CITY OF LUMBERTON

CITY COUNCIL

MINUTES ● JANUARY 8, 2024

Regular Meeting **Council Chambers** **6:00 PM**

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	Present	
Holt Moore	City Attorney	Present	
Laney Mitchell-McIntosh	City Clerk	Present	

2. Invocation: City Attorney Holt Moore –

3. Pledge of Allegiance: Councilman Leroy Rising –

4. Boy Scout Troop 301 –

   Boy Scout Troop 301 were in attendance and were recognized as the last day of being a cub scouts and are now moving on to be boy scouts. There were eight scouts and two leaders in attendance.

II. MINUTES APPROVAL

A. City Council - Regular Meeting - Nov 13, 2023 6:00 PM –

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

III. PUBLIC COMMENT PERIOD:

Eshonda Hooper – Spoke in reference to the MLK Parade. She stated that we are trying to bring positivity in the community.

Shalonda Regan – Came before Council bringing thanks for all of their support to the Voices of Robeson County Community Choir – Voices of Robeson.

IV. RETIREES' RECOGNITION

A. Christoper Mark White - Sr. Fire Captain - 30 years of service –

B. Frank Hunt - Motor Equipment Operator One - 14 years of service –

C. Lorenzo Wilson - Crew Supervisor - 21 years of Service - Recreation Department –

D. Charles E. Evans - Crew Supervisor - 21 Years of service with Public Works –

E. Joseph E. Thompson - Police Corporal Detective - 13 years of service - LPD –

F. Deborah M. Parker - Plant Chemist - 25 years of service - Environmental Utility Services –

V. CONSENT AGENDA

A. Ratify the Purchase of a Special Asphalt Trailer for Public Works - City Manager
On December 4, 2023, a poll was conducted for Public Works to consider purchasing a special asphalt trailer that can keep bulk amounts of hot asphalt at service temperature for many days. Since the I-95 widening project has gotten underway, we have many more utility patches to deal with. In the summer months hot mix asphalt is usually readily available to patch utility cuts quickly. In the colder months, the asphalt plant shuts down for extended periods of time and in the past, we have relied on a temporary patch method using a cold mix of asphalt that is stored at PW. We have found that these temporary patches don't hold up very long, so when cold patch is used, we have to keep going back to multiple patches over the winter to maintain them. Last winter, we experimented with a new method, by renting a special asphalt trailer that can keep bulk amounts of hot asphalt at service temperature for many days, allowing us to make permanent patches that do not need constant maintenance.

The Public Works Department is requesting Council to ratify the poll vote that purchased the special asphalt trailer for $83,978.02 as a Sourcewell Contract Purchase from Johnson Equipment Co. The asphalt trailer was paid for from the Water and Sewer Capital Reserve Fund.

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

B. Ratify the designation of $400.00 of CRF to Walnut Cove for its Picnic in Precinct 1 - City Manager
Councilman Rising requests $400.00 of Community Revitalization Funds be given to Walnut Cove for a picnic.
Ratify the designation of $400.00 to Walnut Cove as stated above.

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

C. Ratify the $800 Designation of Community Revitalization Funds to Rowland Norment for a Field Trip to Ft. Fisher as follows: P1 - $100.00 P2 - $100.00 P3 - $150.00 P4 - $100.00 P6 - $150.00 P7 - $100.00 and P8 - $100 - City Manager
Ratify the designation of CRF to Rowland Norment School to assist third grade students with a field trip to Ft. Fisher Aquarium. Designations were made as listed below.
Designate the funds as follows:
P1 - $100.00 P2 - $100.00 P3 - $150.00 P4 - $100.00 P6 - $150.00 P7 - $100.00 and P8 - $100 for a total of $800.

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

D. Ratify $600 of CRF in Precinct 6 for First Baptist Church (W. 2nd Street) Children's Ministry Christmas Toy Drive as follows: P6 - $500 and P7 - $100 for a total of $600.00 - City Manager
Ratify $600 designated to First Baptist Church on W. 2nd Street for the Children's Ministry Christmas Toy Drive as indicated above.

Approve ratification of funds as stated above.

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

E. Ratify the designation of $1,000 of CRF the Empty Stocking Fund to Lumberton Housing Authority as follows: P1 - $200 P2 - $100 P3 - $100 P4 - $200 P6 - $50 P7 - $200 and P8 - $150 - City Manager
Ratify the designation of $1,000 of Community Revitalization Funds given to Lumberton Housing Authority Empty Stocking Fund as stated above.
Ratify the donation of CRF in the amount of $1,000 to the LHA Empty Stocking Fund.

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

F. Ratify the designation of $500 to the Lumberton Police Association for Christmas Breakfast as follows: P1 - $100 P3 - $100 P4 - $100 P7 - 100 P8 - 100 - City Manager
Ratify the designation of $500 to the Lumberton Police Department for a Christmas Breakfast held on December 19th and 20th. Ratify the funds as designated.
Approve the designation of $500 to the Lumberton Police Department for Christmas breakfast as stated above.

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

VI. PUBLIC HEARINGS:

A. 2021 CDBG-NR Amendment – Stephanie Canady, CDBG Administrator
This Public Hearing is concerning the City of Lumberton's intentions to submit a program amendment for the CDBG-NR program. Due to four (4) properties becoming ineligible, staff proposes to add two (2) new properties for rehabilitation to meet budget and state requirements.

The purpose of the public hearing is to notify citizens of the proposed amendment and receive any public comments.
The Planning Dept. Recommends holding the public hearing as required by grant guideline.

Mayor Davis opened the public hearing concerning an Amendment to the 2021 City of Lumberton CDBG-NR Program. The purpose of the public hearing is to notify citizens of the proposed changes to the program and receive comments relative to the proposals. City Clerk Mitchell-McIntosh presented the Affidavit of Publication showing that it was published in The Robesonian.

CDBG Administrator Stephanie Canady stated that the original project was to demolish and reconstruct 4 homes. She stated that two homeowners have moved out, and 2 homes are in another housing program. She stated that due to rising construction costs, we are proposing to replace with 3 reconstructions;

- 190 Starlite Drive
- 301 McCollum Street
- 17 Canal Street
- Alternate #1 - 2008 E. 6th Street
- Alternate #2 - 2135 Nevada Street

She stated that the total project budget of $750,000 remains unchanged.

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

VII. AGENDA ITEMS

A. Unsafe Structure 109 Dresden Avenue – Ben Andrews, Inspections Director
The structure located at 109 Dresden 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 October 19, 2023 in which the owners were present. An order to demolish the structure was issued. The time in which the owners had to comply expired on November 30, 2023
Staff recommends the City Council direct the Building Inspector to demolish and remove the unsafe structure located at 109 Dresden Avenue

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Karen Higley, Precinct 4
SECONDER:	John R. Carroll, Precinct 3
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis

B. Unsafe Structure 111 Dresden Avenue – Ben Andrews, Inspections Director
The structure located at 111 Dresden 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 October 19, 2023 in which the owners were present. An order to demolish the structure was issued. The time in which the owners had to comply expired on November 30, 2023
Staff recommends the City Council direct the Building Inspector to demolish and remove the unsafe structure located at 111 Dresden Avenue

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Karen Higley, Precinct 4
SECONDER:	John R. Carroll, Precinct 3
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis

C. Unsafe Structure 207 Dresden Avenue – Ben Andrews, Inspections Director
The structure located at 207 Dresden 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 October 31, 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 December 22, 2023.
Staff recommends the City Council direct the Building Inspector to demolish and remove the unsafe structure located at 207 Dresden Avenue.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Karen Higley, Precinct 4
SECONDER:	John R. Carroll, Precinct 3
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis

D. Unsafe Structure 610 Idlewood Street – Ben Andrews, Inspections Director
The structure located at 610 Idlewood 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 October 5, 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 November 10, 2023.
Staff recommends the City Council direct the Building Inspector to demolish and remove the unsafe structure located at 610 Idlewood Street

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

E. Member appointment for Lumberton Firefighter's Relief Fund – Chris West, Fire Chief
The Lumberton Firefighter's Relief Fund board oversees the NC Fireman's Association pension fund. The board members are responsible for maintaining appropriate fund balances, designating relief payments to destitute firefighters, and managing the Lumberton Firefighter Retiree pension fund. The fire chief serves as an ex officio member that provides state correspondents to the members and aids as an advisor on statutory requirements of the fund. The board is comprised of a five-member group with one appointment selected by the NC Insurance Commissioner, two appointments made by members of the Lumberton Fire Department, and two members selected by city council.

Mr. Kenny Morgret has elected to step down from the Relief Fund Board after more than a decade of service. I have notified the remaining board members of Mr. Morgret's decision and they have requested that council consider Lumberton retiree McGregor Strickland to fill the position. McGregor previously served on the Relief Fund Board as an active firefighter until his retirement in 2021. Mr. Morgret served in one of the two positions that are appointments by the City of Lumberton.
By statute, the fire chief must submit the Fireman's Association roster prior to the January 15, 2024 deadline. The board of trustees must be verified by the department chief before the roster can be submitted.
On behalf of the Fireman's Relief Board of Trustees, I would like to request that the City of Lumberton leadership consider McGregor Strickland as an appointee to represent the City on the board.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John R. Carroll, Precinct 3
SECONDER:	Karen Higley, Precinct 4
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis

F. 911 Viper Upgrade – Tammy McLeod, Interim Emergency Service Director
The recording equipment that 911 has presently will not record Viper channels only VHF channels. The contract that we present for your approval is an AIS (Archiving Interface Server) that will be able to record all Viper channels for Police Department and Fire Department. This Server will be able to record up to about 200 channels across the state. The AIS Project may take several months to complete. The total amount that this will cost is 107,425.76. Motorola is giving us a 10,742.58 discount. Part of the Equipment and Installation is State Eligible and that total is 69,978.33 and it will come from the 911 fund. At this time, we have around 183,110.71 in our 911 fund reserve. If approved the city is responsible for 37,447.43. This amount will be broken down into several payments as the project move forward, and a percentage of the discount will be applied toward the payments.

911 recommends that Council approve the AIS contract in the amount of 107,425.76. With the state eligible fund of 69,978.33 and the city responsible for 37,447.43 from the 911 undesignated fund balance.

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

G. Approval of _____________ – Greg Prevatte, Electric Utilies Director
EUD would like to formally bid out material for the Fayetteville Rd. NCDOT widening project U-5797. The total approximant cost of the materials for this project will be $280,000 for material only. We would like to be able to formally bid out the labor for this project at an approximant cost of $635,000 once the material arrives. We would also like to have the URA for project U-5797 signed and approved at a total cost of approximately $905,000 which will cover the cost of material and labor for this project. All this cost will be reimbursed from NCDOT back to City of Lumberton when the project is complete.
EUD is requesting the approval to formally bid out material for the Fayetteville Rd. NCDOT widening project U-5797. The total approximant cost of the materials will be $280,000.00 for material only. EUD is also requesting the approval of the URA for this project which will be at a total cost of approximately $905,000.00 which will cover the cost of material and labor.

Councilman Cantey asked where is the funds coming from in the meantime. City Manager Horne stated the funds will be coming from the Undesignated Fund Balance and will be placed by once the project is complete.

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

H. Floodgate Environmental Assessment Change Order #1 – Rob Armstrong, Public Works Director

In August 2021, Council awarded the Timmons Group the professional services contract to prepare the Environmental Assessment (EA) for the floodgate. The EA is a study of environmental impacts associated with the project and is required for permitting and federal funding. The original agreement was for $19,900. The completion of the EA has been delayed by a number of different circumstances but mostly centers on the purchase and acquisition of right of way and easements where the floodgate is located. These delays, along with additional requirements required by NCORR, have resulted in additional project management time and technical input for the Timmons Group. They are requesting a change order, not to exceed $8,000, to cover the past additional time and future time need to fulfill the change of scope of the EA.

Public Works is requesting Council approval of Change Order #1 from the Timmons Group for additional services related to the Floodgate Environmental Assessment to be paid for by special CDBG-DR funds awarded to the project by NCORR

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

I. Well #7 Rehab – Rob Armstrong, Public Works Director

The City of Lumberton has a Capital Improvements Project to rehabilitate Well #6 in the amount of $75,000.00. This request was submitted to 3 vendors that perform this line of work with a specific scope as provided by the Water Treatment Plant. The first was from Charles R. Underwood Inc. for a total cost not to exceed $56,045.00. The Second was from Pearson Pump Sales & Service, Inc. with a limited scope that does not meet the requirements asked for in the amount of $40,501.00. The third was from Bill's Well Drilling who inspected the site and met with staff about the project and scope but did not provide a quote. Given the nature of this project and the equipment involved, this work cannot be performed but by a small number of contractors within a reasonable distance. Also, given that these Well sites were installed by Charles R. Underwood Inc. and they have performed most of the work associated with them since they were installed. Because of this and the need to meet the full scope of work, Public Works is recommending Council approve Charles R. Underwood Inc. to perform the work to Well #4 with a not to exceed price of $56,045.00 with funds coming from the Capitol Code 60-00-8220-5960, which was budgeted at $75,000.00

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

J. First Street Drainage Project Engineering Agreement – Rob Armstrong, Public Works Director

In November, Council selected the Wooten Company as the engineer for the First Street Drainage Improvement Project based on their qualifications and familiarity of the project. The next step is to enter into a professional services agreement with the Wooten Company. Attached is a proposed agreement for $76,900 to perform the engineering, project management and NC Golden Leaf Grant Administration for the project.

Public Works is requesting Council Approval of the attached Professional Services Agreement for $76,900 for the First Street Drainage Improvement Project to be paid for by grant funds from the North Carolina Golden Leaf Foundation

Councilman Cantey asked where will that project run. Director Armstrong stated that the project will run a new channel from Second Street to First Street just south and east of downtown Lumberton and will tie an existing culvert on Second Street to a new culvert on First Street, improving stormwater drainage in the area.

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

K. Change Order 1 - Well Relocation Project, Test Well Phase – Rob Armstrong, Public Works Director

Contract 1 – Test Wells, of the Well Relocation Project was awarded to Charles Underwood Inc in June 2023 and is now complete. The purpose of this phase of the project was to drill test wells at three proposed well sites to determine the aquifer water quality and yield. The original contract price was $154,400. During the construction of the test wells, it was determined that additional screens would be needed to conform to the aquafer’s profile. Attached is Change Order #1 from Charles Underwood Inc for $5,757.66, adjusting the final screen quantities. This Change Order brings the total contract price to $160,157.66. Change Order #1 also adds 40 days to the contract time which was needed for procurement and installation of the additional material.

Public Works is requesting approval of Change Order #1 from Charles Underwood Inc for $5,757.66, adjusting the final screen material quantities. This Change Order brings the total contract price to $160,157.66, to be paid for from the ASADRA grant funding the project.

Councilman Carroll asked if we know when the delivery date will be. Public Works Director Armstrong stated that we found out the it's a 90-day delivery date. It deals with the same procurement problems that we are having.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John R. Carroll, Precinct 3
SECONDER:	Karen Higley, Precinct 4
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis

L. NCDOT Agreement for W 5th Area Utility Relocation – Holt Moore, City Attorney
As with the previous agenda item relating to the Carthage Road interchange, the City will need to relocate utilities in the W. 5th Street area. Our 25% of the cost of this section of the I95 widening project will be approximately $1.292 million. An agreement relating to this work is attached.
Approve agreement with NCDOT for W 5th Street area utility relocation.

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

M. NCDOT Agreement for Pubic Works-related I95 Utility Relocation - Carthage Road – Holt Moore, City Attorney
Relocation of City utilities is a required element of the I95 widening. NCDOT covers 75% of the cost of most of this work. For the work involved at the Carthage Road interchange, the cost for the City (our 25%) is $184,148.15. A contract covering this work is attached for Council approval.
Approve contract with NCDOT for utility relocation for Carthage Road interchange.

City Attorney Moore stated that this items ties into the Public Works item that Director Armstrong just presented.

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

N. Purchase of Easement from J N Britt along Capuano Rd – Holt Moore, City Attorney
In connection the NCDOT widening, we have found it necessary to purchase a permanent easement for electrical utilities to be relocated along Capuano Road. The total area is .85 acres, and Mr. Britt has requested $72,000/acre which is right in line with the comparable easements we've provided to NCDOT recently. This yields a total price of $61,200. It should also be noted that Mr. Britt has been very accommodating with regard to land needed for some Public Works projects recently. Maps are attached, but they are the very technical ones provided by DOT. The easement is a dotted pink-ish line along Capuano labeled "City Private Easement."
Staff recommends approval of the easement purchase. We have explored all other options and do not believe we can relocate the utilities without it.

Councilman Cantey asked if we could give the name of the person instead of initials. City Attorney Moore stated that he believes that his first name is James.

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

O. Slight revision to No-games-in-streets ordinance – Holt Moore, City Attorney
Some time ago Council passed an ordinance against various types of games being played in public streets. A primary focus was basketball goals in the right of way. Because the rights of way width varies in different locations, this was difficult to enforce. We have drafted a proposed revision which we hope accomplishes what was in mind, without tying it completely to the right of way.
Consider revision to ordinance regarding games in public streets.

City Attorney Moore stated that even with measuring if you place the goal three fee out of the right of way, it is not any better, because you can't play without being in the street. He stated that this is the theory with this. He stated that if it's clear to an officer that where it's located there's no way to play without being in the street they'll be able to enforce the ordinance.

City Manager Horne stated that the Police asked for clarification of the ordinance and they will be and will be responsible for enforcement.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John R. Carroll, Precinct 3
SECONDER:	Karen Higley, Precinct 4
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis

P. Proposed Revision - Begging Ordinance – Holt Moore, City Attorney
The Legal Department has been in communications with the Police Department, in an effort to revise our ordinance pertaining to begging and soliciting. The primary concern has been the increased begging on rights-of-ways and intersections. The state statute provides some help but can limitations. Attached is the proposed new ordinance, and a copy of the current one for comparison. Due to a new requirement by the Legislature, as this would be a criminal ordinance, it must be reviewed twice; final approval would not be possible until February.
Review draft ordinance and offer approval subject to second reading.

City Attorney Moore stated that the Ordinance must have a 2nd reading before it can be passed.

RESULT:	**REFERRED [8 TO 0]**	**Next: 2/1/2024 11:00 AM**
MOVER:	Leroy Rising, Precinct 1	
SECONDER:	Eric Chavis, Precinct 7	
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas	
ABSTAIN:	Davis	

Q. Appointment to Planning Board - Precinct 6 – Holt Moore, City Attorney
Lisa Douglas, who has previously served on the Planning Board, has been recommended for appointment back on the board for Precinct 6 effective January 2024 (immediately), which incidentally is a new term for that position.
Appoint Lisa Douglas to the Planning Board for Precinct 6.

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

R. Approve the designation of $200 of CRF to Lumberton Alumnae Chapter of Delta Sigma Beta Sorority, Inc. for a Coat Drive for MLK Celebration – John Cantey, Precinct 5
Councilman Cantey would like to designate $200 of CRF to Lumberton Alumnae Chapter of Delta Sigma Beta Sorority, Inc. for a Coat Drive for MLK Celebration.
Approve the designation of $200 of CRF as stated above.

Approve the designation of $900 as follows: P1 - 100 P2 - $100 P3 - $100 P4 - $100 P5 - $200 P6 - $100 P7 - $100 and P8 - $100. Councilman Rising asked who is heading this event. Councilman Cantey replied Judge Vanessa Burton.

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

S. Approve the designation of $100 of CRF to the Upcoming Cupid Shuffle 5K Fun Run – Eric Chavis, Precinct 7
Councilman Chavis is requesting $100 of CRF for the upcoming Cupid Shuffle 5K Fun Run, which is being organized to benefit various community service organizations such as, The Christian Care Center, Exploration Station, Rape Crisis Center, Church and Community Center, Wesley Pines Retirement Home and the Humane Society. This event is scheduled to take place on February 10th, 2024, starting at the Downtown Lumberton Pocket Park.

This project goal is to bring our community together In support of important causes and organizations that are striving to make a positive impact on the lives of many in Robeson County. They are asking for our support in this cause. Please see the attached.
Designate $100 of CRF as stated above.

Approve the designation of $750.00 as follows: P1 - 100 P2 - $100 P3 - $100 P4 - $100 P5 - $50 P6 - $100 P7 - $100 and P8 - $100

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

T. Approval of $200.00 of CRF to LHS Cheerleaders Team for a Competition Cheer Team as follows: P7 $100 and P8 - $100 – Owen Thomas, Mayor Pro Tem
Councilmen Thomas & Chavis request that $100.00 each of CRF be given to LHS Competition Cheer Team to help reach their fundraising goals in order for them to compete on the national level.
Approve the designation of $200.00 to LHS Cheerleaders Team as stated above.

Approve the designation of $750.00 of CRF as follows: P1 - 100 P2 - $100 P3 - $100 P4 - $100 P5 - $100 P6 - $100 P7 - $100 and P8 - $100.

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

U. Approval of agreement with Duke Energy - Scottish Packing Site – Holt Moore, City Attorney
The Deputy Manager been working diligently in negotiations with Duke Energy Progress, regarding needed power line relocations at the Scottish Parking site, in order to be able to move forward with the boat ramp park at that location. Prior options on which Duke was insisting were prohibitively expensive (well into six figures).   We believe the option on the map attached to the agreement, which will cost the City $49,395.03 or $35,145.27 depending upon whether a USACE Section 10 permit is needed, is the best option available and request Council's approval of the agreement. Funding is expected from our EEG and BRIC grants; the latter has not been formally released but again is expected.
Approve agreement with Duke Energy Progress LLC relating to the Scottish Packing site.

Councilman Cantey asked what funds will we be using for this. Deputy City Manager Love stated that we will start with the EEG funds.

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

V. Linkhaw Road / CSX Culvert – Wayne Horne, City Manager
The City has been awarded a $250,000 grant from the North Carolina Golden Leaf

Foundation to upgrade the existing drainage culvert under the CSX railroad on Linkhaw Road. The total cost opinion for the project including design and construction is approximately $600,000. The City is seeking additional money thru the North Carolina State Revolving Fund. While waiting for additional funding approval, Public Works requested to move forward with the design and permitting of the project using the Golden Leaf funds. The City's match for this project is $239,010 with funds allocated from the City's Water and Sewer Capital Reserve Fund.
Public Works is requesting Council approval allocating $239,010, as a match for the Linkhaw Road Culvert project from the Water and Sewer Capital Reserve Fund.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Melissa Robinson, Precinct 2
SECONDER:	Leroy Rising, Precinct 1
AYES:	Douglas, Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis

W. Approve the designation of $800.00 of CRF for the Dr. Martin Luther King, Jr. Celebration: as follows: P1 - 100 P2 - $100 P3 - $100 P4 - $100 P5 - $100 P6 - $100 P7 - $100 and P8 - $100 – John Cantey, Precinct 5
Councilman Cantey requests $100.00 of CRF to be given to the Robeson County MLK Parade for the Dr. Martin Luther King, Jr. Celebration on January 27, 2024.
Designate $800.00 of CRF to the Robeson County Black Caucus for the Dr. Martin Luther King, Jr. Celebration as stated above.

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

VIII. CLOSED SESSION

A. Crime Statistics Consultant – Holt Moore, City Attorney
Please find attached a memorandum explaining staff's request that you consider approving an agreement whereby we would work with a crime statistics consultant to better understand our crime statistics, have a report we could potentially share with the public, also to potential find new ways to further reduce crime in Lumberton. This idea stemmed from the fact that Lumberton is listed virtually every year in various publications as 'one of the most dangerous places to live, etc.'
Discuss this request in closed session and decide whether to retain consultant.

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

IX. ADJOURNMENT