



CITY OF LUMBERTON

CITY COUNCIL

MINUTES • FEBRUARY 3, 2025

Regular Meeting

Council Chambers

6:00 PM

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

I. Call to Order

A. Invocation –

Led by City Attorney Holt Moore

B. Pledge of Allegiance –

Led by Eagle Scout Samuel Gibson

II. Special Recognition - Pride in Lumberton Award - Samuel Lee Gibson - Eagle Scout

Councilman Carroll along with Mayor Davis presented Samuel Lee Gibson with the Pride in Lumberton Award and a Pride in Lumberton lapel pin. Samuel Lee Gibson is 14 years old and a freshman at Dillon Christian School. He is in the Senior Beta Club, FCA, chess club and honors classes. Sam is an active member of First Presbyterian Church of Lumberton, where he is involved with youth, helping with the FISH program, Feast and Scouts. Sam started scouting as a Tiger Cub. While in Boy Scouts Troop 301, he earned 48 merit badges, well over the 21 merit badges required to become an Eagle Scout. On November 21, 2-24, Sam earned the rank of Eagle Scout. Becoming an Eagle Scout was a goal of Sam's. Sam lives his life by following the Scout Law and will go into the ministry after college.

III. Public Comment Period

No one appeared to speak.

IV. Presentation

A. Electricities - Southeast Crossroads - Carl Rees, CEcD Manager, Economic and Community Development Electricities of North Carolina - , City Manager

Mr. Carl Rees, Electricities appeared before the Council and gave the following presentation:



Lumberton Southeast Crossroads Industrial Park Smart Site®



Why is Site Development Important?

- Expanding companies prefer certified/qualified sites
- Reduces risk for companies/developers
- Increases the competitiveness of a community
- Assists in the retention of existing businesses and attraction of new businesses



What is a Smart Site®?

- A "shovel-ready" site -
- Phase 1 Environmental Assessment
 - Geotechnical Study
 - Wetlands Identification
 - Threatened and Endangered Species Identification
 - Historical and Cultural Resources Identification
 - Conceptual Site Plan
 - Development Cost Estimate
 - Marketing Video



Features of Lumberton Southeast Crossroads Industrial Park

- Intersection of I-95 & I-74
- 99 acres certified, 215 in the park
- Owned by City of Lumberton
- Plan with 4 buildings – 100,000-560,000 SF
- City-served electric service
- One tenant already located in the park

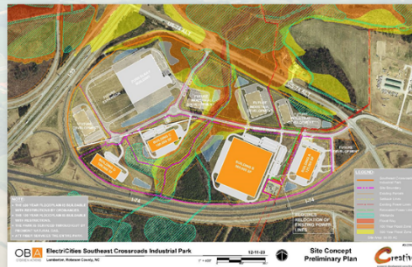


Key Assessment Findings

- A former asphalt plant area may warrant additional research before development
- Wetlands identified on the western side of site
- No findings of endangered species or historical and cultural resources



Conceptual Site Plan



Market the Smart Site®

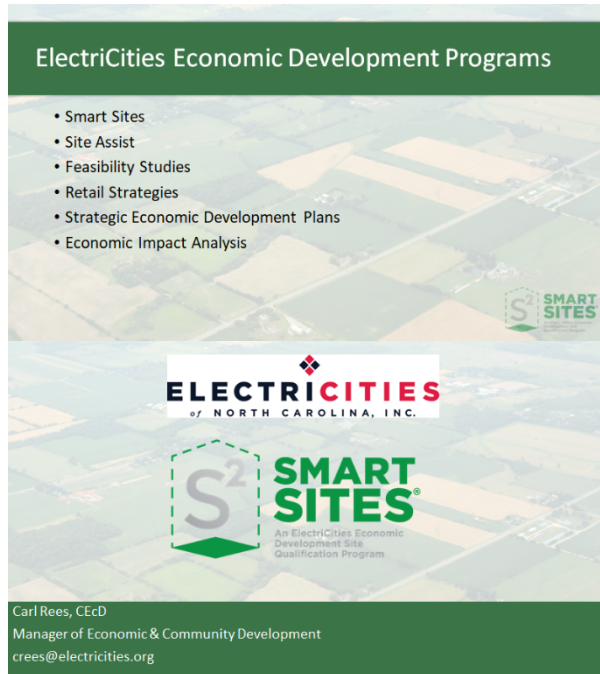
- Keep updated information with:
 - Robeson County Economic Development
 - NC's Southeast Region
 - Economic Development Partnership of NC's statewide database
- Add link on "Business" menu to Roberson County Economic Development
- Periodic social media posts
- Press release about Smart Site Certification



Next Steps

- Certify site with NC Department of Commerce
- Apply for/seek funds to grade and prepare building pads
- Study feasibility of speculative industrial building with development partners
- Explore the control or acquisition of the 'Future Development' parcels in the Preliminary Concept Plan
- Develop cost estimates and plans for relocation of the electric line needed for the concept plan





V. Public Hearings

A. Sabrina Leshore-Cummings Special Use Permit (SUP) request for Christian School-P6 - ArTriel Kirchner, Planning & Neighborhood Services

City Attorney Moore opened the public hearing to consider a special use permit for a proposed private Christian Day School at 1106 N. Water Street. City Clerk Mitchell-McIntosh entered the Affidavit of Publication showing that the meeting was advertised in *The Robesonian*.

Dr. Kircher, Planning & Neighborhood Services Director appeared before Council and stated that Sabrina Leshore-Cummings is requesting a Special Use Permit for a Christian day school, Jirehs Remnant Youth Bible Training Academy, grades K-6, operating Mon-Thurs. 8am-4pm, located at 1106 N. Water St (parcel # 322705008 & 322705006, deed book 2398, pg. 283).

Attorney Sabrina Leshore-Cummings came before the Council and presented their plans to purchase what is now known as New Bethel Church. She stated that our plan is to open Jireh's Remnant Youth Bible Training Academy this fall to 60 students in grades K-6. Many questions about parking and traffic were asked by the Council. Attorney Leshore-Cummings attempted to explain how the parking and traffic would flow; however, without a sufficient site plan, the Council could not draw a picture of

how she was explaining the parking or the traffic flow. Councilman Douglas stated that he likes the idea and I have nothing against Christian schools. However, his main concern was the parking situation.

Attorney Leshore-Cummings stated that she requested from the NC Department of Transportation statistics of the traffic flow from Carthage Road because NCDOT was not able to obtain a reading of Water Street. After a lengthy discussion, the board requested that she (the applicant) submit a site plan for next month's meeting with more specific details, particularly on the north end of the property in which a driveway, parking and playground area would be in a relatively small space.

Attorney LeShore Cummings stated that she only heard about the site plan earlier today; however, it was stated that a site plan should have been anticipated.

City Manager Wayne Horne also suggested including information on the building itself, since the school would change the use of the building. Leshore-Cummings stated that she reached out to the School of Government and found that the Board could hold a special meeting once the site plan is complete, to accelerate the process, citing the need for the students to have time to apply for scholarships before the school year. City Attorney Holt Moore stated that the time the surveyors would need to develop a site plan and for stakeholders to review and make any needed changes would likely take most of the time between Monday and next month's meeting, which is scheduled for March 3.

No one else appeared to speak, and the public hearing continued.

RESULT: Passed (8 TO 0)

MOVER: Precinct 6 Douglas

SECONDER: Precinct 5 Cantey

AYES: Leroy Rising, Melissa Robinson, John Carroll, Karen Higley, John Cantey, Alfred Douglas, Eric Chavis, Owen Thomas

ABSTAIN: None

- B. Jimmy McRae (Le Benediction, LLC) Special Use Permit for a single-family residence with accessory apartment - P8 - ArTriel Kirchner, Planning & Neighborhood Services

City Attorney Moore opened the public hearing to consider a special use permit for a single-family dwelling with accessory apartment (ADU) for property located at 3125 Wellington Road. City Clerk Mitchell-McIntosh entered the Affidavit of Publication showing that the meeting was advertised in *The Robesonian*.

Planning Director, Dr. Kirchner appeared before the Council and stated that Mr. Jimmy McRae (Le Benediction, LLC) is requesting a Special Use Permit for a single-family residence with an accessory apartment located at 3125 Wellington Road (parcel # 3201-01-046/Deed Book/Page 02227 / 0844). Dr. Kirchner stated that If this Special Use Permit is granted, the applicant must submit site development plans to the City, and other Federal and State Departments, if applicable, for review and

approval prior to development. All conditions of the Special Use Permit must be addressed prior to the issuance of a Land Use Permit and/or Certificate of Occupancy (CO).

Dr. Kirchner stated that the Planning Board, by a 6-4 vote, recommended that the City Council deny the request. She stated that the Planning staff recommends that City Council hold tonight's public hearing and make a decision regarding this request.

Mr. Jimmy McRae, appeared before the Council and gave an overview of his request. He stated that the plans for the property are to create a 2 bedroom, 1 bath, with 750 square feet of living space with a 2-car garage and an owner storage bay. Mr. McRae also stated that this could provide a deserving individual displaced by Hurricane Matthew or Florence during the 2016 / 2018 storms with affordable housing that they can call home. Many concerns were discussed, with one being that the building may not have been properly permitted. Another issue is the size of the lot and the floor space, that it is too small for an auxiliary dwelling unit to exist on the property according to the Land Use Plan and his plan for renovations would make the floor space nonconforming. . .

Councilman Thomas stated that the applicant has come to us without getting proper zoning and proper code enforcement and I don't see how we can overlook that. Mr. McRae showed Council picture of five structures that exist in the Mayfair subdivision that he believes could be auxiliary dwelling units on other properties. Dr. Kirchner stated that she has no evidence that those structures or any other structures in the Mayfair subdivision are auxiliary dwelling units. City Attorney Holt Moore stated that some of Mr. McRae's issues could be addressed with a variance and asked Mr. McRae if he would be willing to table the request for the special use permit to allow time to request a variance. Mr. McRae first stated that he was not aware of a variance; however, Dr. Kirchner read a portion of an email addressing the topic of a variance that had been presented to him at an earlier time. Mr. McRae eventually agreed to tabling this request and would pursue a variance.

RESULT: Passed (8 TO 0)

MOVER: Precinct 8 Thomas

SECONDER: Precinct 1 Rising

AYES: Leroy Rising, Melissa Robinson, John Carroll, Karen Higley, John Cantey, Alfred Douglas, Eric Chavis, Owen Thomas

ABSTAIN: None

- C. 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 & Neighborhood Services

City Attorney Moore opened the public hearing to consider a special use permit for an electronic gaming center for property located at 2720 W. 5th Street. City Clerk Mitchell-McIntosh entered the Affidavit of Publication showing that this is a

continued public hearing and that it was advertised in **The Robesonian.**

Planning Director Dr. Kirchner, stated that 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.

The applicant did not appear. City Attorney Moore stated that the law is very clear that these types of establishments cannot operate. He stated that his suggestion would be to make a motion to deny and the hearing was closed.

Councilman Chavis followed the direction of the Planning Board and the City Attorney and made a motion to deny the request.

RESULT: Passed (8 TO 0)

MOVER: Precinct 7 Chavis **to deny the request.**

SECONDER: Precinct 5 Cantey

AYES: Leroy Rising, Melissa Robinson, John Carroll, Karen Higley, John Cantey, Alfred Douglas, Eric Chavis, Owen Thomas

ABSTAIN: None

VI. Consent Agenda

- A. Minutes Approval - January 13, 2025, City Council Meeting

VII. Agenda Items

- A. Ground Power Unit for Airport - Gary Lewis, Airport

The Airport wishes to purchase a Ground Power Unit (GPU). A GPU is used by Jet Aircraft to operate on-board electronics while the jet engines are turned off. This is needed by business jets flying into Lumberton Regional Airport. This item will be purchased from budget item 65-00-8139-5565 which currently contains \$59,587.90. Cost for the unit is \$18,515.00. Robeson County will reimburse 50% of the cost. Recommend City Council approve the purchase of a GPU.

RESULT: Passed (8 TO 0)

MOVER: Precinct 1 Rising

SECONDER: Precinct 8 Thomas

AYES: Leroy Rising, Melissa Robinson, John Carroll, Karen Higley, John Cantey, Alfred Douglas, Eric Chavis, Owen Thomas

ABSTAIN: None

B. Purchase of Synology DP7400 Active Protect Appliance - Travis Branch, MIS

This is a replacement for a 10-year-old backup appliance. This is necessary due to the limitations of the the old appliance. This equipment is being purchased using the Charlotte Technology Products and Related Services contract at a cost of \$32,196.83.

MIS recommends the approval of this purchase for \$32,196.83 using the MIS Capital Budget.

RESULT: Passed (8 TO 0)

MOVER: Precinct 5 Cantey

SECONDER: Precinct 8 Thomas

AYES: Leroy Rising, Melissa Robinson, John Carroll, Karen Higley, John Cantey, Alfred Douglas, Eric Chavis, Owen Thomas

ABSTAIN: None

C. Approval of Main Street Lumberton Advisory Board Member - Sarah Ward, City Manager

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 Joe Butler as our new Advisory Board Member. Prior to Joe's 2006 employment by UNC Health Southeastern as Director of Physician/Provider Recruitment, he managed operations for Kimbrell's Furniture in Downtown Lumberton for over 23 years. During that time, he was fortunate to work with leaders of the Downtown Lumberton Association, Lumberton Economic Advancement for Downtown (L.E.A.D.), Main Street America, and the All-America City committees. Joe has always believed that the key to progressive growing communities is a strong and vibrant downtown as an anchor. Along city officials championing several associated efforts, Joe believes the Main Street Lumberton Advisory Board has enhanced our downtown through strong

leadership and diligent work. If approved to serve on the board, Joe looks forward to working with Dencie Lambdin, fellow board members, and Ms. Ward to continue the efforts to grow our downtown into all it can be. Thank you for considering Joe's interest in serving.

Joe has a vested interest in the downtown area and his enthusiasm for the City of Lumberton and downtown as well as his areas of expertise make him a great fit for the Main Street Lumberton Advisory Board.

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

RESULT: Passed (8 TO 0)

MOVER: Precinct 6 Douglas

SECONDER: Precinct 5 Cantey

AYES: Leroy Rising, Melissa Robinson, John Carroll, Karen Higley, John Cantey, Alfred Douglas, Eric Chavis, Owen Thomas

ABSTAIN: None

- D. Rosewood Drive Drainage Project Professional Services Agreement - Rob Armstrong, Public Works

In January, Council selected Anderson Engineering as the design engineer for the Rosewood Drive Drainage Project, based on the firm's qualifications. The next step is to approve the attached professional services contract with Anderson Engineering for \$78,000.

Public Works is requesting Council approval of the Rosewood Drive Drainage Project Professional Services Agreement with Anderson Engineering for \$78,000 to be paid for out of the Drainage Fund Operations Budget.

RESULT: Passed (8 TO 0)

MOVER: Precinct 2 Robinson

SECONDER: Precinct 3 Carroll

AYES: Leroy Rising, Melissa Robinson, John Carroll, Karen Higley, John Cantey, Alfred Douglas, Eric Chavis, Owen Thomas

ABSTAIN: None

- E. RFQ for Engineering Services - Riverwalk Stabilization - Rob Armstrong, Public Works

The retaining wall behind the Riverwalk has become unstable, in all likelihood due to the velocity of river flow during the floods. Staff seeks authorization to issue an RFQ for engineering services, in order to obtain a design for the re-stabilization effort. The City has received state funds which are believed by Management to be eligible for use for these purposes.

Allow staff to issue RFQ described above.

A question was asked concerning funding and Public Works Director Armstrong stated that it will be paid from State Appropriations.

RESULT: Passed (8 TO 0)

MOVER: Precinct 6 Douglas

SECONDER: Precinct 8 Thomas

AYES: Leroy Rising, Melissa Robinson, John Carroll, Karen Higley, John Cantey, Alfred Douglas, Eric Chavis, Owen Thomas

ABSTAIN: None

F. Ajay Mulchandani is requesting a Rezoning for property located on Wintergreen Drive. P-1 - ArTriel Kirchner, Planning & Neighborhood Services

Ajay Mulchandani is requesting to rezone a portion of property located off of Wintergreen Drive. This request is to increase the maximum overall height of a building from 35 feet to 60 feet.

That Council review the request, refer the petition to the February 18th, 2025 Planning Board meeting for their recommendation, and authorize the Planning Director to set the date of the public hearing.

RESULT: Passed (8 TO 0)

MOVER: Precinct 1 Rising

SECONDER: Precinct 3 Carroll

AYES: Leroy Rising, Melissa Robinson, John Carroll, Karen Higley, John Cantey, Alfred Douglas, Eric Chavis, Owen Thomas

ABSTAIN: None

G. Ajay Mulchandani is requesting a Special Use Permit for a major subdivision for property located on Wintergreen Drive. P1 - ArTriel Kirchner, Planning & Neighborhood Services

Ajay Mulchandani is requesting a Special Use Permit for a major Subdivision. This request is to subdivide the property and extend Wintergreen Drive, a public road.

Recommend that Council review the request, refer the petition to the February 18th, 2025 Planning Board meeting for their recommendation, and authorize the Planning Director to set the date of the public hearing.

RESULT: Passed (8 TO 0)

MOVER: Precinct 1 Rising

SECONDER: Precinct 3 Carroll

AYES: Leroy Rising, Melissa Robinson, John Carroll, Karen Higley, John Cantey, Alfred Douglas, Eric Chavis, Owen Thomas

ABSTAIN: None

- H. D. Locklear Bailey Rd - Special Use Permit - P1 - ArTriel Kirchner, Planning & Neighborhood Services

Devance Locklear is requesting a Special Use Permit for property located at 550 Bailey Road (parcel # 10090100501, 10090100501B, and 10090100501D/ Deed Book 2320 Page 328).

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

RESULT: Passed (8 TO 0)

MOVER: Precinct 1 Rising

SECONDER: Precinct 8 Thomas

AYES: Leroy Rising, Melissa Robinson, John Carroll, Karen Higley, John Cantey, Alfred Douglas, Eric Chavis, Owen Thomas

ABSTAIN: None

- I. Financing - 2 pumper Trucks - Hank Lewis, Finance

The Finance Department has obtained quotes for financing the 2 Pumper Trucks approved for the Fire Department. 3 quotes have been received:

Truist - 4.71%; Estimated Annual Debt Service (payment) \$191,530.57; Total Interest: \$415,305.75

Lumbee Bank - 3.98%; Estimated Annual Debt Service (payment) \$184,752.33; Total Interest: \$347,523.35

Community Leasing Partners (a Division of Community First National Bank) - 5.37%; Estimated Annual Debt Service (Payment): \$197,762.64; Total Interest: \$477,626.42

RESULT: Passed (8 TO 0)

MOVER: Precinct 3 Carroll

SECONDER: Precinct 8 Thomas

AYES: Leroy Rising, Melissa Robinson, John Carroll, Karen Higley, John Cantey, Alfred Douglas, Eric Chavis, Owen Thomas

ABSTAIN: None

- J. CDBG-NR (21) - Reconstruction Bid Awards - Brandon Love, Planning & Neighborhood Services

The Planning Department received bids on January 28, 2025, for the reconstruction of three houses under the City's 2021 Community Development Block Grant – Neighborhood Revitalization program. The bid tabulation sheet is attached for your review. Based on the Bid Tabulation Summary Sheet, it is recommended that the City award Contract 01 - 190 Starlite Drive to the lowest bidder Holland

Construction (Owner Thomas J. Holland) at the bid price of \$162,500.00; award Contract 02 - 301 McCollum Street to Faith Home Improvement & Construction, Inc (owner Frankie Demery), at the bid price of \$154,900.00, and award Contract 04 - 2008 E. 6th Street to Rescue Construction Solutions (Sheila Brewington, President) at the bid price of \$144,886.00.

The Planning Department recommends awarding contracts for the reconstruction of three houses under the CDBG-NR Revitalization Program to the lowest bidders Holland Construction Company for 190 Starlite Drive (\$162,500.00); Faith Home Improvement & Construction, 301 McCollum Street (\$154,900), and award Rescue Construction Solutions - 2008 E. 6th Street at the bid price of (\$144,886.00).

RESULT: Passed (8 TO 0)

MOVER: Precinct 5 Cantey

SECONDER: Precinct 4' Higley

AYES: Leroy Rising, Melissa Robinson, John Carroll, Karen Higley, John Cantey, Alfred Douglas, Eric Chavis, Owen Thomas

ABSTAIN: None

- K. Acceptance of CDBG-NR Grant Funding Approval and Adoption of Grant Acceptance Resolution - Wayne Horne, City Manager

The City applied for and has been awarded a CDBG-NR grant in the amount of \$950,000 to assist in the reconstruction of 4 properties in the city. In order to receive the grant award the city must accept and authorize the execution of the grant agreement and funding approval and adoption of the Grant Acceptance Resolution.

Staff recommends council accept and execution of the attached grant agreement for the CDBG-NR grant agreement and funding approval and the Grant Acceptance Resolution.

RESULT: Passed (8 TO 0)

MOVER: Precinct 5 Cantey

SECONDER: Precinct 8 Thomas

AYES: Leroy Rising, Melissa Robinson, John Carroll, Karen Higley, John Cantey, Alfred Douglas, Eric Chavis, Owen Thomas

ABSTAIN: None

- L. Award of Contract for AMI Services - Wayne Horne, City Attorney

We have received three bids for AMI services which were found to be compliant with our minimum requirements. The three were Aclara, Olameter, and Ferguson / Sensus. Staff recommends awarding the AMI contract to Aclara, as they were found to be the lowest responsible bidder. Attached are the cost comparison, and a grid showing how the three bidders fared with regard to key components.

Award the AMI contract to Aclara.

RESULT: Passed (8 TO 0)

MOVER: Precinct 1 Rising

SECONDER: Precinct 8 Thomas

AYES: Leroy Rising, Melissa Robinson, John Carroll, Karen Higley, John Cantey, Alfred Douglas, Eric Chavis, Owen Thomas

ABSTAIN: None

- M. NCDOT Offer to Purchase - Parcel No. U-5797 004Y - Holt Moore, City Attorney

NCDOT has offered to purchase a permanent drainage easement and a right of entry near the intersection of Walnut Street and Roberts Avenue as part of the Fayetteville Road project. Staff believes the \$20,000 offer is reasonable, and Public Works observed that this particular project will actually provide needed drainage features at NCDOT's expense, so it is a beneficial item.

Approve offer to purchase from NCDOT.

RESULT: Passed (8 TO 0)

MOVER: Precinct 4' Higley

SECONDER: Precinct 1 Rising

AYES: Leroy Rising, Melissa Robinson, John Carroll, Karen Higley, John Cantey, Alfred Douglas, Eric Chavis, Owen Thomas

ABSTAIN: None

- N. Request from Robeson County School Board - Replacement of Scoreboard at LJHS - Owen Thomas, City Council

Council has received a request from one of the Robeson County School Board members seeking funding to help replace the scoreboard at Lumberton Junior High School. Councilman Thomas would like to designate \$250 of Community Revitalization Funds for this cause.

Approve the designation of \$2,250.00 of CRF to the Lumberton Junior High School to help replace the scoreboard as follows: P1 - \$350 P2 - \$250 P3 - \$250 P4 - \$250 P5 - \$100 P6 - \$250 P-7 \$250 P8 - \$250 and \$300 from the Mayor's discretionary fund.

RESULT: Passed (8 TO 0)

MOVER: Precinct 8 Thomas

SECONDER: Precinct 3 Carroll

AYES: Leroy Rising, Melissa Robinson, John Carroll, Karen Higley, John Cantey, Alfred Douglas, Eric Chavis, Owen Thomas

ABSTAIN: None

VIII Closed Session

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A. Closed Session

1. Consultation with City Attorney
- Wayne Horne, City Attorney

- B. Consultation with City Attorney
- Holt Moore, City Attorney

IX. Adjournment