



CITY OF LUMBERTON
COUNCIL POLICY COMMITTEE
MINUTES • JANUARY 6, 2016

Regular Meeting

Third Floor Conference Room

11:00 AM

500 N Cedar St, Third Floor, Lumberton, NC 28358

I. INVOCATION

Attendee Name	Title	Status	Arrived
Bruce W. Davis	Mayor	Present	
Leroy Rising	Precinct 1	Present	
John Robinson	Precinct 2	Present	
Burnis Wilkins	Precinct 3	Present	
Karen Higley	Precinct 4	Present	
John Cantey Jr.	Precinct 5	Present	
Chris Howard	Precinct 6	Present	
Leon Maynor	Precinct 7	Present	
Erich Hackney	Precinct 8	Present	
Wayne Horne	City Manager	Present	
Holt Moore	City Attorney	Present	
Laney Mitchell-McIntosh	City Clerk	Present	
Alisha Thompson	Finance Director	Present	
Ben Andrews	Inspections Director	Present	
Brandon Love	Planning Director	Present	
Bill French	Deputy Emergency Services Director	Present	
Michael McNeill	Police Chief	Present	
Teresa Johnson	CDBG	Present	
Rob Armstrong	Public Works Director	Present	
Sarah Willets	Robesonian	Present	

II. MINUTES APPROVAL

1. Council Policy Committee - Regular Meeting - Nov 4, 2015 11:00 AM –

RESULT:	ACCEPTED [8 TO 0]
MOVER:	John Cantey Jr., Precinct 5
SECONDER:	Leon Maynor, Precinct 7
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney
ABSTAIN:	Davis

III. AGENDA ITEMS

1. Approval of Contract for TA Assistance - FY2014 CDBG Industrial Building Demolition Grant – Teresa Johnson,
Staff has advertised and entertained proposals from consulting firms to provide technical assistance services for the FY14 CDBG Industrial Building Demolition Grant.

A Request for Proposals was mailed to eight (8) consulting firms and advertised in The

Robesonian on November 20, 2015. As a result, the City received only one proposal from The Wooten Company.

A second Request for Proposals was mailed to eight (8) consulting firms and advertised in The Greater Diversity on December 10, 2015. As a result, the City received only one proposal from The Wooten Company.

The City has received approval from NC Rural Economic Development Commerce to enter into negotiations with The Wooten Company to provide the technical assistance services for this grant at a fee not to exceed Twenty-one (\$21,000) Thousand Dollars.

Recommend Council authorize staff to negotiate the contract with The Wooten Company to provide the technical assistance for the FY14 CDBG Industrial Building Demolition grant. Funds are budgeted in the grant to pay for these services.

RESULT:	REFERRED [8 TO 0]	Next: 1/11/2016 6:00 PM
MOVER:	John Cantey Jr., Precinct 5	
SECONDER:	John Robinson, Precinct 2	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney	
ABSTAIN:	Davis	

2. Approval of Nexgrid AMI Professional Services and Support Agreement & License Agreement – Linda Oxendine, Public Services Director

Lumberton deployed a real-time, standards-based smart grid infrastructure to support advanced metering, demand response, customer portal and other smart grid features pilot project in late 2014. This attached SOW details the Nexgrid solution for this Pilot project, including project approach, timelines, business arrangements, and project assumptions. An executed Professional Services and Support Agreement as well as the Software License Agreement for 2016 are required for the continuation of this project. The City Attorney has reviewed the agreements and recommends with staff its approval.

- Approve the attached Professional Services and Support Agreement
- Approve the attached License Software Agreement

RESULT:	REFERRED [8 TO 0]	Next: 1/11/2016 6:00 PM
MOVER:	Chris Howard, Precinct 6	
SECONDER:	Erich Hackney, Precinct 8	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney	
ABSTAIN:	Davis	

3. Unsafe Structure at 2923 Hedge Drive – Ben Andrews, Inspections Director

The house located at 2923 Hedge Drive was inspected by our department and was determined to be unsafe. A notice of Condemnation and Hearing was sent and a hearing was held on August 3, 2015. An order to demolish the structure was issued. The time in which the owners had to demolish the structure has expired as of September 30, 2015.

At the October 12, 2015 City Council Meeting, Council granted the owner a 30 day extension to comply with the Building Inspectors order. That time has expired and the structure remains non compliant .

Staff recommends that City Council Adopt an Ordinance Directing the Building Inspector to demolish and remove the structure located at 2923 Hedge Drive.

RESULT:	REFERRED [8 TO 0]	Next: 1/11/2016 6:00 PM
MOVER:	Leon Maynor, Precinct 7	
SECONDER:	Burnis Wilkins, Precinct 3	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney	
ABSTAIN:	Davis	

4. Unsafe Structure at 41 Allen Street – Ben Andrews, Inspections Director

The house located at 41 Allen Street was inspected by our department and was determined to be unsafe. A notice of Condemnation and Hearing was sent and a hearing was held on August 18, 2015. An order to demolish the structure was issued. The time in which the owners had to demolish the structure has expired as of October 4, 2015.

At the October 12, 2015 City Council Meeting, Council granted the owner a 60 day extension to comply with the Building Inspectors order. That time has expired and the structure remains non compliant.

Staff recommends that City Council Adopt an Ordinance Directing the Building Inspector to demolish and remove the structure located at 41 Allen Street.

RESULT:	REFERRED [8 TO 0]	Next: 1/11/2016 6:00 PM
MOVER:	John Cantey Jr., Precinct 5	
SECONDER:	Burnis Wilkins, Precinct 3	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney	
ABSTAIN:	Davis	

5. Unsafe Structure at 113 Warwick Mill Road – Ben Andrews, Inspections Director

The house located at 113 Warwick Mill Road was inspected by our department and was determined to be unsafe. A notice of Condemnation and Hearing was sent and a hearing was held on October 12, 2015. An order to demolish the structure was issued. The time in which the owners had to demolish the structure has expired as of December 16, 2015.

Staff recommends that City Council Adopt an Ordinance Directing the Building Inspector to demolish and remove the structure located at 113 Warwick Mill Road.

RESULT:	REFERRED [8 TO 0]	Next: 1/11/2016 6:00 PM
MOVER:	Karen Higley, Precinct 4	
SECONDER:	John Cantey Jr., Precinct 5	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney	
ABSTAIN:	Davis	

6. Police Vehicle Purchase Authorization – Michael McNeill, Police Chief

The Police Department is requesting authorization to proceed in purchasing ten (10) 2016

Dodge Chargers and two (2) Dodge Durangos. Two of the Dodge Chargers are being funded by the Lumberton Housing Authority. Total cost of purchase is \$324,430.

Eights (8) Dodge Chargers and two (2) Dodge Durangos	\$274,604.00
Two (2) Dodge Chargers (Housing Authority)	<u>49,826.00</u>
	\$324,430.00

Note from Legal: As the Police Department informs that this quote is through the dealership's contract with the State, it is exempt from the bid laws.

It is recommended that the Lumberton Police Department be authorized to proceed in purchasing police vehicles from Ilderton Dodge in High Point, NC at a cost of \$324,430.

RESULT:	REFERRED [8 TO 0]	Next: 1/11/2016 6:00 PM
MOVER:	John Cantey Jr., Precinct 5	
SECONDER:	Leon Maynor, Precinct 7	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney	
ABSTAIN:	Davis	

7. Acceptance of 2016 Annual Down Economic Development Implementation Plan – Tim Taylor, Recreation Director

In 2015, several changes occurred within the NC Department of Commerce that affect the manner in which statistics and standards are reported to the NC Main Street Program. As a designated NC Main Street Community, the City of Lumberton is encouraged to meet accreditation standards set forth by the National Main Street Program.

Accreditation guidelines require that staff report progress on standards to the N.C. Main Street Director through a Program Assessment Survey. With this in mind, staff has prepared a 1-year Downtown Economic Development Implementation Plan for fiscal year 2016. Staff recommends that Council Policy Committee accept the 2016 Annual Downtown Economic Development Implementation Plan as presented.

RESULT:	REFERRED [8 TO 0]	Next: 1/11/2016 6:00 PM
MOVER:	Chris Howard, Precinct 6	
SECONDER:	Burnis Wilkins, Precinct 3	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney	
ABSTAIN:	Davis	

8. Conditional Use Permit Request for property located on Saddletree Road (Deed Book 1980 Page 484) (parcel #1005-01-00305) – Brandon Love, Planning Director

Christopher Collins has submitted a Conditional Use Permit Petition for property located on Saddletree Road (Deed Book 1980 Page 484) (parcel #1005-01-00305). This request is for a Conditional Use Permit for an agricultural/farming/livestock operation.

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

There was some discussion as to the notification and signage. Council Hackney wanted to do if the visibility of signage and notification could be increased in this case. The City Attorney explained the steps that the Planning Department are required by Ordinance to complete:

- (1) Send a letter to all property owners within 150 feet.

(2) Post Property.

(3) Advertise (2)

Attorney Moore stated that if we increase visibility of signage and notification in this case you would face the chance of setting precedence and that would not be good. He stated that planning already send notification up to 200 feet, to go beyond that would really be stretching the limits. Council Hackney asked the City Manager if it could be placed on the March Retreat.

RESULT:	REFERRED [8 TO 0]	Next: 1/11/2016 6:00 PM
MOVER:	Erich Hackney, Precinct 8	
SECONDER:	Leroy Rising, Precinct 1	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney	
ABSTAIN:	Davis	

9. Powers Family Properties, LLC. requests a contiguous annexation of property located on Roberts Avenue (Parcel #101403021). – Brandon Love, Planning Director

The Planning & Neighborhood Services Department received an application for a contiguous annexation from Powers Family Properties, LLC. requesting that property located on Roberts Avenue, being parcel #101403021, be annexed into the City of Lumberton.

The City Clerk has certified the sufficiency of the petition and the Planning Department recommends City Council set the date of the public hearing for February 8, 2016.

RESULT:	REFERRED [UNANIMOUS]	Next: 1/11/2016 6:00 PM
MOVER:	Karen Higley, Precinct 4	
SECONDER:	John Cantey Jr., Precinct 5	
AYES:	Davis, Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney	

10. Richard Kaczar requests a contiguous annexation of property located at 465 Kenric Road (Parcel #0204-01-003; 0207-02-006; 0204-01-003). – Brandon Love, Planning Director

The Planning & Neighborhood Services Department received an application for a contiguous annexation from Richard Kaczar requesting that property located at 465 Kenric Road, being Parcel #0204-01-003; 0207-02-006; 0204-01-003, be annexed into the City of Lumberton.

The City Clerk has certified the sufficiency of the petition and the Planning Department recommends City Council set the date of the public hearing for February 8, 2016.

RESULT:	REFERRED [UNANIMOUS]	Next: 1/11/2016 6:00 PM
MOVER:	Burnis Wilkins, Precinct 3	
SECONDER:	John Cantey Jr., Precinct 5	
AYES:	Davis, Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney	

11. Rezoning Request for property located on Snake Road (Deed Book 445 Page 351) (parcel #2901-01-002-01) – Brandon Love, Planning Director

FLS Energy has submitted a Rezoning Petition for property located on Snake Road (Deed Book 445 Page 351) (parcel #2901-01-002-01). This request is to rezone property from 'A', Agriculture to M-1, Light Manufacturing. The intended use of the property is to construct and operate a community or regional utility facility (solar farm) at this location.

The applicant has submitted a Conditional Use Permit application, which follows this agenda item.

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

RESULT:	REFERRED [8 TO 0]	Next: 1/11/2016 6:00 PM
MOVER:	Burnis Wilkins, Precinct 3	
SECONDER:	John Cantey Jr., Precinct 5	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney	
ABSTAIN:	Davis	

12. Conditional Use Permit Request for property located on Snake Road (Deed Book 445 Page 351) (parcel #2901-01-002-01) – Brandon Love, Planning Director
FLS Energy has submitted a Conditional Use Permit Petition for property located on Snake Road (Deed Book 445 Page 351) (parcel #2901-01-002-01). This request is for a Conditional Use Permit to construct and operate a community or regional utility facility (solar farm) at this location.

The applicant has submitted a Rezoning application to rezone the property from A, Agriculture to M-1 Light Manufacturing, which precedes this agenda item.

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

RESULT:	REFERRED [UNANIMOUS]	Next: 1/11/2016 6:00 PM
MOVER:	Burnis Wilkins, Precinct 3	
SECONDER:	John Cantey Jr., Precinct 5	
AYES:	Davis, Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney	

13. Request for Authorization to Sell Wrecked Vehicles by Private Sale – Holt Moore, City Attorney

The following three vehicles were included in the list Council recently designated as surplus and authorized to be sold by auction. However, the auction company declined to auction them due to their being damaged. The statute authorizes sale of surplus property through negotiated sale, and towards that end, staff has obtained informal bids on the vehicles, and those are listed below. Staff requests Council's authorization to sell the vehicles to the highest bidders, which are in bold. The Crown Victoria resulted in a tie bid, so that item is still being resolved, and the final high bid will be presented at CPC.

2002 Chevrolet 1500 Truck

B&W Auto Sales - \$800

Leroy Bullard - \$1500

RPM Lumberton – \$900

The Repair Shop - \$850

1992 Ford pickup

B&W Auto Sales - \$800

RPM Lumberton - \$300

The Repair Shop - \$650

2006 Ford Crown Victoria

B&W Auto Sales - \$450

RPM Lumberton - \$400

Provide authorization for staff to sell the three damaged city vehicles by negotiated private sale as described above.

RESULT:	REFERRED [UNANIMOUS]	Next: 1/11/2016 6:00 PM
MOVER:	John Cantey Jr., Precinct 5	
SECONDER:	Burnis Wilkins, Precinct 3	
AYES:	Davis, Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney	

14. Authorize the November 2015 Tax Releases – Linda Oxendine, Public Services Director
Per G.S. 105-381, which authorizes the release or refund of billed and / or collected taxes when such taxes were imposed as a result of any of the following reasons: Clerical / computational error, the tax was listed and billed in the name of the wrong taxpayer, the property did not fall within the jurisdiction of the City of Lumberton, or the tax was listed in duplicate.

The City of Lumberton Tax Office submits for approval the following tax releases which were generated primarily in response to documentation from the Robeson County Tax Assessor and/or city staff clerical errors for the years and amounts outlined below:

2011----- \$38.91

2012----- \$41.74

2013----- \$33.81

2014----- \$32.25

2015----- \$200.95

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

RESULT:	REFERRED [8 TO 0]	Next: 1/11/2016 6:00 PM
MOVER:	John Cantey Jr., Precinct 5	
SECONDER:	Erich Hackney, Precinct 8	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney	
ABSTAIN:	Davis	

15. Approve the designation of \$200.00 of Community Revitalization Funds to Robeson County Humane Society – Leon Maynor, Precinct 7
Councilman Maynor requests \$200.00 of Community Revitalization Funds to be given to the Robeson County Humane Society.
Designate \$200.00 of CRF to Robeson County Humane Society.

RESULT:	REFERRED [8 TO 0]	Next: 1/11/2016 6:00 PM
MOVER:	John Cantey Jr., Precinct 5	
SECONDER:	Chris Howard, Precinct 6	
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney	
ABSTAIN:	Davis	

16. Designation Of Consent/Non-Consent Items

17. Adjournment