



CITY OF LUMBERTON
CITY COUNCIL
MINUTES • DECEMBER 8, 2014

Regular Meeting

Council Chambers

7:00 PM

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

I. CALL TO ORDER

II. ROLL CALL

Attendee Name	Title	Status	Arrived
Raymond B. Pennington	Mayor	Present	
Don Metzger	Mayor Pro Tem	Present	
John Robinson	Precinct 2	Present	
Burnis Wilkins	Precinct 3	Present	
Harry Ivey	Precinct 4	Absent	
John Cantey Jr.	Precinct 5	Present	
Robert L. Jones	Precinct 6	Present	
Leon Maynor	Precinct 7	Present	
Erich Hackney	Precinct 8	Present	
Wayne Horne	City Manager	Present	
Laney Mitchell-McIntosh	City Clerk	Present	
Holt Moore	City Attorney	Present	

III. INVOCATION

City Attorney Holt Moore

IV. PLEDGE OF ALLEGIANCE

V. RECOGNITION

A. Retirees Recognition

1. James Paul Locklear - Motor Equipment Operator IV (11 Years) –
Was unable to attend.

VI. PUBLIC COMMENT PERIOD

VII. CONSENT AGENDA

RESULT:	ADOPTED [7 TO 0]
MOVER:	John Cantey Jr., Precinct 5
SECONDER:	Don Metzger, Mayor Pro Tem
AYES:	Metzger, Robinson, Wilkins, Cantey Jr., Jones, Maynor, Hackney
ABSTAIN:	Pennington
ABSENT:	Ivey

A. Minutes Approval

1. City Council - Regular Meeting - Nov 10, 2014 7:00 PM -
2. Approval of CDBG Program Amendment - FY11 Catalyst - Lumberton Christian Care Project - Council Policy Committee
The City has recently been awarded an additional \$140,000 of CDBG funds to help enhance the budget for the construction of the LCC soup kitchen and emergency housing facility. These funds will be used to reduce LCC's loan and operating reserve funds. Recommend Council approve the submission of the CDBG program amendment and revised grant budget ordinance to be submitted to NC Department of Commerce. The required public hearing has been advertised for the December 8, 2014 Council meeting.
3. Refer the Petition for the Rezoning Request for Properties located on Harrill Road to the Planning Board for their review, and authorize the Planning Director to set the date of the public hearing. - Council Policy Committee
Fred G. Mills, Sr. has submitted a Rezoning Petition for property located on Harrill Road (parcel #1014-01-003). This request is to rezone property from R-7 (Residential Single Family/Duplex) to B-3 (Office/Residential) or R-3 (Residential/Multi-family). The applicants' intent is for the development of a multi-family apartment complex at this location.
CPC to review the request, refer the petition to Planning Board for their review, and authorize the Planning Director to set the date of the public hearing.
4. Approve the Conceptual Design for a Downtown Performance Shelter - Council Policy Committee
On August 6, 2014 the Rediscover Downtown Lumberton group (RDL) presented Council with a concept for designing and installing a permanent performance shelter on the Downtown Plaza. City Council approved the conceptual design and authorized City staff to assist with the construction documents and planning for the project. Attached are measured, working drawings for the Performance Shelter and a construction cost estimate will distributed at the CPC meeting.
RDL has a potential donor that has agreed to provide either partial or complete funding of the project pending a final cost estimate. Furthermore, grants in the amount of \$14,000 have been received from The Robeson Road Runners and ElectriCities to help construct the shelter. Finally, in-kind work provided by the Public Works Department will help to complete the footings, brickwork and retaining wall for the project. RDL is requesting that City Council approve the design and cost estimate and authorize construction of the performance shelter.

5. Adopt a Resolution Declaring Personal Property Surplus to the Needs of the City and Disposition of Said Property to be Auctioned - Council Policy Committee
Attached is a Resolution Declaring Personal Property Surplus to the Needs of the City and Disposition of Said Property to be auctioned on December 30, 2014, at Lloyd Meekins & Sons Auction Company.
Adopt a resolution declaring the personal property to be surplus to the needs of the City and authorizing disposition of the property as proposed.
6. Approve December 24, 25, & 26th as Christmas Holidays for City Employees - Council Policy Committee
The City of Lumberton Personnel Ordinance under Sec. 16-156 designates the following holidays with pay: .
 - 9.) Christmas Eve Day and Christmas Day and;
 - 10.) Any other day designated as a Christmas holiday by both the State and the County.
It is recommended that the following days be considered by Council for Christmas Holidays:
 - * Wednesday, December 24th, 2014
 - * Thursday, December 25th, 2014, and
 - * Friday, December 26, 2014.
7. Approve the designation of \$300.00 of CRF to Godwin Heights Community Watch - Council Policy Committee
Councilman Wilkins requests \$300.00 of Community Revitalization Funds for Community Watch at Godwin Heights.
Designate \$300.00 of CRF to Godwin Heights Community Watch.
8. Approve the designation of \$100.00 of CRF to M25 Hardcore Bikers for Christmas Gifts at Grace Court - Council Policy Committee
Councilman Maynor requests \$100.00 of CRF to be given to the M25 Hardcore Bikers for Christmas gifts for the underprivileged in Grace Court.
Designate \$100.00 of CRF to M25 Hardcore Bikers.
9. Approve the designation of \$350.00 of CRF to Colors of Life for the Christmas Dinner as follows: P7 - \$100.00 P2 - \$100.00 P4 - \$100.00 and P5 - \$50.00. - Council Policy Committee
Councilman Maynor requests \$100.00 of CRF to be given to Colors of Life for the annual dinner.
Designate \$350.00 of CRF to Colors of Life as follows: P7 - \$100.00 P2 - \$100.00 P4 - \$100.00 and P5 - \$50.00.
10. Approve the designation of \$100.00 to the Empty Stocking Fund from P8 - Council Policy Committee
Councilman Hackney requests \$100.00 of CRF to be given to the Empty Stocking Fund.

Designate \$100.00 to the Empty Stocking Fund.

VIII. PUBLIC HEARINGS

- A. Public Hearing - FY11 CDBG Catalyst Program Amendment - LCC – Brandon Love, Planning Director

The purpose of the public hearing is to allow the citizens an opportunity to express their views concerning the proposed amendment to the FY11 Community Development Block Grant (CDBG) Catalyst Project.

In May of 2012, the City of Lumberton received a CDBG grant from the NC Department of Commerce Division of Community Assistance. The original project scope was for construction of a new soup kitchen for Lumberton Christian Care Center (LCCC). The total grant was \$500,000 (83% of total project costs).

In 2013, Lumberton Christian Care applied for and received a \$600,000 Supportive Housing Program (funding from NC Housing Finance Agency to expand the scope of the building to incorporate another critical public service need in Lumberton—emergency shelter facilities.

The construction of the new Lumberton Christian Care soup kitchen and emergency housing facility was put out to bid twice, with it coming in over budget each time. The project was value engineered with the low bidder and the architect and we were able to secure a price of \$1,135,550.

In May of 2014 the City requested additional CDBG funds from the NC Department of Commerce. The City received \$140,000 of additional CDBG funds from the State in November, 2014, increasing the CDBG budget to \$640,000 (38% of the total project cost).

The additional CDBG funds will help reduce Lumberton Christian Care's loan and operating reserve funds.

Recommend Council conduct the required Public Hearing and approve the submission of the CDBG program amendment

Mayor Pennington opened the Public Hearing to consider the submission of the CDBG program amendment to the State for the FY11 Catalyst Program. City Clerk Laney Mitchell-McIntosh submitted the Affidavit of Publication showing that the Notice of the Hearing was advertised in The Robesonian.

No one appeared to speak.

RESULT:	ADOPTED [7 TO 0]
MOVER:	John Cantey Jr., Precinct 5
SECONDER:	Don Metzger, Mayor Pro Tem
AYES:	Metzger, Robinson, Wilkins, Cantey Jr., Jones, Maynor, Hackney
ABSTAIN:	Pennington
ABSENT:	Ivey

- B. El Zarape De Antonio, LLP request a Conditional Use Permit for property located at 2310 Capuano Road (parcel #3212-01-061-01). – Brandon Love, Planning Director

The Planning & Neighborhood Services Department received an application for a Conditional Use Permit for property located at 2310 Capuano Road (parcel #3212-01-061-01). The purpose of the CUP is to operate a restaurant in which alcoholic beverages will be served.

On November 18, 2014 the Planning Board reviewed the request and unanimously recommends that City Council approve the Conditional Use Permit request with the condition that operating hours be from 10:00 am to 11:00 pm only.

Recommends that City Council hold tonight's public hearing and approve the request and the attached Conditional Use Permit.

Mayor Pennington opened the Public Hearing to consider the issuance of a Conditional Use Permit for property located at 2310 Capuano Road. City Clerk Laney Mitchell-McIntosh submitted the Affidavit of Publication showing that the Notice of the Hearing was advertised in The Robesonian.

Norma Flores appeared before Council and stated that they wanted to operate a Mexican restaurant in this location if allowed.

Adolphus L. Turner, Jr., appeared before Council and stated that he is in support of this action.

RESULT:	APPROVED [7 TO 0]
MOVER:	Erich Hackney, Precinct 8
SECONDER:	John Cantey Jr., Precinct 5
AYES:	Metzger, Robinson, Wilkins, Cantey Jr., Jones, Maynor, Hackney
ABSTAIN:	Pennington
ABSENT:	Ivey

IX. NEW BUSINESS

A. Water Treatment Plant Filter Removal - West Quad – Council Policy Committee -- Rob Armstrong, Public Works Director

The west Filter Quad at the Water Plant is in need of filter media replacement and some other repairs as recommended by 2014 Engineering Report by Koonce, Noble and Associates, Inc. We won't know the extent of the filter repairs until the old filter media has been removed. Public Works would like to remove the old filter media early next calendar year to observe the condition of the filter bed. Further repairs may be undertaken with our staff. We asked four companies listed below to review the filter quads and present us a quote to remove the old filter media. Only two gave us a quote:

- | | |
|--------------------------------------|---|
| 1. VACTECH Services, Inc. | No Quote - 2000 s.f. minimum |
| 2. Clearfield MMG, Chesapeake, VA | No Quote - too far away |
| 3. IVAC, Fort Mill, SC | \$22,885.00 Lump Sum |
| 4. A&D Environmental, High Point, NC | \$3,550 per day + mobilization & per diem |

Since the amount of time needed to remove the media is not known, Public Works is recommending that IVAC of Fort Mills, SC be hired to perform this work.

CPC recommends that City Council grant Public Works request to hire IVAC of Fort Mills

SC to remove the old filter media in the west filter quad at the Water Treatment Plant for a lump sum of \$22,885.00 using \$10,000 designated from line item 60-00-7120-3958 of the Water Plant operating budget and transferring \$12,885.00 from the water and sewer capital reserve fund.

RESULT:	APPROVED [7 TO 0]
MOVER:	Burnis Wilkins, Precinct 3
SECONDER:	John Robinson, Precinct 2
AYES:	Metzger, Robinson, Wilkins, Cantey Jr., Jones, Maynor, Hackney
ABSTAIN:	Pennington
ABSENT:	Ivey

B. Engineering Services for the WWTP Generator Upgrade – Council Policy Committee -- Rob Armstrong, Public Works Director

The US Environmental Protection Agency has mandated that all large on-site standby power generators meet a new exhaust emission standard. The large generators at the Wastewater Treatment Plant do not currently meet the new standard. While upgrading the exhaust system, Public Works would like to update the automatic transfer switches so the generators can be used for regular peak shaving load management as well as emergency standby. The first phase of the generator upgrades will be to generate engineering specifications and drawings that can be used by contractors to bid on the installation of the improvements. Linda Oxendine and Lamar Brayboy have vetted engineering companies that offer this specialized service and have recommended Power Services of Raleigh, NC to design the generator upgrades. Their proposed scope of work and proposed fee of \$9,200. The total project including design and construction has been funded in this Fiscal Year water and sewer capital budget.

CPC recommends that Council authorize Power Services of Raleigh NC to design the WWTP generator upgrades for \$9,200 which will be paid for by funds allocated in the water and sewer capital budget code 60-00-8221-5960.

RESULT:	APPROVED [7 TO 0]
MOVER:	John Robinson, Precinct 2
SECONDER:	Don Metzger, Mayor Pro Tem
AYES:	Metzger, Robinson, Wilkins, Cantey Jr., Jones, Maynor, Hackney
ABSTAIN:	Pennington
ABSENT:	Ivey

C. Server and Storage Area Network Infrastructure Upgrade – Council Policy Committee -- Travis Branch, MIS Director

The City's core servers and Storage Area Network are approaching their end of life. MIS has received proposals for the upgrade of our core servers and Storage Area Network by way of the RFP process. They are as follows:

ITI Communications	\$95,637.79
RMSource	\$129,917.24
NWN	\$138,371.72

MIS recommends ITI Communications as the winning bidder for the equipment purchase and installation services at the cost of \$95,637.79.

RESULT:	APPROVED [7 TO 0]
MOVER:	Don Metzger, Mayor Pro Tem
SECONDER:	John Cantey Jr., Precinct 5
AYES:	Metzger, Robinson, Wilkins, Cantey Jr., Jones, Maynor, Hackney
ABSTAIN:	Pennington
ABSENT:	Ivey

- D. Approve the designation of \$200.00 of CRF to Colors of Life in P6 – Council Policy Committee -- Robert Jones, Precinct 6
Councilman Jones requests \$200.00 of CRF to be given to Colors of Life for a Christmas Dinner.
Designate \$200.00 of CRF to Colors of Life for a dinner.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Cantey Jr., Precinct 5
SECONDER:	Leon Maynor, Precinct 7
AYES:	Pennington, Metzger, Robinson, Wilkins, Cantey Jr., Jones, Maynor, Hackney
ABSENT:	Ivey

X. ADJOURNMENT