CITY OF LUMBERTON

CITY COUNCIL

MINUTES ● DECEMBER 7, 2022

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	Mayor Pro Tem	Excused	
John Cantey	Precinct 5	Present	
Chris Howard	Precinct 6	Present	
Eric Chavis	Precinct 7	Present	
Owen Thomas	Precinct 8	Present	
Wayne Horne	City Manager	Present	
Brandon Love	Deputy City Manager	Present	
Holt Moore	City Attorney	Present	
Laney Mitchell-McIntosh	City Clerk	Present	

B. Invocation: City Attorney Holt Moore –

C. Pledge of Allegiance: Led by Mayor Davis –

D. Retirees' Recognition –

1. James L. Atkinson - Police Captain - 23 years of service –
2. John M. Lynch - Police Lieutenant - 22 years of service –
3. Deana M. Locklear - Corporal Detective - 23 years of service –
4. Bonita Fletcher - Maintenance Work IV - 25 years of service –
5. Julia M. Bullock - Risk Manager - 20 years of service. –
6. Dera L. Bledsoe - Executive Secretary - 20 years of service. –
7. Sharon B. Oxendine - Tax Collector - 17 yers of service. –

II. RECOGNTION OF LUMBERTON JR. HIGH FOOTBALL TEAM

Mayor Davis and Councilmen John Cantey and Chris Howard recognized the Lumberton Junior High School football team for their achievements during the 2022 football season. The entire team along with their coaches appeared before City Council and received a Pride in Lumberton award and the certificates.

City Council also designated community revitalization funds to the team for much new equipment. On a motion by Councilman Cantey and seconded by Councilman Howard, agenda item 5.J. was approved with the following designation:

P1 - $250 P2 - $250 P3 - $250 P4 - $250 P5 - $250 P6 - $250 P7 - $250 P8 - $250 and from the Mayor's Discretionary Fund - $250 for a total of $2,250.

III. PUBLIC COMMENT PERIOD: NO ONE SIGNED UP TO SPEAK.

IV. PUBLIC HEARING:

Planning Board Minutes for Nov. 15th, 2022 – ArTriel Kirchner, Planning Director
Planning Board Minutes from the November 2022 meeting for review.
<< Recommendation >>

RESULT:	**NOT APPLICABLE**

A. NLA Acquisitions, LLC. is requesting a conditional rezoning to construct a restaurant on two (2) adjacent lots located Roberts Avenue – ArTriel Kirchner, Planning Director
NLA Acquisitions, LLC. is requesting a Conditional Rezoning to construct a restaurant (Highway 55) on two (2) adjacent lots located Roberts Avenue (parcel #?s 3206-01-008 and 3206-01-009). The requested zone is CZ?B?4 (restaurant use only).
The planning staff recommends that City Council hold today's public hearing, and approve this conditional rezoning request.

Mayor Davis opened the public hearing to consider an amendment to the Land Use Ordinance by issuing a conditional rezoning for property located on Roberts Avenue and Walnut Street to construct a restaurant, particularly Highway 55. City Clerk McIntosh presented Council with an affidavit showing that it was advertised in **The Robesonian.**

Councilman Rising asked to be recused in this matter because of a conflict of interest and on a motion by Councilman Cantey and second of Councilman Thomas, the motion was unanimously approved.

Thomas Neville, attorney representing the applicant appeared before Council and gave a presentation of the rezoning request. Mr. Stan Figlewski also appeared to speak on behalf on the rezoning. With no questions or any comments, the hearing was closed.

City Attorney Moore asked Council whether they have considered the Land Use Plan and considered all the uses for the property. It was the consensus of City Council that they had considered the Land Use Plan and all the uses for the property.

With that said, the request for conditional rezoning for property located on Roberts Avenue and Walnut Street was approved for rezoning.

RESULT:	**APPROVED [6 TO 0]**
MOVER:	John R. Carroll, Precinct 3
SECONDER:	John Cantey, Precinct 5
AYES:	Robinson, Carroll, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Higley
RECUSED:	Rising

V. AGENDA ITEMS

A. Minutes Approval

A. City Council - Regular Meeting - Nov 2, 2022 11:00 AM –

RESULT:	**ACCEPTED [7 TO 0]**
MOVER:	John Cantey, Precinct 5
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Higley

B. Approval to designate Airport 1984 Truck as surplus for auction – Gary Lewis, Airport Manager

The Airport recently purchased a new Chevrolet Silverado to replace an existing 1984 Chevrolet truck. The Airport wishes to sell the 1984 truck at the December 27th auction to be held at Lloyd Meekins & Sons Auction Company. The Airport is asking the Council to declare the 1984 Chevrolet truck as surplus property.

Approve designating the 1984 Airport Chevrolet truck as surplus property.

RESULT:	**APPROVED [7 TO 0]**
MOVER:	Owen Thomas, Precinct 8
SECONDER:	Leroy Rising, Precinct 1
AYES:	Rising, Robinson, Carroll, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Higley

C. Approval of Additional Airport Grant Local Match Funding - New Fuel Farm – Gary Lewis, Airport Manager

Attached you will find the latest grant award letter the Airport has received from the NC Division of Aviation and the Board of Transportation. The award is in the amount of $306,000 for additional funds for a new Fuel Farm at the Airport. There is also a requirement for a local match of $34,000.

During the September 7th City Council meeting, the Airport requested and was approved $23,000 for a shortfall in our projected local match cost. On the 27th of September, we held our bid for the new Fuel Farm and all bids were too high. The low bid was $326,000 over our projected cost and money approved for the project. In October the Airport requested additional funding from the NC Division of Aviation. The additional funds were approved on November 3rd by the NC Board of Transportation.

With the approved additional funds, an additional local match is required in the amount of $34,000. This will be shared between the City and County ($17,000 each).

The Airport Commission has awarded the contract to the lowest bidder (Browe Construction Company Inc, Selma NC) contingent on the approval of the local match.

That Council approve the additional local match funding and approve the attached budget amendment for a new fuel farm for the Airport.

RESULT:	**APPROVED [7 TO 0]**
MOVER:	Leroy Rising, Precinct 1
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Higley

D. Water Plant Pulsator Blowers – Rob Armstrong, Public Works Director
The City of Lumberton Water Treatment Plant has 6 blowers for the pulsators that are critical to the operation of the plant. 1 Blower is newer, 1 has failed and the remaining 4 are original to the plant from 1992 and on the verge of failing. Public Works has received a quote from the original manufacture of the blowers to replace the 5 old blowers at a cost of $63,215.00. These have to purchased from this vendor due to the application and specification of the blowers.
Public Works recommends council approval to purchase the 5 pulsator blowers for the Water Treatment Plant for the total amount of $63,215.00 from Lewis Systems & Service Co. Public Works is recommending funds for this purchase to be made by re-allocating funds from the capital project of the East filter Quad Piping in the amount of $30,000.00 (60-00-8220-5960). Also by re-allocating $4,451.76 in savings for other capital projects within the water and sewer fund that have come in under budget: 50 hp Tractor $3,476.53 (60-00-8330-5560), Incubator for lab $567.55 (60-00-8329-5360), and Aerator for WWTP $407.68 (60-00-8330-5560). Public Works recommends that the remaining $28,763.24 be paid from the Water and Sewer Capital Reserve Fund.

RESULT:	**APPROVED [7 TO 0]**
MOVER:	John Cantey, Precinct 5
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Higley

E. Samplers for Lab and Waste Water – Rob Armstrong, Public Works Director
This request is for non-budgeted items that Public Works now feels need to be purchased.

The City lab operates multiple portable and permanent samplers for collecting waste water and pre-treatment samples. These are composite samplers that run for a period of time collecting a continuous sample rather than a 1 time grab sample. These samplers are critical to the operation of the Waste Water Treatment Plant and the City's ability to accurately bill the industries that send waste water to the plant. These samplers are a single source type of item so as to keep the same kinds of equipment as are currently in use and to ensure that parts will work across all equipment.

Public Works recommends council approval for the purchase of 2 permanent and 2 portable samplers for use with the Waste Water Treatment Plant and the Lab from ClearWater Inc. in the amount of $30,824.00. Funds to purchase these non-budgeted items would come from savings realized in the purchase of other capital items this budget year. The amounts being $3,932.71 in savings from the 6" godwin pump (60-00-8332-5560), $3,252.00 in savings from Ed's Tire LS pump (60-00-8332-5960), $1,461.00 in savings from the lawn mower (60-00-8220-5560), $4,821.81 in savings from the Lovette rd/pines LS pumps (60-00-8332-5960), $6,304.16 in savings from the 90hp influent pump (60-00-8330-5560), $6,400.00 in savings from the hidrostall pump (60-00-8330-5560), and $4,652.32 in savings from the floating aerator (60-00-8330-5560).

RESULT:	**APPROVED [7 TO 0]**
MOVER:	John R. Carroll, Precinct 3
SECONDER:	Melissa Robinson, Precinct 2
AYES:	Rising, Robinson, Carroll, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Higley

F. Approval of SCBA fill system for Station 1 and purchase of SCBA fragmentation cabinet for Station 2. – Chris West, Fire Chief

The Lumberton Fire Department requested funding in the 2022 capital budget to replace a 1994 SCBA fill station due to the units age and undependability. $80,000 was approved to replace the unit with a new system and relocate the fill bottles to a substation. The fire department solicited bids for a cascade unit, fragmentation cabinets, air bottles, and warranty contract with three vendors. Atlantic Emergency Solutions submitted a bid of $74, 654.70 (plus freight), Star Air Systems submitted a bid of $84312.98 (plus freight), and Safe Air Systems submitted a bid of $74,766.50 (not including additional bottles).

The Fire Department would like to request that the bid be awarded to Atlantic Emergency Solutions in the amount of $74,654.00 (plus freight) for a cascade system for Station 1 and a fragmentation cabinet for Station 2. Atlantic provided the lowest bid of all the vendors. The bid also includes with a 5-year warranty and free installation of the units.

RESULT:	**APPROVED [7 TO 0]**
MOVER:	Chris Howard, Precinct 6
SECONDER:	Eric Chavis, Precinct 7
AYES:	Rising, Robinson, Carroll, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Higley

G. Approve the Ratification of Telephone Poll for the Children of DSS of Behalf of Pastor Ron Barnes (Deceased) – Wayne Horne, City Manager

On Thursday, November 3, 2022, City Clerk Laney Mitchell-McIntosh, was instructed to conduct a telephone poll for the purpose of designating Community Revitalization Funds on behalf of Pastor Ron Barnes who before passing vowed to raise $100,000 for the foster children at DSS. Councilman Chavis requested to give $500 of Community Revitalization Funds for this cause. Funds were allocated as follows:

P1 - $100
P2 - $100
P3 - $100
P4 - $100
P6 - $50
P7 - $500
P8 - $100
Mayor's Discretionary Funds - $100 for a total of $1,150.00.
That City Council ratify the unanimous vote approving $1,150 of CRF to DSS on behalf of Pastor Ron Barnes.

RESULT:	**APPROVED [7 TO 0]**
MOVER:	Chris Howard, Precinct 6
SECONDER:	Eric Chavis, Precinct 7
AYES:	Rising, Robinson, Carroll, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Higley

H. Approve the Ratification of Telephone Poll to Purchase a Vehicle for the Airport – Wayne Horne, City Manager

On Wednesday, November 30, 2022, City Clerk Laney Mitchell-McIntosh, was instructed to conduct a telephone poll for the purpose of designating Community Revitalization Funds for the Senior Citizens' Sharing and Caring event sponsored by Representative Charles Graham. Funds were allocated as follows:

P1 - $250

P2 - $100

P3 - $150

P4 - $250

P5 - $50

P6 - $50

P7 - $250

P8 - $50 for a total of $1,150.00.

That City Council ratify the unanimous vote approving $1,150 of CRF to the Robeson County Senior Citizens' Sharing and Caring Program.

RESULT:	**APPROVED [7 TO 0]**
MOVER:	Chris Howard, Precinct 6
SECONDER:	Eric Chavis, Precinct 7
AYES:	Rising, Robinson, Carroll, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Higley

I. Appointment of Ms. Angela Jones to the Planning Board to Replace Mr. Frank Clawson – Melissa Robinson, Precinct 2
Councilwoman Robinson would like to appoint Ms. Angela Jones, HR Director for Robeson County to the Planning Board to replace Mr. Frank Clawson who resigned in Precinct 2.
Accept the Appointment of Ms. Angela Jones to the Planning Board.

RESULT:	**APPROVED [7 TO 0]**
MOVER:	Melissa Robinson, Precinct 2
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Higley

J. Approve the Designation of $250 of CRF to Lumberton Jr. High School Football Team – John Cantey, Precinct 5
Councilman Cantey requests $250 of Community Revitalization Funds be designated to Lumberton Jr. High School Football Team.
Designate $250.00 of CRF as indicated above.

P1 - $250 P2 - $250 P3 - $250 P4 - $250 P5 - $250 P6 - $250 P7 - $250 P8 - $250 and from the Mayor's Discretionary Fund - $250 for a total of $2,250.

RESULT:	**APPROVED [7 TO 0]**
MOVER:	John Cantey, Precinct 5
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Higley

K. Approve the Designation of $96.30 of CRF for the Mayfair Luminary Event to Sign City – Owen Thomas, Precinct 8

Councilman Thomas would like to designate $96.30 of CRF for the Mayfair Luminary Event to be paid to Sign City.
Designate $96.30 to the Mayfair Luminary Event. Check payable to Sign City.

RESULT:	**APPROVED [7 TO 0]**
MOVER:	Owen Thomas, Precinct 8
SECONDER:	Eric Chavis, Precinct 7
AYES:	Rising, Robinson, Carroll, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Higley

L. Approve the designation of $300.00 of Community Revitalization Funds to Borderbelt Aids Resources Training (BART) Fundraising Event for Christmas – Eric Chavis, Precinct 7
Councilman Chavis would like to donate $300.00 to BART Fundraising event for Christmas.
Designate $300.00 of CRF to BART for Christmas event.

Funds were donated as follows:

P1 - $ 100
P2 - $50
P3 - $100
P4 - $100
P5 - 50
P6 - $50
P7 - $300
P8 - $50 for a total of $800.

RESULT:	**APPROVED [7 TO 0]**
MOVER:	Eric Chavis, Precinct 7
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Higley

M. Acceptance of the NC Dot Project B-5985 to replace bridge #770125 over Lumber River on NC 41/72 and bridge #7770175 over Lumber River on SR 1600 – Greg Prevatte, Electric Utilies Director
The City of Lumberton Electric Utilities is responsible for the utility relocation on project B-5985. The utility relocation will be performed by contractors. River City Construction Company has been awarded the bid and all material have been purchased for this project. The NC DOT will reimburse the City an estimated $122,416.36 for the contracted labor and material after the completion of this project.
The City of Lumberton Electric Utilities Department recommends allow River City Construction Company (who was the lowest bidder for this project) to start the relocation of the new distribution circuit around W 5th St. bridge and across the Lumber River so DOT can replace these 2 bridges.

RESULT:	**APPROVED [7 TO 0]**
MOVER:	Chris Howard, Precinct 6
SECONDER:	Eric Chavis, Precinct 7
AYES:	Rising, Robinson, Carroll, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Higley

N. Approval of EPA Brownfields Grant Administrative Consultant – Brandon Love, Deputy City Manager

Over the last three years the City of Lumberton has applied for an EPA Brownfields Assessment grant for the identification and evaluation of potential brownfield locations with the corporate limits. Fortunately, our application was accepted this year and a grant award of $500,000 has been approved. Staff has since advertised a public Request for Qualifications (RFQ) for grant administration services and received three responses. Attached you will find staff evaluations of the RFQ submissions.

Compensation for these services shall be determined as provided in the EPA grant guidelines and shall be paid for by the Brownfields Assessment grant. Based on the evaluation criteria set forth in the RFQ, staff is recommending that City Council award the grant administration to Terracon Consultants, Inc.

RESULT:	**APPROVED [7 TO 0]**
MOVER:	Leroy Rising, Precinct 1
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Higley

O. Adopt a Resolution Authorizing Staff to Submit an NCDOT - Integrated Mobility Division Paved Trails and Sidewalk Feasibility Study Grant Application – Brandon Love, Deputy City Manager

Janet Robertson, Transportation Planner with the Lumber River RPO, notified staff of a potential grant opportunity through NCDOT’s Integrated Mobility Division for a paved trails and sidewalk feasibility study. The City’s contact(s) at the NCSU Coastal Dynamics Design Lab reviewed a webinar regarding submission of the grant application and have recommended that the paved portions of the Lumberton Loop trail would be a good candidate project for this grant opportunity. Grant amounts will range from $60,000-$120,000, and will depend on the complexity of the project. No local match is required, although the City should be able to leverage existing EEG and BRIC grants in order to make our submission more competitive. Applications are due on January 9th and require a City Council resolution of support be included with the application.

Approve the attached resolution of support for the grant application.

RESULT:	**APPROVED [7 TO 0]**
MOVER:	Leroy Rising, Precinct 1
SECONDER:	John R. Carroll, Precinct 3
AYES:	Rising, Robinson, Carroll, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Higley

P. Approve the designation of $100 to the Lumberton Police Association for Christmas Breakfast – Owen Thomas, Precinct 8
Councilman Thomas requests $100 of CRF to be given to the Lumberton Police Association for Christmas breakfast.
Approve the designation of $100 to the Lumberton Police Association for Christmas breakfast.

Funds were designated as follows:

P1- $100
P2 - $100
P3 - $100
P5 - $50
P6 - $50
P7 - $100
P8 - $100 for a total of $600.

RESULT:	**APPROVED [7 TO 0]**
MOVER:	Owen Thomas, Precinct 8
SECONDER:	Eric Chavis, Precinct 7
AYES:	Rising, Robinson, Carroll, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Higley

VI. ADJOURNMENT

With no further business to come before the Board, the meeting was adjourned.