, and the three others coming before you today are largely in the floodway or in remote locations, and have little monetary value. The property involved in this particular item is miniscule, not even visible on the maps. It is the point on the parcel closest to I-95. For this reason, staff is recommending accepting DOT's offer, in hopes that it will benefit our credibility when we argue for higher values on other parcels in more valuable locations. All of these transactions will be contingent upon resolving any access issues to City maintained facilities that may exist.

Accept offer of \$25 from NCDOT for .002-acre easement on parcel number #171.

RESULT:	APPROVED [7 TO 0]
MOVER:	Leroy Rising, Precinct 1
SECONDER:	John Cantey, Precinct 5
AYES:	Rising, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Robinson

- M. Consideration of NCDOT Property Offer – Holt Moore, City Attorney
As we have discussed, NCDOT will need to take a number of easements and outright ownerships of property due to the widening of I-95. This item pertains to one of those, and the information relating to the property is attached. This property, and the two that follow are largely in the floodway or remote locations, and have little monetary value. For this reason, staff is recommending accepting DOT's offer, in hopes that it will benefit our credibility when we argue for higher values on other parcels in more valuable locations. All of these transactions will be contingent upon resolving any access issues to City maintained

facilities that may exist.

Accept NCDOT's offer for a right of way and easement on parcel 273 for \$27,675.

RESULT:	APPROVED [7 TO 0]
MOVER:	Leroy Rising, Precinct 1
SECONDER:	John Cantey, Precinct 5
AYES:	Rising, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Robinson

N. Amendment to NCDOT 2nd Street Bridge Offer – Holt Moore, City Attorney

At your regular November meeting, Council approved a resolution regarding an offer from NCDOT for property surrounding the 2nd Street bridge. The offer was \$19,500. NCDOT has since realized that some of that property actually belonged to another owner and not the City. They thus reduced their offer proportionally to \$8,575. We countered with \$11,150, which was accepted. The amended documents are attached. This was the same amount of increase we asked for the first time, but the percentage of increase, given the new smaller purchase price, equates to 30% whereas before that same amount was only 15% of the original offer. Staff believes this to be a reasonable resolution.

Staff recommends approving the amended offer from NCDOT and authorizing staff to have the necessary paperwork executed and returned to NCDOT.

RESULT:	APPROVED [7 TO 0]
MOVER:	Leroy Rising, Precinct 1
SECONDER:	John Cantey, Precinct 5
AYES:	Rising, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Robinson

O. Consideration of Property Exchange – Holt Moore, City Attorney

Because of the expansion of I95, Lamar properties is going to have to relocate several signs along Dawn Drive. Lamar, and French Family Properties have proposed a property exchange with the City, in order for Lamar to relocate some of their signs; some signs will be removed entirely. The property they are seeking was actually donated to the City by French Family Properties. Staff believes the swap is fair and equal and will not negatively impact the City. The properties they plan to provide to the City are highlighted on the attached map in orange, and the properties they seek are highlighted in blue. The state statute requires that Lamar be allowed to relocate under these circumstances (DOT expansion), and this appears to be the only way to comply with the statute.

Approve proposed property exchange.

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

- P. Approve the designation of \$300.00 of CRF for the Dr. Martin Luther King, Jr. Celebration to the Robeson County Black Caucus – John Cantey, Precinct 5
Councilmen Cantey and Howard request \$300.00 of CRF to be given to the Robeson County Black Caucus for the Dr. Martin Luther King, Jr. Celebration on January 16, 2023. Last year, City Council designated \$1,650 to this cause; however, the check was returned due to COVID. Funds are designated as follows: P5 - \$200 and P6 - \$100.
Designate \$300.00 of CRF to the Robeson County Black Caucus for the Dr. Martin Luther King, Jr. Celebration as follows: P5 - \$200 and P6 - \$100.

Donations were given as follows:

P1 - \$100
P2 - \$200
P3 - \$150
P4 - \$200
P5 - \$300
P6 - \$250
P7 - \$150
P8 - \$200 for a total of \$1,550.

RESULT:	APPROVED [7 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Robinson

- Q. Legislative Goals 2023 – Holt Moore, City Attorney
Every year the NC League of Municipalities asks for input as to which items should be priorities in terms of legislative goals. Attached is a list of 16 potential goals, and they ask each municipality to select 10, and submit those through a Voting Delegate. Councilman Thomas has agreed to serve as Voting Delegate this year. At your convenience, please review the list and share your thoughts with Councilman Thomas as to the 10 you would select.

No action is needed at the meeting; do let Councilman Thomas know your preferences as to legislative goals.

RESULT:	NOT APPLICABLE
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- R. Approval of EPA Brownfields Grant Administration Contract – Brandon Love, Deputy City Manager

At its regularly scheduled December meeting, City Council approved awarding the EPA Brownfields Assessment Grant administration to Terracon, Inc. Staff has since received a formal proposal defining all levels of service for this contract (see attached).

It is recommended that City Council authorize staff to execute the attached contract with Terracon, Inc. for administration of the FY22 EPA Brownfields Assessment Grant in the amount of \$493,000. The EPA grant awarded to the City of Lumberton will fund 100% of this contract.

RESULT:	APPROVED [7 TO 0]
MOVER:	John R. Carroll, Precinct 3
SECONDER:	Karen Higley, Mayor Pro Tem
AYES:	Rising, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Robinson

- S. Change order for Sub-Station #2 Transformer oil Re-inhibitor – Greg Prevatte, Electric Utilities Director

On September 28th 2022 council approved the oil re-inhibiting of two transformers at POD #2 located at 980 Wesley Pines Rd., at a cost of \$25,534. In the process of re-inhibiting these two units its we found that one of these units was 100 gallons low in oil. The cost to replace this oil was an additional \$1,800. SD Myers also charged a 7% price increase which was \$1,744. This would put the total cost of this project to \$29,078. EUD budgeted \$40,000 for POD #2 Sub-station maintenance.

The Electric Utilities Department is requesting approval of the change order for the additional cost of \$3,544. This will bring the total cost of the oil re-inhibiting process to \$29,078.

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

- T. I-95 Widening Utility Relocation Agreements – Holt Moore, City Attorney

As part of the I-95 widening, there will be a considerable amount of relocation of City utilities. Our contract engineering firm, Progressive Engineering, has completed the attached forms and draft agreements, which will be presented to NCDOT as part of ongoing discussions about the financial responsibility and amounts for these relocations. Staff has added this to today's agenda in order that these negotiations can begin as soon as possible to reach resolutions on these figures as soon as possible as well.

Approve URA documents prepared by Progressive Engineering.

RESULT:	APPROVED [7 TO 0]
MOVER:	Leroy Rising, Precinct 1
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Robinson

- U. Approve the designation of \$100.00 of CRF to the Public Schools of Robeson County Golf Tournament – Eric Chavis, Precinct 7

Councilman Chavis would like to donate \$100 of CRF to the Public Schools of Robeson County Golf Tournament. All proceeds from the tournament will go towards Scholarships for 6 high schools students with the Public Schools of Robeson County (1 from each High School).

Donate \$100 of CRF to the Public Schools of Robeson County Golf Tournament for scholarships.

Donations were given as follows:

P1 - \$100

P2 - \$100

P3 - \$100

P4 - \$100

P5 - \$50

P6 - \$100

P7 - \$100

P8 - \$100 for a total of \$750.00

RESULT:	APPROVED [7 TO 0]
MOVER:	Eric Chavis, Precinct 7
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Robinson

- V. Authorize the Police Department to Apply for a Juvenile Justice Grant in the amount of \$200,000 With no Local Match – Michael McNeill, Police Chief

The Lumberton Police Department has received notification of open solicitation for a Juvenile Justice Grant in the amount of \$200,000. The deadline for the application is January 31, 2023, so we felt it expedient that we present this item before Council today. Local government agencies are eligible to apply as it involves direct services to justice-involved and at-risk youth. Application are due this year; however, the grant period will begin January 1, 2024 – December 31, 2025.

It is requested that the Lumberton Police Department be granted permission to apply for and submit the Juvenile Justice Grant application.

RESULT:	APPROVED [7 TO 0]
MOVER:	Karen Higley, Mayor Pro Tem
SECONDER:	John R. Carroll, Precinct 3
AYES:	Rising, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Robinson

VII. ADJOURNMENT