



CITY OF LUMBERTON

CITY COUNCIL

MINUTES • OCTOBER 7, 2024

Regular Meeting

Council Chambers

6:00 PM

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

I. Call to Order

A. Invocation –

Councilman Chavis

B. Pledge of Allegiance –

Led by Councilman Carroll

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

City Council, led by Councilman Cantey, presented Miss America's United States 2024 Nicole Hall with a proclamation, flowers and pinned with the City's Pride in Lumberton lapel pin. Councilman Cantey read the proclamation endorsed by City Council recognizing all her accomplishments, hardwork and dedication to learning all that she knows about nature (agriculture and farming).

III. Public Comment Period

Amy Barker/Steve Branch - Spoke in reference to code enforcement being enforced on the dilated buildings downtown.

Tommy Vickers - Spoke in reference to their purchase of the Old Fire Station. We would like Mayor Davis to say a few words at the opening ceremony of Hogtoberfest on Saturday, October 26th at 2 pm. The fire department will also be raising the flag on the old fire station as well. This is a fundraising event for the restoration of the old fire station sponsored by 219 ELM.

Kathy Carmical - Spoke in reference to parking at Jerry Giles Park by Hwy 55 employees.

Lee Pam Odom - Spoke in reference to the Electronic Gaming item on the agenda. She is against this item because she believes that it is illegal and will bring more crime into the area..

IV. Public Hearings

A. Plannning Board Minutes

B. CDBG-NR 2024 Application Public Hearing

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.

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.

No one appeared to speak and the hearing was closed.

Councilman Cantey asked Ms. Canady if she had a list of the houses. She stated yes, and they were:

715 E. 10th Street - P6
172 Coleman Street - P4
173 Coleman Street - P4
1812 Booker Street - P2
3 Alternates
35 Canal Street - P7
401 Holly Street - P6
319 Church Street- P5

C. Whitnee Roberts is requesting a Special Use Permit for a mental health, outpatient facility located at 4850 Fayetteville Road

City Attorney Moore opened the public hearing for the purpose of considering the issuance of a Special Use Permit. City Clerk Mitchell-McIntosh submitted the Affidavit of Publication showing that it was advertised in **The Robesonian**. No one appeared to speak, and the hearing was closed.

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 a public meeting and unanimously recommended City Council approve the Special Use Permit request.

Councilman Rising recused himself on the possibility of conflict of interest.

No one appeared to speak and the hearing was closed.

D. Rezoning Request for Patricio Ventura - 1003 MLK Jr. Dr.

City Attorney Moore opened the public hearing for the purpose of considering an amendment to the Land Use Ordinance by rezoning property located at 1003 MLK Jr. Dr. from R-7 (Residential Single Family/Duplex) and B-4 (Business General Commercial) to CA-M-1 (conditional zoning light manufacturing). City Clerk Mitchell-McIntosh submitted the Affidavit of Publication showing that it was advertised in **The Robesonian**.

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

Mr. Ventura, along with his interpreter, Mr. Eric Johnson, appeared before the Council to answer any questions. Councilman Canteay asked Dr. Kirchner, Planning Director; what were the reasons for the two negative votes? Dr. Kirchner stated that they did not state a reason. Councilman Canteay asked Mr. Ventura about the screening and would he agree to adding the following conditions to his Conditional Zoning request:

- To operate a paint and body shop with auto sales only;
- Wrecked vehicles must be stored in the rear of the building with an enclosed fence or solid wall (opaque screen), so as not to be visible from the public right-of-way(s) or adjoining properties. The screen shall be two (2) inches taller than the tallest pile of material and shall not be shorter than six (6) feet nor taller than twelve (12) feet in height.

Mr. Ventura was agreeable with the conditions.

Mr. Elijah Little appeared before the Council and stated that he has no problem with Mr. Ventura business. However, the City just tore down his business, but you will allow this guy to operate.

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

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

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 recommended 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.

This item was tabled.

V. Consent Agenda

A. Minutes Approval

1. September 9, 2024 Council Minutes

Council approved the minutes of September 9th, 2024, City Council meeting.

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

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 on the CAD system they know, thus further improving the response times.

Chad Deese, 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 is \$37,060.00, which will be reimbursed after completion.

The recommendation for City Council's consideration is 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 re

B. Award the Noir Street Sewer Outfall Cleaning and Inspection Bid

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.

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.

C. Lead and Copper Inventory Phase 1 Engineering Agreement

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 \$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.

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.

D. Adopt a Resolution to Apply for Phase 2 Lead and Copper Inventory Grant

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.

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. (Resolution No. 2024.10.01) nibs made part of these minutes by reference.

E. Water Plant Alum Sludge Basin Bid

The 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 are as follows: The first proposal is from McGill in the amount of \$762,000. The next lowest proposal is from Eagle Dynamic Solutions with a price of \$1,214,044. The last proposal we received is from Bio-Nomics Services. This company presented a time and material type approach with no clear project budget cap or final cost.

Public Works recommends council award the bid to McGill for the project to clean out the alum sludge basin in the amount of \$762,000.00.

Public Works Director Rob Armstrong stated that project is funded through the Water & Sewer Capital Reserve.

- F. Faith Community Christian Center Special Use Permit (SUP) for a church cemetery - 1220 Alamac Road – ETJ

Faith Community Christian Center is requesting A Special Use Permit (SUP) for a church cemetery for property located at 1220 Alamac Road

The Planning Department recommends that the 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.

- G. North Carolina Land and Water Fund Grant - Design-Build Firm Project Scope & Budget

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.

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.

- H. Approval of Lumberton Memorial Park Phase II - Bid

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 three required 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 response, the 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.

The recommendation for City Council is to award the bid for 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.

Councilman Cantey inquired about the County and Deputy City Manager Love stated that they partnered with the land and when it's time to select what will go into the park they will be part of that committee.

I. Approval of Maynor Resource Center Signage

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.

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.

Councilman Cantey reminded staff that the signage for Robert L. Jones Resource Center had not been completed.

J. Adopt a Resolution in Support of Congressional Funding for the Disaster Relief Fund (DRF)

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).

The recommendation is that the Council consider this request and render a decision.

K. Approval of New Position - Public Information Officer

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.

That City Council will 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.

L. Approve the designation of \$100.00 of Community Revitalization Funds to Southern Sapphires Dance Company in Precinct 1

Community Revitalization Funds were given as follows:

Each precinct designated \$100 and from the Mayor's discretionary fund \$200 for a total of \$1,000.00.

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

Community Revitalization Funds were designated as follows: P1 - \$100 P2 - \$200 P3 - \$100 P4 - \$200 P5 - \$200 P6 - \$200 P7 - 100 P8 - \$100 AND \$200 from the Mayor's discretionary fund for a total of \$1,400.00 in honor of Miss America's United States 2024, Miss Nicole Hall.

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

Community Revitalization Funds were given as follows: P1 - \$50 P2 - \$50 P3 - \$50 P4 - \$50 P5 - \$51 P6 - \$50 P7 - \$100 P8 - \$50 and \$50 from the Mayor's discretionary fund for a total of \$501.00

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