



# CITY OF LUMBERTON

## CITY COUNCIL

**AGENDA • OCTOBER 7, 2024**

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**Regular Meeting**

**Council Chambers**

**6:00 PM**

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

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**Mayor Bruce W. Davis**

Councilmember Leroy Rising, Precinct 1  
Councilmember Melissa Robinson, Precinct 2  
Councilmember John Carroll, Precinct 3  
Councilmember Karen Higley, Precinct 4

Councilmember John Cantey, Precinct 5  
Councilmember Alfred Douglas, Precinct 6  
Councilmember Eric Chavis, Precinct 7  
Councilmember Owen Thomas, Mayor Pro Tem

**STAFF:**

**Wayne Horne, City Manager**  
**Brandon Love, Deputy City Manager**  
**Holt Moore, City Attorney**  
**Laney Mitchell-McIntosh, City Clerk**

**I. Call to Order**

- A. Invocation –
- B. Pledge of Allegiance –

**II. Special Recognition - Miss America's United States - Proclamation**

**III. Public Comment Period**

**IV. Public Hearings**

- A. Planning Board Minutes
- B. CDBG-NR 2024 Application Public Hearing
- C. Whitnee Roberts is requesting a Special Use Permit for a mental health, outpatient facility located at 4850 Fayetteville Road
- D. Rezoning Request for Patricio Ventura - 1003 MLK Jr. Dr.
- E. Farouk Huraira is requesting a Special Use Permit for an electronic gaming center for property located at 2720 W. 5th Street P7.

**V. Consent Agenda**

- A. Minutes Approval
  - 1. September 9, 2024 Council Minutes
- B. Ratify the designation of \$400.00 of CRF to Walnut Cove in Precinct 1
- C. Ratify the Designation of \$2,000.00 of CRF for Highland Inverness Block Party as follows: P1 - \$1,000 and P3 - \$1,000
- D. Carolina Civic Center Annex - Change Order #1

## **VI. Agenda Items**

- A. Approval of CentralSquare Solutions Agreement
- B. Award the Noir Street Sewer Outfall Cleaning and Inspection Bid
- C. Lead and Copper Inventory Phase 1 Engineering Agreement
- D. Adopt a Resolution to Apply for Phase 2 Lead and Copper Inventory Grant
- E. Water Plant Alum Sludge Basin Bid
- F. Faith Community Christian Center Special Use Permit (SUP) for a church cemetery - 1220 Alamac Road – ETJ
- G. North Carolina Land and Water Fund Grant - Design-Build Firm Project Scope & Budget
- H. Approval of Lumberton Memorial Park Phase II - Bid
- I. Approval of Maynor Resource Center Signage
- J. Adopt a Resolution in Support of Congressional Funding for the Disaster Relief Fund (DRF)
- K. Approval of New Position - Public Information Officer
- L. Approve the designation of \$100.00 of Community Revitalization Funds to Southern Sapphires Dance Company in Precinct 1
- M. Approve the designation of \$200.00 to Birthing Place Ministries, 2007 Oakwood Avenue for Trunk or Treat
- N. Approve the designation of \$200 of CRF to Kappa Alpha Psi Fraternity Scholarship Program
- O. Approve the designation of \$600 to the Lumberton Area Chamber of Commerce for a Youth Float in the Lumberton Christmas Parade in Precinct 5



- P. Approve the designation of \$100 of CRF to Veterans of Foreign Wars Post 8969 in Support of the National Wreaths Across America Day from P7
- Q. Approve the designation of \$100.00 for the 3rd Annual Cheer Xcel Golf Tournament
- R. Approve the designation of \$500 for Precinct 8 Community Day
- S. Approve the designation of \$250.00 of Community Revitalization Funds to the Mayfair North Association for Beautification in Precinct 8
- T. Approve the designation of \$250.00 of Community Revitalization Funds to the Mayfair Homeowners Association for the Entrance Beautification in Precinct 8

## **VII. Adjournment**

**Lumberton City Council**

**Lumberton, North Carolina**



**Request for Action**

**Meeting Date:** October 7, 2024

**Originated By:** Planning & Neighborhood  
Services

**Submission Date:** 10/03/2024

**Subject:** Plannning Board Minutes

**Summary/Background of Subject Matter:**

**Staff Recommendation:**

**Signature:**

**Department:**

**ATTACHMENTS:**

1. Planning Board Minutes

**PLANNING BOARD MEETING – SEPTEMBER 17, 2024  
COUNCIL CHAMBERS - 6:00 PM**

**Joe Terranova  
Greg Caulder  
Angela Jones  
Jeffery McLean  
Mitchell Prevatte  
Walter Smith  
Lisa Douglas**

**Lee-Pam Odom  
Randy Hammonds  
Ray Britt  
STAFF  
ArTriel Kirchner  
Brian Nolley  
Holt Moore**

**MINUTES**

**I. NEW BUSINESS**

| Attendee Name     | Title                    | Status  | Arrived |
|-------------------|--------------------------|---------|---------|
| Joe Terranova     | Board Member             | Present |         |
| Greg Caulder      | Board Member             | Absent  |         |
| Angela Jones      | Board Member             | Present |         |
| Jeffery McLean    | Board Member             | Present |         |
| Mitchell Prevatte | Board Member             | Present |         |
| Walter Smith      | Board Member             | Present |         |
| Lisa Douglas      | Board Member             | Present |         |
| Lee-Pam Odom      | Board Member             | Present |         |
| Randy Hammonds    | Board Member             | Present |         |
| Ray Britt         | Board Member             | Absent  |         |
| ArTriel Kirchner  | Planning Director        | Present |         |
| Brian Nolley      | Deputy Planning Director | Present |         |
| Holt Moore        | City Attorney            | Present |         |

**II. CALL TO ORDER**

**III. MINUTES APPROVAL**

- A. Planning Board Minutes August 20, 2024 – ArTriel Kirchner, Planning Director

A draft copy of the minutes from the August 20, 2024 Planning Board is available for review.  
<< Recommendation >>

|                  |                                                                             |
|------------------|-----------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                                 |
| <b>MOVER:</b>    | Walter Smith, Board Member                                                  |
| <b>SECONDER:</b> | Randy Hammonds, Board Member                                                |
| <b>AYES:</b>     | Terranova, Caulder, Jones, McLean, Prevatte, Smith, Douglas, Odom, Hammonds |
| <b>ABSENT:</b>   | Britt                                                                       |

**IV. AGENDA ITEMS**

A. Proposed Creation of an Ordinance for Multifamily Conversion of Hotels/Motels – ArTriel Kirchner, Planning Director

The Planning staff received several requests to re-develop existing motels/hotels into multifamily use. Currently, we do not have an ordinance which accommodates this type of re-development within the City's jurisdiction. City Council approved a request from the Planning Department to move forward with developing an ordinance addressing hotel/multifamily conversions.

This item was advertised in the Robesonian on June 26, July 3, and July 10, 2024 giving notice of a public meeting.

The Planning staff requests comments regarding the first draft.

Planning Director, Dr. Kirchner gave an update to revisions to the proposed ordinance for multi-family conversion of hotel/motels. After some discussion, the board agreed for Dr. Kirchner to email them a list of changes/additions since the last draft.

|                |                       |
|----------------|-----------------------|
| <b>RESULT:</b> | <b>NOT APPLICABLE</b> |
|----------------|-----------------------|

B. Farouk Huraira is requesting a Special Use Permit for an electronic gaming center for property located at 2720 W. 5th Street P7. – ArTriel Kirchner, Planning Director

Farouk Huraira is requesting a Special Use Permit for an electronic gaming center for property located at 2720 W. 5th Street P7.

The Planning Staff recommends that the Planning Board hold tonight's public meeting, entertain public comment and make a recommendation to City Council regarding this matter.

Board Chairman Joe Terranova relayed to the board that Mr. Britt representing the applicant requested to delay hearing the special use permit request until the November meeting. Ms. Odom motioned for the board not to delay and the Chairman agreed.

Mr. Hammonds motioned that since the applicant did not meet the ordinance that he would move not to hear the request. Attorney Moore suggested that since this was quasi-judicial that it might best to hold the hearing.

Planning Director Dr. Kirchner gave a brief overview of the request. The applicant, Mr. Huraira presented his application to the board.

Mr. Jerry Bass, gaming consultant spoke in favor of the gaming center.

Mr. Willie Kept, security officer for the business spoke in favor of the gaming center.

Mr. Randy Lewis stated he works in gaming businesses in the city and spoke in favor.

Ms. Hiawa Locklear spoke in opposition.

Mr. Nelson Ray Douglas resident at 2903 Olive Dr. informed the board the affidavits presented by the applicant contained one with his signature but he did not sign and alleged that his signature had been forged.

After some questions of the applicant from the board, the Chairman called for motion.

Mr. Hammonds made a motion to recommend denying the special use permit for operation of an electronic gaming center based on fact that the location does not meet the city ordinance for distance from residential areas. The motion was seconded by Ms. Douglas. The motion carried unanimously.

|                  |                                                                    |                                |
|------------------|--------------------------------------------------------------------|--------------------------------|
| <b>RESULT:</b>   | <b>REFERRED [UNANIMOUS]</b>                                        | <b>Next: 10/7/2024 6:00 PM</b> |
| <b>MOVER:</b>    | Randy Hammonds, Board Member                                       |                                |
| <b>SECONDER:</b> | Lisa Douglas, Board Member                                         |                                |
| <b>AYES:</b>     | Terranova, Jones, McLean, Prevatte, Smith, Douglas, Odom, Hammonds |                                |
| <b>ABSENT:</b>   | Caulder, Britt                                                     |                                |

C. Rezoning Request for Patricio Ventura - 1003 MLK Jr. Dr. – ArTriel Kirchner, Planning Director

Patricio Ventura is requesting to rezone property located at 1003 MLK Jr. Dr.(parcel # 32430200301 & 324302003), from R-7 (Residential Single Family/Duplex) and B-4 (business general commercial) to CZ M-1 (conditional zoning light manufacturing) to operate a paint and body shop with auto sales only.

The Planning Staff recommends that the Planning Board hold tonight's public meeting, entertain public comment and make a recommendation to City Council regarding this matter.

Planning Director, Dr. ArTriel Kirchner gave a brief overview of the request.

Mr. Ventura the applicant gave a presentation of his request along with his friend/interpreter Mr. Alfred Johnson.

After some questions from the board. Mr. Elijah Little adjacent property owner spoke with complaints against how the city add treated his business.

Chairman Terranova called for a motion. Mr. Smith made a motion to recommend denial of the rezoning request. That motion was seconded by Ms. Douglas. The motion failed by a vote of 2-6.

Mr. Hammonds made a second motion to recommend approval of the rezoning based upon the conditional rezoning and similar business were operating on adjacent properties with the same zoning. That motion was seconded by Mr. Prevatte. That motion carried by a vote of 6-2.

|                  |                                                    |                                |
|------------------|----------------------------------------------------|--------------------------------|
| <b>RESULT:</b>   | <b>REFERRED [6 TO 2]</b>                           | <b>Next: 10/7/2024 6:00 PM</b> |
| <b>MOVER:</b>    | Randy Hammonds, Board Member                       |                                |
| <b>SECONDER:</b> | Mitchell Prevatte, Board Member                    |                                |
| <b>AYES:</b>     | Terranova, Jones, McLean, Prevatte, Odom, Hammonds |                                |
| <b>NAYS:</b>     | Smith, Douglas                                     |                                |
| <b>ABSENT:</b>   | Caulder, Britt                                     |                                |

D. Whitnee Roberts is requesting a Special Use Permit for a mental health, outpatient facility located at 4850 Fayetteville Road – ArTriel Kirchner, Planning Director

Whitnee Roberts is requesting a Special Use Permit for a mental health, outpatient facility located at 4850 Fayetteville Road, parcel # 10060100706AA deed book 628, pg. 295-309.

The Planning Staff recommends that the Planning Board hold tonight's public meeting, entertain public comment and make a recommendation to City Council regarding this matter.

Planning Director, Dr. Kirchner gave a brief overview of the special use permit request.

Whitnee Roberts, applicant gave a presentation of the request.

After some questions and discussion Chairman Terranova called for a motion.

Ms. Jones made a motion to recommend approval of the special use permit. That motion was seconded by Ms. Odom. The motion carried unanimously.

|                  |                                                                    |                                |
|------------------|--------------------------------------------------------------------|--------------------------------|
| <b>RESULT:</b>   | <b>REFERRED [UNANIMOUS]</b>                                        | <b>Next: 10/7/2024 6:00 PM</b> |
| <b>MOVER:</b>    | Angela Jones, Board Member                                         |                                |
| <b>SECONDER:</b> | Lee-Pam Odom, Board Member                                         |                                |
| <b>AYES:</b>     | Terranova, Jones, McLean, Prevatte, Smith, Douglas, Odom, Hammonds |                                |
| <b>ABSENT:</b>   | Caulder, Britt                                                     |                                |

## V. ADJOURNMENT

Mr. Smith made a motion to adjourn the planning board. The motion carried and the meeting was adjourned.

**Lumberton City Council**  
**Lumberton, North Carolina**



**Request for Action**

**Meeting Date:** October 7, 2024

**Originated By:** Planning & Neighborhood  
Services

**Submission Date:** 09/30/2024

**Subject:** CDBG-NR 2024 Application Public Hearing

**Summary/Background of Subject Matter:**

The City has been notified by the NC Department of Commerce Rural Development Division of the availability of up to \$950,000 in CDBG funds for the 2024 Neighborhood Revitalization Program. The Neighborhood Revitalization category is designed to provide grants to local governments for housing, housing-related activities, and public facilities that support activities for low and moderate income persons.

This public hearing is the second of two required public hearings which is conducted during the planning stage of the CDBG application for Neighborhood Revitalization funds. This public hearing serves to gather input from citizens on Lumberton's use of CDBG funds. The application for the program will be due to NC Dept. Of Commerce RDD on October 23, 2024.

**Staff Recommendation:**

Recommend holding tonight's public hearing as part of the application process. Adopt the Application Resolutions for Community Development Block Grant funding for the 2024 CDBG-NR project. Also adopt the Citizens Participation Plan and Housing Selection Committee Bylaws.

**Signature:**

**Department:**

**ATTACHMENTS:**

1. Resolution 2024 CDBG NR
2. Citizen Participation
3. Housing Selection ByLaws



*Office of The Mayor*

## RESOLUTION FOR THE CITY OF LUMBERTON

### APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING FOR THE 2024 CDBG NR PROJECT

**WHEREAS**, the Lumberton City Council has previously indicated its desire to assist in community development efforts for housing within the community; and,

**WHEREAS**, the Council Members have held two public hearings concerning the proposed application for Community Development Block Grant funding to benefit LMI families with housing needs; and,

**WHEREAS**, the Council Members wish the City to pursue a formal application for Community Development Block Grant funding to benefit LMI families with housing needs; and

**WHEREAS**, the Council Members certify it will meet all federal regulatory and statutory requirements of the State of North Carolina Community Development Block Grant Program,

**NOW, THEREFORE BE IT RESOLVED**, by the City's Council that the City is authorized to submit a formal application to the North Carolina Department of Commerce for approval of a Community Development Block Grant to benefit LMI families with housing needs.

Adopted this the \_\_\_ day of \_\_\_\_\_, 20\_\_ in Lumberton, North Carolina.

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Bruce Davis, Mayor

ATTEST:

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Clerk to the Council



## **CITIZEN PARTICIPATION PLAN**

This plan describes how The City of Lumberton will involve citizens in the planning, implementation and assessment of the Community Development Block Grant (CDBG) program. The funds must be used for projects which benefit low and moderate-income persons and aids in the elimination and prevention of slums and blight. The program is intended to assist governments in understanding neighborhood improvement programs. The regulations give ultimate responsibility for the design and implementation of the program to local elected officials and require that citizens be given an opportunity to serve in a key advisory role to these elected officials.

### **SCOPE OF CITIZEN PARTICIPATION**

Citizens will be involved in all stages of the CDBG program, including program implementation, assessment of performance and design of changes in the Citizen Participation Plan. There will be three (3) general mechanisms for their involvement:

1. To serve as an advisory committee to the project;
2. To attend or hold public hearings or community meetings; and
3. To provide individual citizen efforts in the form of comments, complaints or inquiries submitted directly to the Program Administrators or designated City official.

### **PROGRAM IMPLEMENTATION**

Citizen participation in program implementation will occur primarily through consultation with the City. The City will be asked to review and comment on specific guidelines for approved projects. They will also meet to review any program amendments, budget revisions and program modifications. All such changes will be discussed with the City and their comments considered prior to taking action. If program amendments require approval from the North Carolina Department of Commerce, a public hearing shall be held specifically on the amendment. Citizens may also be involved in implementation of projects specifically requiring citizen participation, such as self-help projects. Their roles will be defined as the project develops. Technical assistance will be available as needed.

### **PROGRAM ASSESSMENT**

As a part of the orientation to the program offered at the public hearing, citizens will be invited to submit comments on all aspects of program performance through the program year. Comments should be submitted in writing to the City Manager. He or she will respond in writing within ten (10) days. If the response is unsatisfactory, the complainant should write directly to the Mayor. He or she shall respond within ten (10) days.

If the citizen is still dissatisfied, he/she should write to the NC Department of Commerce, Rural Economic Development Division/State CDBG Program, 4346 Mail Service Center, Raleigh, NC 27699-4346, Attention: Citizen Participation Matter. Program staff will also be available during normal business hours to respond to any citizen inquiries or complaints at 919-814-4663

### **VIRTUAL HEARINGS**

During a declaration of a state of emergency by the Governor or General Assembly, and if a local unit of general government is concerned about significant public health risks that may result from holding an in-person public hearings, the local unit of general government may undertake a virtual public hearing (alone, or in concert with an in-person hearing) if:

- It allows questions in real time, with answers coming directly from the elected representatives to all “attendees.” Therefore, members of the public must be entitled to participate and address the governing body during any telephonic or video-conference meeting.
- The governing body must post a written notice that gives the public a way to participate remotely, such as a toll-free dial-in number, and that includes an electronic copy of any agenda packet that officials will consider at the meeting.
- As with an in-person hearing, the grantee must select a virtual hearing method or platform that provides accessibility for persons with disabilities and limited English proficiency (LEP) to the greatest extent possible. These accommodations must be free to these populations.
- A governing body must provide the public with access to a recording of any telephonic or videoconference meeting.
- The local unit of government must document its efforts and the reason for them.
- Additional specific communication requirements and requirements for conducting remote meetings can be found in Article 1A of Chapter 166A and Article 33C of Chapter 143 of the General Statutes.

#### **TECHNICAL ASSISTANCE**

Technical Assistance will be provided to citizen organizations and groups of low/moderate income persons or target area residents upon request to The City of Lumberton. Such assistance will support citizen efforts to develop proposals, define policy and organize for the implementation of the program. It is expected that such assistance will be provided directly to the City in response to their request. Assistance could be provided in the form of local presentations, informational handouts, research of a specific issue, or other short-term efforts.

#### **PUBLIC INFORMATION**

The City of Lumberton will also undertake public information efforts to promote citizen participation. These efforts will include the following:

1. Public Notice of all Public Hearings will be published in the non-legal section of the local newspaper at least ten (10) days before the scheduled hearing. These notices will indicate the date, time, location and topics to be considered.
2. Orientation Information will be provided at the first public hearing. The Program Administrator(s) will make a presentation which covers: (a) the total amount of CDBG funds available and the competitive basis for award; (b) the range of eligible activities; (c) the planning process and the schedule of meetings and hearings; (d) the role of citizens in the program and (e) a summary of other program requirements, such as the environmental policies, fair housing provisions and contracting procedures.
3. A Public File containing program documentation will be available for review at the City Hall during normal business hours. Included will be copies of the Application, Environmental Review Record, the Citizen Participation Plan and the Annual Performance Report. Other program documents are also available for citizen review on request at the City Hall consistent with applicable State and local laws regarding personal privacy and obligations of confidentiality.
4. Public Hearings an interpreter will be provided for all non-English speaking individuals and/or deaf individuals.

ADOPTED, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_

\_\_\_\_\_

*Mayor*

*Attest: City Clerk*

*City of Lumberton*

*City of Lumberton*

**CITY OF LUMBERTON**  
**HOUSING SELECTION COMMITTEE**  
**BYLAWS**

**I. Purpose**

The purpose of the Lumberton Housing Selection Committee is to make recommendations to the City on the following:

- a. Recommend which residents are in need of housing assistance.
- b. To review housing grant applications and housing needs.
- c. To make recommendations concerning the items that require citizen input in the grant applications such as which citizens should receive housing assistance, what if any interest should be paid by citizens who receive housing funds and the types of assistance that will be provided.

**II. Membership**

The Selection Committee membership shall consist of 3 members. Members will be appointed by the manager and shall serve for a term of two years.

**III. Officers**

Chairman: The Chairman will be elected by the members of the Housing Committee. The Chairman shall decide all points of order and procedure, subject to these bylaws, unless otherwise directed by a majority of the Committee in session at the time. The Chairman shall vote on all matters before the Committee and shall have no extraordinary voting powers in the case of a tie vote.

The Chairman shall preside at all meetings and shall appoint the Chairman of all subcommittees. The Chairman shall be responsible for establishing the agendas for all meetings.

Upon resignation of the Chairman, the Committee shall elect a new Chairman within 90 days to complete the existing term of office.

Vice-Chairman: A Vice-Chairman shall be elected by the Committee from among its members in the same manner as the Chairman and shall be eligible for re-election. He/she shall serve as acting Chairman in the absence of the Chairman, and at such time he/she shall have the same powers and duties as the Chairman.

**IV. Attendance at Meetings**

Should a Committee member fail to attend three (3) consecutive regularly scheduled meetings, the Chairman shall contact the member to determine their interest in continuing to serve on the Committee. Should there be no reasonable excuse for such

absences, the Chairman, with the concurrence of the Committee present at a regular meeting, may recommend to the Board of Commissioners that a vacancy be declared and that the vacant position be filled.

- V. Voting: All members of the Committee shall vote on every issue that requires this procedure except that a member of the Committee shall be excused from voting on matters involving direct personal or financial interest. In the event that Committee member abstains from voting for reasons other than direct personal or financial interest, the abstention shall be ruled by the Chairman as an affirmative vote. A tie vote of those present shall cause the motion to fail.

#### VI. Meetings

- A. Regular Meetings: Regular meetings of the Committee shall be held on a date and time which shall be approved by the majority of the members.
- B. Special Meetings: Special meetings of the Housing Committee shall be held at a time and place designated by the officer calling the same and shall be called by the Chairman or Vice-Chairman. Notice thereof shall be given to all members not less than forty-eight hours in advance.
- C. Cancellation of Meetings: Whenever there is no business for the Committee, the Chairman may dispense with a regular meeting by giving notice to all the members not less than seventy-two hours in advance.
- D. Quorum: A quorum shall consist of a majority of the Committee membership.
- E. Conduct of Meetings: Committee meetings and its subcommittees shall be governed by Robert's Rules of Order.

#### AMENDMENTS

These bylaws may be amended at any time by an affirmative vote of a majority of the members of the Committee. The proposed amendment must have been presented in written form to the Committee members at least seven (7) working days prior to the date of the meeting at which such action is to be taken.

**Lumberton City Council**

**Lumberton, North Carolina**



**Request for Action**

**Meeting Date:** October 7, 2024

**Originated By:** Planning & Neighborhood  
Services

**Submission Date:** 09/18/2024

**Subject:** Whitnee Roberts is requesting a Special Use Permit for a mental health, outpatient facility located at 4850 Fayetteville Road

**Summary/Background of Subject Matter:**

Whitnee Roberts is requesting a Special Use Permit for a mental health, outpatient facility located at 4850 Fayetteville Road, parcel # 10060100706AA deed book 628, pg. 295-309.

On September 17, 2024 the Planning Board held the public meeting and unanimously recommends City Council approve the Special Use Permit request.

**Staff Recommendation:**

The Planning Board asks City Council to hold tonight's public hearing and approve the Special Use Permit request.

**Signature:**

**Department:**

**ATTACHMENTS:**

1. Whitnee Roberts - SUP Report

**DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES  
CITY OF LUMBERTON, NORTH CAROLINA  
APPLICATION FOR A SPECIAL USE PERMIT**

**TO: THE CITY COUNCIL OF THE CITY OF LUMBERTON**

The undersigned hereby respectfully requests that the City Council of the City of Lumberton issue a Special Use Permit as hereinafter described:

**1. Applicant:**

**Owner:**

Legal Name: Whitnee L. Roberts  
Physical Address: 700 Wyndam Court  
Lumberton, North Carolina 28358  
Mailing Address: 700 Wyndam Court  
Lumberton, North Carolina 28358  
Telephone: (910) 734-6178

Legal Name: Elliott Williamson, Century 21 Real Estate Center  
Physical Address: 4850 Fayetteville Road  
Lumberton, North Carolina 28358  
Mailing Address: 4850 Fayetteville Road  
Lumberton, North Carolina 28358  
Telephone: (910) 738-8151

Name of Business: New Moon Health & Wellness, PLLC

Business Address: 4851 Fayetteville Road, Unit C

EMAIL: Newmoonhealthnwellness@gmail.com

Lumberton, North Carolina 28358

**Description of Property:**

**2.**

|                                                       |             |                    |
|-------------------------------------------------------|-------------|--------------------|
| <u>4850 Fayetteville Road, Suite C, Lumberton, NC</u> | <u>628</u>  | <u>295- 309</u>    |
| (Address)                                             | (Deed Book) | (Page)             |
| <u>N/A</u>                                            | <u>N/A</u>  | <u>275 feet</u>    |
| (Map Book)                                            | (Page)      | (Frontage)         |
|                                                       |             | <u>~1.22 acres</u> |
|                                                       |             | (Area)             |

**3. Tax Map Identification (parcel number):** 10060100706AA/B003

**4. Proposed Use of Property:** New Moon Health & Wellness, PLLC, (Mental, Emotional, Spiritual Health Office)

**5. Zoning District Designation of Property:** Currently Listed Zone B-3

**6. Development Site Plan:** See Appendix A of Land Use Ordinance.

**7. Notice of Hearing:** All property owners within 150' of the perimeter of the property subject of this petition must be notified by first class mail. Please attach list of all such property owners as reflected on the current tax Assessor's Roll with current mailing addresses, Taxing Township, Map Number, Block Number, and parcel Number.

**8. Supportive Information:** At the Hearing, you will be responsible for providing information to the City Council to enable it to determine whether the development, if completed as proposed, will comply with the requirements of the Land Use Ordinance. You should be ready to show the following relative to the proposed development:

- a. That it will not materially endanger the public health or safety; and
- b. That it will not substantially injure the value of adjoining or abutting property; and
- c. That it will be in harmony with the area in which it is to be located; and
- d. That it will be in general conformity with the Land Use Plan Thoroughfare Plan, or other plan officially adopted by the City.

**9. Application Fee:** Submit the fee payment with application. The application fee is nonrefundable.



ADDRESS:

10. Briefly describe Applicants intended use of the property (Applicant must attach a detailed business plan, if applicable):

Business Plan for New Moon Health & Wellness is attached.

11. Notarized Signatures:

I certify that all of the information presented by the undersigned in this Application is accurate to the best of my knowledge, information and belief.

Applicant: Whitnee Roberts 700 Wyndam Court  
Name Physical Address  
Applicant: Whitnee Roberts Lumberton NC  
Signature 28358

STATE OF North Carolina COUNTY OF Robeson

I, Deborah M. Faircloth, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this 9 day of August, 2024

Deborah M. Faircloth My Commission Expires: March 5, 2029  
Notary Public Signature

Owner: Elliott Williamson 4850 Fayetteville Rd.  
Name Physical Address

Owner: Elliott Williamson  
Signature

STATE OF North Carolina COUNTY OF Robeson

I, Deborah M. Faircloth, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this 9 day of August, 2024

Deborah M. Faircloth My Commission Expires: March 5, 2029  
Notary Public Signature



City of



Lumberton

Planning & Neighborhood Services

Authorization to appear before City Council/Planning Board/Board of Adjustment on the behalf of the property owner(s).

Application File No.: \_\_\_\_\_

Property address: 4850 Fayetteville Rd Parcel #: 10060100706A1B 003  
Unit C

I, Elliott Williamson (property owner), give Dr./Mr./Ms.  
Whitnee Roberts the authority to appear before City

Council/Planning Board/Board of Adjustment on my behalf.

Authorized Person (print/type full name): \_\_\_\_\_

Signature: Whitnee L. Roberts (Authorized Person)

Authorized Actions: Appear before City Council/Planning Board/Board of Adjustment on property owner's behalf; Answer questions of the board(s) on property owner's behalf; Appear as the applicant.

1. The North Carolina State Bar has opined on more than one occasion, that non-lawyers representing someone else at a quasi-judicial hearing (such as variances and special use permits) constitutes the unauthorized practice of law (The City Attorney can provide copies of these opinions). Simply providing factual or expert testimony as a witness does not violate this rule.
2. If the applicant is not present and the representative does not have sufficient knowledge regarding the application to satisfy the Planning Board or Board of Adjustment, this may cause the request to be tabled or denied.

I, the undersigned, (owner of the above described property), do hereby acknowledge: (1) that I give authority to the authorized person listed above to appear before City Council/Planning Board/Board of Adjustment on my behalf, (2) that this authorization will not waive my rights as the property owner.

STATE OF North Carolina COUNTY OF Robeson

I, Deborah M. Faircloth, a Notary Public in and for said County and

State, do hereby certify that Whitnee Roberts personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this 9 day of August, 2024.

Deborah M. Faircloth  
Notary Public

My Commission Expires: March 5, 2029.

# Exhibit A

## BUILDING SKETCH

|                  |        |       |          |
|------------------|--------|-------|----------|
| Borrower         |        |       |          |
| Property Address |        |       |          |
| City             | County | State | Zip Code |
| Lender/Client    |        |       |          |

4850 FAYETTEVILLE ROAD

4850 Fayetteville Rd  
Suite C

| SUMMARY       | SQ FT AREA | PERIMETER | AREA CALCULATION DETAILS          |
|---------------|------------|-----------|-----------------------------------|
| Building Area |            |           |                                   |
| Unit 4851     | 2240       | 192       | Unit 4851<br>56.0 X 40.0 = 2240.0 |
| Unit 4852     | 1440       | 156       | Unit 4852<br>48.0 X 30.0 = 1440.0 |
| Unit 4853     | 1680       | 172       | Unit 4853<br>56.0 X 30.0 = 1680.0 |



*New Moon*  
**Health & Wellness**

[www.Newmoonhealthandwellness.org](http://www.Newmoonhealthandwellness.org)

## **New Moon Health & Wellness, PLLC**

### **BUSINESS PLAN**



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## Section I

### Mission Statement

Our Mission at New Moon Health & Wellness is to empower individuals by providing compassionate & evidenced based mental health services in order to foster healing in mind, body, soul & spirit. It is our vision to help restore the inner most parts that have been lost, scattered, and broken, in an effort to bring re-alignment to the soul.

The inspiration for the creation of New Moon Health & Wellness came after years of service working in hospitals, medical and mental health offices. We recognize and understand that our communities are facing multiple challenges mentally, emotionally, and spiritually due to the ever changing health care landscape across our nation, and how corporate interests overshadow individualized care ensuring that quantity over seas quality of care; therefore clientele are viewed in monetary value versus the individualized quality of care needed for each client. That is why we are compassionate about improving the overall health and wellness in our communities.

### History/Background

New Moon Health and Wellness is located in Lumberton, North Carolina, and provides mental health services to the county of Robeson. The answer as to why this location was chosen is quite simple, this is our Home. We are proud members of the Lumbee Tribe of North Carolina, which is the largest state recognized tribe east of the Mississippi River. Our indigenous roots run deep in the community, and we are here to not only help with healing in mind, body, soul and spirit, but we are here to serve.

Robeson County is our home but not without its challenges. Robeson County ranks as the number one overall crime rate in the state of North Carolina, out of 100 counties and ranks 8<sup>th</sup> out of 100 counties with the highest unemployment rate, and include other detrimental factors such as the drug/opioid epidemic, you can understand why this is so close to our hearts. Another determining factor for the physical location of New Moon is due to Interstate 95 and the Highway 74 Corridor that runs directly through the county and provides more accessibility to our office situated off I-95, to provide the quality mental, emotional, and spiritual health care services that our clientele need and deserve.

The market for mental and emotional health services in Robeson County is in very high demand. The past several years, Robeson County has experienced 2 major hurricanes (Hurricane Mathew – 2016 & Hurricane Florence – 2018) that brought major flooding throughout the county. These two catastrophic events caused loss of life, loss of property to include homes, vehicles, businesses, churches, and displacement of families, which in turn caused a decline in the mental, spiritual, and emotional well-being for the citizens of the county. While still in recovery mode from re-building and re-covering from the hurricanes, the global coronavirus pandemic started in 2020, which included a shutdown of non-essential businesses and personnel, which further impacted the physical, mental, emotional, and spiritual mindset of the citizens in the county.

## Past Experience

New Moon Health and Wellness, PLLC is a Native American, Woman Owned Small Business founded by Owner/Managing Provider, Whitnee Leigh Roberts. Ms. Roberts has more than 15 years of experience in the medical and mental health field as a Registered Nurse (RN), Family Nurse Practitioner (FNP-C) and Psych Mental Health Nurse Practitioner (PMHNP-BC), and her past experience is as follows:

*Broadstep (formerly Coastal Southeastern United Care)*  
Family Nurse Practitioner

Lumberton, NC  
May 2021-Present

- Initiating, prescribing, renewing, refilling, monitoring, and managing the care of patients on psychotropic medications
- Interacting with patients, patient families, clinical team and community resources establishing relationships and providing positive customer service all while providing passionate care to clients of our Assertive Care Treatment team (ACTT).
- Advanced skill and knowledge in conducting psychiatric evaluations.
- Orders and interprets laboratory tests for screening and for diagnosing.
- Experience working with children in a mental health outpatient setting.
- Experience treating Substance Users with Substance use disorders.
- Perform a comprehensive psychiatric evaluation that includes evaluation of mental status, current and past history of violence, suicidal or self-harm behavior, substance abuse, level of functioning, health behaviors, trauma, sexual behaviors and social and developmental history.

Southeastern Health

Lumberton, NC

Hospitalist

September 2018-May 2020

- Make medical decisions based on the data gathered and the initial medical work-up, establish a presumptive diagnosis and determine a treatment plan appropriate for the patient's needs.
- Initiate requests for laboratory tests as indicated.
- Initiate requests for radiologic tests including but not limited to x-rays, CT scans, and MRIs.
- Perform and/or order/delegate to qualified and/or licensed clinical staff procedures such as but not limited to: Administration of medications, IV fluids, wound care, CPR, and venipuncture.
- Make referrals to other healthcare providers and professionals as appropriate.
- Initiate or follow-up on requests for home health, rehabilitative or social services as the patient's condition warrants.
- Prescribe medications and devices commensurate with the regulations set forth by the North Carolina Administrative Code subchapter 32M.0108 titled Prescriptive Authority.

QwikMed Clinic

Fayetteville, NC

Family Nurse Practitioner

July 2017-August 2019

- Work autonomously to assess, diagnose, and treat common illnesses, minor injuries, and skin conditions.
- Perform health screenings, physicals, and give vaccinations to the child, adolescent, and adult population.
- Work within the guidelines and scope of practice at QwikMed Minute Clinic using evidence-based medicine.
- Handle all aspects of care from registration, history, vital signs, exam, treatment, patient education, and payment for visit

Tru Care Family Practice

Lumberton, NC

Family Nurse Practitioner

March 2017-September 2018

- Assess, diagnose, and treat a variety of acute and chronic common medical conditions/illnesses, minor injuries, using evidence-based medicine in collaboration with a physician.
- Supervision of LPNs and other medical assistants at the practice.
- Perform Health Screenings and head to toe physicals, order and administer vaccinations.
- Responsible for clinical decisions in absence of physicians.
- Wellness visits for adults and children over age 5, for any primary care and urgent care related medical issues.



## Section II

### BUSINESS DESCRIPTION

**Business Opportunity:** New Moon Health & Wellness, PLLC was founded on May 03, 2023 by Whitnee Leigh Roberts, FNP-C, PMHNP-BC. We have outlined several detrimental and determining factors that have occurred in Robeson and surrounding counties, and what better way to help uplift the overall well-being of the county than to be in service to its citizens. We have previously stated that there has been an increase in mental/emotional health services needed versus the mental/emotional health services that are provided. New Moon Health and Wellness can assist by helping close that mental health gap by helping clients that have fallen through the cracks of an overloaded mental health system.

Health care, specifically mental health care is always changing and evolving, and as of 12/01/2023, Medicaid coverage has expanded significantly, which will open doors for mental health services to clients, whom before 12/02/2023, had limited to no coverage. This is a great opportunity for clients that have received expanded coverage, but this in turns raises an important question. What's an already overwhelmed, overloaded, overworked, and overstressed mental health system going to do?

This presents New Moon Health & Wellness with the unique opportunity to be able to immediately step in and provide quality mental and emotional health services to patients in need. Regardless of whether non-insured or insured, our services are individualized to fit the needs of each client.

**Services Overview:** We provide mental health services based upon the needs of our clients, and this includes providing individualized health care to promote healing in mind, body, soul, and spirit. At New Moon Health and Wellness, we provide mental, emotional, and behavioral health services for children and adolescents ranging from ages 4 – 17, and adults aged 18 and above. We provide clinical diagnostic evaluations, mental health counseling, and medication management.

We provide services to people who are suffering from various mental health disorders which include anxiety, depression, bipolar, eating, and other mental health disorders and understand that each of our clients are unique and come from a variety of different socio-economic backgrounds.



**Payment:** New Moon Health and Wellness has a variety of payment options available to our clientele which include:

- Credit/Debit in Office
- Credit/Debit Through EHR
- Cash Payments
- Square

**Technology:** There are several pieces of technology that are fundamental to the day-to-day operations of New Moon Health and Wellness, and this includes our computers, computer software, phone and internet service, printer/fax machine and an electronic health record system (EHR). We consider the EHR system the most integral piece of technology needed to operate New Moon Health and Wellness effectively and efficiently.

The EHR allows our mental health clients to schedule appointments from their computer, tablet, or smart phone, and can with the touch of a button send reminders about upcoming appointments to clients via text, email, or phone call with voicemail option. Our EHR also allows clients to complete initial intake paperwork, as well as provide the option of online check-in. The medical provider is able to create treatment plans, document progress notes, send prescriptions electronically, and as mentioned before, offer a wide variety of billing options to fit the needs of our clientele.

Another important component that the EHR provides is the ability to bill the various insurance providers. As New Moon continues to grow in clientele, and our financial revenue increases, the EHR provides a single billing workflow page that links to multiple billing options, reduce the number of billing errors or mistakes, and retrieve all billing/financial documents such as monthly, quarterly, semi-quarterly and yearly reports, balance sheets, and other accounting information.

Section III

**Key Employees & Customers:** The key personnel in our office begins with our managing medical provider, and owner of New Moon Health and Wellness, Ms. Whitnee Roberts, MSN, FNP-C, PMHNP-BC. Ms. Roberts earned her associate degree in nursing from Bladen Community College in 2007. Then she earned her Bachelor of Science in nursing from Winton-Salem State University in 2011. Later, she returned to school in 2015, and earned her Master of Science in nursing from the University of North Carolina at Wilmington. Most recently, she obtained her certification as a Psychiatric Mental health Nurse Practitioner from Liberty University in 2020. New Moon will operate in Lumberton NC and is currently identifying potential locations.

LICENSURES/CERTIFICATIONS:

- State of North Carolina RN License expires May 2025 #230703
- Board Certified Family Nurse Practitioner AANP: expires January 3, 2027
- Board Certified Psychiatric Mental Health NP: expires January 3, 2027

AFFILIATIONS:

- |                                                       |              |
|-------------------------------------------------------|--------------|
| • Member, American Association of Nurse Practitioners | 2013-present |
| • Member, American Psychiatric Nurses Association     | 2020-present |
| • Member, Alpha Pi Omega Sorority                     | 2020-present |
| • Kiwanis International Member                        | 2022-present |
| • National Association for the Self-Employed (NASE)   | 2023-present |
| • North Carolina Nurses Association                   | 2023-present |

**Key Customers:** We understand that the success of New Moon Health and Wellness first begins with our clients. When quality mental health services are provided, and the client's needs and well-being are being renewed, then our clientele will share their personal testimonies of healing with others, and in turn our referrals will increase as a result of verbal communication. In our initiative to serve the community, New Moon supports local businesses by partnering with other medical offices by giving new client information to some of the specialties listed below:

- General Family Medicine
- Endocrinologists
- Urologists
- Gastroenterologists
- Neurologists
- OB/GYN
- Emergency/Urgent Care
- Cardiologists
- Rheumatologists
- Orthopedics
- Oncologists
- Pediatrics
- Pulmonologists
- Geriatrics

## Section IV

**Key Organizations:** New Moon Health and Wellness is looking forward to working with other organizations within the community. There are several key organizations that we have worked with to help those in need within our communities. The following key organizations include:

- Robeson/Lumberton Kiwanis Organization
- Robeson County Church and Community Center
- Robeson County Partnership for Children
- Lumbee Tribe of North Carolina
- Lumber Regional Development Center
- The University of North Carolina at Pembroke
- North Carolina Nurses Association
- National Association for the Self-Employed
- Southeastern Family Violence Center

**Target Market:** New Moon Health and Wellness has a broad marketing footprint for building and expanding our mental health services to the general public and throughout the health care community. This marketing strategy includes building and maintaining the New Moon website, and advertising our mental health services through Google and other internet providers. We understand that we live in a world where social media plays a vital role in the advertising and marketing strategies of a growing business.

New Moon utilizes the following social media platforms for marketing purposes. Some of these social media platforms include Facebook, Instagram, and LinkedIn. We will use these services to promote our mental health



services, promote community engagement programs, and engage with other medical and mental health offices to promote small business within the communities. As New Moon continues to build and plan for tomorrow, we are also looking toward the future and expanding mental health services to other locations outside of Robeson County.

Our next target marketing area includes Fayetteville, Hope Mills, Grays Creek, and Ft. Liberty, North Carolina. To put it simply, Ft. Liberty is our top area for expansion for our mental health services because not only is this base the largest in the continental U.S., but it's also the largest military installation in the world. Ft. Liberty has an estimated total of 51,700 active-duty troops, and an estimated total of 62,962 active-duty family members, an estimated total of 14,000 civilian contractors, and an estimated total of 5,418 federal government contractors that are associated with the military base.

The surrounding areas of Fayetteville, Hope Mills and Grays Creek are home to an estimated 98,250 military family members, along with an estimated total of 27,000 military retirees in these areas surrounding counties of Ft. Liberty. Having been involved in the medical and mental health field, New Moon Health and Wellness is aware of the mental health struggles that our active military and veterans face. The most widely publicized mental health challenges that our active service members and veterans face is posttraumatic stress disorder, (PTSD) and depression. This potential market presents New Moon Health and Wellness with the opportunity to not only to expand mental health services and open a new office in this area, but this also brings about potential for new clientele at the local, state, and federal government level.

## Section V

### New Moon Health and Wellness Advertising & Marketing Vision

- Advertise and market by word of mouth from clientele and community.
- Advertise by New Moon Health and Wellness website and advertise mental health services through search engines such as Google, Bing, and Apple.
- Market and advertise on social media platforms such as Facebook, Instagram, X (formerly Twitter), Snapchat, and LinkedIn.
- Local media advertising in newspapers that include The Robesonian, Native Vision, The Fayetteville Observer, and other local and regional health publications.
- Local radio advertising through 95.7, 92.9, 102.3, 98.1, 103.5, etc.
- Advertise services to other local, state and federal government mental health agencies
- Market services to other medical and mental health offices to build referrals between offices

- Partner with other health care companies and organizations (i.e. for profit businesses & non-profit 501c3 business and organizations)
  - Attend and promote New Moon Health and Wellness at local, regional, state, and federal health care conferences, exhibitions and seminars
  - Advertise and market services at local, regional, state, and federal health care conferences, exhibitions and seminars
  - Advertise and market mental health services through yard signs and digital advertising boards.
- 
-

*Planning & Neighborhood Services*

**Special Use Permit Request**

7.182 Whitnee L. Roberts – 4850 Roberts Ave Suite C

| <b>PETITIONER(S):</b>                                                           | <b>OWNER(S):</b>                                                                                                                                                   |
|---------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Whitnee L. Roberts<br>700 Wyndam Court<br>Lumberton, NC 28358<br>(910) 734-6178 | WOODRIDGE CONDOMINIUMS<br>PO BOX 1550<br>LUMBERTON , NC 28359<br>Elliott Williamson, Century 21<br>4850 Fayetteville Road<br>Lumberton, NC 28358<br>(910) 738-8151 |

**SUP Request:** Whitnee Roberts is requesting a Special Use Permit for a mental health, outpatient facility (P1).

**LOCATION:** 4850 Roberts Ave Suite C Parcel # 10060100706AA (B003-Condo)





# *City of* *Lumberton*

*Planning & Neighborhood Services*

**Zoning: B-3**



## **PROJECT OVERVIEW**

**Analysis:** Whitnee Roberts is requesting a Special Use Permit for a mental health, outpatient facility located at 4850 Fayetteville Road, parcel # 10060100706AA (B003-Condo) deed book 628, pg. 295-309.

*City of**Lumberton**Planning & Neighborhood Services***PLANNING & ZONING**

| <i>Parcel #(s)</i>            | <i>Zoning</i> | <i>Width</i> | <i>Building Square Footage</i>                       | <i>Limits of Construction</i> |
|-------------------------------|---------------|--------------|------------------------------------------------------|-------------------------------|
| 10060100706AA<br>(B003-Condo) | B3            | 275 feet     | Unit C- 2,240<br><br>Entire building<br>5,600 Aq.ft. | Unit C- 2,240                 |

**MINIMUM (MAX) SETBACK AND LOT SIZE REQUIREMENTS**

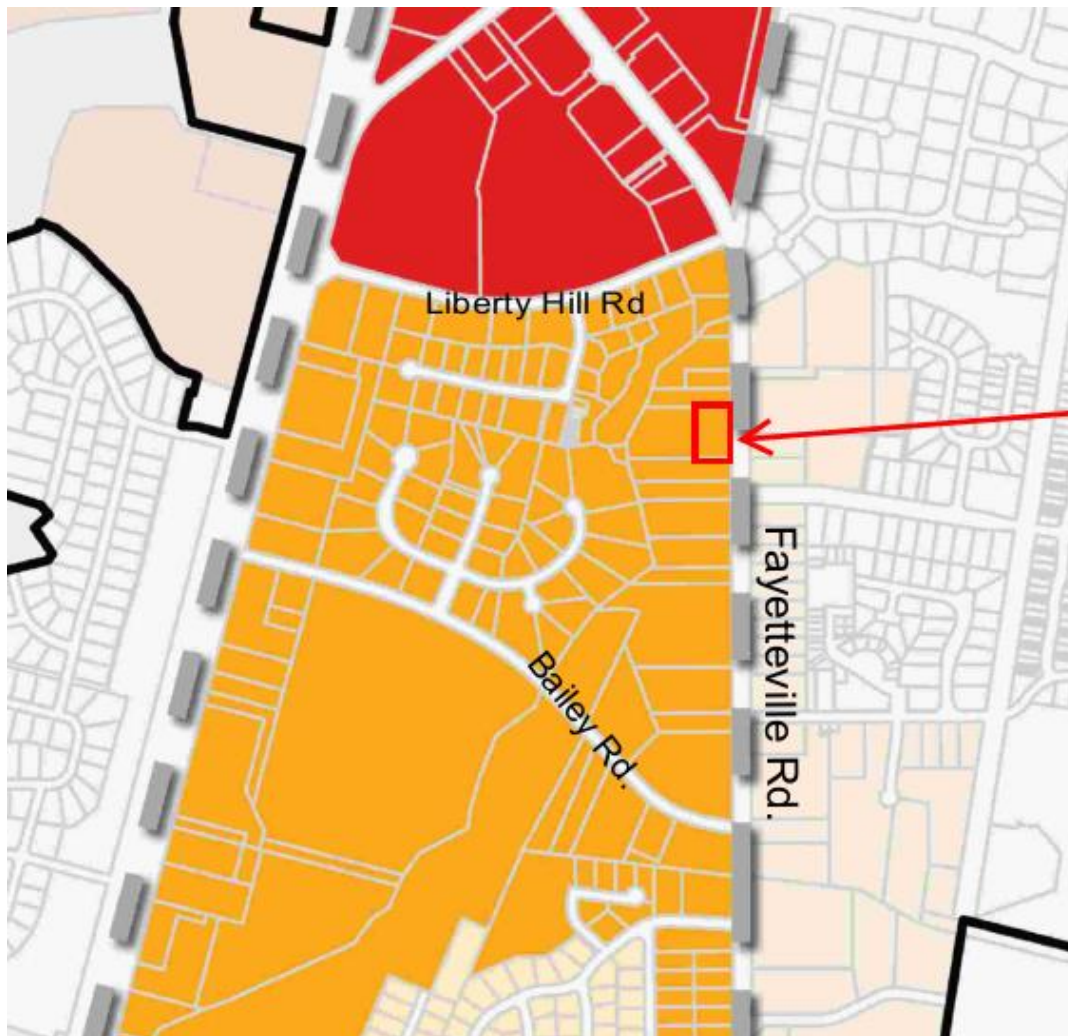
| <i>Zoning District</i> | <i>Min. Square Footage</i> | <i>Min. Road Frontage</i> | <i>Min. Front Setback (right of way)</i> | <i>Min. Side Setback</i> | <i>Min. Rear Setback</i> | <i>Max. Height</i> |
|------------------------|----------------------------|---------------------------|------------------------------------------|--------------------------|--------------------------|--------------------|
| Existing Zoning B-3    | 7,000 sq. ft.              | 70'                       | 20'                                      | 10'                      | 10'                      | 35 feet            |

**ADJACENT PROPERTY SITE DATA**

|                         | <i>Zoning</i> | <i>Zoning Description</i>   | <i>Land Use</i>                                    |
|-------------------------|---------------|-----------------------------|----------------------------------------------------|
| <b>Subject Property</b> | B-3           | Office/Residential          | Professional Offices:<br>Real Estate & Medical     |
| <b>North</b>            | B-3           | Office/Residential          | Insurance Office                                   |
| <b>South</b>            | B-3           | Office/Residential          | Bank – State Employees Credit Union                |
| <b>East</b>             | B-3           | Office/Residential          | Vacant                                             |
| <b>West</b>             | B-4           | Business General Commercial | Fayetteville Road<br>SRMC - NC Health Southeastern |

**EXISTING LOT INFORMATION: Professional Offices: Real Estate & Medical Offices**

**Land Use Plan:** Future use of the parcel is medium intensity and is located in Precinct 1.



#### **MEDIUM INTENSITY**

The Medium Intensity land use category is intended to accommodate medium density residential development (up to 10 dwelling units / acre), including both single family residences and larger scale multi-family dwellings. This land use category is also intended to accommodate the use and development of land for medium intensity nonresidential uses, such as churches, schools, neighborhood scale retail, professional offices and similar uses when sited in a manner that does not negatively impact adjoining residential uses located within this or an adjacent lower intensity land use category. In general, these areas are intended to provide a transition between low and high intensity land uses, as well as to facilitate redevelopment in areas where increased density and/or intensity of use is desired.



### FLOOD RISK INFORMATION SYSTEM (FRIS) INFORMATION

**Flood Zone:** Zone X is the flood insurance rate zone that corresponds to areas outside the 0.2% annual chance floodplain, areas within the 0.2% annual chance floodplain, and to areas of 1% annual chance flooding where average depths are less than 1 foot, areas of 1% annual chance flooding where the contributing drainage area is less than 1 square mile, and areas protected from the 1% annual chance flood by levees. No Base Flood Elevations or depths are shown within this zone.

**Map Number:** 3710939300K **Panel Effective Date:** 12/6/2019



North Carolina Floodplain Mapping Program



**DEVELOPMENT UPON APPROVAL**

If the Special Use Permit request is granted the applicant must submit site development plans to the City of Lumberton's Planning Department for approval. All conditions must be met prior to the issuance of a Land Use Permit and/or Certificate of Occupancy.

**PLANNING STAFF RECOMMENDATION TO COUNCIL**

On September 17, 2024 the Planning Board held the public meeting and unanimously recommends City Council approve the Special Use Permit request.

The Planning Board asks City Council to hold tonight's public hearing and approve the Special Use Permit request.



## **II. B-3 Zoning District Requires a Special Use Permit**

1.130 Single- family residences with accessory apartment

1.420 Nursing care, intermediate care homes

1.430 Child care homes

1.440 Halfway houses

1.510 Rooming houses, boarding houses

1.520 Tourist homes and other temporary residences renting by the day or week

3.140 Government Office Buildings

5.110 Elementary and secondary (including associated grounds and athletic and other facilities)

5.130 Colleges, universities, community colleges (including associated facilities such as dormitories, office buildings, athletic fields, etc.)

5.310 Located within a building designed and previously occupied as a residence or within a building having a gross floor area not in excess of 3,500 square feet

5.320 Located within any permissible structure

6.210 Privately owned outdoor recreational facilities such as golf and country clubs, swimming or tennis clubs, etc., not constructed pursuant to a permit authorizing the construction of some residential development

6.220 Publicly owned and operated outdoor recreational facilities such as athletic fields, golf courses, tennis courts, swimming pools, parks, etc., not constructed pursuant to a permit authorizing the construction of another use such as a school

6.270 Recreational vehicle parks and/or campgrounds

7.100 Hospitals or other medical (including mental health) treatment facilities

7.200 Nursing Care Institutions, Intermediate Care Institutions, Handicapped or Infirm Institutions, Child Care Institutions

13.100 Police stations

13.200 Fire stations

13.300 Rescue squad, ambulance service

13.400 Civil defense operation

13.510 & 13.520 Training Facilities Activity conducted within or outside fully enclosed building

14.400 Reclamation landfill

17.100 Neighborhood Utility Facilities

21.100 Cemetery

28.100 Major Subdivisions

28.300 Public utility facilities without direct or indirect access

**Lumberton City Council**

**Lumberton, North Carolina**



**Request for Action**

**Meeting Date:** October 7, 2024

**Originated By:** Planning & Neighborhood  
Services

**Submission Date:** 09/18/2024

**Subject:** Rezoning Request for Patricio Ventura - 1003 MLK Jr. Dr.

**Summary/Background of Subject Matter:**

Patricio Ventura is requesting to rezone property located at 1003 MLK Jr. Dr.(parcel # 32430200301 & 324302003), from R-7 (Residential Single Family/Duplex) and B-4 (business general commercial) to CZ M-1 (conditional zoning light manufacturing) to operate a paint and body shop with auto sales only.

On September 17, 2024 the Planning Board held the public meeting and with a 6 (for) to 2 (against) vote recommends City Council approve the Conditional Rezoning request with the condition that only an automotive paint and body shop and auto sales can be operated at this location.

Angela Jones (P2) and Lisa Douglas (P6) voted against the petition.

**Staff Recommendation:**

The Planning Board asks the City Council to hold tonight's public hearing and approve the conditional rezoning request with the condition that only a paint and body shop with auto sales can be operated at this location.

**Signature:**

**Department:**

**ATTACHMENTS:**

1. Ventura - Rezoning Staff Report

# City of



# Lumberton

DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES  
APPLICATION FOR ZONING MAP AMENDMENT

\*\*\* **CONDITIONAL** \*\*\*

TO: THE CITY COUNCIL OF THE CITY OF LUMBERTON

The undersigned hereby respectfully requests that the Official Zoning Map of the City of Lumberton, North Carolina be amended as hereinafter described:

(NOTE: Please complete this application by typing or printing legibly.)

1. **Applicant:**

Full Legal Name:

*Patricio Lopez Ventura*

Physical Home Address:

*813 Coree St  
Lumberton, NC, 28358*

Mailing Address:

Telephone:

*706-853-1621*

**Owner:**

Full Legal Name:

*Patricio Lopez Ventura*

Physical Home Address:

*813 Coree St  
Lumberton, NC 28358*

Mailing Address:

Telephone:

*706-853-1621*

**Legal Name of Business:**

**EMAIL:**

2. **Description of Property:**

*1003 M. L. K, Jr. Drive*

(Address)

*2348*

(Deed Book)

*573*

(Page)

*5*

(Map Book)

*54*

(Page)

*50' + 82'*

(Frontage)

*~9,300 sq ft + ~23,520 sq ft*

(Area)

3. **Tax Map Identification Number (parcel number):**

*32430200301 + 324302003*

4. **Existing Zoning District Designation of Property:**

*B-4 + R-7*

5. **Requested Zoning District Designation of Property:**

*CZ- M-1 paint and Body shop + Auto sales*

6. **Applicant's Interest In Property (check one):**

☒ Owner

☐ Owner's Agent

☐ Lease-to-Own

☐ Tenant

☐ Family member

☐ Other (explain) \_\_\_\_\_

7. **Legal Description of Property:** Attach a running description of the portion of the property to be rezoned in metes and bounds sufficient to reconstruct the same on the property.

8. **Site Map:** Attach a map of the property in question.

9. **Application Fee:** Submit the fee payment with application. The application fee is **nonrefundable**.

1 of 3

\*\*\*All property owners must provide a physical address and sign their application. Additional signature page(s) are available upon request.\*\*\*

File # *10-225*

2/6/2014

Updated 4/5/2012

P.O. Box 1388 ♦ 500 N. Cedar Street ♦ Lumberton, NC 28359 ♦ Phone : 910-671-3838 ♦ Fax : 910-671-3975

City of



Lumberton

DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES  
APPLICATION FOR ZONING MAP AMENDMENT

10. Applicant's Intended Use of Property (Applicant should attach a detailed business plan which includes the intended use of the property) Please list all conditions:

Paint and Body shop  
Auto sales

Building width 53'9"

Building length 50'10"

Building Height 13'

Hours of work 960

Weeks 24

Months 6

Employees OWNER OPERATOR

2 of 3

\*\*\*All property owners must provide a physical address and sign their application. Additional signature page(s) are available upon request.\*\*\*

File # 6.225

2/6/2014

Updated 4/5/2012

P.O. Box 1388 ♦ 500 N. Cedar Street ♦ Lumberton, NC 28359 ♦ Phone : 910-671-3838 ♦ Fax : 910-671-3975



City of



Lumberton

DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES  
APPLICATION FOR ZONING MAP AMENDMENT

11. Notarized Signatures:

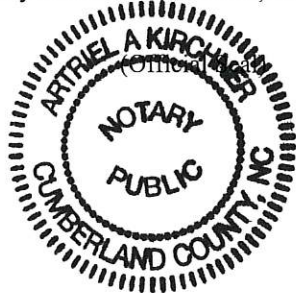
Applicant: Patricio Lopez Ventura 813 Coree St Lumberton  
Full Legal Name (type or print) Home Address

STATE OF North Carolina COUNTY OF Robeson

I, Artriel A. Kirchner, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Applicant: [Signature]  
Signature

WITNESS my hand and official seal, this the 6 day of September, 2024.



[Signature]  
Official Signature of Notary

Artriel A. Kirchner, Notary Public  
Notary's printed or typed name

My Commission Expires: October 4, 2025

Owner: Patricio Lopez Ventura 813 Coree St Lumberton  
Full Legal Name (type or print) Home Address

STATE OF North Carolina COUNTY OF Robeson

I, Artriel A. Kirchner, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Owner: [Signature]  
Signature

WITNESS my hand and official seal, this the 6 day of September, 2024.



[Signature]  
Official Signature of Notary

Artriel A. Kirchner, Notary Public  
Notary's printed or typed name

My Commission Expires: October 4, 2025

3 of 3

\*\*\*All property owners must provide a physical address and sign their application. Additional signature page(s) are available upon request.\*\*\*

File # 6.225

2/6/2014

Updated 4/5/2012

P.O. Box 1388 ♦ 500 N. Cedar Street ♦ Lumberton, NC 28359 ♦ Phone : 910-671-3838 ♦ Fax : 910-671-3975

City of



Lumberton

*Planning & Neighborhood Services*

**Authorization to appear before City Council/Planning Board/Board of Adjustment on the behalf of the property owner(s).**

Application File No.: 6.225

Property address: 1003 MLK Jr Drive Parcel #: 3243-02-00301  
3243-02-003

I, Alfred Johnson Patricio Lopez (property owner), give Dr./Mr./Ms.  
Alfred Johnson the authority to appear before City Council/Planning Board/Board of Adjustment on my behalf.

Authorized Person (print/type full name): Alfred Johnson

Signature: Alfred Johnson (Authorized Person)

Authorized Actions: Appear before City Council/Planning Board/Board of Adjustment on property owner's behalf; Answer questions of the board(s) on property owner's behalf; Appear as the applicant.

1. The North Carolina State Bar has opined on more than one occasion, that non-lawyers representing someone else at a quasi-judicial hearing (such as variances and special use permits) constitutes the unauthorized practice of law (The City Attorney can provide copies of these opinions). Simply providing factual or expert testimony as a witness does not violate this rule.
2. If the applicant is not present and the representative does not have sufficient knowledge regarding the application to satisfy the Planning Board or Board of Adjustment, this may cause the request to be tabled or denied.

I, the undersigned, (owner of the above described property), do hereby acknowledge: (1) that I give authority to the authorized person listed above to appear before City Council/Planning Board/Board of Adjustment on my behalf, (2) that this authorization will not waive my rights as the property owner.

STATE OF North Carolina COUNTY OF Robeson

I, Artriel A Kirchner, a Notary Public in and for said County and

State, do hereby certify that Patricio Lopez personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this 6 day of September, 2024.

[Signature]  
Notary Public

My Commission Expires: October 4, 2025





PRELIMINARY PLAT - NOT PREPARED FOR RECORDING, CONVEYANCE OR SALES.

Ahmed Nagi Ahmed  
Deed Book 1963, Page 728

Lot A  
0.90 Acre  
new recombined parcel

eir-Control Corner  
N: 314385.30'  
E: 1994679.06'  
NAD 83 (2011)

City of Lumberton  
Deed Book 1582,  
Page 147

City of Lumberton  
Deed Book 11-M,  
Page 15

Elisha Litte  
Deed Book 205, Page 31

Elisha Litte  
Deed Book 205, Page 31

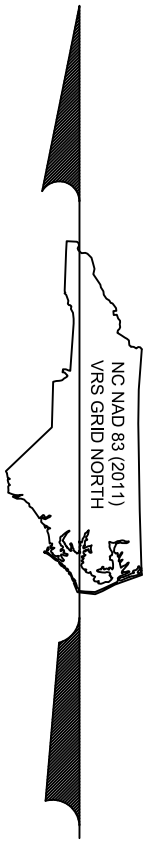
Vivian Wilson  
Deed Book 1031, Page 143

Vivian Wilson  
Deed Book 1068, Page 595

NC State Highway Dept.  
C/L



VICINITY MAP  
not to scale



| LEGEND                                |  |
|---------------------------------------|--|
| epk - existing pk nail found          |  |
| eis - existing iron stake found       |  |
| ecm - existing concrete marker found  |  |
| errs - existing railroad spike found  |  |
| eia - existing iron axle found        |  |
| smn - set mag nail                    |  |
| emn - existing mag nail found         |  |
| sip - set iron pipe                   |  |
| eip - existing iron pipe found        |  |
| sir - set iron rod                    |  |
| eir - existing iron rod found         |  |
| cp - calculated point (no stake set)  |  |
| — — — — — right of way line plotted   |  |
| — — — — — surveyed line               |  |
| - - - - - line plotted (not surveyed) |  |
| ..... tie line surveyed               |  |
| ..... abandoned line plotted          |  |
| -x-x-x-x-x-x-x- fence line plotted    |  |
| - - - - - proposed drive plotted      |  |

Patricio L. Ventura

750 South Roberts Avenue  
Lumberton, North Carolina 28358  
(910) 738-6980  
Tax Map Numbers: 324302003, 32430200301  
Tax Map Numbers: 324302004



Powers Surveying  
Firm License: F-1359  
John D. Powers, Jr., PLS L-3719

NORTH CAROLINA  
ROBESON COUNTY  
I, JOHN D. POWERS, JR., PLS L-3719, CERTIFY THAT  
THIS MAP WAS DRAWN UNDER MY SUPERVISION  
FROM AN ACTUAL SURVEY MADE UNDER MY  
SUPERVISION, DEED AND DESCRIPTION RECORDED  
IN DEED BOOK 2348, PAGE 573, THAT THE RATIO OF  
PRECISION AS CALCULATED BY LATITUDE AND  
DEPARTURES IS 1/10,000; THAT THE BOUNDARIES  
NOT SURVEYED ARE SHOWN AS BROKEN LINES  
PLOTTED FROM INFORMATION FOUND IN BOOKS  
REFERENCED, THAT THIS MAP WAS PREPARED IN  
ACCORDANCE WITH G.S. 47-30 AS AMENDED  
WITNESS MY HAND AND SEAL THIS 16TH DAY OF  
AUGUST, A.D., 2024

THIS PLAT IS OF A SURVEY THAT IS OF ANOTHER  
CATEGORY, SUCH AS THE RECOMBINATION OF  
EXISTING PARCELS, A COURT-ORDERED SURVEY,  
OR OTHER EXEMPTION OR EXCEPTION TO THE  
DEFINITION OF SUBDIVISION.



STATE OF NORTH CAROLINA  
COUNTY OF ROBESON  
I, \_\_\_\_\_  
REVIEW OFFICER OF ROBESON COUNTY  
CERTIFY THAT THE MAP OR PLAT TO WHICH  
THIS CERTIFICATION IS AFFIXED MEETS ALL  
STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER  
DATE

PRELIMINARY  
DRAWING #: 24-200.DWG

# *City of* *Lumberton*

## *Planning & Neighborhood Services*

### Request for Conditional Rezoning Patricio Lopez Ventura – 1003 MLK Jr. Dr.

**File# 6.225**

| PETITIONER(S):                                                 | OWNER(S): |
|----------------------------------------------------------------|-----------|
| Patricio Lopez Ventura<br>813 Coree ST.<br>Lumberton, NC 28358 | Same      |

**Rezoning Request:** Patricio Ventura is requesting to rezone property located at 1003 MLK Jr. Dr. (parcel # 32430200301 & 324302003), from R-7 (Residential Single Family/Duplex) and B-4 (general commercial) to CZM-1 (Conditional Zoning light manufacturing) for the operation of a paint a body shop/auto sales only.

#### LOCATION:





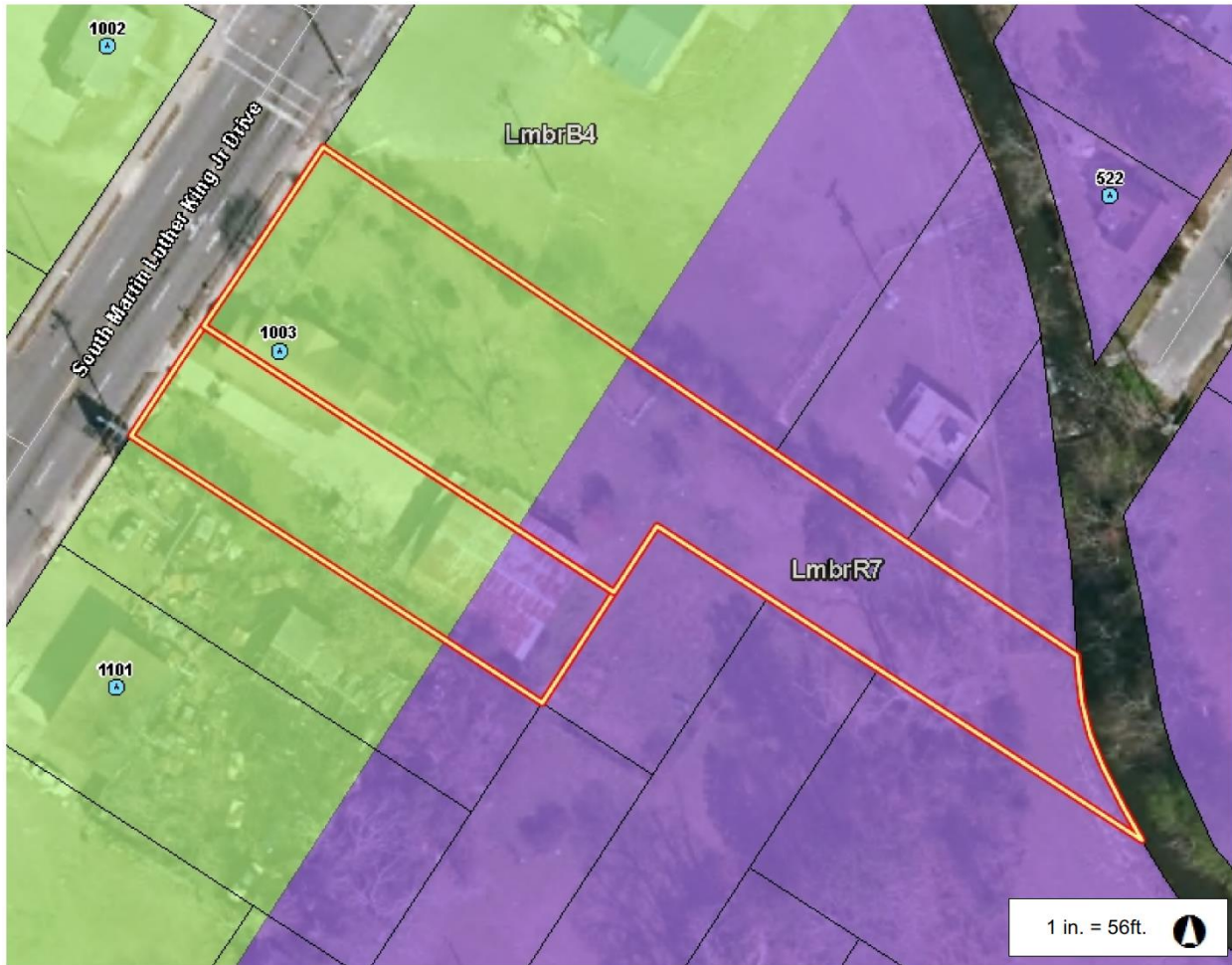
*City of*



*Lumberton*

*Planning & Neighborhood Services*

Zoning B-4 & R-7



## PROJECT OVERVIEW

**Analysis:** Patricio Ventura Lopez is requesting to rezone property located at 1003 MLK Jr. Dr. (parcel # 32430200301 & 324302003) from R-7 (Residential Single Family/Duplex) & B-4 (general commercial) to CZ M-1 (conditional zoning light manufacturing) for the operation of an automobile paint and body shop/auto sales only.





*Planning & Neighborhood Services*

**PLANNING & ZONING**

| <b>PARCEL INFORMATION</b> |                         |               |                                                 |                               |                                                                       |
|---------------------------|-------------------------|---------------|-------------------------------------------------|-------------------------------|-----------------------------------------------------------------------|
| <b>Owner</b>              | <b>Parcel #(s)</b>      | <b>Zoning</b> | <b>Square Footage/<br/>Area</b>                 | <b>Limits of Construction</b> | <b>PROPOSED USE#</b>                                                  |
| Patricio Ventura          | 32430200301 & 324302003 | R-7 & B4      | 25,700 sq .ft.<br>.59 Acre – Parcel # 324302003 | 25,700 sq. ft. / .59 Acre     | 9.100 motor vehicle sales<br>9.400 motor vehicle painting & body work |

**MINIMUM (MAX) SETBACK AND LOT SIZE REQUIREMENTS**

| <b>Zoning District</b> | <b>Min. Square Footage</b> | <b>Min. Road Frontage</b> | <b>Min. Front Setback (right of way)</b> | <b>Min. Side Setback</b>                   | <b>Min. Rear Setback</b>                   | <b>Max. Height</b> |
|------------------------|----------------------------|---------------------------|------------------------------------------|--------------------------------------------|--------------------------------------------|--------------------|
| Existing Zoning R-7    | 7,000 sq.ft.               | 70'                       | <b>20'</b><br>From all right of ways.    | 8'<br>From all sides with no right of way  | 8'<br>From all sides with no right of way  | 35 feet            |
| Existing Zoning B-4    | No Min.                    | 100'                      | <b>40'</b><br>From all right of ways.    | 10'<br>From all sides with no right of way | 10'<br>From all sides with no right of way | 35 feet            |
| Proposed CZM-1         | No Min.                    | 100'                      | <b>30'</b> From all right of ways.       | 15' From all sides with no right of way    | 15' From all sides with no right of way    | 85 feet            |

**ADJACENT PROPERTY SITE DATA**

|                         | <b>Zoning</b> | <b>Current Land Use</b>        |
|-------------------------|---------------|--------------------------------|
| <b>Subject Property</b> | B4 & R7       | Auto Repair Shop               |
| <b>North</b>            | B-4           | Gas Station/Convenience Store  |
| <b>South</b>            | B-4 & R7      | Vacant Former Garage/Auto Shop |
| <b>East</b>             | R-7           | Residential Single Family      |
| <b>West</b>             | B-4           | Mixed Use                      |

**EXISTING LOT INFORMATION: Current use of property – Auto Repair Shop**

**Land Use Plan Designation: Medium Intensity. Precinct 5.**



#### **MEDIUM INTENSITY**

The Medium Intensity land use category is intended to accommodate medium density residential development (up to 10 dwelling units / acre), including both single family residences and larger scale multi-family dwellings. This land use category is also intended to accommodate the use and development of land for medium intensity nonresidential uses, such as churches, schools, neighborhood scale retail, professional offices and similar uses when sited in a manner that does not negatively impact adjoining residential uses located within this or an adjacent lower intensity land use category. In general, these areas are intended to provide a transition between low and high intensity land uses, as well as to facilitate redevelopment in areas where increased density and/or intensity of use is desired.

**FLOOD RISK INFORMATION SYSTEM (FRIS) INFORMATION**

**Flood Zone 'X' (Not in 100-yr floodplain):** Zone X is the flood insurance rate zone that corresponds to areas outside the 0.2% annual chance floodplain, areas within the 0.2% annual chance floodplain, and to areas of 1% annual chance flooding where average depths are less than 1 foot, areas of 1% annual chance flooding where the contributing drainage area is less than 1 square mile, and areas protected from the 1% annual chance flood by levees. No Base Flood Elevations or depths are shown within this zone.

**Flood Zone 'AE' (In 100-yr floodplain):** Zones AE and A1-A30 are the flood insurance rate zones used for the 1-percent-annual-chance floodplains that are determined for the FIS by detailed methods of analysis. In most instances, BFEs derived from the detailed hydraulic analyses are shown at selected intervals in this zone. Mandatory flood insurance purchase requirements apply.

**Map Number:** 3710939100K **Panel #** 9391 **Panel Effective Date:** 12/6/2019



*City of*  *Lumberton*  
*Planning & Neighborhood Services*

**DEVELOPMENT UPON APPROVAL**

If the rezoning request is granted the applicant must submit site development plans to the City of Lumberton's Planning Department for approval. All conditions of the CZ permit must be addressed prior to the issuance of a Certificate of Occupancy /Land Use Permit.

**PLANNING STAFF RECOMMENDATION TO COUNCIL - CPC**

On September 17, 2024 the Planning Board held the public meeting and with a 6 (for) to 2 (against) vote recommends City Council approve the Conditional Rezoning request with the condition that only an automotive paint and body shop and auto sales can be operated at this location.

Angela Jones (P2) and Lisa Douglas (P6) voted against the petition.

The R-7 district is designed to accommodate single-family and two-family dwelling units.

**I. R-7 Zoning District Permitted Uses**

1.110 Single-family residences Other than mobile homes

1.210 Duplex

1.220 Two-family conversion

1.410 Homes for handicapped or infirm, Family Care Homes (Level II & III)

1.600 Temporary emergency, construction, and repair residences

1.700 Home occupations

5.200 Churches, synagogues and temples (including associated residential structures for religious personnel and associated buildings but not including elementary school or secondary school buildings)

14.110 Agricultural operations, farming Excluding livestock

14.200 Silvicultural operations

18.100 Towers and antennas fifty feet in height or less

18.200 Disguised/attached antennas

23.000 Temporary Structures used in Connection With the Construction of a Permanent Building or for Some Nonrecurring Purpose

28.200 Minor Subdivisions



## **II. R-7 Zoning District Requires a Special Use Permit**

1.130 Single- family residences with accessory apartment

1.330 Multifamily conversion

1.420 Nursing care, intermediate care homes

1.430 Child care homes

1.440 Halfway houses

5.110 Elementary and secondary (including associated grounds and athletic and other facilities)

5.130 Colleges, universities, community colleges (including associated facilities such as dormitories, office buildings, athletic fields, etc.)

5.310 Libraries, museums, art galleries, art centers and similar uses (including associated educational and instructional activities) Located within a building designed and previously occupied as a residence or within a building having a gross floor area not in excess of 3,500 square feet

6.210 Privately owned outdoor recreational facilities such as golf and country clubs, swimming or tennis clubs, etc., not constructed pursuant to a permit authorizing the construction of some residential development

6.220 Publicly owned and operated outdoor recreational facilities such as athletic fields, golf courses, tennis courts, swimming pools, parks, etc., not constructed pursuant to a permit authorizing the construction of another use such as a school

13.100 Police stations

13.200 Fire stations

13.300 Rescue squad, ambulance service

13.400 Civil defense operation

13.520 Training Facilities Activity conducted within or outside fully enclosed building

14.400 Reclamation landfill

17.100 Neighborhood Utility Facilities

21.100 Cemetery

22.000 Nursery Schools; Day Care Centers

28.100 Major Subdivisions

28.300 Public utility facilities without direct or indirect access

The B-4 (general commercial) district is designed to accommodate the widest range of commercial activities.

**I. B-4 Zoning District Permitted Uses**

1.530 Hotels, motels, and similar businesses or institutions providing overnight accommodations

1.600 Temporary emergency, construction, and repair residences

2.111 Miscellaneous Sales and Rental of Goods, Merchandise and Equipment

2.113 Convenience stores

2.120 Low- volume traffic generation sales

2.130 Wholesale sales

2.210 High- volume traffic generation, Storage and display of goods outside fully enclosed building allowed

2.220 Low- volume traffic generation, Storage and display of goods outside fully enclosed building allowed

2.230 Wholesale sales, Storage and display of goods outside fully enclosed building allowed

3.110 Offices - Operations designed to attract and serve customers or clients on the premises, such as the offices of attorneys, realtors, other professions, insurance and stock brokers, travel agents, etc.

3.120 Offices - Operations designed to attract little or no customer or client traffic other than employees of the entity operating the principal use

3.130 Office or clinics of physicians or dentists

3.210 Operations designed to attract and serve customers or clients on the premises

3.220 Operations designed to attract little or no customer or client traffic other than the employees of the entity operating the principal use

4.120 Majority of dollar volume of business done without walk-in trade Manufacturing, Processing, Creating, Repairing, Renovating, Painting, Cleaning, Assembling of Goods, Merchandise and Equipment

4.200 Operations conducted within or outside fully enclosed building Manufacturing, Processing, Creating, Repairing, Renovating, Painting, Cleaning, Assembling of Goods, Merchandise and Equipment

4.400 Manufacturing, processing, creating, repairing, renovating, painting, cleaning, assembling of goods, merchandise and equipment Outside storage of recyclable materials greater in area than 400 sq. ft. and/or higher than 8 feet above the finished grade.

5.120 Trade or vocational schools

5.200 Churches, synagogues and temples (including associated residential structures for religious personnel and associated buildings but not including elementary school or secondary school buildings)

5.310 Libraries, museums, art galleries, art centers and similar uses (including associated educational and instructional activities) Located within a building designed and previously occupied as a residence or within a building having a gross floor area not in excess of 3,500 square feet

5.320 Libraries, museums, art galleries, art centers and similar uses (including associated educational and instructional activities) Located within any permissible structure

5.400 Social, fraternal clubs and lodges, union halls, and similar

6.110 Bowling alley, skating rinks, indoor tennis and squash courts, indoor athletic and exercise facilities and similar uses

6.121 Movie theatres Seating capacity of not more than 300

6.122 Movie theatres Seating capacity 301—999

6.140 Adult establishments

6.230 Golf driving ranges not accessory to golf courses, par 3 golf courses, miniature golf courses, skateboard parks, water slides, and similar uses

7.100 Hospitals or other medical (including mental health) treatment facilities

7.200 Nursing Care Institutions, Intermediate Care Institutions, Handicapped or Infirm Institutions, Child Care Institutions

8.100 Restaurants No substantial carry-out or delivery service, no drive-in service, no service or consumption outside fully enclosed structure

8.200 Restaurants No substantial carry-out or delivery service, no drive-in service, service or consumption outside fully enclosed structure

8.300 Carry-out and delivery service, consumption outside fully enclosed structure allowed

8.400 Carry-out and delivery service, drive-in service, service or consumption outside fully enclosed structure allowed

9.100 Motor vehicle sales or rentals, excluding manufactured home sales

9.200 Sales with installation of motor vehicle parts or accessories (e.g. tires, mufflers, etc.)

9.300 Motor vehicle repair and maintenance, not including substantial body work

9.500 Gas sales

9.600 Car wash

9.700 Motor vehicles, sales, service repair Outside storage of recyclable materials greater in area than 400 sq. ft. and/or higher than 8 feet above finished grade.

9.810 Manufactured home sales office without, display units.

10.100 Automobile parking garages or parking lots not located on a lot on which there is another principal use to which the parking is related

10.210 Storage of goods not related to sale or use of those goods on the same lot where they are stored within completely enclosed structures

10.300 Parking of vehicles or storage of equipment outside enclosed structures where: (i) vehicles or equipment are owned and used by the person making use of the lot, and (ii) parking or storage is more than a minor and incidental part of the overall use made of the lot

10.400 Storage and parking Outside storage of recyclable materials greater in area than 400 sq. ft. and/or higher than 8 feet above finished grade.

12.100 Veterinarian

13.610 Temporary Emergency Aid Facilities Located within an existing building and new construction

13.620 Mobile Units (including Recreational Vehicles)

14.110 Agricultural operations, farming excluding livestock

14.200 Silvicultural operations

16.000 Dry Cleaner, Laundromat

18.100 Towers and antennas fifty feet in height or less

18.200 Disguised/attached antennas

19.000 Open-Air Markets and Horticultural Sales

20.000 Funeral Homes

22.000 Nursery Schools; Day Care Centers

23.000 Temporary Structures used in Connection With the Construction of a Permanent Building or for Some Nonrecurring Purpose

24.100 Bus stations

24.200 Train stations

24.300 Taxi stands

25.000 Commercial Greenhouse Operations

27.000 Off- Premises Signs

28.200 Minor Subdivisions

## **II. B-4 Zoning District Requires a Special Use Permit**

2.112 ABC stores

3.140 Government Office Buildings

3.230 Banks with drive-in windows

5.110 Elementary and secondary (including associated grounds and athletic and other facilities)

5.130 Colleges, universities, community colleges (including associated facilities such as dormitories, office buildings, athletic fields, etc.)

6.130 Coliseums, stadiums and all other facilities listed in the 6.100 classification designed to seat or accommodate simultaneously more than 1,000 people

6.150 Billiard parlors/Pool Halls & Game Centers

6.160 Electronic Gaming Operations

6.210 Privately owned outdoor recreational facilities such as golf and country clubs, swimming or tennis clubs, etc., not constructed pursuant to a permit authorizing the construction of some residential development

6.220 Publicly owned and operated outdoor recreational facilities such as athletic fields, golf courses, tennis courts, swimming pools, parks, etc., not constructed pursuant to a permit authorizing the construction of another use such as a school

6.260 Drive-in movie theatres

6.270 Recreational vehicle parks and/or campgrounds

7.500 Organized Shelters Facilities: 7.510 Type A; 7.520 Type B; & 7.530 Type C

8.150 Restaurant without carry-out/delivery/drive-in; without outdoor dining; with hours of operation which include the hours of eleven-o'clock pm thru six-o'clock am

8.250 Restaurant without carry-out/delivery/drive-in; with outdoor dining; with hours of operation which include the hours of eleven-o'clock pm thru six-o'clock am

8.350 Restaurant with carry-out/delivery/outdoor dining; without drive-in service; with hours of operation which include the hours of eleven-o'clock pm thru six-o'clock am

8.450 Restaurant with carry-out/delivery/outdoor dining; with drive-in service; with hours of operation which include the hours of eleven-o'clock pm thru six-o'clock am

8.500 Bars, nightclubs

10.220 Storage inside or outside completely enclosed structures

13.100 Police stations

13.200 Fire stations

13.300 Rescue squad, ambulance service



13.400 Civil defense operation

13.510 & 13.520 Training Facilities Activity conducted within or outside fully enclosed building

14.400 Reclamation landfill

15.100 Post office

17.100 Neighborhood Utility Facilities

21.100 Cemetery

21.200 Crematorium

28.100 Major Subdivisions

28.300 Public utility facilities without direct or indirect access

The following districts are hereby established primarily to accommodate enterprises engaged in the manufacturing, processing, creating, repairing, renovating, painting, cleaning, or assembling of goods, merchandise, or equipment: M-1 , M-2 and M-3. The M-3 (planned industrial) district is intended to encourage the development of a well-planned industrial park.

#### **I. M-1 Zoning District Permitted Uses**

1.600 Temporary emergency, construction, and repair residences

2.113 Convenience stores

2.130 Wholesale sales

2.210 High- volume traffic generation, Storage and display of goods outside fully enclosed building allowed

2.220 Low- volume traffic generation, Storage and display of goods outside fully enclosed building allowed

2.230 Wholesale sales

3.120 Offices - Operations designed to attract little or no customer or client traffic other than employees of the entity operating the principal use

3.210 Operations designed to attract and serve customers or clients on the remises

3.220 Operations designed to attract little or no customer or client traffic other than the employees of the entity operating the principal use

4.120 Majority of dollar volume of business done without walk-in trade Manufacturing, Processing, Creating, Repairing, Renovating, Painting, Cleaning, Assembling of Goods, Merchandise and Equipment

4.200 Operations conducted within or outside fully enclosed building Manufacturing, Processing, Creating, Repairing, Renovating, Painting, Cleaning, Assembling of Goods, Merchandise and Equipment

4.400 Manufacturing, processing, creating, repairing, renovating, painting, cleaning, assembling of goods, merchandise and equipment Outside storage of recyclable materials greater in area than 400 sq. ft. and/or higher than 8 feet above the finished grade.

5.120 Trade or vocational schools

5.200 Churches, synagogues and temples (including associated residential structures for religious personnel and associated buildings but not including elementary school or secondary school buildings)

5.310 Libraries, museums, art galleries, art centers and similar uses (including associated educational and instructional activities) Located within a building designed and previously occupied as a residence or within a building having a gross floor area not in excess of 3,500 square feet

5.400 Social, fraternal clubs and lodges, union halls, and similar

6.110 Bowling alley, skating rinks, indoor tennis and squash courts, indoor athletic and exercise facilities and similar uses

6.121 Movie theatres Seating capacity of not more than 300

6.122 Movie theatres Seating capacity 301—999

6.230 Golf driving ranges not accessory to golf courses, par 3 golf courses, miniature golf courses, skateboard parks, water slides, and similar uses

9.100 Motor vehicle sales or rentals, excluding manufactured home sales

9.300 Motor vehicle repair and maintenance, not including substantial body work

9.400 Motor vehicle painting and body work

9.500 Gas sales

9.600 Car wash

9.700 Motor vehicles, sales, service repair Outside storage of recyclable materials greater in area than 400 sq. ft. and/or higher than 8 feet above finished grade.

9.810 Manufactured home sales office without, display units.

10.210 Storage of goods not related to sale or use of those goods on the same lot where they are stored All storage within completely enclosed structures

10.300 Parking of vehicles or storage of equipment outside enclosed structures where: (i) vehicles or equipment are owned and used by the person making use of the lot, and (ii) parking or storage is more than a minor and incidental part of the overall use made of the lot

10.400 Storage and parking Outside storage of recyclable materials greater in area than 400 sq. ft. and/or higher than 8 feet above finished grade.

11.000 Scrap Materials Salvage Yards, Junkyards, Automobile Graveyards

13.610 Temporary Emergency Aid Facilities Located within an existing building and new construction

13.620 Mobile Units (including Recreational Vehicles)

14.110 Agricultural operations, farming excluding livestock

14.200 Silvicultural operations

15.400 Military reserve, national guard centers

18.100 Towers and antennas fifty feet in height or less

18.200 Disguised/attached antennas

22.000 Nursery Schools; Day Care Centers

23.000 Temporary Structures used in Connection With the Construction of a Permanent Building or for Some Nonrecurring Purpose

24.100 Bus stations

24.200 Train stations

24.300 Taxi stands

25.000 Commercial Greenhouse Operations

27.000 Off- Premises Signs

28.200 Minor Subdivisions

## **II. M-1 Zoning District Requires a Special Use Permit**

- 5.110 Elementary and secondary (including associated grounds and athletic and other facilities)
- 5.130 Colleges, universities, community colleges (including associated facilities such as dormitories, office buildings, athletic fields, etc.)
- 6.130 Coliseums, stadiums and all other facilities listed in the 6.100 classification designed to seat or accommodate simultaneously more than 1,000 people
- 6.150 Billiard parlors/Pool Halls & Game Centers
- 6.210 Privately owned outdoor recreational facilities such as golf and country clubs, swimming or tennis clubs, etc., not constructed pursuant to a permit authorizing the construction of some residential development
- 6.220 Publicly owned and operated outdoor recreational facilities such as athletic fields, golf courses, tennis courts, swimming pools, parks, etc., not constructed pursuant to a permit authorizing the construction of another use such as a school
- 6.250 Automobile and motorcycle racing tracks
- 6.260 Drive-in movie theatres
- 7.300 Institutions (other than halfway houses) where mentally ill persons are confined, intensive residential treatment facilities (Level IV)
- 7.500 Organized Shelters Facilities: 7.510 Type A; 7.520 Type B; & 7.530 Type C
- 10.220 Storage inside or outside completely enclosed structures
- 13.100 Police stations
- 13.200 Fire stations
- 13.300 Rescue squad, ambulance service
- 13.400 Civil defense operation
- 13.510 & 13.520 Training Facilities Activity conducted within or outside fully enclosed building
- 14.300 Mining or quarrying operations, including on-site sales of products
- 14.400 Reclamation landfill
- 15.200 Airport
- 17.100 Neighborhood Utility Facilities
- 17.200 Community or regional Utility Facilities
- 18.300 towers and antennas more than fifty feet in height
- 21.100 Cemetery



21.200 Crematorium

28.100 Major Subdivisions

28.300 Public utility facilities without direct or indirect access

**Lumberton City Council**

**Lumberton, North Carolina**



**Request for Action**

**Meeting Date:** October 7, 2024

**Originated By:** Planning & Neighborhood  
Services

**Submission Date:** 09/19/2024

**Subject:** Farouk Huraira is requesting a Special Use Permit for an electronic gaming center for property located at 2720 W. 5th Street P7.

**Summary/Background of Subject Matter:**

Farouk Huraira is requesting a Special Use Permit for an electronic gaming center for property located at 2720 W. 5th Street.

On September 17, 2024, Planning staff advised the board that this location does not meet the distance requirement from single-family homes and zoning districts off Olive Drive and Olsen Drive. In addition, it will be located approximately 600 feet from a single-family residence located on W. 5th Street. Furthermore, the Planning staff recommends that the Planning Board make a recommendation to the Council to deny this request based on the fact that the operation will not meet the distance requirement outlined in Section 35-166.5(10) (a) of the Code of the City of Lumberton.

On September 17, 2024, the Planning Board held a public meeting and unanimously recommends City Council Deny the Special Use Permit request based on the fact that the operation will not meet the distance requirement outlined in Section 35-166.5(10) (a) of the Code of the City of Lumberton.

**Staff Recommendation:**

The Planning Board asks City Council to hold tonight's public hearing and deny the Special Use Permit request.

**Signature:**

**Department:**

**ATTACHMENTS:**

1. Revised Application and Staff Report - FH

DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES  
CITY OF LUMBERTON, NORTH CAROLINA  
APPLICATION FOR A SPECIAL USE PERMIT

TO: THE CITY COUNCIL OF THE CITY OF LUMBERTON

The undersigned hereby respectfully requests that the City Council of the City of Lumberton issue a Special Use Permit as hereinafter described:

1. **Applicant:**

Legal Name:

Physical Address:

Mailing Address:

Telephone:

Name of Business:

EMAIL:

**Owner:**

Legal Name:

Physical Address:

Mailing Address:

Telephone:

Business Address:

Business Address:

**Description of Property:**

2.

2720 W. 5th St

(Address)

0117

(Deed Book)

0023

(Page)

N/A

(Map Book)

N/A

(Page)

299

(Frontage)

2.38

(Area)

3. Tax Map Identification (parcel number):

321801014

4. Proposed Use of Property:

Sweepstakes

5. Zoning District Designation of Property:

Commercial Business

6. Development Site Plan: See Appendix A of Land Use Ordinance.

7. Notice of Hearing: All property owners within 150' of the perimeter of the property subject of this petition must be notified by first class mail. Please attach list of all such property owners as reflected on the current tax Assessor's Roll with current mailing addresses, Taxing Township, Map Number, Block Number, and parcel Number.

8. Supportive Information: At the Hearing, you will be responsible for providing information to the City Council to enable it to determine whether the development, if completed as proposed, will comply with the requirements of the Land Use Ordinance. You should be ready to show the following relative to the proposed development:

- That it will not materially endanger the public health or safety; and
- That it will not substantially injure the value of adjoining or abutting property; and
- That it will be in harmony with the area in which it is to be located; and
- That it will be in general conformity with the Land Use Plan Thoroughfare Plan, or other plan officially adopted by the City.

9. Application Fee: Submit the fee payment with application. The application fee is nonrefundable.

File #

7.179

1 of 2

5/28/21

ADDRESS:

10. Briefly describe Applicants intended use of the property (Applicant must attach a detailed business plan, if applicable):

- Days/Hours Operation: Mon-Sat 8am-10pm Operation is open for access by all emergency personnel.
- Number of machines: 40
- Licensed Machines: Yes
- No Food cooked / served
- No alcohol allowed
- Permitted Age: 18+
- Full time security on site w/ weapon (licensed) at all times.
- Parking lot lights: Yes
- Sufficient Parking: yes, 40 parking spaces
- Operation meets the necessary requirements for distance away from prohibited areas.

11. Notarized Signatures:

I certify that all of the information presented by the undersigned in this Application is accurate to the best of my knowledge, information and belief.

Applicant: FAROUK HURAIRA 2720 + 2722 W. S. ST  
Name Physical Address

Applicant: [Signature]  
Signature

STATE OF North Carolina COUNTY OF Robeson

I, Jessica N Zurcher, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this 9th day of April, 2024

Jessica N. Zurcher My Commission Expires: 6/23/24  
Notary Public Signature



Owner: Dobbs Carolina 2510 West 5th Street  
Name Physical Address

Owner: [Signature]  
Signature

STATE OF North Carolina COUNTY OF Robeson

I, Jessica N. Zurcher, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this 9th day of April, 2024

Jessica N. Zurcher My Commission Expires: 6/23/24  
Notary Public Signature



File #

5/28/21



City of



Lumberton

Planning & Neighborhood Services

Authorization to appear before City Council/Planning Board/Board of Adjustment on the behalf of the property owner(s).

Application File No.: \_\_\_\_\_

Property address: 2720 West 5th St. Parcel #: \_\_\_\_\_

I, Dobbs Orendine (property owner), give Dr./Mr./Ms. FAROUK HURAIRA the authority to appear before City Council/Planning Board/Board of Adjustment on my behalf.

Authorized Person (print/type full name): FAROUK HURAIRA

Signature: [Signature] (Authorized Person)

Authorized Actions: Appear before City Council/Planning Board/Board of Adjustment on property owner's behalf; Answer questions of the board(s) on property owner's behalf; Appear as the applicant.

1. The North Carolina State Bar has opined on more than one occasion, that non-lawyers representing someone else at a quasi-judicial hearing (such as variances and special use permits) constitutes the unauthorized practice of law (The City Attorney can provide copies of these opinions). Simply providing factual or expert testimony as a witness does not violate this rule.
2. If the applicant is not present and the representative does not have sufficient knowledge regarding the application to satisfy the Planning Board or Board of Adjustment, this may cause the request to the tabled or denied.

I, the undersigned, (owner of the above described property), do hereby acknowledge: (1) that I give authority to the authorized person listed above to appear before City Council/Planning Board/Board of Adjustment on my behalf, (2) that this authorization will not waive my rights as the property owner.

STATE OF North Carolina COUNTY OF Robeson

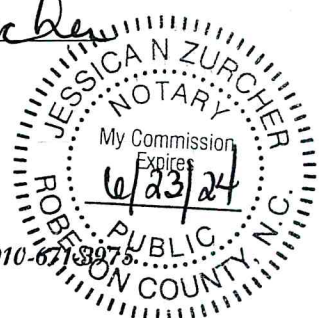
I, Jessica N. Zurcher, a Notary Public in and for said County and

State, do hereby certify that Dobbs Orendine personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this 9th day of April, 2024

My Commission Expires: 6/23/24

Jessica N. Zurcher  
Notary Public





## REQUIRED APPLICATION / APPEAL AND SPECIAL USE PERMIT APPENDIX

### FOR ELECTRONIC GAMING OPERATIONS

Under the Lumberton City code, Electronic Gaming Operations are allowed only Zones B-4, B-5 and B-7, and even then, only by a Special Use Permit. Further requirements and limitations are set forth in Code Section 35-166.5. Subsection (j) thereof makes an Electronic Gaming Operation impermissible within 1000 feet of certain other uses. If a proposed Electronic Gaming Operation fails to meet these or any other threshold requirements, staff will not accept an application for the required special use permit. A letter setting forth the basis for the refusal to accept the application will be provided upon request.

*The following Certification is also required to be signed and notarized before any Electronic Gaming Operation Special Use Permit application or appeal will be accepted and processed:*

### CERTIFICATION

I, FAROUK. HURAIRA, the undersigned applicant for an Electronic Gaming Operation Special Use Permit, or Appellant of an Electronic Gaming Operation-related issue, having been duly sworn, do hereby acknowledge that any false statement herein could be construed as perjury, and further certify that:

1. In addition to the above, the Electronic Gaming Operation for which I am applying, or to which the appeal pertains, is not in any way in contravention or violation of any aspect of Article 37 of Chapter 14 of the North Carolina General Statutes. FW (initial)

2. I understand that, while the City seeks the assurance set out in Paragraph 1, no action or inaction by the City with regard to an Electronic Gaming Operation Special Use Permit or appeal, shall be construed in any way as a conclusion

by the City that the facility is in compliance with Article 37 of Chapter 14 of the North Carolina General Statutes. I understand that it is not part of the City Special Use process to evaluate the facility for compliance with Chapter 14 (entitled "Criminal Law"), Article 37, of the NC General Statutes, which is, again, clearly a criminal matter. The enforcement of Article 37 of Chapter 14 of the NC General Statutes falls under the purview of Law Enforcement. FH (initial)

3. I further understand that despite any type of City acceptance of the application or appeal, processing of the same, or approval as for the special use process or appeal, city, county, and/or state law enforcement may investigate the subject facility and determine whether it is in violation of Article 37 of Chapter 14 of the North Carolina Statutes and may take any and all appropriate legal actions, including but not limited to confiscation of property and criminal prosecution, and I understand that in this regard I am proceeding completely at my own risk. FH (initial)

4. I acknowledge that I have been given the opportunity to consult with legal counsel prior to executing this Certification. FH (initial)

Notarized signatures:

APPLICANT: FAROUK. HURAIRA (print)  
2720 West 5th Street / 2722 West 5th Street  
Physical Address

Applicant signature: 

State of North Carolina

County of Robeson

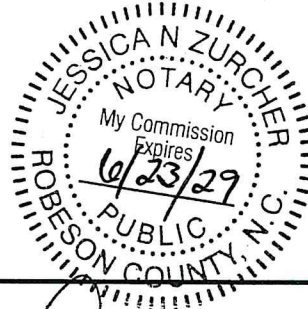
I, Jessica N. Zurcher, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared

before me this day, and was duly sworn, and duly acknowledged the due execution of the foregoing instrument.

2024. WITNESS my hand and Notarial Seal this 25<sup>th</sup> day of June

Jessica N. Zurcher  
Notary Public Signature

My Commission Expires: 6/23/29



PROPERTY OWNER: Johns Adams (print)

2720-2722 West 5th Street  
Physical Address

Property owner signature: [Signature]

State of North Carolina

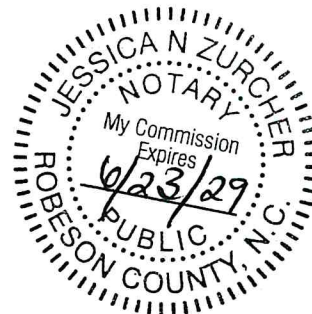
County of Robeson

I, Jessica N Zurcher, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day, and was duly sworn, and duly acknowledged the due execution of the foregoing instrument.

2024. WITNESS my hand and Notarial Seal this 25<sup>th</sup> day of June

Jessica N. Zurcher  
Notary Public Signature

My Commission Expires: 6/23/29



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AFFIDAVIT

The undersigned, being duly sworn, says as follow:

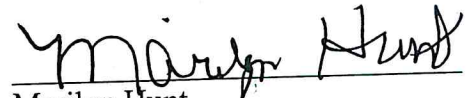
I, \_\_\_\_\_, residing at 2915 Olive Dr., Lumberton, NC do not object to a conditional use permit being granted to Farouk Muraira for the property located at 2720 W. 5<sup>th</sup> St., Lumberton, for the use of electronic gaming.

\_\_\_\_\_

**AFFIDAVIT**

The undersigned, being duly sworn, says as follows:

I, Marilyn Hunt, residing at 2904 Olive Dr, Lumberton, NC do not object to a conditional use permit being granted to Farouk Muraira for the property located at 2720 W. 5<sup>th</sup> St., Lumberton, for the use of electronic gaming.

  
Marilyn Hunt

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**AFFIDAVIT**

The undersigned, being duly sworn, says as follows:

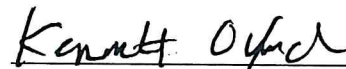
I, Timothy Graham, residing at 2903 W. Olive Dr, Lumberton, NC do not object to a conditional use permit being granted to Farouk Muraira for the property located at 2720 W. 5<sup>th</sup> St., Lumberton, for the use of electronic gaming.

  
\_\_\_\_\_  
Timothy Graham

**AFFIDAVIT**

The undersigned, being duly sworn, says as follows:

I, Kenneth Oxendine, residing at 2905 Olive Dr, Lumberton, NC do not object to a conditional use permit being granted to Farouk Muraira for the property located at 2720 W. 5<sup>th</sup> St., Lumberton, for the use of electronic gaming.

  
Kenneth Oxendine

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AFFIDAVIT

The undersigned, being duly sworn, says as follow:

I, Wendell Locklear, residing at 2913 Olive Dr., Lumberton, NC do not object to a conditional use permit being granted to Farouk Muraira for the property located at 2720 W. 5<sup>th</sup> St., Lumberton, for the use of electronic gaming.

  
Wendell Locklear

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AFFIDAVIT

The undersigned, being duly sworn, says as follow:

I, Leo Haywood, residing at 2911 Olive Dr., Lumberton, NC do not object to a conditional use permit being granted to Farouk Muraira for the property located at 2720 W. 5<sup>th</sup> St., Lumberton, for the use of electronic gaming.

  
Leo Haywood

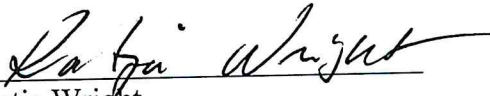
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AFFIDAVIT

The undersigned, being duly sworn, says as follow:

I, Katja Wright, residing at 2909 Olive Dr., Lumberton, NC do not object to a conditional use permit being granted to Farouk Muraira for the property located at 2720 W. 5<sup>th</sup> St., Lumberton, for the use of electronic gaming.

  
Katja Wright

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AFFIDAVIT

The undersigned, being duly sworn, says as follow:

I, Lloyd Locklear, residing at 2906 Olive Dr., Lumberton, NC do not object to a conditional use permit being granted to Farouk Muraira for the property located at 2720 W. 5<sup>th</sup> St., Lumberton, for the use of electronic gaming.

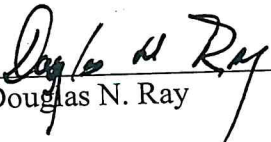
A handwritten signature in black ink, appearing to be 'LL', written over a horizontal line.

Lloyd Locklear

**AFFIDAVIT**

The undersigned, being duly sworn, says as follows:

I, Douglas N. Ray, residing at 2903 Olive Dr, Lumberton, NC do not object to a conditional use permit being granted to Farouk Muraira for the property located at 2720 W. 5<sup>th</sup> St., Lumberton, for the use of electronic gaming.

  
\_\_\_\_\_  
Douglas N. Ray

*Planning & Neighborhood Services*

**Request for Special Use Permit**  
7.179 Farouk Huraira

| PETITIONER(S):                                                                                | OWNER(S):                                                                                          |
|-----------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|
| <b>The Mega #1</b><br>Farouk Huraira<br>2720 W. 5 <sup>th</sup> Street<br>Lumberton, NC 28358 | <b>Dobbs Enterprise</b><br>Dobbs Oxendine<br>2510 W. 5 <sup>th</sup> Street<br>Lumberton, NC 28358 |

**Special Use Permit Request:** Farouk Huraira is requesting a Special Use Permit for an electronic gaming center for property located at 2720 W. 5<sup>th</sup> Street P7.

**LOCATION:** 2720 W. 5th Street      **PARCEL #**3218-01-014



*Planning & Neighborhood Services*

**PROJECT OVERVIEW**

**PLANNING & ZONING**

| <i>Parcel #(s)</i> | <i>Zoning</i> | <i>Width</i> | <i>Area</i> |                                                   | <i>Limits of Construction</i>               |
|--------------------|---------------|--------------|-------------|---------------------------------------------------|---------------------------------------------|
| 3218-01-014        | B-4           | ~177'        | 2.38 Acres  | Floor area =<br>6,663 sq.ft.<br>(Rob. Co.<br>Tax) | Floor area = 6,663 sq.ft.<br>(Rob. Co. Tax) |

**MINIMUM (MAX) SETBACK AND LOT SIZE REQUIREMENTS**

| <i>Zoning District</i>              | <i>Min.<br/>Square<br/>Footage</i> | <i>Min. Road<br/>Frontage</i> | <i>Min. Front<br/>Setback<br/>(right of<br/>way)</i> | <i>Min. Side<br/>Setback<br/>(no right of<br/>way)</i> | <i>Min. Rear<br/>Setback<br/>(no right of<br/>way)</i> | <i>Max.<br/>Height</i> |
|-------------------------------------|------------------------------------|-------------------------------|------------------------------------------------------|--------------------------------------------------------|--------------------------------------------------------|------------------------|
| B-4, Business<br>General Commercial | No<br>minimum                      | 100'                          | 40'                                                  | 20'                                                    | 20'                                                    | 35'                    |

**ADJACENT PROPERTY SITE DATA**

|                             | <i>Zoning</i> | <i>Zoning Description</i>   | <i>Land Use</i>                                          |
|-----------------------------|---------------|-----------------------------|----------------------------------------------------------|
| <b>Subject<br/>Property</b> | B-4           | Business General Commercial | Proposed Electronic Gaming<br>Center                     |
| <b>North</b>                | I-95          | N/A                         | Interstate Highway & Service<br>Road                     |
| <b>South</b>                | B-4           | Business General Commercial | W. 5 <sup>TH</sup> Street<br>Lumbee Bank<br>Advance Auto |
| <b>East</b>                 | B-4           | Business General Commercial | Dunn Rd. Ext.<br>Vacant<br>Gas Station                   |
| <b>West</b>                 | B-4           | Business General Commercial | Car Wash<br>Morgans Tire and Break Shop                  |

**ADJACENT PROPERTY MAP**



**ELECTRONIC GAMING CENTER ORDINANCE**



**Sec. 35-166.5 Electronic Gaming Operations**

- (1) Any business desiring to operate as an Electronic Gaming Operation must obtain a special use permit. Special use permit for Electronic Gaming Operations can only be applied for in zoning districts B-4, B-5, and B-7.
- (2) The following will require a special use permit under this section:
  - a. The opening or commencement of an electronic gaming operation as a new business;
  - b. The conversion of an existing business, whether or not an electronic gaming operations, to any of the electronic gaming operations defined herein;
  - c. The addition of any of the features of one or more of the electronic gaming operation defined herein to an existing business;
  - d. The addition of any of the electronic gaming operations defined herein to any other existing electronic gaming operation; or
  - e. The relocation of any electronic gaming operation.
- (3) Days/Hours of operation: An Electronic Gaming Operation may operate from 8:00am until 10:00pm Monday thru Saturday, closed on Sundays. If the electronic gaming operation is an accessory use, the primary use may continue to operate during its normal business hours.
- (4) Number of machines/terminals/computer for any Electronic Gaming Operation: 1 unit per 50 sq.ft. of gross floor area designated for the Electronic Gaming Operation. The maximum number of machines/terminals/computer for any Electronic Gaming Operation is 40. Floor area = 6,663 (Rob. Co. Tax)  
If approve maximum number of 40
- (5) The machines/terminals/computers used by an Electronic Gaming Operation must not be prohibited by state or federal law and must have all applicable permits and licenses.
- (6) If food or beverages are served by an Electronic Gaming Operation, the establishment must meet the requirements of the Robeson County Department of Health, and all state law requirements.
- (7) The consumption of alcoholic beverages on premises is prohibited unless the owner or operator has secured appropriate state alcoholic beverage permit(s).
- (8) Lighting shall be kept on the parking surfaces associated with an Electronic Gaming Operation during the hours of operation which are within sunset to sunrise.

Does not meet the ordinance

(9) An Electronic Gaming Operation must meet a parking requirement of one (1) space for every two hundred (200) square feet of gross floor area plus three (3) additional parking spaces.

(10) An Electronic Gaming Operation shall not be located within one thousand (1,000) linear feet of any:

(a) other Electronic Gaming Operation,

(b) residential zoning district, nearest residential zoning district ~297 feet

(c) single-family residence, nearest single-family residence ~605 feet

(d) church or place of worship,

(e) public or private daycare center,

(f) public or private school,

(g) government building,

(h) public park, playground, or library,

(i) adult establishment,

(j) group care, facilities for the care of the aged or infirm, or congregate care facilities, or

(k) cemetery.

- The required separation from the above listed places applies whether a use indicated in (a) to (j) is the principal use or an accessory use of the property.
- Distances shall be measured from the closest point of a lot line of each of the two properties in question.

(9) All Electronic Gaming Machines shall be open for direct, unobstructed access by police officers, fire department personnel, and emergency response personnel, and shall be visible from the main entrance of the involved Electronic Gaming Operation.

(10) No Electronic Gaming Operation shall permit, allow, or condone the use of an Electronic Gaming Machine by any person under the age of 18.

(11) A \$200.00 Civil Penalty per day per violation and/or a criminal misdemeanor, punishable as provided in G.S. 14-4, with a maximum fine of up to five hundred dollars (\$500.00) per day per violation may be issued for a violation of any part of this Ordinance. The penalty or fine may be imposed upon the owner, the operator, or both.

(12) This section shall not apply to any lottery endorsed, approved, or sponsored by the State of North Carolina nor to arcade games of skill which don't involve the use of electronic machines.

(Ord. No. 2017.12.03, 12-6-2017)

# *City of* *Lumberton*

## *Planning & Neighborhood Services*

**EXISTING LOT INFORMATION:** Current use of property – Non-permitted Gaming Center.

**ZONING – B-4**



**DISTANCE FROM RESIDENTIAL ZONING DISTRICT AND SINGLE-FAMILY RESIDENCE - MAP**



2720 W. St. Distance Map - Final



Legend

- Site Address
- Road
- Parcel
- City Limit
- Zoning
  - CntyC1
  - CntyH1
  - CntyI2
  - CntyR2
  - CntyRA
  - Lmbr CZ B3
  - Lmbr CZ B4
  - Lmbr CZ B6
  - Lmbr CZ R6
  - Lmbr SUP A
  - Lmbr SUP B2
  - Lmbr SUP B3
  - Lmbr SUP B4
  - Lmbr SUP R6
  - LmbrA
  - LmbrB1
  - LmbrB2
  - LmbrB3
  - LmbrB4
  - LmbrB5
  - LmbrB6
  - LmbrB7
  - LmbrM1
  - LmbrM2
  - LmbrM3
  - LmbrR11
  - LmbrR15
  - LmbrR20

1 in. = 221ft.

Notes

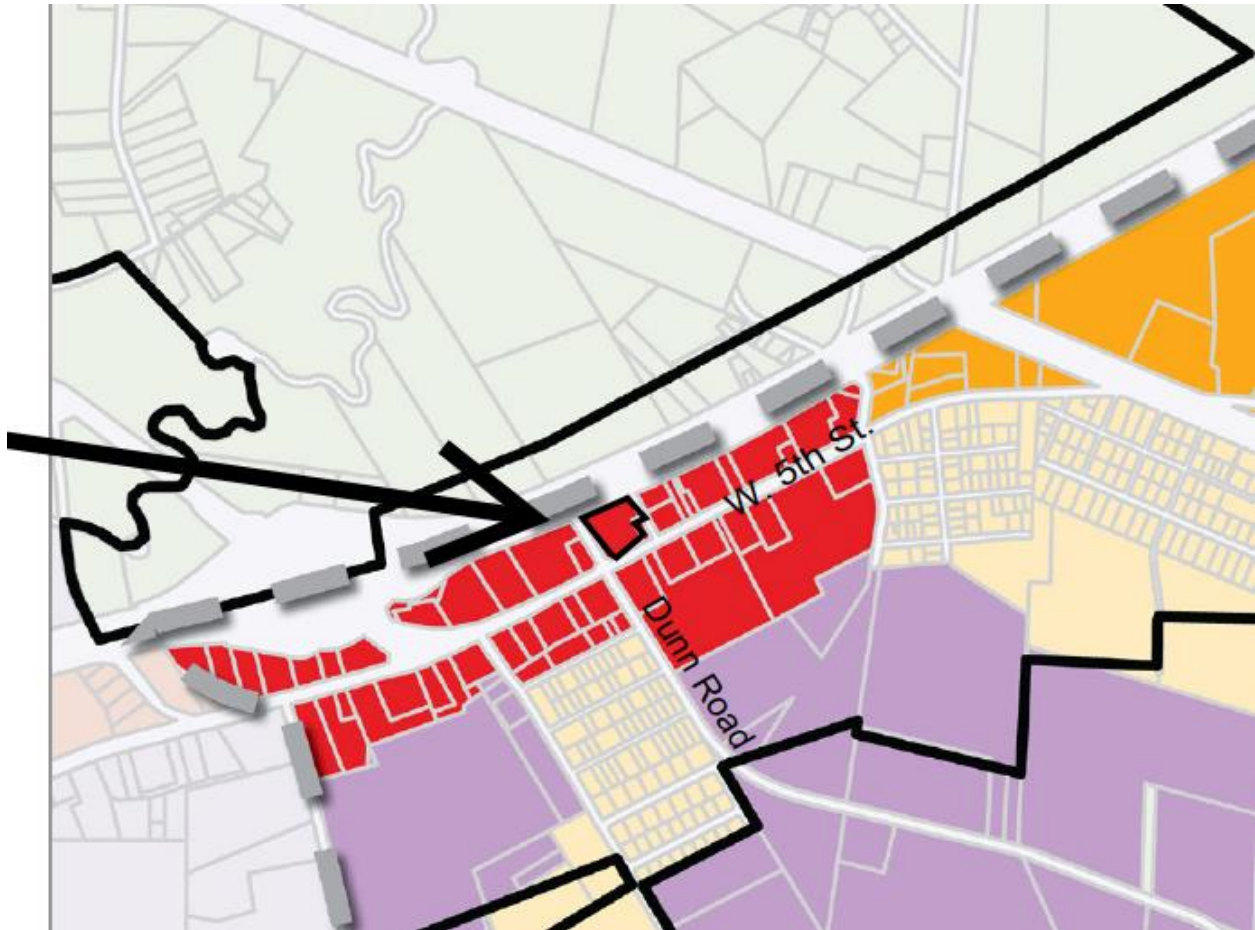
8-20-2024

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.  
THIS MAP IS NOT TO BE USED FOR NAVIGATION

# *City of* *Lumberton*

*Planning & Neighborhood Services*

**Land Use Plan:** Future use of the parcel is high intensity and is located in precinct 7.



## **HIGH INTENSITY**

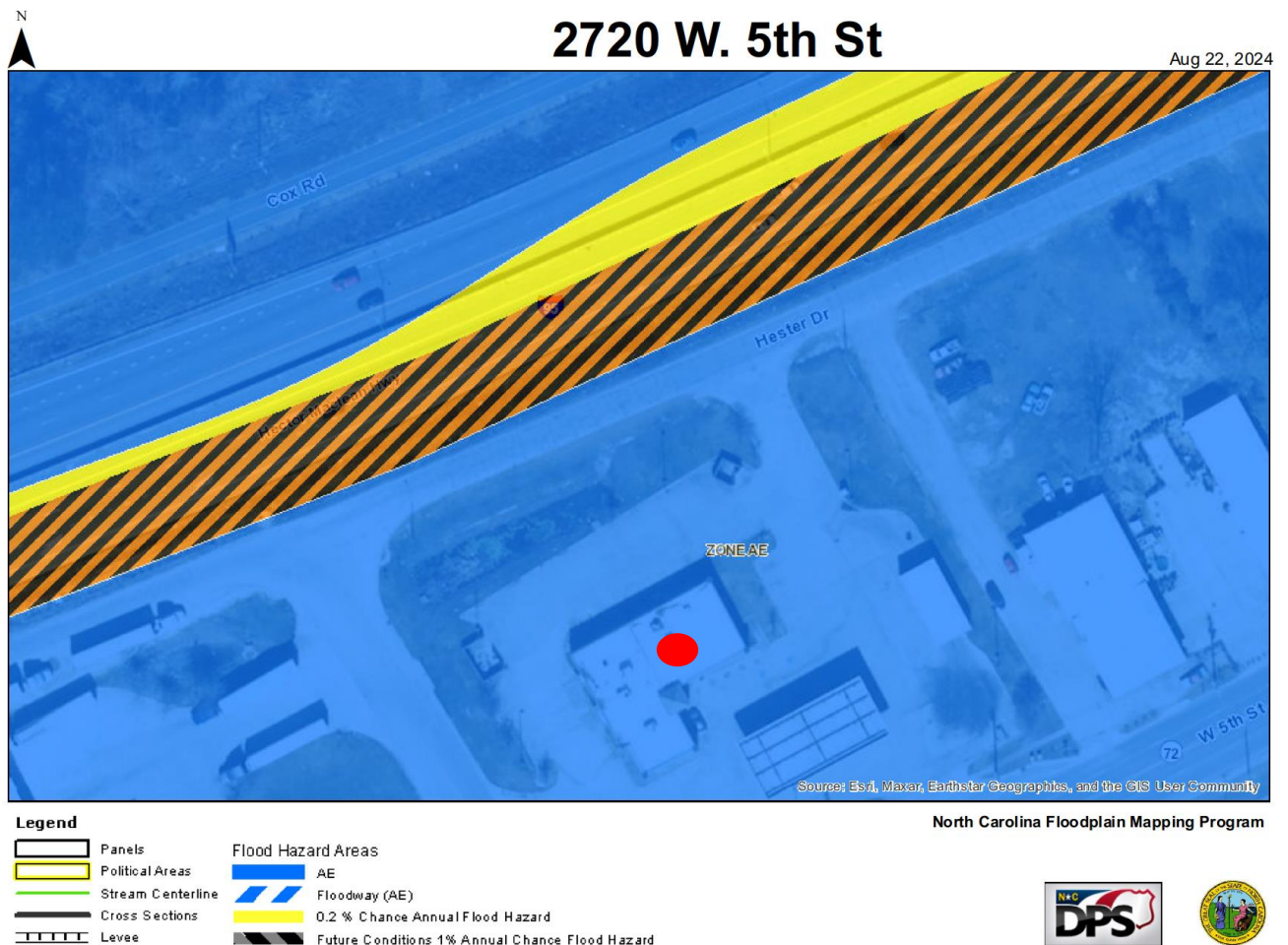
The High Intensity land use category is intended to accommodate regional scale commercial and employment centers, as well as auto-oriented retail uses and services for transient customers at strategic locations along primary highway corridors and other prominent locations in the city. Where appropriate, this land use category can also accommodate more intensive residential development, typically in a mixed-use setting. In areas not located directly along primary transportation corridors, small scale assembly, fabrication, logistics, warehousing and similar uses that do not create off-site environmental impacts are appropriate within areas designated as high intensity.



## FLOOD RISK INFORMATION SYSTEM (FRIS) INFORMATION

**Flood Zone AE:** Zones AE and A1-A30 are the flood insurance rate zones used for the 1-percent-annual-chance floodplains that are determined for the FIS by detailed methods of analysis. In most instances, BFEs derived from the detailed hydraulic analyses are shown at selected intervals in this zone. Mandatory flood insurance purchase requirements apply.

**Map Number:** 3710938100K **Panel Effective Date:** 12/6/2019



**DEVELOPMENT UPON APPROVAL**

If the Special Use Permit is granted the applicant must submit site development plans to the City of Lumberton, and other applicable Federal and State Departments, for review and approval prior to development. All conditions of the Special Use Permit must be met prior to issuance of a Certificate of Occupancy.

**PLANNING DEPARTMENT RECOMMENDATION TO CITY COUNCIL**

On September 17, 2024, Planning staff advised the board that this location does not meet the distance requirement from single-family homes and zoning districts off Olive Drive and Olsen Drive. In addition, it will be located approximately 600 feet from a single-family residence located on W. 5th Street.

Furthermore, the Planning staff recommends that the Planning Board make a recommendation to the Council to deny this request based on the fact that the operation will not meet the distance requirement outlined in Section 35-166.5(10) (a) of the Code of the City of Lumberton.

On September 17, 2024, the Planning Board held a public meeting and unanimously recommends City Council deny the Special Use Permit request based on the fact that the operation will not meet the distance requirement outlined in Section 35-166.5(10) (a) of the Code of the City of Lumberton. The Planning Board asks City Council to hold tonight's public hearing and deny the Special Use Permit request.

## **II. B-4 Zoning District Requires a Special Use Permit**

2.112 ABC stores

3.140 Government Office Buildings

3.230 Banks with drive-in windows

5.110 Elementary and secondary (including associated grounds and athletic and other facilities)

5.130 Colleges, universities, community colleges (including associated facilities such as dormitories, office buildings, athletic fields, etc.)

6.130 Coliseums, stadiums and all other facilities listed in the 6.100 classification designed to seat or accommodate simultaneously more than 1,000 people

6.150 Billiard parlors/Pool Halls & Game Centers

6.160 Electronic Gaming Operations

6.210 Privately owned outdoor recreational facilities such as golf and country clubs, swimming or tennis clubs, etc., not constructed pursuant to a permit authorizing the construction of some residential development

6.220 Publicly owned and operated outdoor recreational facilities such as athletic fields, golf courses, tennis courts, swimming pools, parks, etc., not constructed pursuant to a permit authorizing the construction of another use such as a school

6.260 Drive-in movie theatres

6.270 Recreational vehicle parks and/or campgrounds

7.500 Organized Shelters Facilities: 7.510 Type A; 7.520 Type B; & 7.530 Type C

8.150 Restaurant without carry-out/delivery/drive-in; without outdoor dining; with hours of operation which include the hours of eleven-o'clock pm thru six-o'clock am

8.250 Restaurant without carry-out/delivery/drive-in; with outdoor dining; with hours of operation which include the hours of eleven-o'clock pm thru six-o'clock am

8.350 Restaurant with carry-out/delivery/outdoor dining; without drive-in service; with hours of operation which include the hours of eleven-o'clock pm thru six-o'clock am

8.450 Restaurant with carry-out/delivery/outdoor dining; with drive-in service; with hours of operation which include the hours of eleven-o'clock pm thru six-o'clock am

8.500 Bars, nightclubs

10.220 Storage inside or outside completely enclosed structures

13.100 Police stations

13.200 Fire stations

13.300 Rescue squad, ambulance service

13.400 Civil defense operation

13.510 & 13.520 Training Facilities Activity conducted within or outside fully enclosed building

14.400 Reclamation landfill

15.100 Post office

17.100 Neighborhood Utility Facilities

21.100 Cemetery

21.200 Crematorium

28.100 Major Subdivisions

28.300 Public utility facilities without direct or indirect access

**Lumberton City Council**  
**Lumberton, North Carolina**



**Request for Action**

**Meeting Date:** October 7, 2024

**Originated By:** City Council

**Submission Date:** 09/17/2024

**Subject:** September 9, 2024 Council Minutes

**Summary/Background of Subject Matter:**

**Staff Recommendation:**

**Signature:**

**Department:**

**ATTACHMENTS:**

1. September 9, 2024 City Council Minutes





**CITY OF LUMBERTON**  
**CITY COUNCIL**  
**MINUTES • SEPTEMBER 9, 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 |         |
| 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 |         |
| Alfred Douglas          | Precinct 6          | 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 Carroll –

**II. RETIREES' RECOGNITION**

A. Terry Parker - 28 years as Police Captain for LPD –

B. Joseph W. Frederick - 13 years of service as Police Sergeant –

C. Lee M. Hunt - 26 years of service as a Power Line Crew Supervisor - EUD –

**III. PRESENTATION: MR. JAY BAUGH - BAPTISTS ON MISSION**

Mr. Jay Baugham, Baptists on Mission appeared before Council and presented a couple of videos depicting the work that Baptist on Mission has accomplished with the help of grant and the generous donations of others. He expressed that there are still so many displaced families in Robeson County. Mr. Jay wanted to thank the people for what they have done in helping get as many families as possible back in their homes into a safe environment

**IV. PUBLIC COMMENT PERIOD**

Mr. Jeff Lambdin, 1208 N. Elm Street spoke in reference to his disapproval of the City staff.

Ms. Jones spoke in reference to and soliciting funds for the NAACP Banquet by stating the mission of the NAACP. She stated that the funds would help with giving scholarships to further the young people education.

Councilman Cantey asked if he could present an unagendaed item and permission was granted. Councilman Cantey further expressed the mission of the NAACP as it pertains to today's inclusion of all people and made a motion, seconded by Councilman Thomas, to designate Community Revitalization Funds as follows:

P1 - \$200

P2 - \$200

P3 - \$200

P4 - \$200

P5 - \$200

P6 - \$200

P7 - \$200

P8 - \$200 and

\$200 from the Mayor's discretionary fund for a total of \$1,800.00. Motion carried.

Mr. Danny Parsley, 3980 Kings Cross Road, spoke in reference to utility bills. He stated that his name is on a petition that has garnered approximately 607 signatures and suggested that the City should:

1. Conduct a thorough review and investigate
2. Adjust the overpriced bills and decrease prices
3. Implement preventive measures.

Ms. Heather Logsdon, 5000 Willow Oak Drive spoke in reference to utility bills. She expressed her concerns over her extremely high bill and the rate of increase before and after the charge,

City Attorney read into the record comments emailed as part of the Public Comment Period. Submission were in reference to utility and a public hearing on a rezoning request.

City Manager Horne stated: "To all who spoke, and others here about the utility bills, please know that we are taking your concerns seriously. For those who may not have received this, I would like to read a public statement that was issued on August 30<sup>th</sup> through social media and on the City website."

"The City of Lumberton is aware that many of its utility customers have recently received what appears to be excessive utility bills. We want to emphasize several facts about these bills. They are based upon actual readings of the customer's meter and are based on actual usage. The reason they are high, almost without exception, is that an employee who is no longer with the City underestimate prior bills, in some cases for several months. It is important to note that when bills were based on underestimated usage, the customer received a bill that was proportionately lower than their actual usage. In fact, the high bill is high to exactly the same degree that prior bills were artificially low. To ease the burden of these bills, the City is offering payment plans to those effected. The City is also implementing safeguards and exploring Advanced Metering Infrastructure which would do away with the possibility of what has occurred in this case. Anyone with questions or who would like to explore a payment plan may call Public Services at (910) 671-3800. The City does regret the inconvenience to all impacted."

"In addition to what was contained in that statement, we would like to add that the City's handling of this matter has been completely consistent with its policy as to under-reads. Also, we are in-fact moving forward with automatic metering. The city has approved a Public Information Officer position "so that we can be more proactive in our communications with the public," and the position is currently in the interview process with a hiring expected within the next month. Also, since the City first became aware of what happened, many customers have been able to resolve their issues by calling Public Services, or coming in, and discussing their account and setting up a payment plan, if needed. Again, we regret that this happened, but we are taking prompt and concrete steps to void it in the future, and we appreciate your patience and understanding."

Following the statement, Mr. Danny Parsley and Mr. Jimmy Lowry spoke and expressed their concerns.

**A. Attached Emails for Public Comment Period – Holt Moore, City Attorney**

See Comments in minutes.

See Comments in minutes.

|                |                       |
|----------------|-----------------------|
| <b>RESULT:</b> | <b>NOT APPLICABLE</b> |
|----------------|-----------------------|

- B. Approve the designation of Community Revitalization Funds for NAACP – John Cantey, Precinct 5

Ms. Jones spoke in reference to and soliciting funds for the NAACP Banquet by stating the mission of the NAACP. She stated that the funds would help with giving scholarships to further the young people education.

Councilman Cantey asked if he could present an unagendaed item and permission was granted. Councilman Cantey further expressed the mission of the NAACP as it pertains to today's inclusion of all people and made a motion, seconded by Councilman Thomas, to designate Community Revitalization Funds as follows:

P1 - \$200

P2 - \$200

P3 - \$200

P4 - \$200

P5 - \$200

P6 - \$200

P7 - \$200

P8 - \$200 and

\$200 from the Mayor's discretionary fund for a total of \$1,800.00. Motion carried

Approve the designation of \$1,800 as stated above.

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

## V. PUBLIC HEARINGS:

Planning Board Minutes August 20, 2024 – ArTriel Kirchner, Planning Director

A draft copy of the minutes from the August 20, 2024 Planning Board is available for review.

<< Recommendation >>

|                |                       |
|----------------|-----------------------|
| <b>RESULT:</b> | <b>NOT APPLICABLE</b> |
|----------------|-----------------------|

- A. Public Hearing CDBG-NR Program – Stephanie Canady, CDBG Administrator

The City has been notified by the NC Department of Commerce Rural Development Division of the availability of up to \$950,000 in CDBG funds for the Neighborhood Revitalization Program. The Neighborhood Revitalization category is designed to provide grants to local governments for housing, housing-related activities, and public facilities that support activities for low and moderate income persons.

This public hearing is the first of two required public hearings which is conducted during the planning stage of the CDBG application for Neighborhood Revitalization funds. This public

hearing serves to gather input from citizens on Lumberton's use of CDBG funds. The 2nd required public hearing will be held in October and the application for the program will be due to NC Dept. of Commerce RDD on October 23, 2024.

We recommend holding today's public hearing as part of the application process.

City Attorney Moore opened the public hearing on a Community Development Building Grant for neighborhood revitalization program to receive citizens' input on Lumberton's use of CDBG Funds. City Clerk Mitchell-McIntosh submitted the Affidavit of Publication showing that it was advertised in The Robesonian.

Ben Jones, Adams Company appeared to answer any questions. No one else appeared to speak and the hearing was closed.

No action was needed on this matter.

|                |                       |
|----------------|-----------------------|
| <b>RESULT:</b> | <b>NOT APPLICABLE</b> |
|----------------|-----------------------|

- B. Jonathan David Edwards is requesting to rezone property located at 2109 Griffin St. from R-7 (Residential Single Family/Duplex) to B-3 (office residential) for the development of a multifamily complex – ArTriel Kirchner, Planning Director

Jonathan David Edwards is requesting to rezone property located at 2109 Griffin St. (parcel # 10090200403), from R-7 (Residential Single Family/Duplex) to B-3 (office residential) for the development of a multifamily complex. Currently, there is an occupied single-family dwelling on the property.

The planning staff asks Council to hold today's public hearing and approve the rezoning request

City Attorney Moore opened the public hearing to consider amending the Land Use Ordinance by rezoning property located at 2109 Griffin Street from R-7 (Residential Single Family/Duplex) to B-3 (Office Residential) for the development of a multifamily complex. City Clerk Mitchell-McIntosh submitted the Affidavit of Publication showing that it was published in The Robesonian.

The applicant was present and consented to submitting all documents into the record.

Councilwoman Robinson stated that all of the evidence has been reviewed according to the Land Use Plan.

|                  |                                                                           |
|------------------|---------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                               |
| <b>MOVER:</b>    | Melissa Robinson, Precinct 2                                              |
| <b>SECONDER:</b> | John R. Carroll, Precinct 3                                               |
| <b>AYES:</b>     | Davis, Rising, Robinson, Carroll, Higley, Cantey, Douglas, Chavis, Thomas |

- C. Leland Fuller rezoning request- 4800 Kahn Drive – P1 – ArTriel Kirchner, Planning Director  
Leland Fuller is requesting to rezone property located at 4800 Kahn Drive (parcel # 100601014 & 10060101402), from B-5 (Highway Service) to B-4 (general commercial) for an automobile dealership.

The planning staff asks Council to hold today's public hearing and approve the rezoning request

City Attorney Moore opened the public hearing to consider amending the Land Use Ordinance by rezoning property located at 4800 Kahn Drive from B-5 (Highway Service) to B-4 (General Commercial) for an automobile dealership. City Clerk Mitchell-McIntosh submitted the Affidavit of Publication showing that the advertisement was published in The Robesonian.

Mr. Leland Fuller was available for any questions and consented to all documents being entered into the record.

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

Councilwoman Rising stated that all of the evidence has been reviewed according to the Land Use Plan.

|                  |                                                                    |
|------------------|--------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                        |
| <b>MOVER:</b>    | Leroy Rising, Precinct 1                                           |
| <b>SECONDER:</b> | Karen Higley, Precinct 4                                           |
| <b>AYES:</b>     | Rising, Robinson, Carroll, Higley, Cantey, Douglas, Chavis, Thomas |
| <b>ABSENT:</b>   | Davis                                                              |

- D. Mac Adolf Montilus is requesting to rezone property located at 2406 N. Roberts Avenue from R-15 (residential single family) and B-3 (office residential) to CZB-4 (Conditional Zoning Business General Commercial) – ArTriel Kirchner, Planning Director  
Mac Adolf Montilus is requesting to rezone property located at 2406 N. Roberts Avenue (parcel # 32060100701), from R-15 (residential single family) and B-3 (office residential) to CZB-4 (Conditional Zoning Business General Commercial) for the development of a restaurant only with no access to Elmhurst Drive.  
The planning staff asks Council to hold today's public hearing and approve the rezoning request with the following recommended conditions:

- Restaurant use only;
- No access to Elmhurst Drive.

City Attorney Moore opened the public hearing for the to consider amending the Land Use Ordinance by rezoning property located at 2406 Roberts Avenue from R-15 (Residential Single Family) and B-3 (office residential) to CZB4 (Conditional Zoning Business General Commercial) for the development of a restaurant. City Clerk Mitchell-McIntosh submitted the Affidavit of Publication showing that it was advertised in The Robesonian.

Kathy Carmical, 206 Elmhurst Drive spoke in opposition of the rezoning citing covenants restrictions should be the reason for denial of the rezoning.

Councilwoman Carroll stated that all of the evidence has been reviewed according to the Land Use Plan. He also stated that Staff along with the petitioner have answered every question that was asked and that the drainage is on the developer. He stated that he recommends approval with the stated conditions: Restaurant use only and No access to Elmhurst Drive.

|                  |                                                                    |
|------------------|--------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [8 TO 0]</b>                                           |
| <b>MOVER:</b>    | John R. Carroll, Precinct 3                                        |
| <b>SECONDER:</b> | John Cantey, Precinct 5                                            |
| <b>AYES:</b>     | Rising, Robinson, Carroll, Higley, Cantey, Douglas, Chavis, Thomas |
| <b>ABSTAIN:</b>  | Davis                                                              |

## VI. CONSENT AGENDA



**A. Minutes Approval****I. City Council - Regular Meeting - Jul 8, 2024 6:00 PM -**

|                  |                                                                    |
|------------------|--------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ACCEPTED [8 TO 0]</b>                                           |
| <b>MOVER:</b>    | Owen Thomas, Mayor Pro Tem                                         |
| <b>SECONDER:</b> | Eric Chavis, Precinct 7                                            |
| <b>AYES:</b>     | Rising, Robinson, Carroll, Higley, Cantey, Douglas, Chavis, Thomas |
| <b>ABSTAIN:</b>  | Davis                                                              |

- B. Ratify the Designation of CRF \$1,150.00 of CRF to the Lumberton Dixie Youth Baseball Association as follows: P1 - \$150 P2 - \$100 P3 - \$150 P4 - \$100 P5 - \$100 P6 - \$100 P7 - \$150 P8 - \$150 Mayor - \$150 Total of 1,150.00 : - City Council

On, July 22, 2024, City Clerk Laney Mitchell-McIntosh, was instructed to conduct a poll for the purpose of designating Community Revitalization Funds (CRF) to Lumberton Youth Baseball Association. Designations were made as follows:

P1 - \$150

P2 - \$100

P3 - \$150

P4 - \$100

P5 - \$100

P6 - \$100

P7 - \$150

P8 - \$150

Mayor - \$150

Total of 1,150.00

Ratify the Designation as indicated above.

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

- C. Ratify the Request of \$750.00 of CRF - Sandy Grove Baptist Church for a Book Bag Program for Back to School as follows: P2 - \$100 P3 - \$100 P4 - \$100 P5 - \$200 P6 - \$200 P7 - \$50 for a total of \$750 - City Council

On, August 15, 2024, City Clerk Laney Mitchell-McIntosh, was instructed to conduct a poll for the purpose of designating Community Revitalization Funds (CRF) to Sandy Grove Baptist Church for a Book Bag program for back to school. Donations were made as follows:

Book Bags

P2 - \$100

P3 - \$100

P4 - \$100

P5 - \$200

P6 - \$200

P7 - \$50 for a total of \$750

Approve the ratification of CRF as indicated above..

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

- D. Ratify the designation of \$250.00 of CRF to First Baptist Church for Back-to-School Program - City Council

On, July 31, 2024, City Clerk Laney Mitchell-McIntosh, was instructed to conduct a poll for the purpose of designating Community Revitalization Funds (CRF) to First Baptist Church for a Back to School program. Councilman Douglas designated \$250 of CRF to this event.

Ratify the designation \$250.00 of CRF to First Baptist Church for their Back-to-School Program.

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

- E. Ratify the Designation of \$150 of Community Revitalization Funds to Patriots Cove as follows: P6 - \$50 and P7 - \$100 for a Golf Tournament. - City Council

On, July 26, 2024, City Clerk Laney Mitchell-McIntosh, was instructed to conduct a poll for the purpose of designating Community Revitalization Funds (CRF) to Patriots Cove for a golf tournament. Designations were made as follows: P6 - \$50 and P7 - \$100.

Ratify the designation of funds as indicated above.

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

- F. Ratify the Designation of \$300 of Community Revitalization Funds to West Lumberton Baptist Church for a Back to School Event from P7. - City Council

On, July 19, 2024, City Clerk Laney Mitchell-McIntosh, was instructed to conduct a poll for the purpose of designating \$300 of Community Revitalization Funds (CRF) to West Lumberton Baptist Church for a Back-to-School Program designated by Councilman Chavis.

Ratify the designation of funds as indicated above.

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

- G. Ratify the Designation of \$450 of CRF to "Spirit Riders" for a Back to School Event Held for Tanglewood PTA as follows: P1 - \$100 P3 - \$100 P4 - \$100 P7 - \$50 and P8 - \$100 - City Council

On, August 13<sup>th</sup>, 2024, City Clerk Laney Mitchell-McIntosh, was instructed to conduct a poll for the purpose of designating Community Revitalization Funds (CRF) to Tanglewood PTA "Spirit Riders" and donations were made as follows:

P1 - \$100 P3 - \$100 P4 - \$100 P7 - \$50 and P8 - \$100 for a total of \$450.00  
Approve the donation \$450.00 to the Tanglewood PTA. "Spirit Riders."

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

- H. Approve the Ratification of \$1,060 of CRF to Lumberton FFA as Indicated Below - City Attorney

The Lumberton Future Farmers of America sought funds for various conferences and other needs. Council agreed to contribute by telephone poll as follows: P1 - \$160, P2 \$100, P3 - \$160, P4- \$160, P6 - \$160, P7- \$160, P8 - \$160. *Council please let Madam Clerk know of any corrections.*

Ratify CRF contributions.

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

- I. Ratification of Increase in ABC Board Salaries - City Attorney

Council approved an increase in pay to the ABC Board members to \$150 per month and for the Chairman to \$300 per month; this is effective retroactive to August of 2021. This item is to ratify the poll.

Ratify the increase.

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

## VII. AGENDA ITEMS FOR COUNCIL CONSIDERATION:

- A. Main Street Lumberton Update with Request – Sarah Ward, Downtown Coordinator  
With help from the City of Lumberton, Main Street Lumberton and Friends of Main Street Lumberton have sponsored the Hispanic Cultural Festival in downtown Lumberton for the last 3 years. The idea for a Hispanic Cultural Festival in downtown was brought forth by one of our Friends of Main Street Lumberton volunteers.

Part of our vision for downtown Lumberton is to be all inclusive and the Main Street Lumberton Advisory Board along with the Friends of Main Street Lumberton Advisory Board felt strongly the Hispanic Cultural festival would be a great event to support this part of our vision. This event has always been well attended. Festival goers are always excited for the food and entertainment.

The Hispanic Cultural Festival will be held on Saturday, September 14<sup>th</sup> from 2:00-8:00 p.m. in the Dick Taylor Plaza in downtown Lumberton. It is a free event with live entertainment, vendors, food trucks, and art. Earlier this year, Friends of Main Street Lumberton sought funding from community sponsors.

Main Street Lumberton Advisory Board is requesting \$100 dollars from each Council Member to go towards the success of the Hispanic Cultural Festival in Downtown Lumberton.

Main Street Lumberton Advisory Board is requesting \$100 from each Council Member in support of the Hispanic Cultural Festival in downtown Lumberton on September 14<sup>th</sup> from 2:00-8:00 p.m.

Ms. Lambdin also stated that the Friends of Main Street Lumberton received a 25K grant from Duke Energy Foundation for downtown that can be used for façade, technical and marketing upgrades. We would like to thank the Friends of Main Street Lumberton taking the initiative to do that.

On a motion from Councilman Thomas, and a second from Councilman Chavis, City Council designated the following to the Hispanic Cultural Festival which will be held on Saturday, September 14 from 2:00 - 8:00 p.m. in the Dick Taylor Plaza:

P1 - \$100  
P2 - \$100  
P3 - \$100  
P4 - \$100

P5 - \$100  
P6 - \$100  
P7 - \$100  
P8 - \$100  
Mayor - \$200 for a total of \$1,000

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

B. Approval of Main Street Lumberton Advisory Board Member – Sarah Ward, Downtown Coordinator

The general purpose of the Main Street Lumberton Advisory Board is to serve as an advisory committee to City Council for the purposes of facilitating the implementation of the Comprehensive Downtown Master Plan and the 4-Point Main Street Approach.

With City Council approval, Main Street Lumberton would like to appoint Amy Barker as our new Advisory Board Member. Amy is a commercial real estate appraiser located in Lumberton. She has 25 years of experience and earned the Member Appraisal Institute (MAI) in 2015 which is similar to a PHD in her field of study.

She has her own company; 'Barker Real Estate Co' and has appraised many complex commercial properties including industrial plants, apartment complexes, as well as condemnation projects; to name a few. In addition to appraising she is a commercial real estate broker.

Amy has a vested interest in the downtown area as she recently purchased and renovated the 'Koonce/Noble' building at 208 East 5th Street and has served on Main Street Lumberton's Economic Vitality Committee since January, 2024.

Amy's enthusiasm for the City of Lumberton and downtown as well as her areas of expertise make her a great fit for the Main Street Lumberton Advisory Board.

City Staff and Main Street Lumberton Advisory Board are recommending City Council Approval of Amy Barker as a new advisory board member for Main Street Lumberton.

|                  |                                                                    |
|------------------|--------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [8 TO 0]</b>                                           |
| <b>MOVER:</b>    | Alfred Douglas, Precinct 6                                         |
| <b>SECONDER:</b> | Owen Thomas, Mayor Pro Tem                                         |
| <b>AYES:</b>     | Rising, Robinson, Carroll, Higley, Cantey, Douglas, Chavis, Thomas |
| <b>ABSTAIN:</b>  | Davis                                                              |

C. Acceptance of Maintenance Agreement and Services from NC Department of Transportation Division of Aviation – Gary Lewis, Airport Manager

Beginning September 16, 2024, the North Carolina Department of Transportation Division of Aviation (NCDOTDOA) will repair asphalt areas on Lumberton Regional Airport. This repair work will consist of filling cracks on all Taxiways and both Runways, cleaning and/or repainting Runway/Taxiway markings.



The work will last for about five to six weeks and will cost \$568,000.00 (five hundred sixty-eight thousand dollars). The cost to provide this service will be paid by NCDOTDOA. There is no local match required.

Before the work can proceed, a resolution needs to be passed by the City Council allowing the NCDOTDOA to provide the service to Lumberton Regional Airport.  
Adopt the Resolution of Acceptance allowing the NCDOTDOA to provide the service to Lumberton Regional Airport and the Acceptance of the Letter of Agreement for Airport Safety and Maintenance Projects.

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

- D. Unsafe Structure 413 Warwick Mill Rd. – Ben Andrews, Inspections Director  
The structure located at 413 Warwick Mill Rd was inspected by our Department and was determined to be unsafe. A notice of Condemnation and Hearing was sent. A hearing was held on May 14, 2024 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 June 25, 2024. Staff recommends the City Council direct the Building Inspector to demolish and remove the unsafe structure located at 413 Warwick Mill Rd.

|                  |                                                                           |
|------------------|---------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                               |
| <b>MOVER:</b>    | Karen Higley, Precinct 4                                                  |
| <b>SECONDER:</b> | John Cantey, Precinct 5                                                   |
| <b>AYES:</b>     | Davis, Rising, Robinson, Carroll, Higley, Cantey, Douglas, Chavis, Thomas |

- E. Unsafe Structure 417 Warwick Mill Rd – Ben Andrews, Inspections Director  
The structure located at 417 Warwick Mill Rd was inspected by our Department and was determined to be unsafe. A notice of Condemnation and Hearing was sent. A hearing was held on May 14, 2024 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 June 25, 2024. Staff recommends the City Council direct the Building Inspector to demolish and remove the unsafe structure located at 417 Warwick Mill Rd.

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

- F. Unsafe Structure 1455 Kenny Biggs Rd. – Ben Andrews, Inspections Director  
The structure located at 1455 Kenny Biggs Rd was inspected by our Department and was determined to be unsafe. A notice of Condemnation and Hearing was sent. A hearing was

held on April 18, 2024 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 May 25, 2024. Staff recommends the City Council direct the Building Inspector to demolish and remove the unsafe structure located at 1455 Kenny Biggs Rd.

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

G. Unsafe Structure 1903 MLK Dr. – Ben Andrews, Inspections Director

The structure located at 1903 Martin Luther King Dr. was inspected by our Department and was determined to be unsafe. A notice of Condemnation and Hearing was sent. A hearing was held on May 30, 2024 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 July 5, 2024. Staff recommends the City Council direct the Building Inspector to demolish and remove the unsafe structure located at 1903 Martin Luther King Dr.

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

H. Unsafe Structure 212 Side St – Ben Andrews, Inspections Director

The structure located at 212 Side 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 April 11, 2024 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 May 15, 2024. Staff recommends the City Council direct the Building Inspector to demolish and remove the unsafe structure located at 212 Side Street.

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

I. Approval of Contract/Agreement with UNC Health – Kaitlin Thomas, Risk Manager  
UNC Health entered a management services agreement with the local hospital, formerly known as Southeastern Health. Our Occupational Health clinic now falls up under UNC – PN. We use the Occ. Health clinic for City related services, such as pre-employment items and annual physicals for police and fire. As a result of this transition with Occ Health and UNC, they require a formal agreement with agencies they partner with.

We have utilized Occ. Health for many years here at the City. In order to ensure that we were getting the most competitive price for these services, we obtained quotes from 2 other agencies that offered the same services. The first quote we obtained was from UNC Health which was \$300 per person. The second quote we obtained was from SiteMed and they quoted us \$355 per person. The third quote we attempted to obtain was from North Greenville Fitness. However, we could not reach anyone to quote. We believe they have gone out of business.

Human Resources, along with guidance/input from the Fire and Police departments/chiefs, recommend that we continue to utilize UNC Occ. Health for our annual fit for duty physicals at a cost of \$300 per person.

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

- J. Whitnee Roberts is requesting a Special Use Permit for a mental health, outpatient facility located at 4850 Fayetteville Road – ArTriel Kirchner, Planning Director  
Whitnee Roberts is requesting a Special Use Permit for a mental health, outpatient facility located at 4850 Fayetteville Road, parcel # 10060100706AA deed book 628, pg. 295-309. City Council review the request, refer the petition to the September 17th, 2024 Planning Board meeting for their review, and authorize the Planning Director to set the date of the public hearing.

Councilman Rising stated that for further action on this matter, he would recuse himself because this petitioner works for Century 21.

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

- K. Rezoning Request for Patricio Ventura - 1003 MLK Jr. Dr. – ArTriel Kirchner, Planning Director  
Patricio Ventura is requesting to rezone property located at 1003 MLK Jr. Dr.(parcel # 32430200301 & 324302003), from R-7 (Residential Single Family/Duplex) and B-4 (business general commercial) to CZ M-1 (conditional zoning light manufacturing) to operate a paint and body shop with auto sales only.

This is a revised application. The applicant initially requested to rezone the property to B-4, business general commercial. On July 8, 2024, Council approved to forward the application to the Planning Board for their recommendation. Later, the applicant requested to convert the application to Conditional Zoning M-1 automobile paint and body shop with auto sales only.

City Council review the request, refer the petition to the September 17, 2024 Planning Board meeting for their review, and authorize the Planning Director to set the date of the public hearing.

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

- L. Farouk Huraira is requesting a Special Use Permit for an electronic gaming center for property located at 2720 W. 5th Street P7. – ArTriel Kirchner, Planning Director  
Farouk Huraira is requesting a Special Use Permit for an electronic gaming center for property located at 2720 W. 5th Street P7.

CPC review the request, refer the petition to the September 17, 2024 Planning Board meeting for their review, and authorize the Planning Director to set the date of the public hearing.

City Attorney Moore stated that Attorney Danny Britt is representing the petitioner and that he is available by phone if any questions arise. He stated that he explained to him that this is just a request to move this action forward to the Planning Board.

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|------------------|---------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                               |
| <b>MOVER:</b>    | Eric Chavis, Precinct 7                                                   |
| <b>SECONDER:</b> | Owen Thomas, Mayor Pro Tem                                                |
| <b>AYES:</b>     | Davis, Rising, Robinson, Carroll, Higley, Cantey, Douglas, Chavis, Thomas |

- M. Approve the Purchase of a 4x4 1/2 Ton Pickup – Rob Armstrong, Public Works Director  
Public Works had previously requested \$58,000.00 in the current capital budget for the replacement of 2002 Ford F-250 work truck. Public Works received a quote from Modern Chevrolet on state contract for a 2025 Chevrolet Silverado 2500HD Work Truck in the amount of \$56,705.00.

Public Works recommends council approval of the purchase of a 2025 Chevrolet Silverado 2500HD Work Truck from Modern Chevrolet on state contract (NCSA: 22-08-0913RR) in the amount of \$56,705.00 with funds being made available from 10-00-8130-5430.

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| <b>RESULT:</b>   | <b>APPROVED [8 TO 0]</b>                                           |
| <b>MOVER:</b>    | John Cantey, Precinct 5                                            |
| <b>SECONDER:</b> | John R. Carroll, Precinct 3                                        |
| <b>AYES:</b>     | Rising, Robinson, Carroll, Higley, Cantey, Douglas, Chavis, Thomas |
| <b>ABSTAIN:</b>  | Davis                                                              |

- N. Approve the Purchase of a 6" Enclosed Portable Pump – Rob Armstrong, Public Works Director  
Public Works had requested \$60,000.00 in the current capital budget for the purchase of a new 6" enclosed Godwin portable pump for use at the Waste Water Treatment Plant and in operations. Public Works received a quote from Xylem (the area distributor for Godwin

Pumps; this is essentially a sole source item) in the amount of \$55,140.70. Public Works recommends council approval of the purchase of a new 6” Godwin enclosed portable pump from Xylem in the amount of \$55,140.70 with funds being made available from 60-00-8330-5560

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

O. Water Plant Alum Sludge Basin – Rob Armstrong, Public Works Director

The City of Lumberton Water Treatment Plant uses Alum Sulfate to clean the water. The waste from this process goes into a concrete lined basin at the back of the plant where it accumulates and thickens prior to removal for disposal. It has been multiple years since a haul event has occurred at this site as operations were able to manage the sludge in different ways to extend the time between haul events. This is no longer the case and the sludge has built up to an extent that it must be removed and disposed of in an environmentally safe manner.

Public Works would like to advertise for bids from companies that specialize in alum sludge removal, dewatering, and disposal. Based on preliminary review, Public Works feels that this project would cost roughly \$1,000,000.00 to complete and Public Works would recommend that this be funded from the Water and Sewer Capital Reserve Fund. At a later date Public Works would return to council with an exact contractor proposal and recommendation.

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| <b>RESULT:</b>   | <b>APPROVED [8 TO 0]</b>                                           |
| <b>MOVER:</b>    | John R. Carroll, Precinct 3                                        |
| <b>SECONDER:</b> | Eric Chavis, Precinct 7                                            |
| <b>AYES:</b>     | Rising, Robinson, Carroll, Higley, Cantey, Douglas, Chavis, Thomas |
| <b>ABSTAIN:</b>  | Davis                                                              |

P. Approve the Purchase of the Waste Water Plant SCADA Computers – Rob Armstrong, Public Works Director

Public Works had requested \$60,000.00 in the current capital budget for updating the SCADA computers at the Waste Water Treatment Plant. These computers are used to monitor operations and lift stations around the city. Public Works received a quote from Lord & Company (the current vendor for our SCADA system – so it is essentially a sole source item) in the amount of \$41,455.00.

Public Works recommends council approval of the quote from Lord & Company in the amount of \$41,455.00 with funds being made available from the capital code 60-00-8330-5560.

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

- Q. First Street Drainage Engineering Contract Amendment – Rob Armstrong, Public Works Director

The construction plans for the First Street Culvert Improvement Project are complete. During the design process, we found the geometry of the easement needed for the new channel realignment between 2<sup>nd</sup> Street and 1<sup>st</sup> Street was more complicated than originally anticipated because the channel is sandwiched between a railroad spur and an existing warehouse. We are asking the project engineer, The Wooten Company, to provide an easement map of this area for recordation and posterity.

Public Works is requesting Council approval of Amendment 1, for \$5,250, of the engineering agreement with the Wooten Company, to prepare an easement map for the project area, to be paid for from the \$250,000 North Carolina Golden Leaf Foundation grants funds allocated to the project.

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

- R. Rosewood Drive Drainage Engineering – Rob Armstrong, Public Works Director
- Public Works has been seeking a solution to a drainage problem on Rosewood Drive for an area not within a floodplain. We have a conceptual idea on how to resolve the drainage problem, but we would like to have an engineered plan prepared to work out the potential utility conflicts and validate the hydrology. Public Works is seeking Council permission to advertise a Request For Proposals (RFQ) soliciting engineering services. We expect this service to cost approximately \$50,000 to be paid for out of the Drainage Operation Fund or the Water and Sewer Capital Reserve Fund. Public Works would bring the results of the engineering selection process as well as a final contract back to Council for final approval. Public Works is seeking Council permission to advertise a Request For Proposals (RFQ) soliciting engineering services to design the Rosewood Drive Drainage Project.

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| <b>RESULT:</b>   | <b>APPROVED [8 TO 0]</b>                                           |
| <b>MOVER:</b>    | Melissa Robinson, Precinct 2                                       |
| <b>SECONDER:</b> | Karen Higley, Precinct 4                                           |
| <b>AYES:</b>     | Rising, Robinson, Carroll, Higley, Cantey, Douglas, Chavis, Thomas |
| <b>ABSTAIN:</b>  | Davis                                                              |

- S. Lead and Copper Inventory Phase 1 Engineer Selection – Rob Armstrong, Public Works Director

The City issued a Request for Qualifications on August 1st, seeking to engage an engineering



firm to conduct Phase 1 of our State required Lead and Copper water service inventory. This project is funded by a \$1,000,000 grant and 0% interest loan from the NC DEQ Division of Water Infrastructure. Responses were due by August 26<sup>th</sup>. Only one firm submitted a qualifications statement, The Wooten Company.

Public Works is requesting Council to select the Wooten Company to conduct Phase 1 of the City's Lead and Copper water service inventory. Once selected, Public Works will negotiate a fee for the service and bring the professional services agreement back to Council for final approval.

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

- T. Request to Approve the Bid from Guaranteed Supply Co. for Vacuum Truck Waste Storage Pit Material Bids – Rob Armstrong, Public Works Director

Public Works needs to construct a larger pit to hold our Vacuum Truck waste collected from cleaning sewer mains. Our current storage bins are not large enough to store the amount of debris we remove from the collection system. We would construct, using our own staff and equipment, a sloped concrete pit to contain this waste. We need to purchase material to construct the heavily reinforced concrete walls and floor. Concrete for the project will be purchased thru our operations Purchase Orders with local concrete provides. We were only able to get two bids for the steel reinforcing and form boards. Guaranteed Supply Co. out of Raleigh had an all-inclusive material bid of \$18,816. Dillon Supply out of Charlotte submitted a bid that did not include the form boards, for \$16,707.90. The price for the rebar component from Dillon was much higher than the rebar price from Guaranteed Supply and would leave us to procure form board plywood separately.

Public Works is requesting Council approval to purchase steel reinforcement and forming material from Guaranteed Supply Co. out of Raleigh for \$18,816.00 to be paid for from the water and sewer capital reserve fund.

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

- U. Lumberton Water and Waste Water Plant PFAS RFQ – Rob Armstrong, Public Works Director

The City of Lumberton has previously been awarded \$1,000,000.00 in principal forgiveness loans from NC DWI SRF for the study of PFAS at both the Water and Waste Water Treatment Plants. On June 14 2024 Lumberton held an RFQ with 3 submittals from engineering firms. Lumberton received submittals from the Wooten Company, CDM Smith, and Arcadis.

City of Lumberton Staff recommends the award of engineering services for the PFAS study

at the Water and Waste Water Treatment Plants to CDM Smith following the technical evaluation scoring.

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

- V. Award of Contract to Pelton Aggregates in the amount of \$56,500 for Concrete Crushing – Rob Armstrong, Public Works Director
- In March, Council awarded a contract \$44,500 to American Concrete Crushing to crush the recycled concrete debris at Public Works into aggregate base course. This company went out of business before performing any work for us. Since the March award, the debris pile has steadily grown. Public Works has solicited bids for another company to do this work. Only one company submitted a bid, Pelton Aggregates for a total not to exceed \$56,500. Public Works is requesting Council to award the concrete crushing contract to Pelton Aggregates for a total not to exceed \$56,500 to be paid for from the Water and Sewer Capital Reserve Fund.

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

- W. Tandem Dump Truck Purchase – Rob Armstrong, Public Works Director
- Public Works had previously requested two tandem dump trucks in the current capital budget in the amount of \$200,000.00 per truck. Currently Public Works is in desperate need of newer tandem dump trucks as the current fleet is aging out and not reliable for daily use. Public Works received 3 quotes for similarly equipped tandem dump trucks from Milam's Truck Sales, Inc. Sutherlin, VA, TLG Peterbilt, Florence, SC, and Peterbilt, Murchison, TX. The amounts were \$136,500., \$180,000., and \$148,500 respectively. The low bidder indicated he would hold the truck as long as he could; if we find that he had to sell his truck, we would ask approval to purchase the truck under the second-lowest bid. Public Works recommends council approval of the purchase of a 2017 Western Star T-3822 tandem dump truck from Milam's Truck Sales, Inc. of Sutherlin VA in the amount of \$136,500.00 with funds being made available from the Water and Sewer Capital reserve fund.

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

X. 3/4 Ton Pickup Replacement – Rob Armstrong, Public Works Director

On July 18<sup>th</sup> 2024 a City of Lumberton Pickup was involved in an accident following a heavy rain event and was deemed a total loss. Insurance has determined that a payout of \$20,981.89 is sufficient. Public Works would prefer to replace this ½ single cab pickup with a ¾ crew cab with a work body. This would be through state contract in the amount of \$56,705.00.

Public Works recommends council approval of the purchase of a 2025 Chevrolet Silverado 2500HD with work body in the amount of \$56,705.00 coming from NCSA: 22-08-0913RR. Funds would be from \$20,981.89 from insurance with the balance coming from the water and sewer capital reserve fund.

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

Y. Adopt a Resolution to apply for a Sewer Rehab Grant – Rob Armstrong, Public Works Director

Public Works is requesting Council to adopt the attached resolution to apply for a \$2,000,000 Sanitary Sewer Rehabilitation Grant from the North Carolina Division of Water Quality State Revolving Fund. The sewer rehab project will basically be an expanded version of the rehab projects previously applied for and will include rehab of different sewer collection system components. Gravity system rehab is expected to be targeted along East 5<sup>th</sup> Street, parts of West and South Lumberton. Other areas will be added as the scope of the project is developed.

Public Works is requesting Council to adopt the attached resolution to apply for a \$2,000,000 Sanitary Sewer Rehabilitation Grant from the North Carolina Division of Water Quality State Revolving Fund

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| <b>RESULT:</b>   | <b>ADOPTED [8 TO 0]</b>                                            |
| <b>MOVER:</b>    | John Cantey, Precinct 5                                            |
| <b>SECONDER:</b> | Eric Chavis, Precinct 7                                            |
| <b>AYES:</b>     | Rising, Robinson, Carroll, Higley, Cantey, Douglas, Chavis, Thomas |
| <b>ABSTAIN:</b>  | Davis                                                              |

Z. Adopt a Resolution to apply for a Water AIA Grant – Rob Armstrong, Public Works Director

Public Works is requesting Council to adopt the attached resolution to apply for a \$150,000 Water System Asset Inventory Assessment Grant from the North Carolina Division of Water Infrastructure. The grant will be used to pay for the continued mapping and hydraulic

modeling of the water distribution system.

Public Works is requesting Council to adopt the attached resolution to apply for a \$150,000 Water System Asset Inventory Assessment Grant from the North Carolina Division of Water Infrastructure.

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

- AA. 10 Year Sewer Capital improvement Plan – Rob Armstrong, Public Works Director  
The City adopts a five year capital improvement plan annually as part of our budget process. The five-year plan is mostly geared to forecast capital needs to support operations such as equipment, vehicles and bulk supplies. In order to be more competitive in the SRF grant and loan program, a 10 year capital improvement plan must be adopted by Council that outlines construction type projects that will improve our sewer infrastructure. The 10 year CIP was last approved by Council in 2021. The Wooten Company is preparing an updated plan for Council to consider. The plan is just a guide for future projects and does not obligate the City to implement them.  
Public Works is Requesting Council to approve the 10 Year Sewer Capital Plan and adopt the attached Resolution

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

- AB. Approve the designation of \$400.00 of Community Revitalization Funds to the Robeson County Humane Society for an Outdoor Reception (Bark at the Moon) as follows: P1 - \$150 & P8 - \$250 – Leroy Rising, Precinct 1  
Councilman Rising requests \$150.00 and Councilman Thomas would like to designate \$250 a total of \$400 of Community Revitalization Funds to the Robeson County Humane Society for the Bark at the Moon event held on October 17, 2024, from 6:00 PM to 8:00 pm located at 3180 W. 5th Street.  
Designate \$400.00 of CRF to the Robeson County Humane Society as indicated above.

Designations were given as follows:

P1 - \$150  
P2 - \$50  
P3 - \$150  
P4 - \$150  
P5 - \$100  
P6 - \$100  
P7 - \$100  
P8 - \$250  
Mayor - \$200 for a total of \$1,250.

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

- AC. CRF - McCormick Chapel AME Church for 68th Anniversary – John Cantey, Precinct 5  
Councilman Cantey would like to provide \$1,000 of CRF to McCormick Chapel AME Church for the 68th Anniversary.

Approve CRF request as stated above.

P5 - \$1,000 and P6 - \$300 for a total of \$1,300.00. Will be held on September 29, 2024 at 11:00.

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

- AD. P6 - Discussion Concerning Sponsorship - Robeson County Disaster Recovery Coalition, Inc. – Alfred Douglas, Precinct 6  
Robeson County Disaster Recovery Coalition (RCDRC) is a 501 (s) 3 nonprofit tax-exempt organization that is dedicated to helping families and individuals recover from natural or man-made disasters. This organization has been in existence since 2016 in response to Hurricane Matthew not to mention, Hurricanes Florence and the mild effects of Hurricane Dorian.

I would like to discuss the possibility of City Council; and if not Council, (Precinct 6) entering into partnership with RCDRC as a sponsor. There are privileges that come along with being a partner that are not afforded to those who are not. There are different levels of sponsorship and that is what I would if at all possible discuss today. The different levels are explained on the attachment.

Consider the information and if Council so desires, become a sponsor.

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| <b>RESULT:</b>   | <b>TABLED [8 TO 0]</b>                                             | <b>Next: 10/7/2024 6:00 PM</b> |
| <b>MOVER:</b>    | Alfred Douglas, Precinct 6                                         |                                |
| <b>SECONDER:</b> | John Cantey, Precinct 5                                            |                                |
| <b>AYES:</b>     | Rising, Robinson, Carroll, Higley, Cantey, Douglas, Chavis, Thomas |                                |
| <b>ABSTAIN:</b>  | Davis                                                              |                                |

- AE. P7 - Requests \$200 and P8 Requests \$100 of CRF to the Robeson Community College Foundation for the Clifford Bullard Memorial Golf Tournament – Eric Chavis, Precinct 7  
Robeson Community College Foundation staff reached out to the City of Lumberton requesting funds in support of the Clifford Bullard Memorial Golf Tournament which will be held on October 3<sup>rd</sup>, 2024, at the Pine Crest Country Club in honor of Mr. Clifford Bullard.

All proceeds will support the Robeson Community College Foundation. In response to the request, Councilman Chavis would like to donate\$200.00 and Councilman Thomas \$100 of CRF.

Approve the designation as stated above.

Designations were made as follows:

- P1 - \$100
- P3 - \$100
- P5 - \$100
- P6 - \$100
- P7 - \$200
- P8 - \$100
- Mayor - \$200 for a total of \$900.00.

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

VIII. ADJOURNMENT



**Lumberton City Council**  
**Lumberton, North Carolina**



**Request for Action**

**Meeting Date:** October 7, 2024

**Originated By:** City Council

**Submission Date:** 09/20/2024

**Subject:** Ratify the designation of \$400.00 of CRF to Walnut Cove in Precinct 1

**Summary/Background of Subject Matter:**

Councilman Rising requests \$400.00 of Community Revitalization Funds be given to Walnut Cove.

**Staff Recommendation:**

Approve the designation of \$400.00 to Walnut Cove payable to Walnut Cove Home Owner's Association, Billy Taylor, 101 Walnut Cove Dr., Lumberton, NC 28358

**Signature:**

**Department:**

**ATTACHMENTS:**

None

**Lumberton City Council**

**Lumberton, North Carolina**



**Request for Action**

**Meeting Date:** October 7, 2024

**Originated By:** City Council

**Submission Date:** 09/17/2024

**Subject:** Ratify the Designation of \$2,000.00 of CRF for Highland Inverness Block Party as follows: P1 - \$1,000 and P3 - \$1,000

**Summary/Background of Subject Matter:**

Councilman Carroll and Councilman Rising designated \$1,000 each of Community Revitalization Funds to the Highland-Inverness Block Party held on October 5, 2024 from 3-6 pm.

**Staff Recommendation:**

Ratify the Designation of \$2,000 of CRF as indicated above.

**Signature:**

**Department:**

**ATTACHMENTS:**

None

**Lumberton City Council**

**Lumberton, North Carolina**



**Request for Action**

**Meeting Date:** October 7, 2024

**Originated By:** City Manager

**Submission Date:** 10/02/2024

**Subject:** Carolina Civic Center Annex - Change Order #1

**Summary/Background of Subject Matter:**

A poll was conducted on Thursday, October 3, 2024, in reference to the Carolina Civic Center Annex project which began approximately three weeks ago with the demolition of the existing parking lot immediately adjacent to the theater. While excavating for the initial foundation work, the contractor uncovered remnant footings from buildings which were removed during the construction of the parking lot approximately 20 years ago. The contractor has hired the environmental testing company ECS Southeast to investigate the site conditions and to offer remedial solutions for the subgrade encumbrances encountered (see attached report). The general contractor for the project has offered Change Order #1 which will involve the removal of the existing footings, backfilling with select fill, the installation of flowable fill along the theater perimeter wall, and associated testing prior to new foundation placement. The GC submitted a full scope price covering all ECS testing cost/ site subcontractor repair cost and DCS cost for the unforeseen issues of \$57,723.10.

**Staff Recommendation:**

City Council was asked to authorize Change Order #1 from DCS Commercial Construction for a “not to exceed” price of \$20,000. Funding for Change Order #1 will come from the project contingency.

**Signature:**

**Department:**

**ATTACHMENTS:**

1. CCC- Lumberton NC- DCS COR #01 Revised- ECS cost-Site subcontractor cost- DCS cost-10-2-24
2. CCC- Lumberton NC- Site Change Order-Unforseen Conditions-10-2-24
3. Pages from CCC- Lumberton NC- Red line plan sheet showing where concrete-pavers need to be removed to allow removal of existing old footings to allow

# Dave's Construction Service, Inc.

P.O. Box 2215 / Eden, NC 27289-2215

1416 Washington Street  
Eden, NC 27288  
Phone (336) 623-9906 Fax (336) 623-5026

## ChangeOrder

COR #01- Revised

**Original Date** September 23, 2024

**Revised Date** 2-Oct-24

**Quotation valid until:** 3 Days

**Prepared by:** Randy Nance

### TO:

City of Lumberton  
Carolina Civic Center- Addition

### Job Location:

Carolina Civic Center Addition  
315 Chestnut Street  
Lumberton NC 28358

### We hereby submit specifications and estimates for:

|                                                                                                                                                                                                                                                                                                                                                                                                                     |                       |             |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|-------------|
| ECS-1st proposal to complete site visit/review voids in existing subgrade along side of existing building. Review existing old masonry foundations/footings located in new locations where perimeter/wall footings/foundations will need to be installed. Provide written report on and provide written direction on how repairs/removal will need to take place to allow of new construction footings/foundations. | \$600.00              |             |
| DCS Project Manager/Coordination/Request Proposal/Provide information to ECS to prepare proposal. 2 hours @ \$ 75.00                                                                                                                                                                                                                                                                                                | \$150.00              |             |
| ECS- 2nd proposal to complete site visit to complete hand auger test to confirm limits of existing footings/foundations to be removed.                                                                                                                                                                                                                                                                              | \$850.00              |             |
| DCS Project Manager/Complete onsite layout of footings to allow ECS testing to complete 2nd proposal noted above. 4 hours/markings paint materials. 4 hours @ 75.00/ \$ 80.00 materials.                                                                                                                                                                                                                            | \$380.00              |             |
| Hand removal existing pavers along front and side of site and palletized so City of Lumberton can remove from site. Pallets provided by City of Lumberton.                                                                                                                                                                                                                                                          | \$900.00              |             |
| Demo, remove, and dispose of concrete section 50' long x 1' wide located along the rear alley of the parking lot to allow installation of new column and wall footings.                                                                                                                                                                                                                                             | \$1,335.00            |             |
| Excavate, remove and dispose of existing French drain. 99' long x 6' wide x 6' deep. Backfill and compact to new subgrade with onsite fill materials in 6" lifts- 74' long x 6' wide x 6' deep. The last 25' will be covered with flowable fill per item note below                                                                                                                                                 | \$5,765.00            |             |
| Excavate, demo, remove, and dispose of unearthed 78' x 6' x 6' brick and concrete footings. Backfill and compact with onsite fill materials in 6" lifts.                                                                                                                                                                                                                                                            | \$22,274.00           |             |
| Supply and install approximately 40 yards of flowable fill for the undermining of the existing building where voids were uncovered at rear corner of existing building. (25' long x 6' wide x 6' deep.)                                                                                                                                                                                                             | \$5,400.00            |             |
| 14 additional days of General Conditions- Superintendent/Hotel/Meals/Truck                                                                                                                                                                                                                                                                                                                                          | \$9,940.00            |             |
| ECS proposal to monitor removal of materials noted above and test compaction of new materials noted above.                                                                                                                                                                                                                                                                                                          | \$2,600.00            |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                     |                       |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                     | Subtotal              | \$50,194.00 |
|                                                                                                                                                                                                                                                                                                                                                                                                                     | Profit & Overhead 15% | \$7,529.10  |
|                                                                                                                                                                                                                                                                                                                                                                                                                     | Total                 | \$57,723.10 |

**We Propose** hereby to furnish material, labor, etc. - complete in accordance with the above specifications, for the sum of:

Grand Total: Fifty Seven Thousand Seven Hundred Twenty Three Dollars Ten Cents

**Payment to be made as follows:**

Per payment terms of contract

All material is guaranteed to be as specified. All work to be completed in a professional manner according to standard practices. Any alteration or deviation from above specifications involving extra cost will be executed only upon written change orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner will carry fire, tornado, and any other necessary insurance. Our workers are fully covered by Worker's Compensation insurance.

**Authorized Signature:**

:

**Acceptance of Proposal** - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

**Acceptance Signature:**

:

Date of Acceptance: \_\_\_\_\_

***If you have any questions concerning this quotation, contact Randy Nance  
by Phone: (336)613-4835 or E-mail: rnance@dcsdave.com***



10/2/24

Carolina Civic Center- Lumberton NC  
Change Order for Additional Work

1-Removal and displacement of existing sidewalk pavers to be palletized for city pickup. Pallets will be provided by City per confirm Jeff Halliburton- Street Superintendent.

Estimated cost

\$900.00

2-Demo, remove, and dispose of concrete section 50 x 1 located along the rear alley of the parking lot to allow installation of new column/wall footings.

Estimated cost

\$1,335.00

3-Excavate, remove, and dispose of existing French drain. 99' long x 6' wide x 6' deep. Backfill and compact to new subgrade with onsite fill materials in 6" lifts- 74' long x 6' wide x 6' deep. The last 25' will be covered with flowable fill per item # 5 below located are rear corner of existing theater.

Estimated cost

\$5,765.00

4- Excavate, demo, remove, and dispose of unearthed 78 x 6 x 6 brick and concrete footings. Backfill and compact with onsite fill materials in 6" lifts.

Estimated cost

\$22,274.00



5- The supply and install approximately 40 yards of flowable fill for the undermining of the existing building. (25' long x 6' wide x 6' deep.)

Estimated cost

\$5,400.00

Total

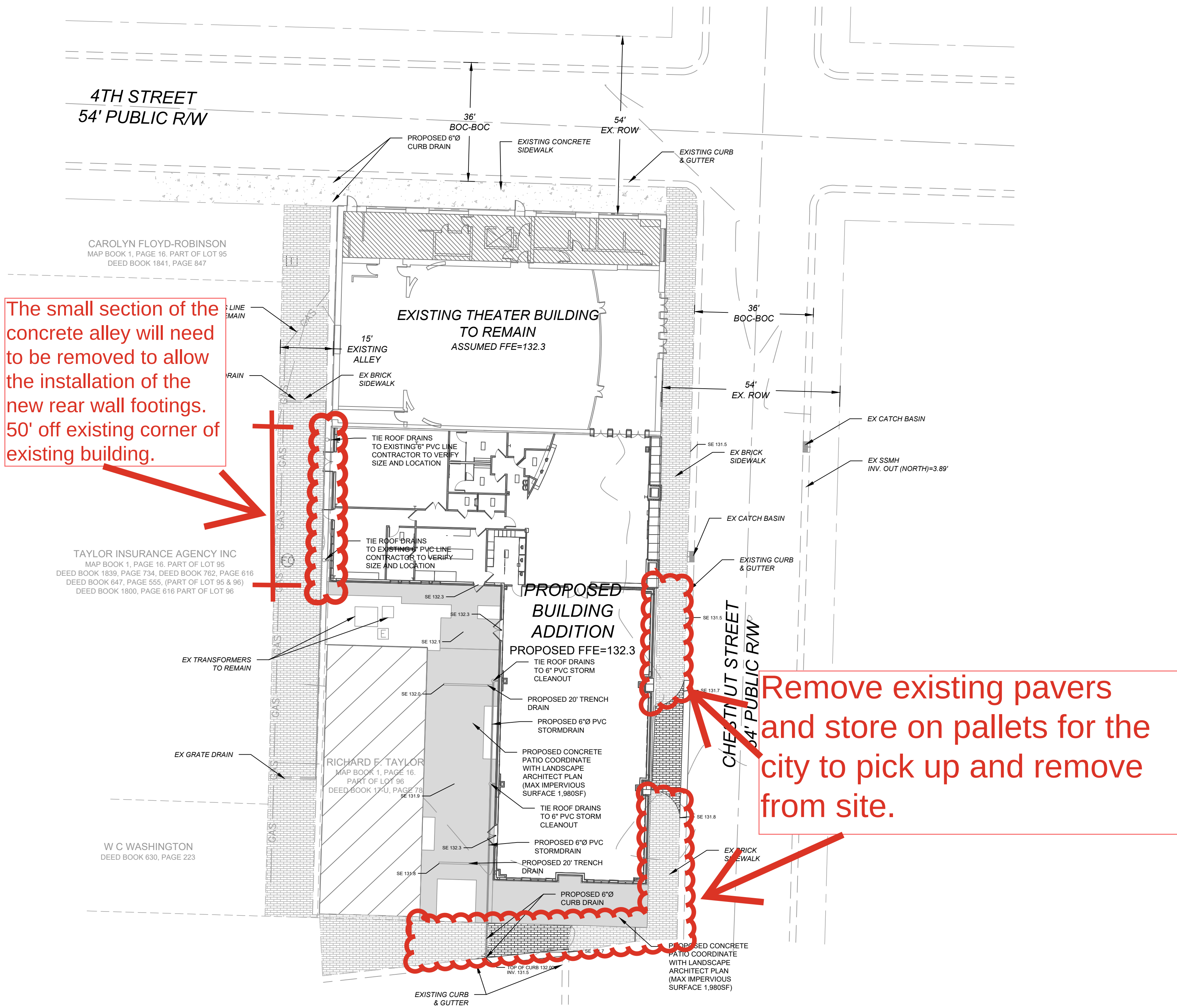
**\$35,674.00**

It will take 14 days to complete all of these additional scopes of work as noted above.  
Testing by others.

*Adam Daughety*

*Estimator*

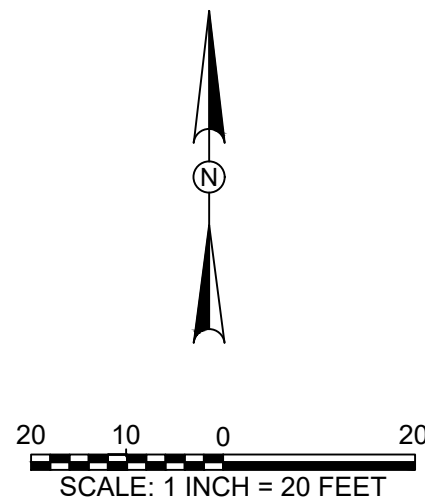
*Trinity Plumbing and Site Work, LLC*



| LEGEND |                                 |
|--------|---------------------------------|
|        | EXISTING PROPERTY LINE          |
|        | EXISTING ABUTTING PROPERTY LINE |
|        | EXISTING RIGHT-OF-WAY           |
|        | EXISTING OVERHEAD POWER LINE    |
|        | EXISTING ABUTTING PROPERTY LINE |
|        | EXISTING BUILDING SETBACK LINE  |
|        | EXISTING PARKING SETBACK LINE   |
|        | EXISTING EDGE OF PAVEMENT       |
|        | EXISTING CONTOUR MAJOR (5')     |
|        | EXISTING CONTOUR MINOR (1')     |
|        | PROPOSED EDGE OF PAVEMENT       |
|        | PROPOSED CONTOUR MAJOR (5')     |
|        | PROPOSED CONTOUR MINOR (5')     |

ADA NOTES

1. PROPOSED ADA PARKING AND STALL STRIPING SHALL HAVE SLOPES NO STEEPER THAN 1:48 (2%).
2. PROPOSED ACCESSIBLE ROUTE TO RIGHT-OF-WAY AND PROPOSED SIDEWALKS SHALL HAVE A RUNNING SLOPE NO STEEPER THAN 1:20 (5%) AND CROSS SLOPES NO STEEPER THAN 1:48 (2%).
3. RAMPS SHALL COMPLY WITH THE REQUIREMENTS OF 2012 NCSBC SECTION 1010.
4. HANDRAILS SHALL COMPLY WITH THE REQUIREMENTS OF 2012 NCSBC SECTION 1012.



NOTES

1. TOPOGRAPHIC AND BOUNDARY SURVEY PROVIDED BY POWERS SURVEYING ON 03-04-2020.
2. PROPERTY IS LOCATED IN ZONES X (AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE AND FUTURE 1% ANNUAL CHANCE FLOODPLAIN) BASED ON THE FEMA MAP NUMBER 3710939100K DATED DECEMBER 6, 2019.
3. NO ONSITE STREAMS OR WETLANDS HAVE BEEN IDENTIFIED WITHIN THE PROJECT OR PARCEL AS SHOWN.
4. THIS DRAWING IS NOT FOR RECORDATION.

| ISSUED FOR CONSTRUCTION   |          |                               |  |
|---------------------------|----------|-------------------------------|--|
| REV.                      | DATE     | DESCRIPTION                   |  |
| 1                         | 03/26/24 | BUILDING FLOOR PLAN REVISIONS |  |
| 2                         | 04/17/24 | BID DESIGN REVISIONS          |  |
|                           |          |                               |  |
|                           |          |                               |  |
| GRADING PLAN              |          |                               |  |
| CAROLINA CIVIC CENTER     |          |                               |  |
| 315 NORTH CHESTNUT STREET |          |                               |  |
| LUMBERTON, NORTH CAROLINA |          |                               |  |
| PROJECT NO.: 20006        |          |                               |  |
| DRAWN BY: JAC             |          |                               |  |
| CHECKED BY: JAC           |          |                               |  |
| DATE: 03/26/24            |          |                               |  |
| SCALE: 1" = 20'           |          |                               |  |
| C-5                       |          |                               |  |
| 5 of 7                    |          |                               |  |



**Lumberton City Council**  
**Lumberton, North Carolina**



**Request for Action**

**Meeting Date:** October 7, 2024

**Originated By:** Emergency Services

**Submission Date:** 09/30/2024

**Subject:** Approval of CentralSquare Solutions Agreement

**Summary/Background of Subject Matter:**

The City of Lumberton Emergency Services is requesting to enter into an agreement with CentralSquare Solutions and Robeson County Emergency Services for CAD to CAD systems. The goal of Unify is to reduce response times for first responders, by automating shared calls between PSAPs and eliminating the need to manually transfer calls and call details. This also improves the efficiency of the data being shared all while allowing your dispatchers to remain in the CAD system they know, thus further improving the response times.

Chad Deese, the Director of Robeson County Emergency Services, applied for and received a grant to implement CAD to CAD between the City and County. The upfront fee for the grant is \$74,120.00 with the City's portion to pay upfront \$37,060.00 which will be reimbursed after completion.

**Staff Recommendation:**

That Council allow the City of Lumberton Emergency Services to enter into the agreement for the CAD to CAD System with Robeson County Emergency Services. The total amount of the grant upfront fee for the City is \$37,060.00 to be reimbursed once the system is completely installed.

**Signature:**

**Department:**

**ATTACHMENTS:**

None

**Lumberton City Council**  
**Lumberton, North Carolina**



**Request for Action**

**Meeting Date:** October 7, 2024

**Originated By:** Public Works

**Submission Date:** 10/04/2024

**Subject:** Award the Noir Street Sewer Outfall Cleaning and Inspection Bid

**Summary/Background of Subject Matter:**

On Thursday, September 26th, Public Works received bids for the Noir Street Sanitary Sewer Outfall Cleaning and Inspection Project funded by a State Asset Management Assessment (AIA) Grant. Only one bid was received, from KRG Utility Inc. Since this was an informal bid, less than the \$500,000 state statute threshold, we opened the single bid from KRG which was \$150,220.

**Staff Recommendation:**

Public Works is requesting Council award the Noir Street Sanitary Sewer Cleaning and Inspection Project to KRG Utility Inc for \$150,220 to be paid for by the NC DEQ American Rescue Plan Grant.

**Signature:**

**Department:**

**ATTACHMENTS:**

1. Discussion of Bids
2. Certified Bid Tabs
3. 240927\_Certified Bid Tab\_2799-CY



## DISCUSSION OF BIDS

### CITY OF LUMBERTON

### NOIR ST. INTERCEPTOR CLEAN & TV INSPECTION

### BIDS RECEIVED SEPTEMBER 26, 2024

### TWC PROJECT 2799-CY

#### I. INTRODUCTION

The Advertisement for Bids was electronically shared to ten contractors on September 5, 2024, and submitted to the City of Lumberton (Owner) Officials and the following plan rooms: Dodge Company, Construct Connect, and NC Bid Network.

The Bid Opening for the Lumberton Noir Street Interceptor Clean and TV Inspection project was held at 2:00 p.m. on Thursday, September 26, 2024, and one (1) bid was received. Because the Cost Opinion for the project was less than \$500,000 the bid process could be considered Informal, and we did not have to receive 3 bids to be able to open the bids.

The Bid Opening results are the subject of this Discussion of Bids.

#### II. PROPOSAL REQUESTED

The following assessment was requested:

Evaluate approximately 7,000 linear feet of 36-inch and 42-inch sewer main for cleaning and TV inspection including bypass pumping efforts as needed to complete the cleaning and inspection.

#### III. REVIEW OF PROPOSALS

Two contractors requested and received Bid Documents, KRG Utility, Inc. and Tri-State Utilities. Only the following bid was received:

|                                       |              |
|---------------------------------------|--------------|
| KRG Utility, Inc. of Kernersville, NC | \$150,220.00 |
|---------------------------------------|--------------|

#### IV. PROJECT COST AND FUNDING

Considering the low bid submitted and other known expenses, we provide the following summary of project costs:

Project Costs:

|                                                  |                     |
|--------------------------------------------------|---------------------|
| Low Bid                                          | \$150,220.00        |
| Contingency (approx. 3.2%)                       | \$4,780.00          |
| <b>Subtotal:</b>                                 | <b>\$155,000.00</b> |
| Engineering Services:                            |                     |
| Develop Bidding Documents                        | \$20,000.00         |
| Bidding & Negotiation Services                   | \$5,000.00          |
| CCTV Engineering Admin. and Observation Services | \$20,000.00         |
| Summary Report Services                          | \$9,000.00          |
| Funding Administration Services                  | \$5,000.00          |
| <b>Engineering Services Subtotal:</b>            | <b>\$59,000.00</b>  |
| <b>Total Project Cost</b>                        | <b>\$214,000.00</b> |

Project Funding:

The City of Lumberton received American Rescue Plan (ARP) funding from the State Fiscal Recovery Fund in the amount of \$214,010. A funding application was submitted to NCDEQ Division of Water Infrastructure who are managing those funds. The total budget for the project was set at \$214,000, therefore the project is within budget.

V. INFORMATION ON LOW BIDDER

KRG Utility, Inc. included with their Bid the required E-Verify Affidavit, Bid Bond, and MWBE Documentation. Attached is a copy of the License Detail for KRG Utility, Inc. from the NC Licensing Board for General Contractors.

VI. CONCLUSION

Based on all information included in this Discussion, The Wooten Company offers no objection to the award of the Lumberton Noir St. Interceptor Clean and TV Inspection project to: KRG Utility, Inc. of Kernersville, NC in the Bid amount of \$150,220.

This Discussion of Bids is respectfully submitted the 27<sup>th</sup> day of September 2024.



John C. Grey, P.E.

Attachments: Licensing Details



CERTIFIED BID TAB

# Lumberton – Noir St. Interceptor Clean and TV Inspection

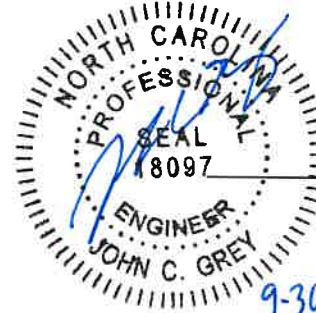
Lumberton, North Carolina

BID DATE/TIME: Thursday, September 26, 2024 @ 2:00 p.m.

TWC No. 2799-CY

| Contractors                                                     | License No. | Class     | Bid Bond | Bid          | Remarks |
|-----------------------------------------------------------------|-------------|-----------|----------|--------------|---------|
| KRG Utility, Inc.<br>136 Macy Station<br>Kernersville, NC 27284 | L.30735     | Unlimited | 5%       | \$150,220.00 | Low     |

This is to certify that the bids tabulated herein were publicly opened and read aloud at 2:00 p.m. on the 26th day of September 2024, in the Lumberton City Hall Building, 1<sup>st</sup> Floor Community Room, 500 North Cedar Street, Lumberton, NC.



John C. Grey, P.E.

**Wooten**

119 Brookstown Ave., Suite100  
Winston-Salem, NC 27101

9/26/2024 **BID TABULATION**

**Noir St. Interceptor Clean and TV Inspection**

|          |                                                                                                          | Unit | QTY   | KRG Utility, Inc. |                      |
|----------|----------------------------------------------------------------------------------------------------------|------|-------|-------------------|----------------------|
|          |                                                                                                          |      |       | Unit              | Extended             |
| <b>1</b> | Mobilization                                                                                             | LS   | 1     | \$ 6,000.00       | \$ 6,000.00          |
| <b>2</b> | TV Inspection (Section 1) S. Elm St. at railroad crossing to Noir St. BTW Preacher St. and Sycamore St.  | LF   | 3,030 | \$ 2.50           | \$ 7,575.00          |
| <b>3</b> | TV inspection (Section 2) Noir St. to WWTP                                                               | LF   | 3,900 | \$ 2.50           | \$ 9,750.00          |
| <b>4</b> | Heavy cleaning (Section 1) S. Elm St. at railroad crossing to Noir St. BTW Preacher St. and Sycamore St. | LF   | 3,030 | \$ 11.50          | \$ 34,845.00         |
| <b>5</b> | Heavy cleaning (Section 2) Noir St. to WWTP                                                              | LF   | 3,900 | \$ 9.50           | \$ 37,050.00         |
| <b>6</b> | Bypass Pumping                                                                                           | Days | 20    | \$ 2,750.00       | \$ 55,000.00         |
|          | <b>TOTAL BASE BID PRICE</b>                                                                              |      |       |                   | <b>\$ 150,220.00</b> |

**Lumberton City Council**

**Lumberton, North Carolina**



**Request for Action**

**Meeting Date:** October 7, 2024

**Originated By:** Public Works

**Submission Date:** 10/04/2024

**Subject:** Lead and Copper Inventory Phase 1 Engineering Agreement

**Summary/Background of Subject Matter:**

In September, Council selected the Wooten Company as the engineer for the Lead and Copper Inventory Phase 1. The next step in the two part professional services procurement process is to approve the actual contract with the Wooten Company. This project is funded with a \$1,000,000 grant from the North Carolina Division of Water Infrastructure. The total engineering contract will be for \$1,000,000. Our goal is to satisfy the first round of distribution information requested by the state and to field verify as many services as we can with the remainder of the funds.

\$110,000 will be for administrative services and \$890,000 will be for paying the hourly field investigative rate to verify as many services as possible.

**Staff Recommendation:**

Public Works is requesting Council approval of the attached \$1,000,000 professional services contract with the Wooten Company for the Lead and Copper Inventory Project Phase 1, to be paid for by \$1,000,000 in funding awarded to the City by the North Carolina Division of Water Infrastructure.

**Signature:**

**Department:**

**ATTACHMENTS:**

1. Lead Service Line Inventory Phase 1

**SHORT FORM OF AGREEMENT  
BETWEEN OWNER AND ENGINEER  
FOR PROFESSIONAL SERVICES**

THIS IS AN AGREEMENT effective as of \_\_\_\_\_ ("Effective Date") between

City of Lumberton ("Owner")

and

L.E. Wooten & Company dba The Wooten Company ("Engineer").

Owner's Project, of which Engineer's services under this Agreement are a part, is generally identified as follows: Lead Service Inventory (Phase 1) ("Project").

Engineer's services under this Agreement are generally identified as follows: The Wooten Company will provide technical services to include Historical Records Review, Field Investigation and Report Preparation Services for the City's water distribution system in order to comply with the State's EPA requirements for Lead and Copper Rule Revisions (LCRR), and Funding Administration services ("Services").

Owner and Engineer further agree as follows:

**1.01 Basic Agreement and Period of Service**

- A. Engineer shall provide or furnish the Services set forth in this Agreement. If authorized by Owner, or if required because of changes in the Project, Engineer shall furnish services in addition to those set forth above ("Additional Services").
- B. Engineer shall complete its Services within the following specific time period: Historical Review completed by December 31, 2024. Field Investigation & Report will be completed by December 31, 2025. If no specific time period is indicated, Engineer shall complete its Services within a reasonable period of time.
- C. If, through no fault of Engineer, such periods of time or dates are changed, or the orderly and continuous progress of Engineer's Services is impaired, or Engineer's Services are delayed or suspended, then the time for completion of Engineer's Services, and the rates and amounts of Engineer's compensation, shall be adjusted equitably.

**2.01 Payment Procedures**

- A. *Invoices:* Engineer shall prepare invoices in accordance with its standard invoicing practices and submit the invoices to Owner on a monthly basis. Invoices are due and payable within 30 days of

receipt. If Owner fails to make any payment due Engineer for Services, Additional Services, and expenses within 30 days after receipt of Engineer's invoice, then (1) the amounts due Engineer will be increased at the rate of 1.0% per month (or the maximum rate of interest permitted by law, if less) from said thirtieth day, and (2) in addition Engineer may, after giving seven days written notice to Owner, suspend Services under this Agreement until Engineer has been paid in full all amounts due for Services, Additional Services, expenses, and other related charges. Owner waives any and all claims against Engineer for any such suspension.

- B. *Payment:* As compensation for Engineer providing or furnishing Services and Additional Services, Owner shall pay Engineer as set forth in Paragraphs 2.01, 2.02 (Services), and 2.03 (Additional Services). If Owner disputes an invoice, either as to amount or entitlement, then Owner shall promptly advise Engineer in writing of the specific basis for doing so, may withhold only that portion so disputed, and must pay the undisputed portion.

## 2.02 *Basis of Payment—Lump Sum*

- A. Owner shall pay Engineer for Services as follows:

1. **A Lump Sum amount of \$110,000 broken out as follows:**

- a. A Lump Sum amount of \$30,000 for Historical Records Review
  - b. A Lump Sum amount of \$30,000 for Data Entry
  - c. A Lump Sum amount of \$15,000 for Field Coordination
  - d. A Lump Sum amount of \$25,000 for Final Report Preparation
  - e. A Lump Sum amount of \$10,000 for Funding Administration
- B. The portion of the compensation amount billed monthly for Engineer's Services will be based upon Engineer's estimate of the percentage of the total Services actually completed during the billing period.

and

- C. Owner shall pay Engineer for Hourly Rate Services as follows:

- a. A hourly rate with a ceiling amount of \$890,000 for field work (pot hole investigation for material identification) (Approximately 1250 – 1500 services) (Initial costs are \$450/hole or \$675/service, with potential added costs for excessive roots, submerged, excessive depth (below 24")) (Approximately 2,500 pot holes)

2.03 *Additional Services:* For Additional Services, Owner shall pay Engineer an amount equal to the cumulative hours charged in providing the Additional Services by each class of Engineer's employees, times standard hourly rates for each applicable billing class; plus reimbursement of expenses incurred in connection with providing the Additional Services and Engineer's consultants' charges, if any. Engineer's standard hourly rates are attached as Appendix 2.

2.04 *Fee Summary*

| Description               | Payment Method    | Fee                |
|---------------------------|-------------------|--------------------|
| Historical Records Review | Lump Sum          | \$30,000           |
| Field Work                | Hourly w/ Ceiling | \$890,000          |
| Data Entry                | Lump Sum          | \$30,000           |
| Field Coordination        | Lump Sum          | \$15,000           |
| Report Preparation        | Lump Sum          | \$25,000           |
| Funding Administration    | Lump Sum          | \$10,000           |
| <b>Total Project Fee:</b> |                   | <b>\$1,000,000</b> |

3.01 *Termination*

A. The obligation to continue performance under this Agreement may be terminated:

1. For cause,

a. By either party upon 30 days written notice in the event of substantial failure by the other party to perform in accordance with the Agreement's terms through no fault of the terminating party. Failure to pay Engineer for its services is a substantial failure to perform and a basis for termination.

b. By Engineer:

1) upon seven days written notice if Owner demands that Engineer furnish or perform services contrary to Engineer's responsibilities as a licensed professional; or

2) upon seven days written notice if the Engineer's Services are delayed for more than 90 days for reasons beyond Engineer's control, or as the result of the presence at the Site of undisclosed Constituents of Concern, as set forth in Paragraph 5.01.I.

c. Engineer shall have no liability to Owner on account of a termination for cause by Engineer.

d. Notwithstanding the foregoing, this Agreement will not terminate as a result of a substantial failure under Paragraph 3.01.A.1.a if the party receiving such notice begins, within seven days of receipt of such notice, to correct its substantial failure to perform and proceeds diligently to cure such failure within no more than 30 days of receipt of



notice; provided, however, that if and to the extent such substantial failure cannot be reasonably cured within such 30 day period, and if such party has diligently attempted to cure the same and thereafter continues diligently to cure the same, then the cure period provided for herein shall extend up to, but in no case more than, 60 days after the date of receipt of the notice.

2. For convenience, by Owner effective upon Engineer's receipt of written notice from Owner.

- B. In the event of any termination under Paragraph 3.01, Engineer will be entitled to invoice Owner and to receive full payment for all Services and Additional Services performed or furnished in accordance with this Agreement, plus reimbursement of expenses incurred through the effective date of termination in connection with providing the Services and Additional Services, and Engineer's consultants' charges, if any.

#### 4.01 *Successors, Assigns, and Beneficiaries*

- A. Owner and Engineer are hereby bound and the successors, executors, administrators, and legal representatives of Owner and Engineer (and to the extent permitted by Paragraph 4.01.B the assigns of Owner and Engineer) are hereby bound to the other party to this Agreement and to the successors, executors, administrators, and legal representatives (and said assigns) of such other party, in respect of all covenants, agreements, and obligations of this Agreement.
- B. Neither Owner nor Engineer may assign, sublet, or transfer any rights under or interest (including, but without limitation, money that is due or may become due) in this Agreement without the written consent of the other party, except to the extent that any assignment, subletting, or transfer is mandated by law. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this Agreement.
- C. Unless expressly provided otherwise, nothing in this Agreement shall be construed to create, impose, or give rise to any duty owed by Owner or Engineer to any Constructor, other third-party individual or entity, or to any surety for or employee of any of them. All duties and responsibilities undertaken pursuant to this Agreement will be for the sole and exclusive benefit of Owner and Engineer and not for the benefit of any other party.

#### 5.01 *General Considerations*

- A. The standard of care for all professional engineering and related services performed or furnished by Engineer under this Agreement will be the care and skill ordinarily used by members of the subject profession practicing under similar circumstances at the same time and in the same locality. Engineer makes no warranties, express or implied, under this Agreement or otherwise, in connection with any services performed or furnished by Engineer. Subject to the foregoing standard of care, Engineer and its consultants may use or rely upon design elements and information ordinarily or customarily furnished by others, including, but not limited to, specialty contractors, manufacturers, suppliers, and the publishers of technical standards.

- B. Engineer shall not at any time supervise, direct, control, or have authority over any Constructor's work, nor shall Engineer have authority over or be responsible for the means, methods, techniques, sequences, or procedures of construction selected or used by any Constructor, or the safety precautions and programs incident thereto, for security or safety at the Project site, nor for any failure of a Constructor to comply with laws and regulations applicable to such Constructor's furnishing and performing of its work. Engineer shall not be responsible for the acts or omissions of any Constructor.
- C. Engineer neither guarantees the performance of any Constructor nor assumes responsibility for any Constructor's failure to furnish and perform its work.
- D. Engineer's opinions (if any) of probable construction cost are to be made on the basis of Engineer's experience, qualifications, and general familiarity with the construction industry. However, because Engineer has no control over the cost of labor, materials, equipment, or services furnished by others, or over contractors' methods of determining prices, or over competitive bidding or market conditions, Engineer cannot and does not guarantee that proposals, bids, or actual construction cost will not vary from opinions of probable construction cost prepared by Engineer. If Owner requires greater assurance as to probable construction cost, then Owner agrees to obtain an independent cost estimate.
- E. Engineer shall not be responsible for any decision made regarding the construction contract requirements, or any application, interpretation, clarification, or modification of the construction contract documents other than those made by Engineer or its consultants.
- F. All documents prepared or furnished by Engineer are instruments of service, and Engineer retains an ownership and property interest (including the copyright and the right of reuse) in such documents, whether or not the Project is completed. Owner shall have a limited license to use the documents on the Project, extensions of the Project, and for related uses of the Owner, subject to receipt by Engineer of full payment due and owing for all Services and Additional Services relating to preparation of the documents and subject to the following limitations:
  - 1. Owner acknowledges that such documents are not intended or represented to be suitable for use on the Project unless completed by Engineer, or for use or reuse by Owner or others on extensions of the Project, on any other project, or for any other use or purpose, without written verification or adaptation by Engineer;
  - 2. any such use or reuse, or any modification of the documents, without written verification, completion, or adaptation by Engineer, as appropriate for the specific purpose intended, will be at Owner's sole risk and without liability or legal exposure to Engineer or to its officers, directors, members, partners, agents, employees, and consultants;
  - 3. Owner shall indemnify and hold harmless Engineer and its officers, directors, members, partners, agents, employees, and consultants from all claims, damages, losses, and expenses, including attorneys' fees, arising out of or resulting from any use, reuse, or modification of the documents without written verification, completion, or adaptation by Engineer; and

4. such limited license to Owner shall not create any rights in third parties.
- G. Owner and Engineer may transmit, and shall accept, Project-related correspondence, documents, text, data, drawings, information, and graphics, in electronic media or digital format, either directly, or through access to a secure Project website, in accordance with a mutually agreeable protocol.
- H. To the fullest extent permitted by law, Owner and Engineer (1) waive against each other, and the other's employees, officers, directors, members, agents, insurers, partners, and consultants, any and all claims for or entitlement to special, incidental, indirect, or consequential damages arising out of, resulting from, or in any way related to this Agreement or the Project and (2) agree that Engineer's total liability to Owner under this Agreement shall be limited to \$50,000 or the total amount of compensation received by Engineer, whichever is greater.
- I. The parties acknowledge that Engineer's Services do not include any services related to unknown or undisclosed Constituents of Concern. If Engineer or any other party encounters, uncovers, or reveals an unknown or undisclosed Constituent of Concern, then Engineer may, at its option and without liability for consequential or any other damages, suspend performance of Services on the portion of the Project affected thereby until such portion of the Project is no longer affected, or terminate this Agreement for cause if it is not practical to continue providing Services.
- J. Owner and Engineer agree to negotiate each dispute between them in good faith during the 30 days after notice of dispute. If negotiations are unsuccessful in resolving the dispute, then the dispute shall be mediated. If mediation is unsuccessful, then the parties may exercise their rights at law.
- K. This Agreement is to be governed by the law of the state in which the Project is located.
- L. Engineer's Services and Additional Services do not include: (1) serving as a "municipal advisor" for purposes of the registration requirements of Section 975 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (2010) or the municipal advisor registration rules issued by the Securities and Exchange Commission; (2) advising Owner, or any municipal entity or other person or entity, regarding municipal financial products or the issuance of municipal securities, including advice with respect to the structure, timing, terms, or other similar matters concerning such products or issuances; (3) providing surety bonding or insurance-related advice, recommendations, counseling, or research, or enforcement of construction insurance or surety bonding requirements; or (4) providing legal advice or representation.

#### 6.01 *Total Agreement*

- A. This Agreement (including any expressly incorporated attachments), constitutes the entire agreement between Owner and Engineer and supersedes all prior written or oral understandings. This Agreement may only be amended, supplemented, modified, or canceled by a duly executed written instrument.

## 7.01 Definitions

- A. *Constructor*—Any person or entity (not including the Engineer, its employees, agents, representatives, and consultants), performing or supporting construction activities relating to the Project, including but not limited to contractors, subcontractors, suppliers, Owner's work forces, utility companies, construction managers, testing firms, shippers, and truckers, and the employees, agents, and representatives of any or all of them.
- B. *Constituent of Concern*—Asbestos, petroleum, radioactive material, polychlorinated biphenyls (PCBs), hazardous waste, and any substance, product, waste, or other material of any nature whatsoever that is or becomes listed, regulated, or addressed pursuant to (a) the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. §§9601 et seq. ("CERCLA"); (b) the Hazardous Materials Transportation Act, 49 U.S.C. §§5101 et seq.; (c) the Resource Conservation and Recovery Act, 42 U.S.C. §§6901 et seq. ("RCRA"); (d) the Toxic Substances Control Act, 15 U.S.C. §§2601 et seq.; (e) the Clean Water Act, 33 U.S.C. §§1251 et seq.; (f) the Clean Air Act, 42 U.S.C. §§7401 et seq.; or (g) any other federal, State, or local statute, law, rule, regulation, ordinance, resolution, code, order, or decree regulating, relating to, or imposing liability or standards of conduct concerning, any hazardous, toxic, or dangerous waste, substance, or material.

## 8.01 Attachments:

Appendix 1 —Historical Records Review, Field Investigation, Report Preparation, Additional Services and Services Provided by the Owner

Appendix 2 - Engineer's Standard Hourly Rates

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, the Effective Date of which is indicated on Page 1.

Owner:

City of Lumberton

By: \_\_\_\_\_

Print name: Wayne Horne

Title: City Manager

Date Signed: \_\_\_\_\_

Engineer:

L.E. Wooten & Company dba The Wooten Company

By: 

Print name: W. Brian Johnson, PE

Title: Vice President

Date Signed: 10/4/24

Engineer License or Firm's Certificate No. (if required):

F-0115

State of: North Carolina

Address for Owner's receipt of notices:

500 North Cedar Street

Lumberton, NC 28358

Address for Engineer's receipt of notices:

120 N. Boylan Avenue

Raleigh, NC 27603

**PRE-AUDITED STATEMENT**

**This instrument has been pre-audited in a manner required by the Local Government Budget and Fiscal Control Act.**

Print Name: Henry (Hank) G. Lewis, Jr.

Title: Director of Finance

By (Signature): \_\_\_\_\_

Date Signed: \_\_\_\_\_

**APPENDIX 1**  
**TO THE**  
**ENGINEERING SERVICES AGREEMENT**  
**BETWEEN**  
**THE CITY OF LUMBERTON**  
**AND**  
**L.E. WOOTEN & COMPANY DBA THE WOOTEN COMPANY**  
**FOR**  
**SCOPE OF SERVICES**  
**TO**  
**LEAD SERVICE INVENTORY PROJECT (PHASE 1)**

The following Attachment shall become a part of the Contract Agreement.

**PROJECT INCLUDES:**

The project includes the following proposed technical services for lead and copper inventory requirements to include Historical Records Review, Field Investigation and Report Preparation services, and Field Verification of water services through excavation for the City's water distribution system in order to comply with State EPA requirements. Historical review will be for all of the City water customers. Field work (pot hole investigation) will be initiated in the Phase 1 area (see attached map) to provide the required sampling and if available funds will move to beyond that area to the next area designated by the City.

**HISTORICAL RECORDS REVIEW:**

- (1) Develop a listing of possible records available at the City and provide the list to the City for review and request the records or copies to be provided to the Engineer. These records should include maintenance reports, record drawings, basemaps, building permits, construction standards, GIS, etc.). Some records, such as existing base mapping and record construction drawings may already be on file. This will be noted on the list to avoid any duplication.
- (2) Obtain other historical items, as available, such as plumbing codes, tap cards and tax records within the City.



- (3) Upon collection of data, review historical records to identify approximate age of water system at various locations within the City.
- (4) Produce base map showing approximate age distribution of the City, which will be used to age water service lines.
- (5) Determine, as possible, all areas with water mains and/or water services installed prior to 1987. It is accepted that lead service lines were not installed after this date, as acknowledged by State and Federal sources. Areas with services installed prior to this date will be the focus during the field investigation portion of the inventory.
- (6) Coordinate all efforts above with City staff.
- (7) Up to three (3) meetings, including the kick-off meeting, are included.

**FIELD INVESTIGATION/DATA ENTRY/FIELD COORDINATION:**

- (8) Obtain any visual inspection records from City staff at meter boxes, routine maintenance, etc.
- (9) Develop plan for conducting excavations in the Phase 1 area in priority order, as recommended through PWSS. We plan to have two (2) excavation per service line. The plan will identify customer locations and select a random subset of the total possible lead service lines to statistically support a representative sampling within the system for areas of approximately the same age and/or material.
- (10) Provide plan to City for approval.
- (11) Coordinate with City to communicate field effort and specifically notify those where excavations will need to occur on private property. City to handle communication efforts with public.
- (12) Call/submit notification to 811 for proposed excavation locations. Actual utility locating services are not included within scope of project, except for the water service lines for this project.

- (13) Conduct field investigations (e.g., potholing) in order of determined priority starting with the Phase 1 areas, with 1,250 to 1,500 services or up to 2,500 potholes. Potholes are to be performed within grass and or mulched areas. Scope does not include areas that are paved, concrete, or other hard or compacted surfaces, which would require additional methods or equipment to expose the water service line.
- (14) Log data collected information into database (e.g., GIS). Use data to provide interpolations to provide best believed material composition of those services that are the same approximate age and within the vicinity of those actually uncovered.
- (15) Compare results of random investigations to historical review for confirmation.
- (16) In accordance with PWSS requirements, public notification is required to those served by lead, galvanized, or unknown service lines. This must occur within 30 days of inventory completion. The City will handle these notifications. Data to support this effort will be provided in an agreeable format (.xls) to support the City.
- (17) Up to two (2) meetings are included for this task.

#### **FINAL REPORT PREPARATION:**

- (18) Complete lead service line inventory using the official North Carolina template as developed by Public Water Supply Section (PWSS).
- (19) Provide completed inventory to City for review and approval. Make revisions as necessary. The template will be provided in .xls file format.
- (20) Prepare technical memorandum summarizing findings and making recommendations for eliminating lead and galvanized service lines with the City's system. The technical memorandum will include cost opinions for recommendations and suggested schedule for completing the replacement work.

#### **FUNDING ADMINISTRATION:**

- (21) Provide assistance to City in providing documents to North Carolina Division of Water Infrastructure (DWI) for funding approval.

- (22) Provide assistance with preparing the necessary funding agency reporting in accordance with the funding requirements. These include monthly reports and final documents.
- (23) Assist Owner with the preparation of monthly reimbursement requests to DWI.

## **ADDITIONAL SERVICES**

In addition to the foregoing services being performed, the following services may be provided upon prior written authorization of the Owner.

- (24) Conduct research and surveys and prepare necessary plats and maps for the determination of property Ownership and identification of sites and easements to be acquired for any construction of a project or additional work requested by the Owner.
- (25) Provide Levels "A" and "B" Subsurface Utility Engineering (SUE) services through the project corridor or critical areas within the corridor. Level "A" shall be paid by each excavation performed and Level "B" shall be paid by the linear foot surveyed. All Level "C" SUE services are not provided as part of the Basic Services of the contract.
- (26) Prepare downstream sewer analysis if required by Division of Water Quality to support permit application to construct future or current work.
- (27) Prepare CAMA permit.
- (28) Prepare USACE Individual Permit.
- (29) Prepare Storm Water Management plan.
- (30) Prepare redesigns for the Owner after Final Plans and Specifications have been accepted by the Owner.
- (31) Appear before courts or boards on matters of litigation or hearings related to the project.
- (32) Design other additional utilities improvements not included in the original scope of services.
- (33) Conduct additional work or extended services during construction due to the fault of the Contractor or due to the overrun in time for construction.

- (34) Conduct as-built survey of newly constructed facilities. Prepare record drawings based on survey and construction records provided by the Contractor.
- (35) Provide Construction Staking services for the Contractor.
- (36) Geotechnical Services.

#### **SERVICES PROVIDED BY THE OWNER**

- (37) Designate a person to act as the Owner's representative with respect to the work to be performed under the agreement. Such person shall have complete authority to transmit instructions, receive information, interpret, and define the Owner policies.
- (38) Provide such legal accounting and insurance counseling services as may be required for the project and such auditing services as the Owner may require to ascertain how or for what purpose any contractor has used the monies paid to him under the construction contract.
- (39) Pay all permit and application fees required for the project approval and construction.
- (40) Assist the Engineer by placing at his disposal all available information pertinent to the projects as may be required by the Engineer.
- (41) Guarantee access to and make all provisions for the Engineer to enter upon public and private property as required to perform his services.
- (42) Examine all sketches, drawings, specifications, proposals, and other documents presented by the Engineer, obtaining advice of an attorney, insurance counselor, and other consultants as the Owner deems appropriate for such examination.
- (43) Provide frequent observation of the project to apprise the Engineer of specific matters relating to the project that would foster good relations among all parties involved as well as to allow work to progress in an orderly manner.
- (44) Give prompt written notice to the Engineer whenever the Owner observes or otherwise becomes aware of any defect in the project or changed circumstances.

- (45) Furnish the Engineer in a timely manner with copies of pertinent correspondence relating to the project which would not otherwise have been delivered to the Engineer.
- (46) Bear all cost of incidentals for the compliance with the requirements of this article and the foregoing article entitled "Additional Services".
- (47) Provide E-verify affidavit document for Engineer's execution.

<http://www.nclm.org/SiteCollectionDocuments/E-Verify%20FAQs%20-%20Sept2013.pdf>



City of Lumberton  
Lead and Copper Service Survey Map with  
Disadvantaged areas noted





**SCHEDULE OF FEES**  
Hourly Rates for Wage Categories  
7/1/2024

| <b>Wage Category</b>                                    | <b>Hourly<br/>Billing Rate</b> |
|---------------------------------------------------------|--------------------------------|
| Engineer I                                              | \$ 136                         |
| Engineer II                                             | \$ 172                         |
| Engineer III                                            | \$ 210                         |
| Engineer IV                                             | \$ 252                         |
| Engineer V                                              | \$ 298                         |
| Architect I                                             | \$ 105                         |
| Architect II                                            | \$ 135                         |
| Architect III                                           | \$ 180                         |
| Designer I                                              | \$ 99                          |
| Designer II                                             | \$ 115                         |
| Designer III                                            | \$ 139                         |
| Designer IV                                             | \$ 179                         |
| Construction Admin I                                    | \$ 136                         |
| Construction Admin II                                   | \$ 197                         |
| Construction Admin III                                  | \$ 258                         |
| Construction Observer / Resident Project Representative | \$ 128                         |
| Utility Coordinator II                                  | \$ 148                         |
| Utility Coordinator III                                 | \$ 228                         |
| Survey Technician I                                     | \$ 69                          |
| Survey Technician II                                    | \$ 81                          |
| Survey Technician III                                   | \$ 95                          |
| Survey Technician IV                                    | \$ 113                         |
| Survey Technician V                                     | \$ 143                         |
| Surveyor I                                              | \$ 110                         |
| Surveyor II                                             | \$ 135                         |
| Surveyor III                                            | \$ 169                         |
| Surveyor IV                                             | \$ 224                         |
| GIS Analyst I                                           | \$ 99                          |
| GIS Analyst II                                          | \$ 116                         |
| GIS Analyst III                                         | \$ 136                         |
| GIS Analyst IV                                          | \$ 150                         |
| Funding Coordinator I                                   | \$ 92                          |
| Funding Coordinator II                                  | \$ 125                         |
| Funding Coordinator III                                 | \$ 175                         |
| Project Assistant                                       | \$ 95                          |

Reimbursables: Mileage will be billed at the current IRS Standard Mileage Rate,  
Subcontracted Services and other expenses at cost plus 15%.

Standard Hourly Rates are subject to periodic review and adjustment.

**Lumberton City Council**

**Lumberton, North Carolina**



**Request for Action**

**Meeting Date:** October 7, 2024

**Originated By:** Public Works

**Submission Date:** 09/30/2024

**Subject:** Adopt a Resolution to Apply for Phase 2 Lead and Copper Inventory Grant

**Summary/Background of Subject Matter:**

Public Works has started Phase 1 of our EPA required Water System Lead and Copper Inventory. We would like to apply for another \$1,000,000 of grant / loan assistance from the North Carolina SRF Division of Water Infrastructure to fund Phase 2.

**Staff Recommendation:**

Public Works is requesting Council to adopt the attached Resolution, authorizing the City to apply for \$1,000,000 of grant/loan assistance for the Phase 2 Lead and Copper Inventor with the State Revolving Fund.

**Signature:**

**Department:**

**ATTACHMENTS:**

1. Lumberton Phase 2 Lead Service Resolution

**RESOLUTION OF THE LUMBERTON CITY COUNCIL AUTHORIZING THE FILING OF AN  
APPLICATION WITH NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL QUALITY GRANT  
FOR A LEAD SERVICE INVENTORY PROJECT (PHASE 2) LOAN/GRANT**

WHEREAS, The City of Lumberton has need for and intends to construct, plan for, or conduct a study in a project described as Lead Service Inventory Project (Phase 2), and

WHEREAS, The City of Lumberton intends to request State loan and/or grant assistance for the project,

**NOW THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF LUMBERTON:**

That City of Lumberton will arrange financing for all remaining costs of the project, if approved for a State loan and/or grant award.

That the City of Lumberton will provide for efficient operation and maintenance of the project on completion of construction thereof.

That the City of Lumberton will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the City of Lumberton agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the City of Lumberton to make a scheduled repayment of the loan, to withhold from the City of Lumberton any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That Wayne Horne, City Manager, and successors so titled, is hereby authorized to execute and file an application on behalf of the City of Lumberton with the State of North Carolina for a loan and/or grant to aid in the study of or construction of the project described above.

That the Wayne Horne, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the City of Lumberton has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, ordinances, and funding conditions applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the (date adopted) at (place), North Carolina.

**CERTIFICATION BY THE RECORDING OFFICER**

The undersigned duly qualified and acting City Clerk of the City of Lumberton does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the City Council duly held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office.

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_

(Signature of Recording Officer)

\_\_\_\_\_

(Title of Recording Officer)

**Lumberton City Council**  
**Lumberton, North Carolina**



**Request for Action**

**Meeting Date:** October 7, 2024

**Originated By:** Public Works

**Submission Date:** 10/04/2024

**Subject:** Water Plant Alum Sludge Basin Bid

**Summary/Background of Subject Matter:**

City of Lumberton staff solicited bids for a project to clean out the Alum sludge basin at the water treatment plant. Bids were received from the following contractors and in the amount as follows:

**Staff Recommendation:**

Public Works recommends council award of the bid to \_\_\_\_\_ for the project to clean out the alum sludge basin in the amount of \_\_\_\_\_.

**Signature:**

**Department:**

**ATTACHMENTS:**

None

**Lumberton City Council**

**Lumberton, North Carolina**



**Request for Action**

**Meeting Date:** October 7, 2024

**Originated By:** Planning & Neighborhood  
Services

**Submission Date:** 09/18/2024

**Subject:** Faith Community Christian Center Special Use Permit (SUP) for a church cemetery -  
1220 Alamac Road – ETJ

**Summary/Background of Subject Matter:**

Faith Community Christian Center is requesting A Special Use Permit (SUP) for a church cemetery for property located at 1220 Alamac Road

**Staff Recommendation:**

City Council review the request, refer the petition to the October 15, 2024 Planning Board meeting for their review, and authorize the Planning Director to set the date of the public hearing.

**Signature:**

**Department:**

**ATTACHMENTS:**

1. Fauith Community Christian Center - SUP for Church Cemetery



**DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES  
CITY OF LUMBERTON, NORTH CAROLINA  
APPLICATION FOR A SPECIAL USE PERMIT**

**TO: THE CITY COUNCIL OF THE CITY OF LUMBERTON**

The undersigned hereby respectfully requests that the City Council of the City of Lumberton issue a Special Use Permit as hereinafter described:

**1. Applicant:**

**Owner:**

|                                                         |                                          |
|---------------------------------------------------------|------------------------------------------|
| <u>Legal Name: Faith Community Christian Center Inc</u> | <u>Legal Name: Pastor Leo Barnwell</u>   |
| <u>Physical Address: 1220 Alamac Rd.</u>                | <u>Physical Address: 1220 Alamac Rd.</u> |
| <u>Lumberton, NC 28358</u>                              | <u>Lumberton, NC 28358</u>               |
| <u>Mailing Address: P.O. Box 3536</u>                   | <u>Mailing Address: P.O. Box 3536</u>    |
| <u>Lumberton, NC 28359</u>                              | <u>Lumberton, NC 28359</u>               |
| <u>Telephone: 910-671-0339</u>                          | <u>Telephone: 910-671-0339</u>           |
| <u>Name of Business:</u>                                | <u>Business Address:</u>                 |
| <u>EMAIL:</u>                                           |                                          |

**Description of Property:**

|                    |             |            |
|--------------------|-------------|------------|
| 2. 1220 Alamac Rd. | 1139        | 580        |
| (Address)          | (Deed Book) | (Page)     |
| N/A                | 210         | 5,570      |
| (Map Book)         | (Page)      | (Frontage) |
|                    |             | (Area)     |

3. Tax Map Identification (parcel number): 101701018

4. Proposed Use of Property: Church Cemetary

5. Zoning District Designation of Property: R-20

6. Development Site Plan: See Appendix A of Land Use Ordinance.

7. Notice of Hearing: All property owners within 150' of the perimeter of the property subject of this petition must be notified by first class mail. Please attach list of all such property owners as reflected on the current tax Assessor's Roll with current mailing addresses, Taxing Township, Map Number, Block Number, and parcel Number.

8. Supportive Information: At the Hearing, you will be responsible for providing information to the City Council to enable it to determine whether the development, if completed as proposed, will comply with the requirements of the Land Use Ordinance. You should be ready to show the following relative to the proposed development:

- a. That it will not materially endanger the public health or safety; and
- b. That it will not substantially injure the value of adjoining or abutting property; and
- c. That it will be in harmony with the area in which it is to be located; and
- d. That it will be in general conformity with the Land Use Plan Thoroughfare Plan, or other plan officially adopted by the City.

9. Application Fee: Submit the fee payment with application. The application fee is nonrefundable.

ADDRESS: 1220 Alamac Rd

**10. Briefly describe Applicants intended use of the property (Applicant must attach a detailed business plan, if applicable):**

The church would like to add a cemetary on property for up to 100 plot, using 50x100 area in the back of church,  
with a Baby section 15x20

**11. Notarized Signatures:**

I certify that all of the information presented by the undersigned in this Application is accurate to the best of my knowledge, information and belief.

Applicant: Faith Community Christian Center Inc

1220 Alamac Rd.

Name

Physical Address

Applicant:

[Signature]

Signature

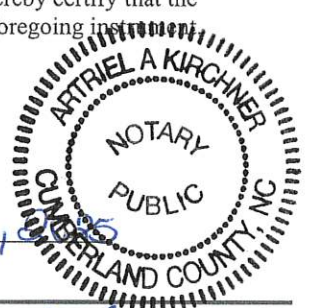
STATE OF North Carolina COUNTY OF Robeson

I, Arriel A. Kirchner, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this 10<sup>th</sup> day of September, 2024

[Signature]  
Notary Public Signature

My Commission Expires: October 4, 2025



Owner: Leo Barnwell

Name

1220 Alamac Rd.

Physical Address

Owner:

[Signature]

Signature

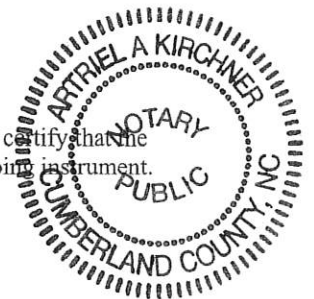
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[Signature]  
Notary Public Signature

My Commission Expires: October 4, 2025



File # 7.183

2 of 2

5/28/21





*Planning & Neighborhood Services*

**Authorization to appear before City Council/Planning Board/Board of Adjustment on the behalf of the property owner(s).**

Application File No.: 7.183

Property address: 1220 Alamac Rd. Parcel #: 101701018

I, Pastor Leo Barnwell (property owner), give Dr./Mr./Ms. Redean Cotton the authority to appear before City Council/Planning Board/Board of Adjustment on my behalf.

Authorized Person (print/type full name): Faith Community Christian Center Inc

Signature: [Signature] (Authorized Person)

Authorized Actions: Appear before City Council/Planning Board/Board of Adjustment on property owner's behalf; Answer questions of the board(s) on property owner's behalf; Appear as the applicant.

1. The North Carolina State Bar has opined on more than one occasion, that non-lawyers representing someone else at a quasi-judicial hearing (such as variances and special use permits) constitutes the unauthorized practice of law (The City Attorney can provide copies of these opinions). Simply providing factual or expert testimony as a witness does not violate this rule.
2. If the applicant is not present and the representative does not have sufficient knowledge regarding the application to satisfy the Planning Board or Board of Adjustment, this may cause the request to the tabled or denied.

I, the undersigned, (owner of the above described property), do hereby acknowledge: (1) that I give authority to the authorized person listed above to appear before City Council/Planning Board/Board of Adjustment on my behalf, (2) that this authorization will not waive my rights as the property owner.

STATE OF North Carolina COUNTY OF Robeson

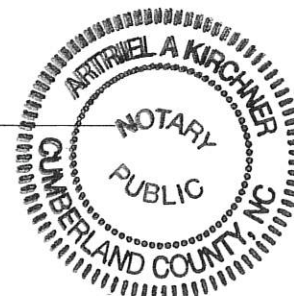
I, Artriel A. Kirchner, a Notary Public in and for said County and

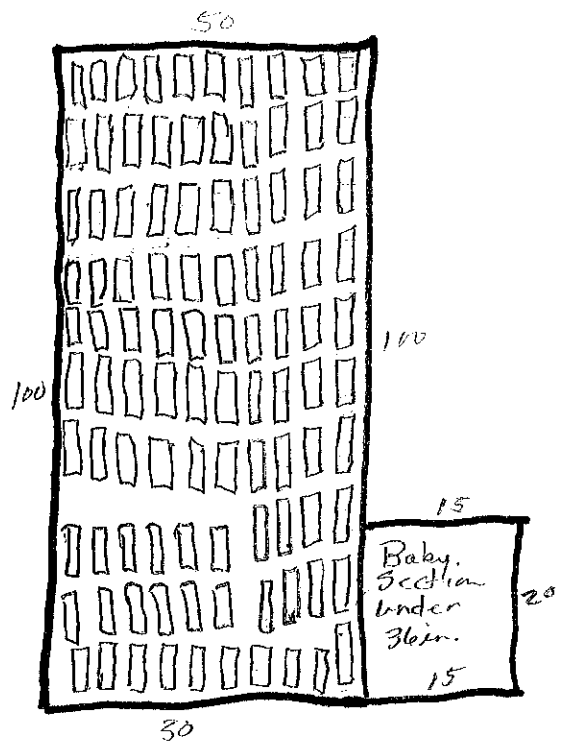
State, do hereby certify that Leo Barnwell personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this 10<sup>th</sup> day of September, 2024.

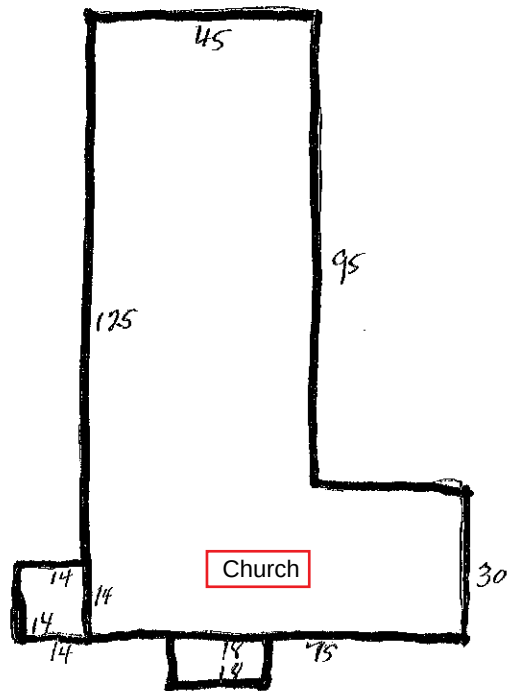
My Commission Expires: October 4, 2025.

[Signature]  
Notary Public





Each will be  
8x3 w/ 2 1/2  
between each  
grave.



*Planning & Neighborhood Services*

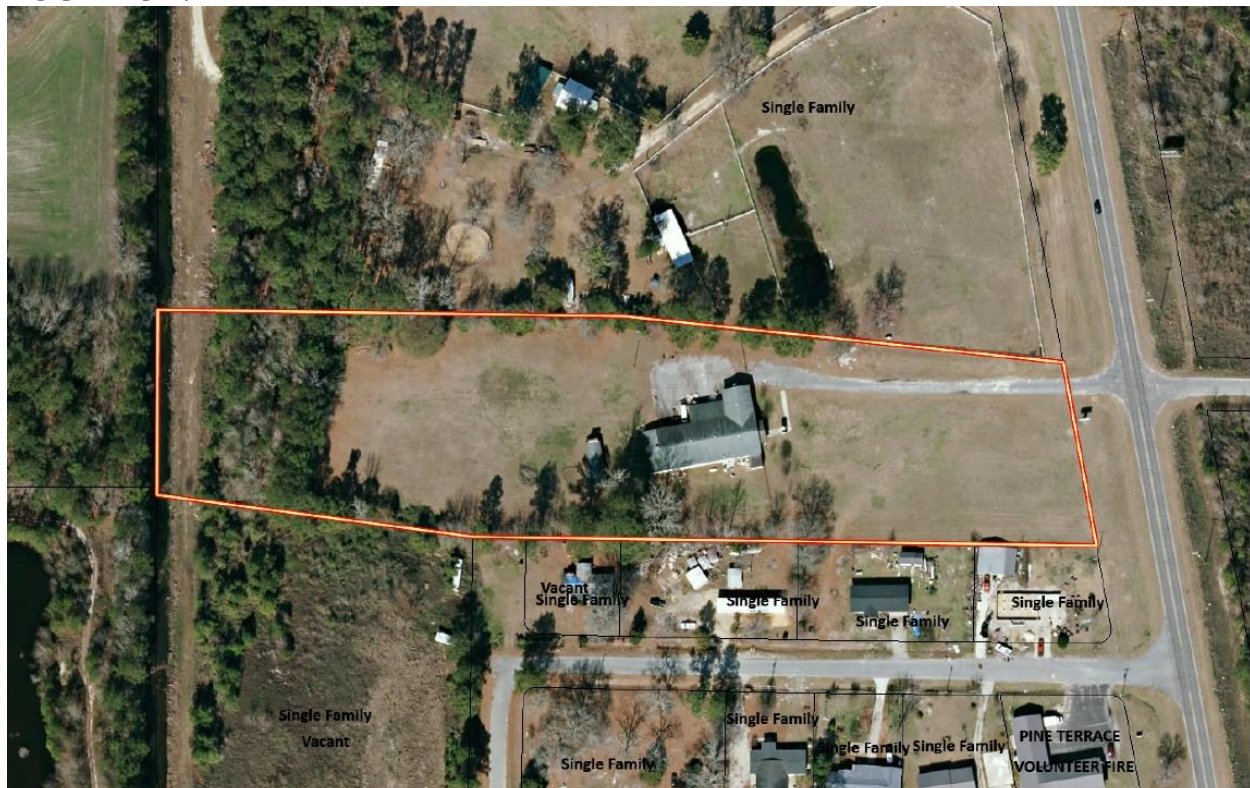
Request for Special Use Permit  
Faith Community Christian Center – 1220 Alamac Road

**File# 7.183**

| PETITIONER(S):                                                                                                                                                                                                                                             | OWNER(S):                                                                                                                                                                  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Authorized Person</b><br><b>Redean Cotton</b><br><b>(910 474-3652</b><br><br>Pastor Leo Barnwell<br>FAITH COMMUNITY CHRISTIAN<br>CENTER INC<br>ATTN: PASTOR LEO BARNWELL<br>P O BOX 3536                      LUMBERTON<br>NC 28359<br><br>910-671-0339 | Pastor Leo Barnwell<br>FAITH COMMUNITY CHRISTIAN<br>CENTER INC<br>ATTN: PASTOR LEO BARNWELL<br>P O BOX 3536                      LUMBERTON<br>NC 28359<br><br>910-671-0339 |

**Special Use Permit Request:** Faith Community Christian Center Special Use Permit (SUP) for a church cemetery - 1220 Alamac Road – ETJ

**LOCATION:**

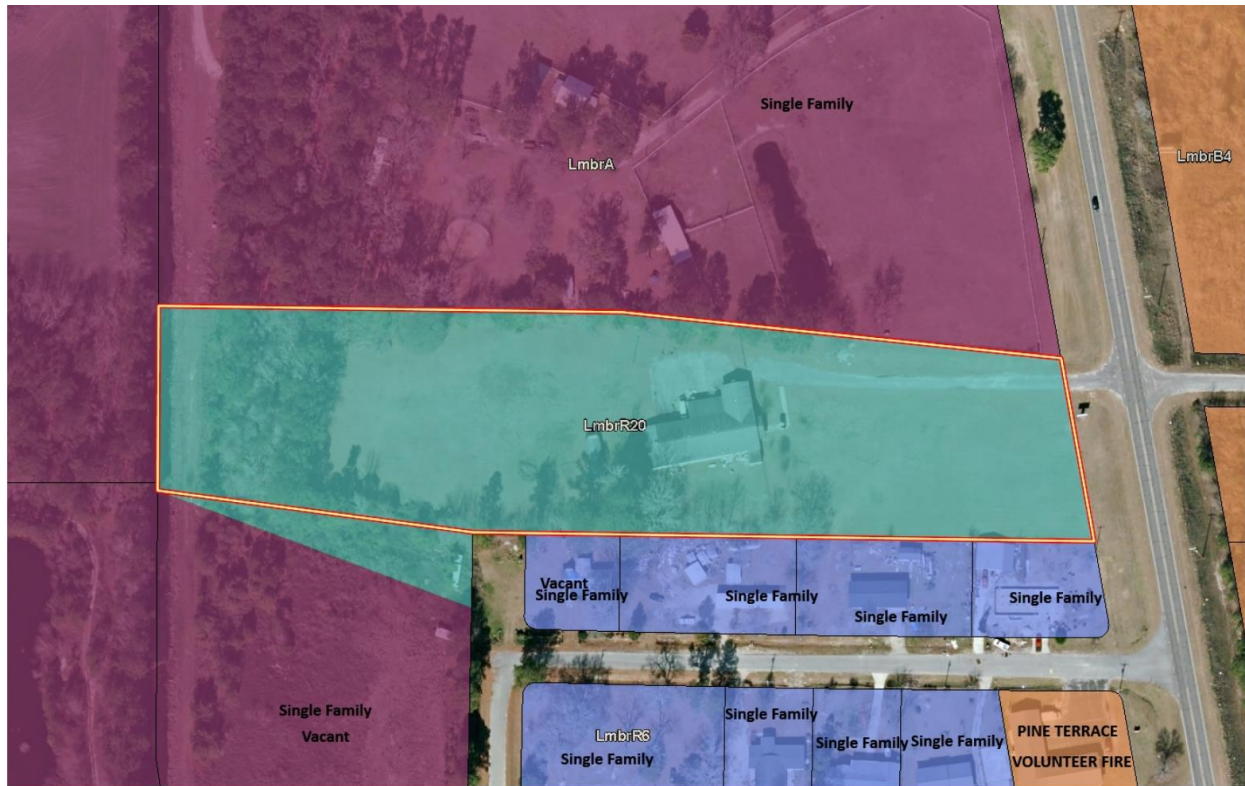




# City of Lumberton

Planning & Neighborhood Services

## ZONING:



## PROJECT OVERVIEW

**Analysis:** Faith Community Christian Center is requesting A Special Use Permit (SUP) for a church cemetery for property located at 1220 Alamac Road.

## PLANNING & ZONING

| Owner                            | Parcel #(s) | Zoning                          | Square Footage/ Area                                                                    | PROPOSED USE#                                                                           |
|----------------------------------|-------------|---------------------------------|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| Faith Community Christian Center | 101701018   | R-20, single family residential | PARCEL – 242,629 SQ.FT./5.570 ACRES<br><br>PROPOSED CEMETERY – 5,300 SQ.FT./0.122 ACRES | 21.100 Cemetery (accessory use to the existing church)<br><br>Existing Use 5.200 Church |

*City of**Lumberton**Planning & Neighborhood Services***MINIMUM (MAX) SETBACK AND LOT SIZE REQUIREMENTS**

| <b>Zoning District</b> | <b>Min. Square Footage</b> | <b>Min. Road Frontage</b> | <b>Min. Front Setback (right of way)</b> | <b>Min. Side Setback</b>                       | <b>Min. Rear Setback</b>                       | <b>Max. Height</b> |
|------------------------|----------------------------|---------------------------|------------------------------------------|------------------------------------------------|------------------------------------------------|--------------------|
| R-20                   | 20,000 sq. ft.             | 100 feet                  | 30 feet<br>From all right of ways.       | 10 feet<br>From all sides with no right of way | 10 feet<br>From all sides with no right of way | 35 feet            |

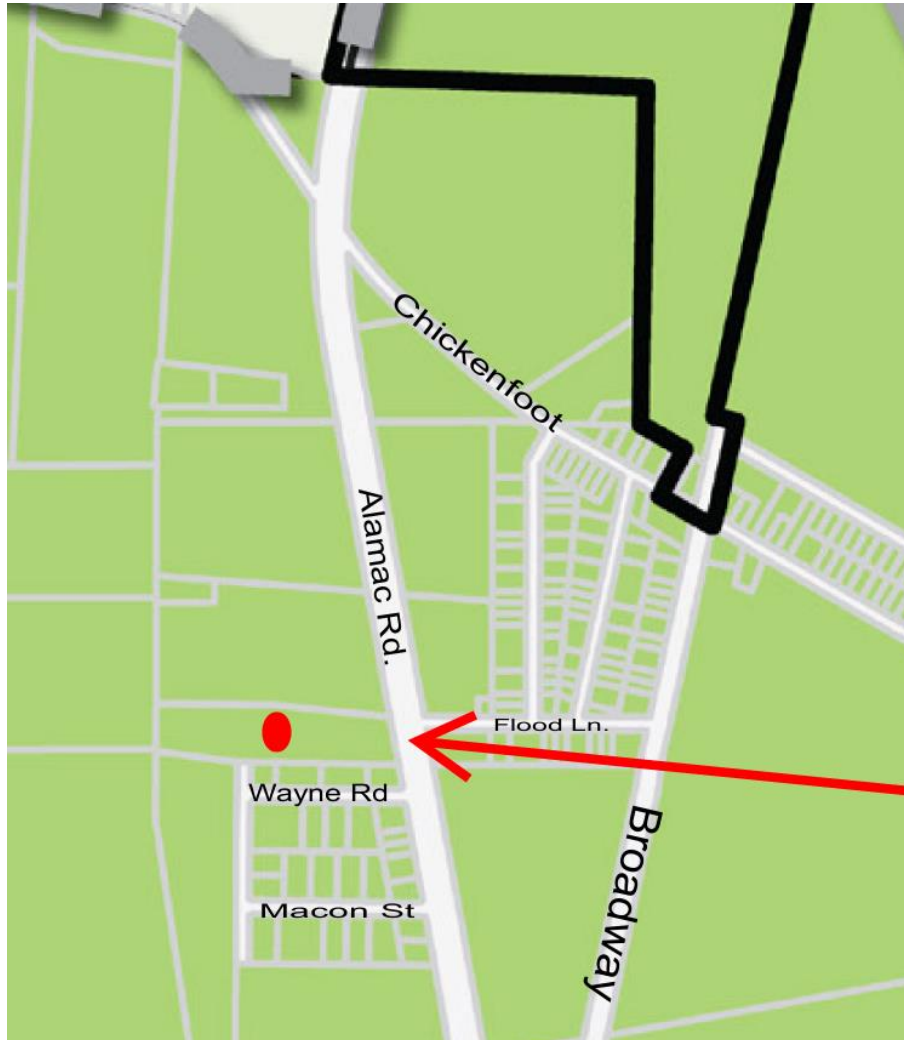
**ADJACENT PROPERTY SITE DATA**

|                         | <b>Zoning</b>                             | <b>Land Use</b>                                                                                  |
|-------------------------|-------------------------------------------|--------------------------------------------------------------------------------------------------|
| <b>Subject Property</b> | R-20                                      | Proposed Use 21.100 Cemetery (accessory use to the existing church)<br>Existing Use 5.200 Church |
| <b>North</b>            | A (Agriculture)                           | Single Family Residential                                                                        |
| <b>South</b>            | R-6 (Residential, class 'A' mobile homes) | Single Family Residential                                                                        |
| <b>East</b>             | B-4 (Business general commercial)         | Alamac Road<br>Vacant<br>Manufacturing                                                           |
| <b>West</b>             | A (Agriculture)                           | Vacant                                                                                           |



**EXISTING LOT INFORMATION: Current use of property – Church**

**Land Use Plan Designation: Rural. Precinct \_ETJ\_**



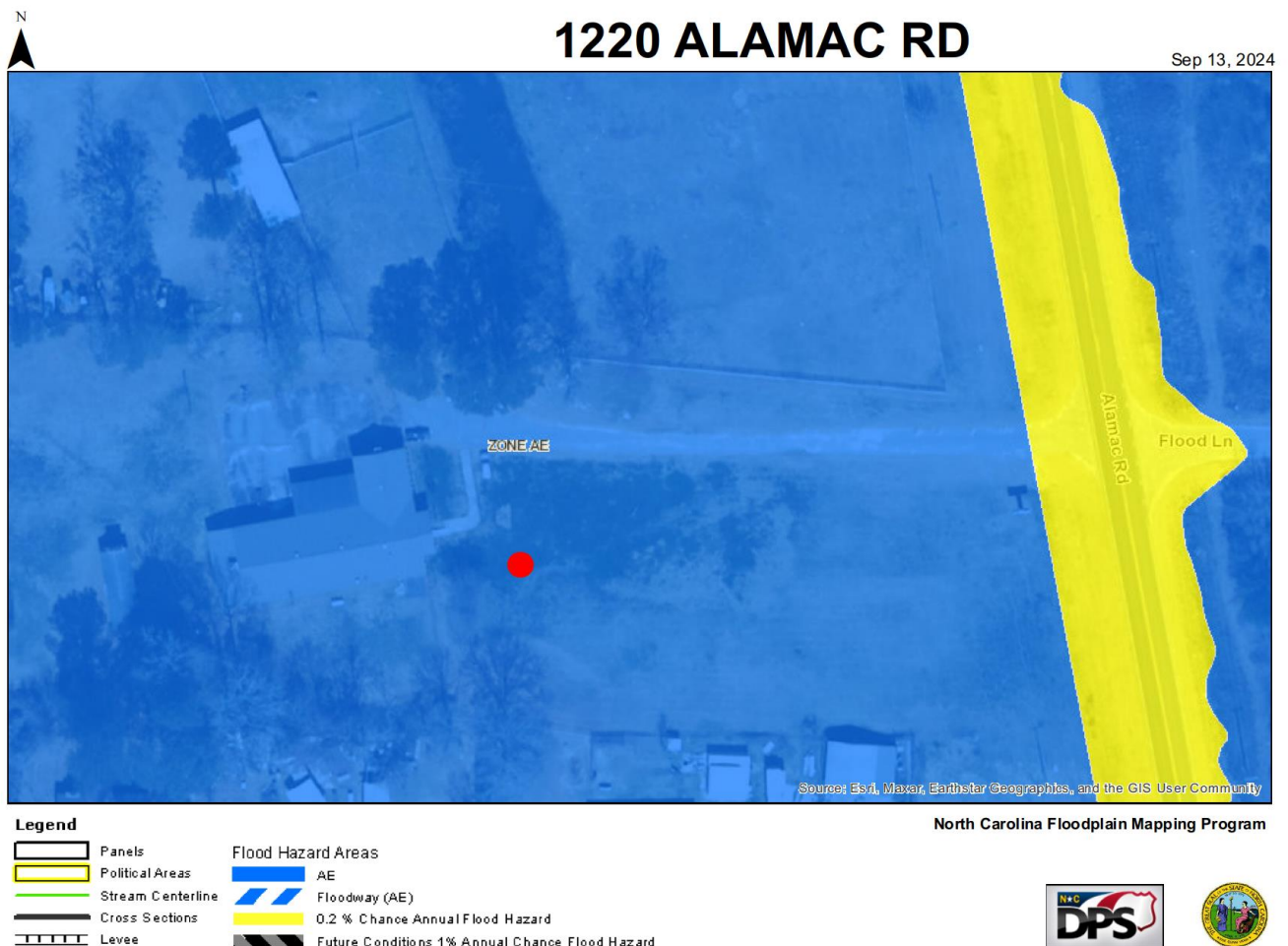
## **RURAL**

The Rural land use category is applied to those areas which are situated outside of areas deemed to have the most growth potential. Where development does occur in these areas, it is expected to be at less than 1 dwelling unit per acre and to not be served by the city's wastewater system. While generally agricultural and low density residential in character, certain nonresidential land uses that serve the surrounding rural community are appropriate when sited in locations that do not negatively impact the character, such as small convenience retail uses at rural crossroads or larger scale commercial uses that are intended to directly support the rural agricultural economy.

**FLOOD RISK INFORMATION SYSTEM (FRIS) INFORMATION**

**Flood Zone AE 100-YR Flood:** Zones AE and A1-A30 are the flood insurance rate zones used for the 1-percent-annual-chance floodplains that are determined for the FIS by detailed methods of analysis. In most instances, BFEs derived from the detailed hydraulic analyses are shown at selected intervals in this zone. Mandatory flood insurance purchase requirements apply.

**Map Number:** 3710939000K **Panel #** 9390 **Panel Effective Date:** 12/6/2019





## *Planning & Neighborhood Services*

### **DEVELOPMENT UPON APPROVAL**

If this Special Use Permit is granted the applicant must submit site development plans to the City of Lumberton's Planning Department for approval. All conditions of the Special Use Permit must be addressed prior to the issuance of a Land Use Permit and/or Certificate of Occupancy.

### **PLANNING STAFF RECOMMENDATION TO COUNCIL - CPC**

City Council review the request, refer the petition to the October 15, 2024 Planning Board meeting for their review, and authorize the Planning Director to set the date of the public hearing.

| Use Description                                           | A | R-20 | R-15 | R-11 | PR-11 | R-7 | R-6 | R-3 | B-1 | B-2 | B-3 | B-4 | B-5 | B-6 | B-7 | M-1 | M-2 | M-3 |
|-----------------------------------------------------------|---|------|------|------|-------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 18.100 Towers and antennas fifty feet in height or less   | Z | Z    | Z    | Z    | Z     | Z   | Z   | Z   | Z   | Z   | Z   | Z   | Z   | Z   | Z   | Z   | Z   |     |
| 18.200 Disguised/attached antennas                        | Z | Z    | Z    | Z    | Z     | Z   | Z   | Z   | Z   | Z   | Z   | Z   | Z   | Z   | Z   | Z   | Z   |     |
| 18.300 towers and antennas more than fifty feet in height | S |      |      |      |       |     |     |     |     |     |     |     |     |     |     | S   | S   |     |
| 19.000 <i>Open-Air Markets and Horticultural Sales</i>    | Z |      |      |      |       |     |     |     |     |     |     | Z   |     |     | Z   |     |     |     |
| 20.000 <i>Funeral Homes</i>                               |   |      |      |      |       |     |     |     | Z   | Z   |     | Z   |     | Z   | Z   |     |     |     |
| 21.000 <i>Cemetery and Crematorium</i>                    |   |      |      |      |       |     |     |     |     |     |     |     |     |     |     |     |     |     |
| 21.100 Cemetery                                           | S | S    | S    | S    | S     | S   | S   | S   |     |     | S   | S   |     |     | S   | S   | S   |     |
| 21.200 Crematorium                                        | S |      |      |      |       |     |     |     |     |     |     | S   |     |     | S   | S   | S   |     |
| 22.000 <i>Nursery Schools; Day Care Centers</i>           | S | S    | S    | S    | S     | S   | S   | S   |     | Z   | Z   | Z   |     |     | Z   | Z   | Z   | S   |

**Lumberton City Council**

**Lumberton, North Carolina**



**Request for Action**

**Meeting Date:** October 7, 2024

**Originated By:** City Manager

**Submission Date:** 10/03/2024

**Subject:** North Carolina Land and Water Fund Grant - Design-Build Firm Project Scope & Budget

**Summary/Background of Subject Matter:**

On May 24th staff received submittals for a Request for Qualifications (RFQ) for engineering design-build services for a NC Land and Water Fund grant to re-establish the floodplain/wetlands near the Mayfair subdivision entrance on NC 211. Specifically, this grant is for land acquisition, floodplain design and restoration. Three submissions were received and subsequently rated based on the clarity of their responses and ability to complete the work. At the July 8, 2024 Council Meeting, City Council voted to award the design-build project to Wildlands Engineering and authorized staff to negotiate the final contract.

**Staff Recommendation:**

Attached you will find a draft project scope and budget for completing the required design work for the NC Land and Water Fund project. Staff's recommendation is that City Council approve the contract with Wildlands Engineering in the amount of \$381,280.00, as well as the draft scope of work. It should be noted that NC Land and Water recently approved an \$800k project funding increase to the original \$2.0 million award, resulting in a final project amount of \$2.8 million.

Wildlands Engineering's scope of work will be funded by this grant award.

**Signature:**

**Department:**

**ATTACHMENTS:**

1. Lumberton Loop Scope Revision
2. Copy of Lumberton Loop Budget Rev 10.1.2024

# Lumberton Loop: Five Mile Branch and Saddletree Swamp

## Draft Scope of Work

### Wildlands Engineering, Inc.

#### Task 1: Project Management

##### *Task 1.1: Project Management*

Engineer will provide project management and administration throughout the duration of the project. This work will include regular communication with Client staff and subcontractors, regular review and updates of project scope items, subcontracting, scheduling, and invoicing. A detailed schedule will be provided during the project kickoff meeting. The following work will be completed under Task 1.1.

Monthly PM meetings – Engineer will coordinate monthly virtual meetings with the client to update the client on progress, to discuss issues that arise, discuss schedule, and generally inform the client of the status of the project. A brief summary will be submitted to the client via email.

Monthly invoicing including project update – Engineer will prepare and submit a monthly invoice along with a detailed status report explaining work that was done during the invoice month and work planned for the upcoming month. The status report will also describe issues with schedule, budget, or other concerns.

##### *Task 1.2: Project Kickoff meeting*

Project kickoff meeting - Engineer will coordinate a virtual project kick-off meeting with the design team, City, and Coastal Dynamics Lab utilizing Microsoft Teams to officially begin the project, discuss the vision of the project, and gather input from the client. A meeting summary will be prepared to document the discussions and submitted to the client for review.

##### Task 1 deliverables

- Meeting summary via email of bi-weekly meeting
- Monthly invoicing including a monthly status update
- Overall project schedule and updates

##### Task 1 meetings

- Bi-weekly meetings with City/Coastal Dynamics Lab
- Project Kickoff meeting

##### Task 1 assumptions

- Bi-weekly meetings will be virtual and held at a pre-determined time by the team. If a subcontractor to Wildlands is needed, they will attend the bi-weekly meeting to discuss items with client.



- Project updates for grants has a limited budget. Once this budget is exceeded, no additional support for grants will be provided.

## Task 2: Concept Design

### *Subtask 2.1: Topographic and boundary survey*

The topographic survey of the project area will be completed by K2 Design Group, PA (Surveyor). The topographic survey will include topography, water bodies, FEMA cross sections, utilities, structures, roadways, and other pertinent information to support the design within the project area. Surveyor will also perform a boundary survey to locate all property lines, easements, and rights-of-way within the project area. Engineer will develop the scope of work for Surveyor, track the progress of surveyor, and review the deliverables for completeness. Engineer will use the topographic and boundary surveys to develop the project base file for the design.

### *Subtask 2.2: Existing Site Conditions*

Engineer will evaluate the site conditions and collect information on the site to support the design. The following work will be completed under this subtask.

Kickoff field walk – The design team will walk the site to familiarize the team with the site and evaluate opportunities on the site.

Wetland delineation – Engineer will identify and delineate any wetland areas within the project site. The boundaries of these wetland areas will be flagged. The flags will either be located by the surveyor or located by the Engineer with GPS. The wetland boundaries will be transferred to the CAD base file. The wetland delineation will be confirmed with the US Army Corps of Engineers Regulatory Division (USACE) during the permitting phase.

Site assessment – A site assessment will be performed by Engineer to evaluate the existing conditions within the project area. This will include an assessment of stream conditions, vegetation, potential habitats for threatened and endangered species, any potential for historical or archeological sites, and other information that may be necessary for permitting and agency correspondence. Agency correspondence letters will be submitted to support project permitting.

Geotechnical analysis for boardwalk – Engineer will subcontract a geotechnical engineering firm to perform a subsurface investigation of the area where the boardwalk will be planned. This information will be required for the structural design of the boardwalk.

### *Subtask 2.3: Concept Plan stream/wetland/floodplain design*

Engineer will develop a conceptual design (30%) for the project that will show proposed flood storage wetlands, connections to water bodies, and any necessary demolition to increase the storage volume on the site. The following work will be completed under this subtask.

Hydrologic analysis – Engineer will perform a hydrologic analysis of the site to understand stream flows in Five Mile Branch and Saddletree Swamp, sources of other hydrology, drainage patterns, and locations of piped flow to the site. Watersheds that drain the project area will be delineated. The hydrologic analysis will provide the basis to design the flood control wetland areas.

Concept design development – Engineer will develop a conceptual (30%) design of the flood control wetland area, demolition, connections to the streams on site, and other site improvements as necessary. The purpose of the concept design is to communicate the vision of the project to the client and stakeholders.

Preliminary storage volume – Based on the conceptual design, Engineer will develop an estimate of the storage volume created by the project.

Concept plan site walk – Once the concept design is completed, a site walk will be conducted with the client to review the concept design.

Conceptual cost estimate – Engineer and Engineer's contractor will develop a concept-level cost estimate for the project based on the conceptual design.

Concept plan diagram – Engineer will develop a GIS-based diagram of the conceptual design showing the existing aerial photography for the project area with the components of conceptual design over top of the aerial photo. A brief technical memo will be prepared to describe the concept design. This technical memo will be submitted with the concept plan diagram. This will be submitted to the client for review and comments. One round of revisions will be made by Engineer based on client's comments.

Conceptual planting plan – A conceptual planting plan will be developed for the project site. This will include a diagram of planting zones and a list of plant species to be installed within each planting zone.

Trail layout – The landscape architect will design a preliminary trail and boardwalk alignment for the site. A conceptual alignment will be laid out for the length of proposed trail from Roberts Avenue to West Carthage Road. This alignment will be included on the concept plan diagram. A preliminary design for the trailhead and boardwalk structure will also be included with the concept plan.

#### Task 2 Deliverables

- Topographic survey of the project area
- Boundary survey of the project area
- Wetland delineation boundaries
- Geotechnical engineering report
- Concept plan (30%) diagram and brief technical memo describing the 30% design
- Concept plan (30%) level cost estimate

#### Task 2 Meetings

- Concept Plan site walk
- Virtual meeting to review concept plan and memo

#### Task 2 Assumptions

- Coastal Dynamics Lab and City of Lumberton will provide any data they have on the site including, but not limited to, Geographic Information Systems data, stormwater data,

floodplain data, previous data gathered in the study by the Coastal Dynamics Laboratory, data obtained on already acquired parcels.

- Coastal Dynamics Lab and City of Lumberton will provide one review of deliverables.

## Task 3: Site Design

### *Subtask 3.1: Preliminary design (60%) plans, specifications, and cost estimate*

Engineer will develop a preliminary (60%) design of the project site. This preliminary design will incorporate comments on the conceptual design from the client. It will be a more detailed engineering design of the site and will include preliminary grading, cross sections, outlet structures, a demolition plan, and a planting plan. The following work will be performed under this task.

60% design – Engineer will develop the 60% design of the project site. This will include a preliminary grading model of flood storage wetland areas, design of outlet structures for wetland areas, design of connections to streams on the site, design of any modification to streams on the site, and a demolition plan.

Revised wetland storage volume - Based on the preliminary design, Engineer will develop a revised estimate of the storage volume created by the project.

Preliminary plan set – Engineer will develop a draft plan set for the project including a site overview, existing property boundaries, grading plan, plan and profiles for any stream modifications, drawing for outlet structure designs, details, construction notes, proposed conservation easement boundaries, and the revised planting plan. This plan set will consist of CAD drawings of the design components submitted digitally and or in hard copy on 11x17 sheets.

Revised planting plan – A revised planting plan including revisions to the conceptual planting plan will be developed for the project site. This will include a revised diagram of planting zones and a revised list of plant species to be installed within each planting zone.

Preliminary cost estimate - Engineer and Engineer's contractor will develop a concept-level cost estimate for the project based on the preliminary design.

Boardwalk Structural Design – The structural engineer will design the boardwalk structure. Structural drawings for the boardwalk will be developed and added to the preliminary plan set.

Trailhead and boardwalk design plan sheets – The landscape architect will revise the trailhead and boardwalk design based on comments on the conceptual design. Design for the preliminary trailhead design and boardwalk design will be developed and submitted with Engineer's draft plan set. This design will include plan view of the trail and boardwalk alignment, structural design of the boardwalk, details, and preliminary construction notes. This preliminary design will only extend to the current project site boundary.

### *Subtask 3.2: Detailed design (90%) plans, specifications, and cost estimate*

Engineer will develop a detailed design (90%) based on comments received on the preliminary (60%) design and incorporate the erosion and sediment control plan. The design will include revisions to preliminary grading, cross sections, outlet structures, demolition plan, and planting plan. The following work will be performed under this task.

Detailed (90%) plan set – Engineer will revise the preliminary (60%) plan set based on comments from the client and final changes to the designs. The plan set will include the sediment and erosion control plan sheets needed to obtain the land disturbance permit from NC DEQ Division of Land, Energy, and Mineral Resources (DEMLR). This plan set will be submitted to DEMLR along with the erosion and sediment control package. This plan set will also include the revised design drawings for the trail and boardwalk. This plan set will consist of CAD drawings of the design components submitted digitally and or in hard copy on 11x17 sheets.

Detailed (90%) specifications – Engineer will develop technical specifications for the project that will be used with the final construction documents. Engineer will determine the base specifications with input from the client. Engineer will modify clients' specifications if applicable, may use Engineer's own specifications, or obtain third party specifications.

Detailed cost estimate – Engineer and Engineer's contractor will prepare a revised cost estimate based on the detailed (90%) design.

### Task 3 Deliverables

- Preliminary (60%) plan set
- Preliminary construction cost estimate
- Detailed (90%) plan set for permit submittals
- Detailed construction cost estimate

### Task 3 Meetings

- Team meeting (virtual) to review 60% plan set and cost estimate
- Team meeting (virtual) to review 90% plan set, specifications, and cost estimate

### Task 3 Assumptions

- Coastal Dynamics Lab and City of Lumberton will review 60% design package once. This will become the 90% plan set
- Coastal Dynamics Lab and City of Lumberton will review the erosion and sediment control plan sheets once.

## Task 4: Permitting

### *Subtask 4.1: Permitting*

Engineer will prepare and submit permit applications on behalf of the client. These will include a floodplain development permit, a pre-construction notification (PCN) for the 401 certification and 404 permit, and a sediment and erosion control permit package. The following work will be performed for this task.

Floodplain development permit – Engineer will coordinate with the local floodplain administrator to obtain a floodplain development permit.

Jurisdictional determination site review with USACE – Engineer will submit a JD request package to the USACE. Engineer will meet USACE on-site to review the wetland delineation and obtain the jurisdictional determination.

PCN package preparation – Engineer will prepare the pre-construction notification package and submit it to NC Division of Water Resources and the USACE. Engineer will coordinate with the agencies as necessary to obtain the 401 certification and the 404 permit.

Erosion & sediment control permit package – Engineer will develop and submit the erosion and sediment control (ESC) permit application package and submit it to NC DEMLR. This package will include a narrative describing the project, the ESC checklist, 90% plan set, and other supporting documentation. Engineer will respond to comments from the ESC reviewers and resubmit the revised ESC package and coordinate with DEMLR as needed to obtain the permit.

#### Task 4 Deliverables

- Floodplain development permit application
- PCN application (401/404 permitting)
- ESC permit package

#### Task 4 Meetings

- No specific meetings are needed for this task. Permitting and permitting timelines will be discussed during regularly scheduled bi-weekly meetings.

#### Task 4 Assumptions

- One revised submittal is usually all that is required to obtain the ESC permit. The budget for this task was set with that assumption.

### Task 5: Site Protection Instrument

#### *Subtask 5.1: Site protection instrument assistance*

Engineer will prepare the plat and legal description for the site protection instrument. The following work is included in this task.

Boundary marking and plat preparation – Engineer's surveyor will locate the proposed site boundary for a conservation easement or other site protection instrument in the field. Surveyor will install permanent easement corners and wooden stakes at each corner and at locations near the midpoint between corners that are more than 500 feet apart. The wooden stakes will be temporary for the purposes of the client reviewing the easement boundary in the field for approval. One round of revisions to the boundaries will be made. Surveyor will prepare a plat and legal description for the approved boundaries. A draft plat and legal description will be submitted for review. One round of revisions will be made to the plat. The final plat will be prepared by the surveyor for recordation.

#### Task 5 Deliverables

- Draft plat for review by client and client's attorneys
- Final plat for recordation

#### Task 5 Meetings

- Site walk of staked draft boundaries

## Task 5 Assumptions

- Client team will do one review of draft plat with team and its attorney's and/or real estate division.
- It will be the responsibility of the client and its attorneys and/or real estate division to determine the appropriate site protection instrument such as a conservation easement, restrictive covenants, etc. and to prepare and approve the legal documentation for recordation.
- It will be client's responsibility to perform all title work and other legal and real estate work necessary to close on the site protection instrument.

## Task 6: Construction

### *Subtask 6.1: Construction documents*

Engineer will develop a final design (100%) based on comments received on the preliminary (90%) design and permitting review. The design will include revisions to detailed grading, cross sections, outlet structures, demolition plan, and planting plan. Engineer will produce final construction documents for the contractor. The following work will be performed under this task.

Final sealed plans– Engineer will revise the detailed (90%) plan set based on comments from the client and final changes to the designs. The plan set will include the final sediment and erosion control plan sheets. This plan set will also include the final design drawings for the trail and boardwalk. This plan set will consist of CAD drawings of the design components submitted digitally and or in hard copy on 11x17 sheets. This plan set will be initially submitted digitally or in hard copy on 11x17 plan sheets for final review. Once the final review is complete and revisions are made, Engineer will submit final plans, signed and sealed by a professional engineer registered in North Carolina.

Final technical specifications – Engineer will revise the technical specifications based on comments provided by client and produce a final sealed set of technical specifications.

Final cost estimate – Engineer will provide a final, revised cost estimate based on the final (100%) design and comments from the detailed (90%) design cost estimate.

### *Subtask 6.2: Construction Administration*

Engineer will coordinate construction on behalf of the client. This will include regular on-site construction oversight and on-site meetings which client is encouraged to attend. Work on this task will include the following.

Pre-Construction Meeting – Engineer will lead a pre-construction meeting with contractor, subconsultants, and client to review the design, discuss roles and points of contact, schedule, contractors responsibilities, permit requirements, ESC self-inspections, pay applications, and other pertinent information. Engineer will prepare a meeting summary for client and contractor's review.

Construction oversight – Engineer will perform regular construction oversight to ensure that the design is implemented as intended. Engineer will check design grades, structure installation, and verify that contractor's work is acceptable. Engineer will work with contractor to make field



changes and solve problems as necessary. Engineer will be on-site 10 to 25 hours per week and otherwise available via phone calls. Subconsultants will be on-site as needed.

Bi-weekly meetings – Every other week, Engineer will coordinate an on-site meeting with the contractor and client to review work completed since last meeting, discuss upcoming work, discuss any problems or issues, and discuss project schedule. Engineer will prepare a meeting summary for each bi-weekly meeting. Subconsultants may attend bi-weekly meetings as needed.

#### Task 6 Deliverables

- Signed and sealed set of construction plans
- Signed and sealed technical specifications
- Final cost estimate
- Meeting summaries of pre-construction meeting and bi-weekly meetings

#### Task 6 Meetings

- In person construction kickoff meeting
- Bi-weekly construction meetings
- Punch list construction meeting

#### Task 6 Assumptions

- Engineer assumes that construction documents will include final plans and final technical specifications only and that other project manual contract documents will not be required.

### Task 7: Public Outreach (optional task)

#### *Subtask 7.1: Public outreach assistance*

Engineer will provide assistance to client in public outreach efforts, if desired by the client. This work may include the following based on the client's needs.

Project summary for public outreach – Engineer will draft a project summary to describe the project including simple diagrams. Engineer will revise the project summary once based on client's comments.

Project rendering for public outreach – The landscape architect will develop one rendering of the project to be used for public outreach. One round of revisions to the rendering will be made based on client's comments.

#### Task 7 Deliverables

- Project summary text prepared for public use
- Project rendering prepared for public use

#### Task 7 Meetings

- No meetings are scoped for this task.

#### Task 7 Assumptions

- None

## Task 8: FEMA Flood Study (optional task)

### *Subtask 8.1: Flood study*

Corrected effective model – Engineer will obtain the existing FEMA HEC-RAS model for the project site. This model will be used to develop the corrected effective model that will be the basis for the revised flood model for the site.

Revised FEMA modeling for proposed conditions – The corrected effective model will be revised based on the proposed design. This model will be used to obtain a no-rise or CLOMR for the project from the NC Floodplain mapping program. Engineer's surveyor will field survey supplemental cross sections as needed under Task 2.1.

Preparation of no-rise or CLOMR package – Engineer will prepare the final model and report for submittal to the NC Floodplain Mapping Program. Engineer will submit the package and will coordinate with Floodplain Mapping Program as needed. Engineer will make revisions to the model and or report as needed and resubmit to the Floodplain Mapping Program.

### *Subtask 8.2 Letter of Map Revision*

If a letter of map revision (LOMR) is required, Engineer will prepare the as-built/LOMR model package submittal. The following work will be performed under this task.

LOMR modeling for as-built conditions – The proposed conditions model will be revised based on the as-built conditions. Engineer's surveyor will re-survey all model cross sections included in the proposed conditions model. This as-built conditions model will be used to obtain a LOMR for the project from the NC Floodplain mapping program.

Preparation of LORM package – Engineer will prepare the final model and report for submittal to the NC Floodplain Mapping Program. Engineer will submit the package and will coordinate with Floodplain Mapping Program as needed. Engineer will make revisions to the model and or report as needed and resubmit to the Floodplain Mapping Program.

### Task 8 Meetings

- No meetings are scoped for this task.

### Task 8 Assumptions

- The scope for this task assumes that a FEMA flood study will be needed due to changes to Five Mile Branch, Saddletree Swamp and/or the adjacent floodplains. If this is not necessary based on the design, the funding for this work could be reappropriated.
- If a CLOMR is required, Engineer will perform the work to obtain the CLOMR under this scope. If this is not necessary, the funding for this work could be reappropriated.
- If a CLOMR is required a LOMR will be required after construction is complete. In this case, Engineer will perform the work to obtain the CLOMR under this scope. If this is not necessary, the funding for this work could be reappropriated.
- This task includes a \$6,500 fee for the CLOMR permit review and an \$8,000 fee for the LOMR permit review. These fees can be waived by the State if certain requirements are met. If

Wildlands can demonstrate that the project meets these requirements, payment of these fees will not be required.

**Lumberton Loop: Five Mile Branch and Saddletree Swamp**  
**Draft Budget**  
**Wildlands Engineering, Inc.**

| Task                                                             | Direct Labor Costs  | Subconsultant Costs | Other Direct Costs | Total               |
|------------------------------------------------------------------|---------------------|---------------------|--------------------|---------------------|
|                                                                  |                     |                     |                    |                     |
| <b>Task 1.0 Project Management</b>                               |                     |                     |                    |                     |
| <b>Subtask 1.1 Project Management</b>                            |                     |                     |                    |                     |
| Monthly client meetings                                          | \$ 7,380.00         | \$ -                | \$ -               | \$ 7,380.00         |
| Monthly invoicing                                                | \$ 2,400.00         | \$ -                | \$ -               | \$ 2,400.00         |
| <b>Subtask Total</b>                                             | <b>\$ 9,780.00</b>  | <b>\$ -</b>         | <b>\$ -</b>        | <b>\$ 9,780.00</b>  |
| <b>Subtask 1.2 Team project kickoff meeting</b>                  |                     |                     |                    |                     |
| Virtual kickoff meeting with client                              | \$ 2,160.00         | \$ 2,000.00         | \$ -               | \$ 4,160.00         |
| Internal team kickoff meeting                                    | \$ 3,220.00         | \$ 2,000.00         | \$ -               | \$ 5,220.00         |
| <b>Subtask Total</b>                                             | <b>\$ 5,380.00</b>  | <b>\$ 4,000.00</b>  | <b>\$ -</b>        | <b>\$ 9,380.00</b>  |
| <b>Task Total</b>                                                | <b>\$ 15,160.00</b> | <b>\$ 4,000.00</b>  | <b>\$ -</b>        | <b>\$ 19,160.00</b> |
| <b>Task 2.0 Concept Design</b>                                   |                     |                     |                    |                     |
| <b>Subtask 2.1 Topographic survey</b>                            |                     |                     |                    |                     |
| Topographic survey of project area                               | \$ 1,670.00         | \$ 20,000.00        | \$ -               | \$ 21,670.00        |
| Boundary survey                                                  | \$ 1,670.00         | \$ 15,000.00        | \$ -               | \$ 16,670.00        |
| <b>Subtask Total</b>                                             | <b>\$ 3,340.00</b>  | <b>\$ 35,000.00</b> | <b>\$ -</b>        | <b>\$ 38,340.00</b> |
| <b>Subtask 2.2 Existing Site conditions</b>                      |                     |                     |                    |                     |
| Kickoff field walk                                               | \$ 3,750.00         | \$ -                | \$ 200.00          | \$ 3,950.00         |
| Wetland delineation, JD submittal, & USACE site meeting          | \$ 7,240.00         | \$ -                | \$ 1,000.00        | \$ 8,240.00         |
| Site assessment                                                  | \$ 5,100.00         | \$ -                | \$ 400.00          | \$ 5,500.00         |
| Geotechnical analysis for boardwalk                              | \$ 430.00           | \$ 3,000.00         | \$ -               | \$ 3,430.00         |
| <b>Subtask Total</b>                                             | <b>\$ 16,520.00</b> | <b>\$ 3,000.00</b>  | <b>\$ 1,600.00</b> | <b>\$ 21,120.00</b> |
| <b>Subtask 2.3 Concept plan stream/wetland/floodplain design</b> | \$ -                |                     |                    |                     |
| Hydrologic analysis                                              | \$ 3,100.00         | \$ -                | \$ -               | \$ 3,100.00         |
| Concept design development                                       | \$ 9,690.00         | \$ -                | \$ 200.00          | \$ 9,890.00         |
| Preliminary storage volume                                       | \$ 1,550.00         | \$ -                | \$ -               | \$ 1,550.00         |
| Concept plan site walk                                           | \$ 4,250.00         | \$ 2,000.00         | \$ 400.00          | \$ 6,650.00         |
| Conceptual cost estimate                                         | \$ 1,255.00         | \$ 2,000.00         | \$ -               | \$ 3,255.00         |
| 30% plan concept plan diagram                                    | \$ 2,640.00         | \$ -                | \$ -               | \$ 2,640.00         |
| Conceptual planting plan                                         | \$ 1,080.00         | \$ -                | \$ -               | \$ 1,080.00         |
| Trail layout                                                     | \$ -                | \$ 7,000.00         | \$ -               | \$ 7,000.00         |
| Boardwalk preliminary design                                     | \$ -                | \$ 2,000.00         | \$ -               | \$ 2,000.00         |
| <b>Subtask Total</b>                                             | <b>\$ 23,565.00</b> | <b>\$ 13,000.00</b> | <b>\$ 600.00</b>   | <b>\$ 37,165.00</b> |
| <b>Task Total</b>                                                | <b>\$ 43,425.00</b> | <b>\$ 51,000.00</b> | <b>\$ 2,200.00</b> | <b>\$ 96,625.00</b> |
| <b>Task 3: Site Design</b>                                       |                     |                     |                    |                     |
| <b>Subtask 3.1 Preliminary design plans and cost estimate</b>    |                     |                     |                    |                     |
| 60% design development                                           | \$ 15,860.00        | \$ -                | \$ 200.00          | \$ 16,060.00        |
| Revised storage volume                                           | \$ 2,390.00         | \$ -                | \$ -               | \$ 2,390.00         |
| Preliminary (60%) plan set                                       | \$ 7,800.00         | \$ 5,000.00         | \$ -               | \$ 12,800.00        |

|                                                                        |                     |                     |                    |                      |
|------------------------------------------------------------------------|---------------------|---------------------|--------------------|----------------------|
| Revised planting plan                                                  | \$ 1,560.00         | \$ -                | \$ -               | \$ 1,560.00          |
| Grading model                                                          | \$ 8,660.00         | \$ -                | \$ -               | \$ 8,660.00          |
| Preliminary cost estimates                                             | \$ 5,450.00         | \$ 2,000.00         | \$ -               | \$ 7,450.00          |
| Boardwalk Structural Design                                            | \$ -                | \$ 7,000.00         | \$ -               | \$ 7,000.00          |
| Trail design plan sheets                                               | \$ -                | \$ 4,000.00         | \$ -               | \$ 4,000.00          |
| <b>Subtask Total</b>                                                   | <b>\$ 41,720.00</b> | <b>\$ 18,000.00</b> | <b>\$ 200.00</b>   | <b>\$ 59,920.00</b>  |
| <b>Subtask 3.2 Detailed design plans, specifications, and estimate</b> |                     |                     |                    |                      |
| Detailed( 90%) plan set                                                | \$ 19,800.00        | \$ 3,000.00         | \$ 200.00          | \$ 23,000.00         |
| Detailed (90%) specifications                                          | \$ 9,280.00         | \$ 1,000.00         | \$ -               | \$ 10,280.00         |
| Detailed cost estimate                                                 | \$ 5,880.00         | \$ 2,000.00         | \$ -               | \$ 7,880.00          |
| <b>Subtask Total</b>                                                   | <b>\$ 34,960.00</b> | <b>\$ 6,000.00</b>  | <b>\$ 200.00</b>   | <b>\$ 41,160.00</b>  |
| <b>Task Total</b>                                                      | <b>\$ 76,680.00</b> | <b>\$ 24,000.00</b> | <b>\$ 400.00</b>   | <b>\$ 101,080.00</b> |
| <b>Task 4 Permitting</b>                                               |                     |                     |                    |                      |
| <b>Subtask 4.1 Permitting</b>                                          |                     |                     |                    |                      |
| Floodplain development permit                                          | \$ 1,120.00         | \$ -                | \$ -               | \$ 1,120.00          |
| Jurisdictional determination site review with USACE                    | \$ 3,240.00         | \$ -                | \$ -               | \$ 3,240.00          |
| PCN package preparation                                                | \$ 5,700.00         | \$ -                | \$ -               | \$ 5,700.00          |
| Erosion & Sediment Control permit package                              | \$ 5,600.00         | \$ -                | \$ 1,200.00        | \$ 6,800.00          |
| <b>Subtask Total</b>                                                   | <b>\$ 15,660.00</b> | <b>\$ -</b>         | <b>\$ 1,200.00</b> | <b>\$ 16,860.00</b>  |
| <b>Task Total</b>                                                      | <b>\$ 15,660.00</b> | <b>\$ -</b>         | <b>\$ 1,200.00</b> | <b>\$ 16,860.00</b>  |
| <b>Task 5: Site Protection Instrument</b>                              |                     |                     |                    |                      |
| <b>Subtask 5.1 Site protection assistance</b>                          |                     |                     |                    |                      |
| Conservation easement marking and plat preparation                     | \$ 1,600.00         | \$ 10,000.00        | \$ 200.00          | \$ 11,800.00         |
| <b>Subtask Total</b>                                                   | <b>\$ 1,600.00</b>  | <b>\$ 10,000.00</b> | <b>\$ 200.00</b>   | <b>\$ 11,800.00</b>  |
| <b>Task Total</b>                                                      | <b>\$ 1,600.00</b>  | <b>\$ 10,000.00</b> | <b>\$ 200.00</b>   | <b>\$ 11,800.00</b>  |
| <b>Task 6: Construction</b>                                            |                     |                     |                    |                      |
| <b>Subtask 6.1: Construction Documents</b>                             |                     |                     |                    |                      |
| Final sealed plans for construction                                    | \$ 13,360.00        | \$ 2,500.00         | \$ -               | \$ 15,860.00         |
| Final sealed specifications                                            | \$ 6,040.00         | \$ -                | \$ -               | \$ 6,040.00          |
| Final cost estimate                                                    | \$ 3,175.00         | \$ 1,000.00         | \$ -               | \$ 4,175.00          |
| <b>Subtask Total</b>                                                   | <b>\$ 22,575.00</b> | <b>\$ 3,500.00</b>  | <b>\$ -</b>        | <b>\$ 26,075.00</b>  |
| <b>Subtask 6.2 Construction Administration</b>                         |                     |                     |                    |                      |
| Construction (Land Mechanics Designs)                                  | \$ -                | \$ -                | \$ -               | \$ -                 |
| Pre-construction meeting                                               | \$ 3,740.00         | \$ -                | \$ -               | \$ 3,740.00          |
| Construction oversight                                                 | \$ 26,140.00        | \$ 5,000.00         | \$ 3,000.00        | \$ 34,140.00         |
| Bi-weekly meetings                                                     | \$ 3,680.00         | \$ -                | \$ -               | \$ 3,680.00          |
| <b>Subtask Total</b>                                                   | <b>\$ 33,560.00</b> | <b>\$ 5,000.00</b>  | <b>\$ 3,000.00</b> | <b>\$ 41,560.00</b>  |
| <b>Task 6 Total</b>                                                    | <b>\$ 56,135.00</b> | <b>\$ 8,500.00</b>  | <b>\$ 3,000.00</b> | <b>\$ 67,635.00</b>  |
| <b>Task 7 : Public Outreach (optional task)</b>                        |                     |                     |                    |                      |
| <b>Subtask 7.1 Public outreach assistance</b>                          |                     |                     |                    |                      |
| Project summary for public outreach                                    | \$ 7,480.00         | \$ -                | \$ -               | \$ 7,480.00          |
| Project rendering for public outreach                                  | \$ -                | \$ 2,000.00         | \$ -               | \$ 2,000.00          |
| <b>Subtask Total</b>                                                   | <b>\$ 7,480.00</b>  | <b>\$ 2,000.00</b>  | <b>\$ -</b>        | <b>\$ 9,480.00</b>   |
| <b>Task 7 Total</b>                                                    | <b>\$ 7,480.00</b>  | <b>\$ 2,000.00</b>  | <b>\$ -</b>        | <b>\$ 9,480.00</b>   |
| <b>Task 8: FEMA Flood Study (optional task)</b>                        |                     |                     |                    |                      |

|                                               |                      |                      |                     |                      |
|-----------------------------------------------|----------------------|----------------------|---------------------|----------------------|
| <b>Subtask 8.1 Flood Study</b>                |                      |                      |                     |                      |
| Corrected effective model                     | \$ 10,120.00         | \$ -                 | \$ -                | \$ 10,120.00         |
| Revised FEMA modeling for proposed conditions | \$ 9,260.00          | \$ -                 | \$ -                | \$ 9,260.00          |
| Preparation of CLOMR or no rise package       | \$ 11,540.00         | \$ -                 | \$ -                | \$ 11,540.00         |
| <b>Subtask Total</b>                          | <b>\$ 30,920.00</b>  | <b>\$ -</b>          | <b>\$ -</b>         | <b>\$ 30,920.00</b>  |
| <b>Subtask 8.1 Letter of map revision</b>     |                      |                      |                     |                      |
| LOMR modeling for as-built conditions         | \$ 9,260.00          | \$ 4,000.00          | \$ -                | \$ 13,260.00         |
| Preparation of LOMR Package                   | \$ 6,460.00          | \$ -                 | \$ 8,000.00         | \$ 14,460.00         |
| <b>Subtask Total</b>                          | <b>\$ 15,720.00</b>  | <b>\$ 4,000.00</b>   | <b>\$ 8,000.00</b>  | <b>\$ 27,720.00</b>  |
| <b>Task 8 Total</b>                           | <b>\$ 46,640.00</b>  | <b>\$ 4,000.00</b>   | <b>\$ 8,000.00</b>  | <b>\$ 58,640.00</b>  |
| <b>TOTAL</b>                                  | <b>\$ 262,780.00</b> | <b>\$ 103,500.00</b> | <b>\$ 15,000.00</b> | <b>\$ 381,280.00</b> |



**Lumberton City Council**  
**Lumberton, North Carolina**



**Request for Action**

**Meeting Date:** October 7, 2024

**Originated By:** City Manager

**Submission Date:** 10/03/2024

**Subject:** Approval of Lumberton Memorial Park Phase II - Bid

**Summary/Background of Subject Matter:**

Crawford Design Company solicited bids for Phase II of the Lumberton Memorial Park on May 24, 2024. At the time of the bid opening, fewer than the required three bids were received. The project scope was adjusted and then re-advertised for September 17th, at which time a second bid opening was held. Fortunately, three bids were received with the lowest responsive, responsible bidder being Cinderella Partners, Inc. with a base bid of \$448,798.13 (see attached certified bid tabulation). Funding will be provided by a NCGA special appropriation of \$200,000, General Fund obligation of \$150,000, lapsed salaries of \$20,000 and General Fund contingency.

**Staff Recommendation:**

Recommendation for City Council is to award the bid of the Lumberton Memorial Park – Phase II to Cinderella Partners, Inc. in the amount of \$448,798.13 and authorize staff to prepare and execute the appropriate contract for construction.

**Signature:**

**Department:**

**ATTACHMENTS:**

1. Memorial Park Phase 2 Site
2. MemorialPark - Lumberton Bid Certification and Bid Form
3. Phase 2 – Lumberton Memorial Park - Notice to Award
4. 22 - Agreement
5. Memorial Park - Phase II-41 Bid Recommendation Letter 10.2.24.



SITE NOTES

- 1" CONCRETE BAND (SEE SHT. C5.1, #2).
- STANDARD CONCRETE SIDEWALK (SEE SHT. C5.1, #4).
- MONUMENT SIGNAGE: 1.5' WIDTH x 8' LENGTH x 4' HIGH IDENTITY SIGN. (SEE SHT. C5.2, CDC-01.2729).
- CASCADE FOUNTAIN (SEE SHT. C5.2, CDC-01.2937).
- NON-WING TYPE STRAIGHT ACCESSIBLE RAMP (SEE SHT. C5.1, #9).
- PARK BENCH (SEE SHT. C5.2, #1).
- FLAGPOLE AND FOUNDATION (SEE SHT. C5.2, #2).
- CONCRETE SIDEWALK WITH ADJOINING CURB & GUTTER (SEE SHT. C5.1, #5).
- SEAT WALL (SEE SHT. C5.2, CDC-01.2018).
- 3' HIGH INDIVIDUAL ANODIZED LETTERS IN RADIAL PATTERN: "LUMBERTON MEMORIAL PARK". FOUNDATION SHALL BE 1'-6" DEPTH x 10" WIDTH. LETTERS SHALL BE ON SINGLE POSTS 4" ABOVE GROUND. SEE SHT. C5.1, CDC-01.2730.
- 8' x 8' MONUMENT SLAB FLUSH WITH CONCRETE PLAZA. 4" DEPTH WITH #4 REBAR HORIZONTAL AND VERTICAL 24" ON CENTER.
- UPLIGHT BY OWNER.
- PATHWAY LIGHTING BY OWNER.
- THREE INCH ELECTRICAL CONDUIT WITH PULL WIRE.
- ELECTRICAL EQUIPMENT RACK.
- ALTERNATE A1: ELIMINATION OF FOUNTAIN AND REPLACE WITH LANDSCAPE ISLAND AND SHIELD WALL. SEE DETAIL SHT. C5.1, CDC-01.2731.

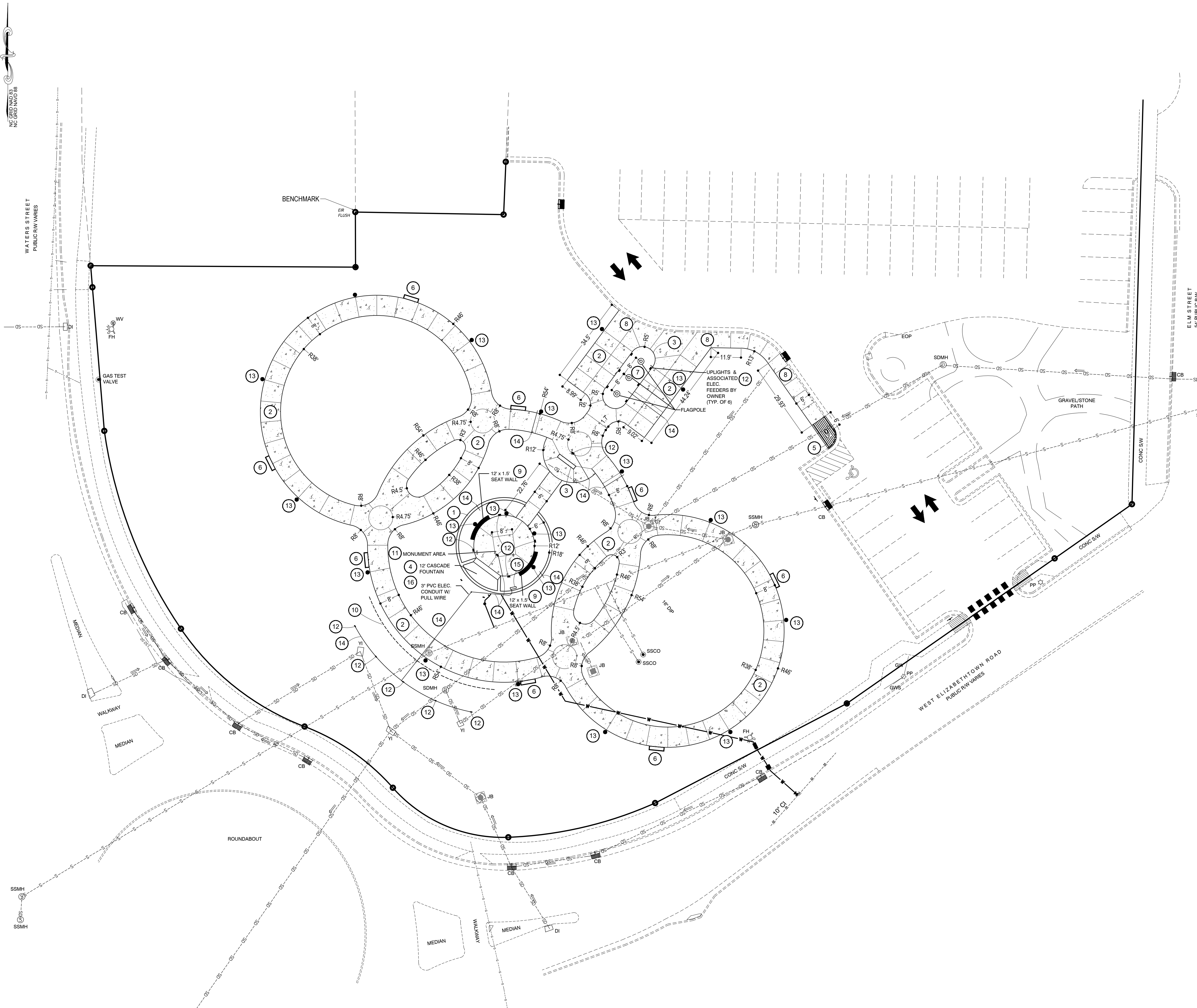
ADDITIONAL NOTES

- ALL GENERAL NOTES, ABBREVIATIONS, SYMBOLS, AND OTHER INFORMATION INDICATED ON SHEET C0.1, COVER SHEET SHALL APPLY TO THIS PLAN.
- ALL ELEVATIONS SHOWN ARE IN REFERENCE TO THE BENCHMARK AND MUST BE VERIFIED BY THE GENERAL CONTRACTOR WITH THE SURVEYOR OF RECORD PRIOR TO BEGINNING CONSTRUCTION. BENCHMARK IS AN EXISTING IRON ROD NORTH OF THE PROJECT SITE WITH AN ASSUMED ELEVATION OF 134.99.

ELECTRICAL NOTES

- ALL ELECTRICAL INSTALLATION, COMPONENTS AND ASSOCIATED WORK SHALL COMPLY WITH THE NC ELECTRICAL CODES.
- ALL FEEDERS TO THE PUMP SHALL BE INSTALLED IN ELECTRICAL CONDUIT WITH WATER PROOF CONNECTIONS PER MANUFACTURER'S RECOMMENDATIONS.
- ALL COMPONENTS SHALL BE BONDED PER ELECTRICAL CODE.
- ALL LIGHTING, METER, DISCONNECT, CT CABINET, BREAKER CABINET, BREAKERS AND EQUIPMENT RACK SHALL BE FURNISHED AND INSTALLED BY OWNER. CONTRACTOR SHALL FURNISH AND INSTALL ALL ELECTRICAL CONDUITS WITH PULL WIRES, JUNCTIONS, ELECTRICAL LINES AND COMPONENTS AS SHOWN AND AS REQUIRED FOR A COMPLETE FUNCTIONING SYSTEM TO POWER THE FOUNTAIN COMPONENTS.

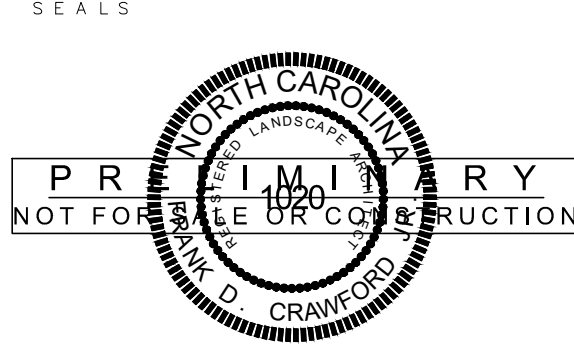
SEE SHEET C3.0 FOR UTILITY INFORMATION



Crawford  
Design Company

LANDSCAPE  
ARCHITECTURE  
ENGINEERING  
PLANNING

Landscape Architecture ♦ Fayetteville, NC  
Civil Engineering ♦ Southern Pines, NC  
116 N. Cool Spring Street ♦ Fayetteville, NC 28301  
Voice: 910-221-0033 ♦ Fax: 910-221-0035  
www.crawforddesign.com



BID SET

| REVISIONS |          |             |
|-----------|----------|-------------|
| 0         | mm-ds-yy | Description |
|           |          |             |
|           |          |             |
|           |          |             |
|           |          |             |

PHASE 2  
LUMBERTON MEMORIAL PARK  
LUMBERTON, NC  
SITE LAYOUT PLAN

PROJECT DETAILS  
Project Manager: FDC  
CAD Technician: DJL/ILB  
Reviewed / Approved By: FDC  
Project Number: 16017

SCALE  
Full Scale: Horiz.: 1" = 20'

ISSUE DATE 07/30/2024

SHEET NUMBER

C2.0

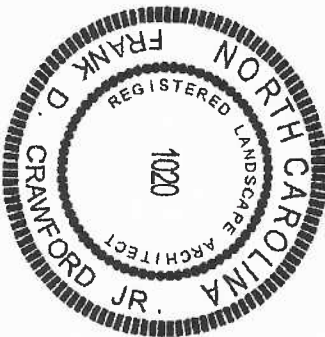
**City of Lumberton**  
**Lumberton Memorial Park Phase II**  
**500 N. Cedar St. Lumberton NC 28358**

Bid Opening Date: September 17, 2024 2:00 p.m.

| COMPANY                   | LICENSE | ALT 1        | BID          |
|---------------------------|---------|--------------|--------------|
| 1 Lanier Construction     | 18152   | \$61,510.00  | \$519,660.00 |
| 2 Morgan Trucking         | 86254   | \$250,000.00 | \$498,200.23 |
| 3 Cinderella Partners Inc | 78482   | \$95,759.00  | \$478,798.13 |
| 4 Diamond Constructors    | X       | \$0.00       | \$0.00       |
| 5 Wells Brothers          | X       | \$0.00       | \$0.00       |
| 6 Green State Landscaping | X       | \$0.00       | \$0.00       |
| 7 McDonald Materials      | X       | \$0.00       | \$0.00       |
| 8 Benson Construction     | X       | \$0.00       | \$0.00       |
| 9 Lorman Inc              | X       | \$0.00       | \$0.00       |
| 10 Barnhill Contracting   | X       | \$0.00       | \$0.00       |

I certify that the amounts stated above are true and correct based on the September 17, 2024 bid opening.

  
 Crawford Design Company  
 Del Crawford, ASLA, LEED AP



## BID FORM

Proposal of Cinderella Partners Inc, (hereinafter called "BIDDERS"), organized and existing under the laws of the State of North Carolina, doing business as a (i.e., partnership, corporation, etc.) Corporation to City of Lumberton (hereinafter called "OWNER").

BIDDER hereby proposes to perform all WORK to construct Phase 2 of the Lumberton Memorial Park in strict accordance with the CONTRACT DOCUMENTS, within the time set forth therein, and at the prices stated below.

By submission of this BID, each BIDDER certifies, and in the case of a joint BID each party thereto certifies as to his own organization, that this BID has been arrived at independently, without consultation, communication, or agreement as to any matter relating to this BID with any other BIDDER or with any competitor.

BIDDER hereby agrees to commence work under this contract on or before a date to be specified in the NOTICE TO PROCEED and to fully complete the PROJECT within ninety (90) consecutive calendar days thereafter. BIDDER further agrees to pay as liquidated damages, the sum of five hundred dollars (\$250.00) for each consecutive calendar day thereafter.

BIDDER acknowledges receipt of the following Addenda:

| <u>Number</u> | <u>Date (mm/dd/yy)</u> |
|---------------|------------------------|
| <u>1</u>      | <u>09/09/2024</u>      |
| <u> </u>      | <u> </u>               |
| <u> </u>      | <u> </u>               |

BIDDER hereby agrees that preference will be given to domestic construction material and further agrees to require subcontractors, materialmen and suppliers to also give preference to domestic construction material.

### Completing the Bid Form

- All bids must be made on the accompanied bid form.
- All blank spaces must be properly filled in using ink or type and completely executed when submitted. No other marks or additional lines shall be added.
- The following information is an example of a properly completed form.

|                                                                                            |
|--------------------------------------------------------------------------------------------|
| Item 1 Yard Inlets                                                                         |
| Estimated Quantity – 2 Each                                                                |
| <u>Two Thousand Five Hundred 00/100</u> Dollars (\$ <u>1,250.00</u> EA) <u>\$ 2,500.00</u> |

- The bid form shall not contain qualified information such as differences in color prices or substitutions of equipment.
- Cost for alternate equipment shall be specified in the alternate section. Do not include the cost of these items in the base bid. All alternates shall be the total cost of the material or equipment to include labor.
- All cost associated with furnishing and installing the equipment specified shall be entered on the appropriate line item. Do not add separate line items such as bonding or labor.
- Bids using 'white-out' for corrections will not be accepted. If a correction is required, the misinformation must be struck through, initialed and new information inserted in a readable manner above the incorrect information.
- Bids shall be sealed in a separate envelope and submitted to City of Lumberton, 500 North Cedar Street, Lumberton, NC 28358. A Federal Express, United Parcel Service, etc. package is considered a 'mailer' and not a separate envelope.
- **Bid Bonds are required.**
- Bids with improperly completed bid forms are subject to being rejected as a bonafide bid. If Owner elects to award the project it shall be to the lowest responsible, responsive bidder.
- The Owner retains the right to add, delete components, or modify the project components upon bid award.



**BID FORM****Phase 2 – Lumberton Memorial Park  
City of Lumberton**

The below referenced items are the major components of work and shall not be construed as to be an all-inclusive list. Any and all quantities and items shown in the plans and technical specifications shall be furnished and installed by the Contractor. They shall include all labor, materials, equipment, supplies, construction, supervision and apparatus necessary for and to construct and place into acceptable service the site improvements as shown on the drawings and described in the foregoing specifications and as follows:

**Item 1. Grading, Walkways, Signage, Erosion Control, Establishing Groundcover & Stabilization and all Miscellaneous Associated Items**

Estimated Quantity – Lump Sum

Four Hundred Forty Eight Thousand Seven Hundred Ninety Eight Dollars &amp; Thirteen Cents Dollars ( \$ 448,798.13 ) LS \$ \_\_\_\_\_

**Item 2. Contingency**

Owner Related items in addition to the work, labor and materials in the base bid. \$ 30,000

**TOTAL TO INCLUDE CONTINGENCY** \$ 478,798.13**ALTERNATES****Item A1. Construction of a Garden/Cascade Fountain to include all Associated Components such as Pump, plumbing, water storage, etc. (The below figure will be an ADD)**

Ninety Five Thousand Seven Hundred Fifty Nine Dollars ( \$ 95,759.00 ) LS \$ \_\_\_\_\_

**RESPECTFULLY SUBMITTED**Cinderella Partners Inc  
Company NameHope Watson  
Printed Name of Authorized Representative  
SignaturePresident  
Title713 Brief Rd W  
AddressIndian Trail, NC 28079  
City State Zip9/17/24  
Date78482  
License Number**ATTEST**Ross Watson  
Printed Name  
SignatureSenior Estimator  
Title

(Seal – If BID is by a Corporation)

**CRAWFORD DESIGN COMPANY  
BID FORM**

BID - 2 of 2





CINDPAR-01

JENNM1

## CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

9/10/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

|                                                                             |                                                       |                               |
|-----------------------------------------------------------------------------|-------------------------------------------------------|-------------------------------|
| PRODUCER<br>Carolina Underwriters<br>P.O. Box 190<br>Cornelius, NC 28031    | CONTACT NAME:                                         |                               |
|                                                                             | PHONE (A/C, No, Ext): (704) 849-8080                  | FAX (A/C, No): (704) 849-8050 |
| INSURED<br><br>CINDERELLA PARTNERS, INC<br>PO Box 123<br>Matthews, NC 28106 | E-MAIL ADDRESS:                                       |                               |
|                                                                             | INSURER(S) AFFORDING COVERAGE                         |                               |
|                                                                             | INSURER A : <b>Frankenmuth Ins. Co.</b>               |                               |
|                                                                             | INSURER B : <b>Builders Mutual Insurance Co.</b>      |                               |
|                                                                             | INSURER C : <b>Westchester Fire Insurance Company</b> |                               |
|                                                                             | INSURER D : <b>Markel Insurance Group</b>             |                               |
| INSURER E :                                                                 |                                                       |                               |
| INSURER F :                                                                 |                                                       |                               |

## COVERAGES

## CERTIFICATE NUMBER:

## REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE                                                                                                                                                                                                                                                                                                                | ADDL INSD                               | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS                                                                                                                                                                                                                                   |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|----------|---------------|-------------------------|-------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A        | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY<br><input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR<br><br>GEN'L AGGREGATE LIMIT APPLIES PER:<br><input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC<br>OTHER: <b>General Aggregate</b> |                                         |          | 6635504       | 8/1/2024                | 8/1/2025                | EACH OCCURRENCE \$ 1,000,000<br>DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000<br>MED EXP (Any one person) \$ 5,000<br>PERSONAL & ADV INJURY \$ 1,000,000<br>GENERAL AGGREGATE \$ 2,000,000<br>PRODUCTS - COMP/OP AGG \$ 2,000,000 |
| A        | <input checked="" type="checkbox"/> AUTOMOBILE LIABILITY<br><input checked="" type="checkbox"/> ANY AUTO<br><input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS<br><input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY                                        |                                         |          | 6635503       | 8/1/2024                | 8/1/2025                | COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000<br>BODILY INJURY (Per person) \$<br>BODILY INJURY (Per accident) \$<br>PROPERTY DAMAGE (Per accident) \$                                                                                |
| A        | <input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR<br><input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE<br>DED <input checked="" type="checkbox"/> RETENTION \$ 10,000                                                                                                     |                                         |          | 6635504       | 8/1/2024                | 8/1/2025                | EACH OCCURRENCE \$ 3,000,000<br>AGGREGATE \$ 3,000,000                                                                                                                                                                                   |
| B        | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY<br>ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)<br>If yes, describe under DESCRIPTION OF OPERATIONS below                                                                                                                                           | Y / N<br><input type="checkbox"/> N / A |          | WCP1079558    | 8/1/2024                | 8/1/2025                | <input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER<br>E.L. EACH ACCIDENT \$ 1,000,000<br>E.L. DISEASE - EA EMPLOYEE \$ 1,000,000<br>E.L. DISEASE - POLICY LIMIT \$ 1,000,000                                |
| C        | RAILROAD PROTECTIVE                                                                                                                                                                                                                                                                                                              |                                         |          | G48735009 001 | 8/21/2024               | 2/28/2025               | \$10 MIL AGG/OCC: 5,000,000                                                                                                                                                                                                              |
| D        | Commercial Umbrella                                                                                                                                                                                                                                                                                                              |                                         |          | EZXS3167150   | 8/1/2024                | 8/1/2025                | 1,000,000                                                                                                                                                                                                                                |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

## CERTIFICATE HOLDER

## CANCELLATION

City of Lumberton  
500 North Cedar Street  
Lumberton, NC 28358

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

ACORD 25 (2016/03)

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## BID FORM

Proposal of Lanier Construction Co., Inc., (hereinafter called "BIDDERS"), organized and existing under the laws of the State of North Carolina, doing business as a (i.e., partnership, corporation, etc.) Corporation to City of Lumberton (hereinafter called "OWNER").

BIDDER hereby proposes to perform all WORK to construct Phase 2 of the Lumberton Memorial Park in strict accordance with the CONTRACT DOCUMENTS, within the time set forth therein, and at the prices stated below.

By submission of this BID, each BIDDER certifies, and in the case of a joint BID each party thereto certifies as to his own organization, that this BID has been arrived at independently, without consultation, communication, or agreement as to any matter relating to this BID with any other BIDDER or with any competitor.

BIDDER hereby agrees to commence work under this contract on or before a date to be specified in the NOTICE TO PROCEED and to fully complete the PROJECT within ninety (90) consecutive calendar days thereafter. BIDDER further agrees to pay as liquidated damages, the sum of five hundred dollars (\$250.00) for each consecutive calendar day thereafter.

BIDDER acknowledges receipt of the following Addenda:

| Number   | Date (mm/dd/yy) |
|----------|-----------------|
| <u>1</u> | <u>09/09/24</u> |
| _____    | _____           |
| _____    | _____           |

BIDDER hereby agrees that preference will be given to domestic construction material and further agrees to require subcontractors, materialmen and suppliers to also give preference to domestic construction material.

### Completing the Bid Form

- All bids must be made on the accompanied bid form.
- All blank spaces must be properly filled in using ink or type and completely executed when submitted. No other marks or additional lines shall be added.
- The following information is an example of a properly completed form.

|                                                          |             |
|----------------------------------------------------------|-------------|
| Item 1 Yard Inlets                                       |             |
| Estimated Quantity – 2 Each                              |             |
| Two Thousand Five Hundred 00/100 Dollars (\$1,250.00 EA) | \$ 2,500.00 |

- The bid form shall not contain qualified information such as differences in color prices or substitutions of equipment.
- Cost for alternate equipment shall be specified in the alternate section. Do not include the cost of these items in the base bid. All alternates shall be the total cost of the material or equipment to include labor.
- All cost associated with furnishing and installing the equipment specified shall be entered on the appropriate line item. Do not add separate line items such as bonding or labor.
- Bids using 'white-out' for corrections will not be accepted. If a correction is required, the misinformation must be struck through, initialed and new information inserted in a readable manner above the incorrect information.
- Bids shall be sealed in a separate envelope and submitted to City of Lumberton, 500 North Cedar Street, Lumberton, NC 28358. A Federal Express, United Parcel Service, etc. package is considered a 'mailer' and not a separate envelope.
- **Bid Bonds are required.**
- Bids with improperly completed bid forms are subject to being rejected as a bonafide bid. If Owner elects to award the project it shall be to the lowest responsible, responsive bidder.
- The Owner retains the right to add, delete components, or modify the project components upon bid award.

**BID FORM**

Phase 2 – Lumberton Memorial Park  
City of Lumberton

The below referenced items are the major components of work and shall not be construed as to be an all-inclusive list. Any and all quantities and items shown in the plans and technical specifications shall be furnished and installed by the Contractor. They shall include all labor, materials, equipment, supplies, construction, supervision and apparatus necessary for and to construct and place into acceptable service the site improvements as shown on the drawings and described in the foregoing specifications and as follows:

Item 1. Grading, Walkways, Signage, Erosion Control, Establishing Groundcover & Stabilization and all Miscellaneous Associated Items

Estimated Quantity – Lump Sum

Four Hundred Eighty Nine Thousand Dollars (\$ 489,660.00 ) LS \$ 489,660.00  
Six Hundred Sixty Dollars

Item 2. Contingency

Owner Related items in addition to the work, labor and materials in the base bid. \$ 30,000

TOTAL TO INCLUDE CONTINGENCY \$ 519,660.00

**ALTERNATES**

Item A1. Construction of a Garden/Cascade Fountain to include all Associated Components such as Pump, plumbing, water storage, etc. (The below figure will be an ADD)

Sixty One Thousand Five Hundred Dollars (\$ 61,510.00 ) LS \$ 61,510.00  
Ten Dollars

**RESPECTFULLY SUBMITTED**

Lanier Construction Company, Inc.  
Company Name

Henry Lanier  
Printed Name of Authorized Representative

Henry Lanier  
Signature

President  
Title

1505 Browntown Rd.  
Address

Snow Hill, NC 28580  
City State Zip

Sept. 17, 2024  
Date

18152  
License Number

**ATTEST**

Prentice Lanier  
Printed Name

Prentice Lanier  
Signature

Corp. Secretary  
Title

(Seal – If BID is by a Corporation)

## BID FORM

Proposal of Morgan Trucking & General Construction Inc., (hereinafter called "BIDDERS"), organized and existing under the laws of the State of North Carolina, doing business as a (i.e., partnership, corporation, etc.) Corporation to City of Lumberton (hereinafter called "OWNER").

BIDDER hereby proposes to perform all WORK to construct Phase 2 of the Lumberton Memorial Park in strict accordance with the CONTRACT DOCUMENTS, within the time set forth therein, and at the prices stated below.

By submission of this BID, each BIDDER certifies, and in the case of a joint BID each party thereto certifies as to his own organization, that this BID has been arrived at independently, without consultation, communication, or agreement as to any matter relating to this BID with any other BIDDER or with any competitor.

BIDDER hereby agrees to commence work under this contract on or before a date to be specified in the NOTICE TO PROCEED and to fully complete the PROJECT within ninety (90) consecutive calendar days thereafter. BIDDER further agrees to pay as liquidated damages, the sum of five hundred dollars (\$250.00) for each consecutive calendar day thereafter.

BIDDER acknowledges receipt of the following Addenda:

| <u>Number</u> | <u>Date (mm/dd/yy)</u> |
|---------------|------------------------|
| <u>1</u>      | <u>9/16/2024</u>       |
| _____         | _____                  |

BIDDER hereby agrees that preference will be given to domestic construction material and further agrees to require subcontractors, materialmen and suppliers to also give preference to domestic construction material.

### Completing the Bid Form

- All bids must be made on the accompanied bid form.
- All blank spaces must be properly filled in using ink or type and completely executed when submitted. No other marks or additional lines shall be added.
- The following information is an example of a properly completed form.

|                                                                          |
|--------------------------------------------------------------------------|
| Item 1 Yard Inlets                                                       |
| Estimated Quantity – 2 Each                                              |
| <u>Two Thousand Five Hundred 00/100</u> Dollars ( <u>\$1,250.00 EA</u> ) |
| \$ <u>2,500.00</u>                                                       |

- The bid form shall not contain qualified information such as differences in color prices or substitutions of equipment.
- Cost for alternate equipment shall be specified in the alternate section. Do not include the cost of these items in the base bid. All alternates shall be the total cost of the material or equipment to include labor.
- All cost associated with furnishing and installing the equipment specified shall be entered on the appropriate line item. Do not add separate line items such as bonding or labor.
- Bids using 'white-out' for corrections will not be accepted. If a correction is required, the misinformation must be struck through, initialed and new information inserted in a readable manner above the incorrect information.
- Bids shall be sealed in a separate envelope and submitted to City of Lumberton, 500 North Cedar Street, Lumberton, NC 28358. A Federal Express, United Parcel Service, etc. package is considered a 'mailer' and not a separate envelope.
- **Bid Bonds are required.**
- Bids with improperly completed bid forms are subject to being rejected as a bonafide bid. If Owner elects to award the project it shall be to the lowest responsible, responsive bidder.
- The Owner retains the right to add, delete components, or modify the project components upon bid award.

**BID FORM**

**Phase 2 – Lumberton Memorial Park  
City of Lumberton**

The below referenced items are the major components of work and shall not be construed as to be an all-inclusive list. Any and all quantities and items shown in the plans and technical specifications shall be furnished and installed by the Contractor. They shall include all labor, materials, equipment, supplies, construction, supervision and apparatus necessary for and to construct and place into acceptable service the site improvements as shown on the drawings and described in the foregoing specifications and as follows:

**Item 1. Grading, Walkways, Signage, Erosion Control, Establishing Groundcover & Stabilization and all Miscellaneous Associated Items**

Estimated Quantity – Lump Sum

Four Hundred Sixty Eight Thousand and Two Hundred

Dollars and Twenty Three Cents.

Dollars (\$468,200.23) LS \$468,200.23

**Item 2. Contingency**

Owner Related items in addition to the work, labor and materials in the base bid.

\$ 30,000

**TOTAL TO INCLUDE CONTINGENCY** \$ 498,200.23

**ALTERNATES**

**Item A1. Construction of a Garden/Cascade Fountain to include all Associated Components such as Pump, plumbing, water storage, etc. (The below figure will be an ADD)**

Two Hundred Fifty Thousand Dollars and Zero Cent

Dollars (\$ 250,000.00) LS \$ 250,000.00

**RESPECTFULLY SUBMITTED**

Morgan Trucking & General Construction Inc.

Company Name

Tarkessio Landis Morgan

Printed Name of Authorized Representative

Signature

President

Title

P.O. Box 91

Address

Shallotte NC 28459

City State Zip

9/17/2024

Date

86254

License Number

**ATTEST**

Natia Brown Morgan

Printed Name

Signature

Corp. Sectary

Title



CRAWFORD DESIGN COMPANY  
BID FORM

BID - 2 of 2



**NOTICE TO AWARD**

To: CINDERELLA PARTNERS INC.  
713 BRIEF RD W  
INDIAN TRAIL, NC 28079

Date: OCTOBER 10, 2024

Project: **Phase 2 – Lumberton Memorial Park**

You are hereby notified of the intent to award CINDERELLA PARTNERS INC. the contract for Phase 2 – Lumberton Memorial Park.

The contract has been forwarded for signatures. Your copy will be sent to you once complete. Contractor is authorized to proceed with shop drawing submission to Crawford Design Company. Once submittals are approved, Contractor may proceed with ordering materials.

Please acknowledge receipt of this Notice to Award.

\_\_\_\_\_  
Contractor Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
BRANDON LOVE  
City of Lumberton  
P.O. Box 1388  
Lumberton, NC 28358



# AGREEMENT

This AGREEMENT, made this 10th day of October by and between City of Lumberton, hereinafter called "OWNERS" and Cinderella Partners Inc., hereinafter called "CONTRACTOR".

WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned:

1. The CONTRACTOR will commence the work for Phase 2 – Lumberton Memorial Park in accordance with the plans and specifications entitled Phase 2 – Lumberton Memorial Park.
2. The CONTRACTOR will furnish all of the material, supplies, tools, equipment, labor and other services necessary for the construction and completion of the project described herein.
3. The CONTRACTOR will commence the work required by the CONTRACT DOCUMENTS within in accordance with the NOTICE TO PROCEED and will complete the same within ninety (90) calendar days unless the period for completion is extended otherwise by the CONTRACT DOCUMENTS.
4. The CONTRACTOR agrees to perform all of the WORK described in the CONTRACT DOCUMENTS for the unit price extensions contained in their BID.
5. The term "CONTRACT DOCUMENTS" means and includes all items contained in the Project Manual and Design Plans and generally consist of the following items:
  - A. Advertisements and Information to Bidders
  - B. Contractor's Bid
  - C. Owner/Contractor Agreement
  - D. Notice of Award
  - D. Notice to Proceed
  - E. Certificate of Insurance
  - F. Change Orders
  - G. General Conditions with any required supplements
  - F. Drawings and Technical specifications prepared or issued by Crawford Design Company – Phase 2 – Lumberton Memorial Park dated [PLAN DATE].
  - G. Addenda: No. 1 , dated May 23,2024 .
6. The OWNERS will pay to the CONTRACTOR in the manner and at such times as set forth in the General Conditions such amounts as required by the CONTRACT DOCUMENTS.
7. This Agreement shall be binding upon all parties hereto and their respective heirs, executors, administrators, successors, and assigns.



IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed by their duly authorized officials, this AGREEMENT in   3   each of which shall be deemed an original on the date first above written.

ATTEST:

OWNER:

CITY OF LUMBERTON

\_\_\_\_\_  
Name

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

(Seal)

ATTEST:

CONTRACTOR:

CINDERELLA PARTNERS INC.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

(Seal)

\_\_\_\_\_  
License Number



October 2, 2024

City of Lumberton  
PO Box 1388  
Lumberton, NC 28359

Re: Lumberton Memorial Park Phase II

Mr. Love,

Enclosed please find a certified bid tab for the above-referenced project. We have reviewed the bids received and recommend Cinderella Partners Inc. be awarded the project based on providing the lowest responsive bid, being properly licensed, and having completed similar work in the area.

The total lump sum bid amount is \$478,798.13.

Please contact me if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Del Crawford".

Del Crawford, ASLA, LEED AP



**Lumberton City Council**  
**Lumberton, North Carolina**



**Request for Action**

**Meeting Date:** October 7, 2024

**Originated By:** City Manager

**Submission Date:** 10/03/2024

**Subject:** Approval of Maynor Resource Center Signage

**Summary/Background of Subject Matter:**

The Maynor Resource Center in West Lumberton became operational in 2021 but has gone without building signage since that time. Patrons to the facility have raised concerns about being able to locate the building, even when given adequate directions. Staff has been instructed to provide a sign layout and to solicit quotes for erection of a freestanding sign at this location.

Prices were received from Sign City and Shackelford Sign Art (see attached), the two vendors servicing the Lumberton area.

**Staff Recommendation:**

The recommendation for City Council is to accept the proposal from Sign City to provide sign boards for a new, two-sided, freestanding sign to be located at the Maynor Resource Center on West 5th Street, in the amount of \$3,950.00. City staff will place the concrete footings and manage the masonry sign pedestal installation.

**Signature:**

**Department:**

**ATTACHMENTS:**

1. Maynor Site Plan
2. Maynor Sign Layout
3. Estimate\_1016\_from\_SIGN\_CITY\_INC
4. CITY-MAYNOR RESOURCE CENTER-Shackelford

# Lumberton, NC



## Legend

- Site Address
- Road
- Parcel
- City Limit
- City Limit Basemap

## Notes

Maynor Resource Center

MAYNOR RESOURCE  
CENTER

80.0 0 40.00 80 Feet

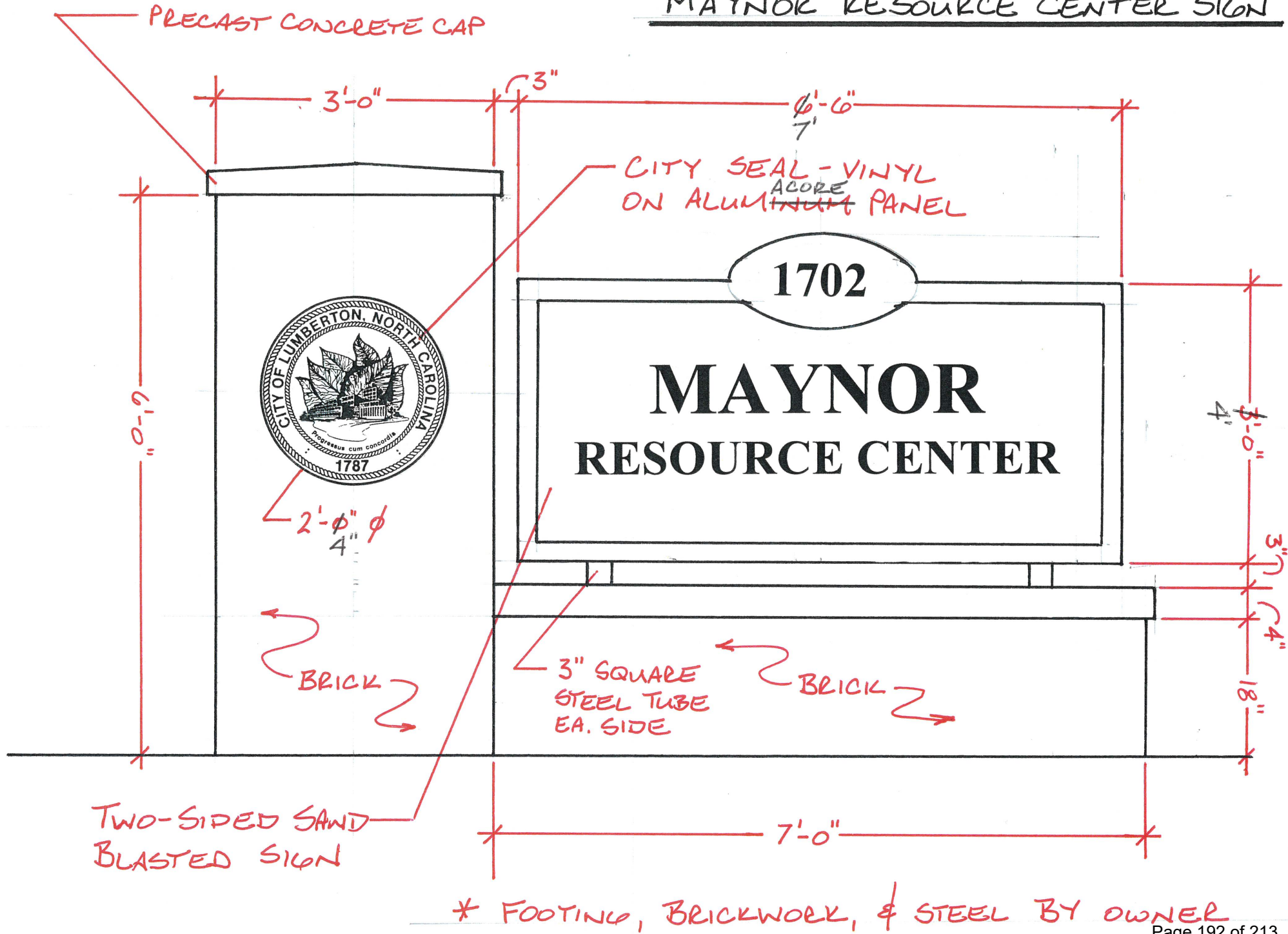
This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



9-26-2024

# MAYNOR RESOURCE CENTER SIGN



ESTIMATE

SIGN CITY, INC.  
1604 Godwin Ave  
Lumberton, NC 28358

signcityprints@ncrbiz.com  
910-738-7080  
signcityprints.com



Bill to  
City of Lumberton1  
City of Lumberton  
PO Box 1388  
Lumberton, NC 28359

Ship to  
City of Lumberton1  
City of Lumberton  
PO Box 1388  
Lumberton, NC 28359

Estimate details  
Estimate no.: 1016  
Estimate date: 09/30/2024

| #         | Product or service | Description                                                                                                                    | Qty | Rate       | Amount     |
|-----------|--------------------|--------------------------------------------------------------------------------------------------------------------------------|-----|------------|------------|
| 1.        | Sandblasted Signs  | 7'4" single sided 1.5" thick foam board sign painted the colors provided by the City. Installed on the frame built by the city | 2   | \$1,650.00 | \$3,300.00 |
| 2.        | Board Signs        | 2'4" 1/4 cbon circle city seals installed on brick colums                                                                      | 2   | \$200.00   | \$400.00   |
| Subtotal  |                    |                                                                                                                                |     |            | \$3,700.00 |
| Sales tax |                    |                                                                                                                                |     |            | \$259.00   |
| Total     |                    |                                                                                                                                |     |            | \$3,959.00 |

Accepted dateAccepted by





DATE: 9-27-24

CITY OF LUMBERTON  
MAYNOR RESOURCE CTR.

(2) 48"X90" SANDBLASTED SIGNS  
(2) 28" CITY PRINTED LOGOS  
INSTALLATION

\$5600.00  
300.00  
300.00

TOTAL

\$6200.00 + TAX

Accepted by: \_\_\_\_\_

Date: \_\_\_\_\_

**Lumberton City Council**

**Lumberton, North Carolina**



**Request for Action**

**Meeting Date:** October 7, 2024

**Originated By:** City Manager

**Submission Date:** 10/02/2024

**Subject:** Adopt a Resolution in Support of Congressional Funding for the Disaster Relief Fund (DRF)

**Summary/Background of Subject Matter:**

The Federal Emergency Management Agency (FEMA) has run out of disaster relief funding for the second year in a row. The agency, which is funded by Congress, uses the disaster relief fund to aid state and local governments in preparing and recovering from natural disasters including earthquakes, tornadoes, wildfires and hurricanes.

The DRF also provides financial assistance for the Individuals and Households Program which helps eligible disaster survivors with funding for temporary housing and other disaster-related expenses.

The City received a request from Brunswick County Commissioners seeking support (attached email) asking Boards to consider adopting the attached Resolution in support of having the Disaster Relief Fund fully (attached).

**Staff Recommendation:**

That Council consider this request and render a decision.

**Signature:**

**Department:**

**ATTACHMENTS:**

1. BP-70C45\_20241002\_094240

## Mitchell-Mcintosh, Laney

---

**From:** Mitchell-Mcintosh, Laney  
**Sent:** Thursday, September 26, 2024 7:44 AM  
**To:** Horne, Wayne  
**Subject:** FW: Disaster Relief Funding Resolution  
**Attachments:** 2024-09-23 Disaster Relief Fund Res.pdf

**From:** daralyn.spivey@brunswickcountync.gov <clerks@listserv.unc.edu>  
**Sent:** Wednesday, September 25, 2024 5:09 PM  
**To:** City and County Clerks <clerks@listserv.unc.edu>  
**Subject:** [clerks] Disaster Relief Funding Resolution

Good afternoon Clerks,

As we continue to recover in Brunswick County from PTC#8, the Brunswick County Board of Commissioners adopted and passed the attached resolution titled “ Resolution in Support of Congressional Funding for the Disaster Relief Fund, Continuance of Halted Recovery Projects, and Sufficient Provisions to Prevent Future Immediate Needs Funding” at their September 23, 2024, meeting,

The Board would like to share this with you and show our support to have the Disaster Relief Fund fully funded and backfill all projects halted due to the transition to Immediate Needs Funding and to ask your respective Boards to please consider adopting the Resolution as well.

Should your Boards decided to proceed, would you please send me a fully executed version of your document. This resolution was drafted by my Deputy Clerk LeAnn Weigand, sent to Mr. Tomares at NACo, and he had no edits for what she had put together.

Thank you for your consideration,



**Daralyn Spivey, NCCCC, CMC | Clerk to the Board**

**Brunswick County Office of the Board of Commissioners**

30 Government Center Drive NE | PO Box 249 | Bolivia, NC 28422

Phone: 910-253-2017 | Fax: 910-253-2022

Email: daralyn.spivey@brunswickcountync.gov

Website: [www.brunswickcountync.gov](http://www.brunswickcountync.gov)

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties.

---

You are currently subscribed to clerks as: [lmitchell-mcintosh@ci.lumberton.nc.us](mailto:lmitchell-mcintosh@ci.lumberton.nc.us).

To unsubscribe click here:

<https://lists.unc.edu/u?id=102526416.1c355ed452af38e055e27ccdfd5353e2&n=T&l=clerks&o=44533860>

(It may be necessary to cut and paste the above URL if the line is broken)

**Lumberton City Council**  
**Lumberton, North Carolina**



**Request for Action**

**Meeting Date:** October 7, 2024

**Originated By:** City Manager

**Submission Date:** 09/19/2024

**Subject:** Approval of New Position - Public Information Officer

**Summary/Background of Subject Matter:**

Lumberton City Council approved in the 2024-2025 budget, a Public Information Officer (PIO) position. The PIO will serve as the primary media spokesperson for the City. The recommended pay grade and starting pay for this position; depending on qualifications, would be Pay Grade 18 / with a salary range of \$52,409.59 - \$60,779.06.

**Staff Recommendation:**

That City Council approve the following:

1. Amendment to the Personnel Ordinance by adding the Public Information Officer position.
2. Approve the position of Pay Grade 18 with a Salary Range of \$52,409.59 - \$60,779.06 depending on qualifications.

**Signature:**

**Department:**

**ATTACHMENTS:**

1. PIO - Job Description

## PUBLIC INFORMATION OFFICER

### GENERAL DEFINITION OF WORK:

Performs professional work developing internal and external communications, coordinating media and citizen relations, preparing news releases, media kits, speech materials, calendars, brochures and informational documents; related work as apparent or other duties as assigned by Administration

Work is performed under the general direction of the City Manager.

### TYPICAL TASKS:

Acts as primary media spokesperson for the City, which includes on-air, print and digital outlets. Successful applicant establishes and maintains a positive working relationship with local media, elected officials, and City department heads;

Successful applicant writes, edits, photographs, prepares graphic design, and distributes information across multiple communication platforms including social media, the City's website, public presentations, and print ready press releases;

Presents a professional and positive image of the City via proactive efforts, consistent messaging, and managing internal and external communications. Coordinates community outreach, involvement, and education efforts.

Manages the City's Citizens Academy program;

Hosts video projects to inform educate internal/external audiences. Successful applicant oversees the Public Information Office budget, including contracts with outside vendors for service when needed;

Coordinates press conferences, events, tours, interviews, mailing lists and other similar activities to connect with constituents, news outlets, and community leaders;

Works with Public Safety agencies to keep the public informed during times of disaster or crisis.

Responds to inquiries, public record requests, and complex issues from City management exhibiting extraordinary professionalism, communication, and customer service techniques.

### KNOWLEDGES, SKILLS AND ABILITIES:

Successful applicant must have thorough knowledge of public relations and communications methodologies for disseminating information and publicizing programs, projects, events, services and issues; thorough knowledge of digital communication strategies, laws and best practices; considerable knowledge of the requirements of broadcast media and the ability to prepare material for their use; some knowledge of laws and policies governing the release of confidential and sensitive information; ability to communicate effectively, both verbally and in writing; ability to write and edit materials for publication and gather relevant information to resolve vaguely defined practical problems, ability to establish and maintain effective working relationships with the media, the public, City employees and other public and private agencies.

### EDUCATION AND EXPERIENCE:

Graduate Degree in Mass Communication or a related field is preferred, coursework in marketing, communications, public relations or related field and considerable experience in public relation practices, digital communications, press communications, graphic design, website best practices. Minimum of five years' experience as a public information officer, journalist, broadcast specialist, or other related field preferred. Possession of an appropriate driver's license valid in the State of North Carolina.

**Salary Range: \$52,409.59 - \$60,779.06**

**Lumberton City Council**

**Lumberton, North Carolina**



**Request for Action**

**Meeting Date:** October 7, 2024

**Originated By:** City Council

**Submission Date:** 09/20/2024

**Subject:** Approve the designation of \$100.00 of Community Revitalization Funds to Southern Sapphires Dance Company in Precinct 1

**Summary/Background of Subject Matter:**

Councilman Rising requests \$100.00 of Community Revitalization Funds to be given to Southern Sapphires Dance Company for support as they compete across NC against other dance companies.

**Staff Recommendation:**

Designate \$100.00 of CRF to the Southern Sapphires Dance Company

**Signature:**

**Department:**

**ATTACHMENTS:**

1. Southern Sapphires Letter of Request



# SOUTHERN SAPPHIRES DANCE DOLLARS

*Competition Teams of Southern Sapphires Dance Company*

POST OFFICE BOX 1891  
LUMBERTON, NC 28359

August 1<sup>st</sup>, 2024

Dear Sir/Madam:

The Southern Sapphires Competition Team members are seeking sponsors to help the teams to continue to pursue their dreams of competing across North Carolina. Our teams, ranging in ages 6 to 18, consist of 50 talented dancers from Lumberton, and surrounding communities performing as senior, teen, junior, petite, little, and tiny teams. We compete in regional and national competitions in all dance forms, including tap, jazz, ballet, lyrical, clogging, and hip hop, as well as perform in many community parades and other local events annually.

The Southern Sapphires Competition Teams that participate in competitive dance are provided opportunities to compete at different levels while receiving educational, sportsmanship and character development at competitions. Participating in dance competitions and community involvement helps these dedicated dancers, instructors, and families, shape the future of these young dancers by giving them the opportunity to develop their self-confidence, encourage teamwork, improve dance technique and skills, gain leadership abilities, represent our community in a positive and inspiring art form, and foster love and appreciation for others and community while growing in the art of dance.

Any monetary donation would be greatly appreciated and would help our teams tremendously. Our sponsors are recognized through various forms of social media, and by sponsor name printed on competition tee-shirts worn at every competition, community functions, presented on our sponsor banner used at parades, our Christmas Showcase, and listed in the program at our annual recital in June. We have the following levels of sponsorship:

**Sapphire: \$350.00 or more donation**

**Emerald: \$250.00 - \$349.00 donation**

**Ruby: \$150.00 - \$249.00 donation**

Thank you in advance for supporting Southern Sapphires Dance Company Competition Teams. Your donations are tax deductible as we are a 501(c)(3) non-profit organization. Our EIN for Southern Sapphires Dance Dollars is 82-2601160. Please make your check payable to Southern Sapphires Dance Dollars.

Sincerely,  
Southern Sapphires Dance Dollars

Please select a sponsorship category:

Sapphire \$350.00 or more

Emerald \$250.00 - \$349.00

Ruby \$150.00 - \$249.00

Sponsor Company OR Individual Name *(This will be printed on the team shirt for Sapphire, Emerald, and Ruby sponsors, on our banner, and in the recital brochure)*

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Address

Contact Person/Telephone Number/Email

To make sure your company name is on the shirt, please return your check and this form as soon as possible and before October 1, 2024. Please also attach a company card with preferred logo.

Some of our past and future training and performance events:

**Community Performances**

Fairmont Farmer's Festival Parade

Lumberton Christmas Parade

Woodhaven Nursing Home

Nascar Cup Series Southern 500 at Darlington Raceway

Biggs Park Mall

Training/Workshops

Ultimate Starz Regional 2-day workshop, King, NC

**In-house workshops**

Broadway Dance Center, NYC

Carnival Cruise Lines

Royal Caribbean Cruise Lines

Extreme Dance Challenge - Rockingham, NC

Quest Intensive

ECU Dance Team, NCSU Dance Team, UNC Dance Team Workshops

**Competitions**

NC State Wolfpack Clogging Competition – Raleigh, NC

Ultimate Starz Regional Competition – Supply, NC

Boogie Fever Regional Competition – Rock Hill, SC  
Onstage Dance Regional Competition - Supply, NC  
Dance Machine Regional Competition - Supply, NC  
Southeast Showdown Regional Competition-Myrtle Beach, SC  
Showstoppers Regional Competition – Concord, NC  
Ultimate Starz National Competition - Taylorsville, NC  
Boogie Fever Regional Competition – Rockingham, NC

*\*We, the dancers of Southern Sapphires, thank you for your continued  
support of our program.\**

**Lumberton City Council**

**Lumberton, North Carolina**



**Request for Action**

**Meeting Date:** October 7, 2024

**Originated By:** City Council

**Submission Date:** 10/04/2024

**Subject:** Approve the designation of \$200.00 to Birthing Place Ministries, 2007 Oakwood Avenue for Trunk or Treat

**Summary/Background of Subject Matter:**

Councilwoman Robinson requests \$200 of Community Revitalization Funds to be given to Birthing Place Ministries located at 2007 Oakwood Avenue in Lumberton for a Trunk or Treat.

**Staff Recommendation:**

Designate funds as indicated above.

**Signature:**

**Department:**

**ATTACHMENTS:**

None

**Lumberton City Council**

**Lumberton, North Carolina**



**Request for Action**

**Meeting Date:** October 7, 2024

**Originated By:** City Council

**Submission Date:** 10/04/2024

**Subject:** Approve the designation of \$200 of CRF to Kappa Alpha Psi Fraternity Scholarship Program

**Summary/Background of Subject Matter:**

Councilman Cantey would like to donate \$200 of CRF to the Kappa Alpha Psi Fraternity Scholarship Program that will benefit several students in their quest to enrich their lives through Education. The program is November 2 , 2024 @ 6:00 p.m. located at Lumberton Jr. High School, 82 Marion Road.

**Staff Recommendation:**

Approve the designation of \$200 to the Kappa Alpha Psi Fraternity Scholarship Program.

**Signature:**

**Department:**

**ATTACHMENTS:**

1. Teen Sweethear ScholarshipPageant 2024

THE LUMBERTON ALUMNI CHAPTER  
*of*  
KAPPA ALPHA PSI FRATERNITY, INC.  
P R E S E N T S



*Miss*

**TEEN SWEETHEART**

**- SCHOLARSHIP PAGEANT -**

**2024**

**SATURDAY, NOVEMBER 2<sup>nd</sup>**

**6:00 PM**

**LUMBERTON JUNIOR HIGH SCHOOL | 82 Marion Road | Lumberton, NC 28358**



**Lumberton City Council**

**Lumberton, North Carolina**



**Request for Action**

**Meeting Date:** October 7, 2024

**Originated By:** City Council

**Submission Date:** 10/01/2024

**Subject:**

Approve the designation of \$600 to the Lumberton Area Chamber of Commerce for a Youth Float in the Lumberton Christmas Parade in Precinct 5

**Summary/Background of Subject Matter:**

Councilman Cantey is requesting that \$600 be paid to the Lumberton Area Chamber of Commerce for the purpose of a Youth Float in the Lumberton Christmas Parade. The Christmas Parade will be Saturday, November 23, 2024.

**Staff Recommendation:**

Designate \$600 to the Lumberton Area Chamber of Commerce as stated above.

**Signature:**

**Department:**

**ATTACHMENTS:**

None

**Lumberton City Council**

**Lumberton, North Carolina**



**Request for Action**

**Meeting Date:** October 7, 2024

**Originated By:** City Council

**Submission Date:** 09/26/2024

**Subject:** Approve the designation of \$100 of CRF to Veterans of Foreign Wars Post 8969 in Support of the National Wreaths Across America Day from P7

**Summary/Background of Subject Matter:**

Councilman Chavis is requesting \$100 of Community Revitalization Funds be given to VFW Post 8969 in support of the National Wreaths Across America Day which sponsors a wreath being placed on veterans' graves at the Gardens of Faith.

**Staff Recommendation:**

Designate \$100 as indicated above.

**Signature:**

**Department:**

**ATTACHMENTS:**

1. BP-70C45\_20240926\_073615



Post Office Box 1557 Lumberton, North Carolina 28359 \* Email: [post8969@vfwnc.com](mailto:post8969@vfwnc.com)

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September 24, 2024

Ms. Laney Mitchell-McIntosh, City Clerk  
City of Lumberton  
500 North Cedar Street  
Lumberton, North Carolina 28358

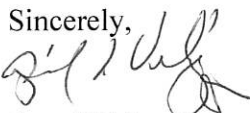
Dear Ms. Laney Mitchell-McIntosh:

We are asking if the City of Lumberton would be willing to make a donation to help support the Veterans of Foreign Wars 8969 Lumberton, in our mission with Wreaths Across America. Our mission is to remember, honor and teach. Remember the fallen. Honor those who serve and their families. Teach the future generations about the sacrifices made to preserve our freedom. This will be our seventh year of honoring this tradition in Lumberton. Our moto this year is "Live With Purpose."

What does Wreaths Across America do? Last year the Lumberton Community along with our veterans placed over one thousand wreaths during our ceremony at Gardens of Faith and Meadow Brook Cemetery. Across the country over 3 million veterans' wreaths were placed in total across the country at 4,224 participating locations. More than three million volunteers helped place wreaths, a third of whom were children. At Arlington National Cemetery specifically, the Wreaths Across America program saw 68 tractor-trailers deliver over 259,000 veterans' wreaths that were placed by nearly 35,000 volunteers. This past year over 525 truckloads of wreaths were delivered across the country by hundreds of volunteer professional truck drivers, driving donated equipment and fuel from approximately 390 carriers.

This year our ceremony will be held on Saturday, December 14<sup>th</sup>. We will have a short ceremony, which starts at Noon, followed by the placement of wreaths by our volunteers and veterans. We will be holding this ceremony at the Gardens of Faith Cemetery, located at 5190 Fayetteville Road Lumberton, North Carolina. We would be greatly honored if you, the Mayor and City Council Members were able to attend this year's event.

We want to thank the City of Lumberton for their previous support of Wreaths Across America and the Lumberton Veterans of Foreign Wars Post 8969.

Sincerely,  
  
Angel Velazquez  
Commander Post 8969

Visit us at: [www.facebook.com/VFWPost8969](https://www.facebook.com/VFWPost8969)

**Lumberton City Council**  
**Lumberton, North Carolina**



**Request for Action**

**Meeting Date:** October 7, 2024

**Originated By:** City Council

**Submission Date:** 09/26/2024

**Subject:** Approve the designation of \$100.00 for the 3rd Annual Cheer Xcel Golf Tournament

**Summary/Background of Subject Matter:**

Councilman Chavis would like to donate \$100 of Community Revitalization Funds the 3rd Annual Cheer Xcel golf tournament.

**Staff Recommendation:**

Approve the designation of \$100 of CRF to the 3rd Annual Cheer Xcel Golf Tournament.

**Signature:**

**Department:**

**ATTACHMENTS:**

1. BP-70C45\_20240926\_073615



Post Office Box 1557 Lumberton, North Carolina 28359 \* Email: [post8969@vfwnc.com](mailto:post8969@vfwnc.com)

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September 24, 2024

Ms. Laney Mitchell-McIntosh, City Clerk  
City of Lumberton  
500 North Cedar Street  
Lumberton, North Carolina 28358

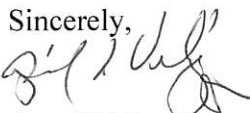
Dear Ms. Laney Mitchell-McIntosh:

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We want to thank the City of Lumberton for their previous support of Wreaths Across America and the Lumberton Veterans of Foreign Wars Post 8969.

Sincerely,  
  
Angel Velazquez  
Commander Post 8969

Visit us at: [www.facebook.com/VFWPost8969](https://www.facebook.com/VFWPost8969)

**Lumberton City Council**

**Lumberton, North Carolina**



**Request for Action**

**Meeting Date:** October 7, 2024

**Originated By:** City Council

**Submission Date:** 09/18/2024

**Subject:** Approve the designation of \$500 for Precinct 8 Community Day

**Summary/Background of Subject Matter:**

Councilman Thomas is requesting \$500 of CRF to be used for Precinct 8 Community Day held on October 19 from 11-1:00 pm, at Tanglewood Elementary School.

**Staff Recommendation:**

Designate \$500 of CRF for Precinct 8 Community Day.

**Signature:**

**Department:**

**ATTACHMENTS:**

None



**Lumberton City Council**

**Lumberton, North Carolina**



**Request for Action**

**Meeting Date:** October 7, 2024

**Originated By:** City Council

**Submission Date:** 09/18/2024

**Subject:** Approve the designation of \$250.00 of Community Revitalization Funds to the Mayfair North Association for Beautification in Precinct 8

**Summary/Background of Subject Matter:**

The Mayfair North entrance is maintained by the Mayfair North Association which was established by deed restrictions when Mayfair North was developed. I am requesting \$250.00 of CRF to be given to the Mayfair North Association for entrance beautification.

**Staff Recommendation:**

Designate \$250.00 of CRF to the Mayfair North Association for entrance beautification.

**Signature:**

**Department:**

**ATTACHMENTS:**

None

**Lumberton City Council**

**Lumberton, North Carolina**



**Request for Action**

**Meeting Date:** October 7, 2024

**Originated By:** City Council

**Submission Date:** 09/18/2024

**Subject:** Approve the designation of \$250.00 of Community Revitalization Funds to the Mayfair Homeowners Association for the Entrance Beautification in Precinct 8

**Summary/Background of Subject Matter:**

Councilman Thomas is requesting \$250.00 of CRF to be given to the Mayfair Homeowners Association for entrance beautification.

**Staff Recommendation:**

Designate \$250.00 of CRF to the Mayfair HOA for entrance beautification.

**Signature:**

**Department:**

**ATTACHMENTS:**

None