



CITY OF LUMBERTON
COUNCIL POLICY COMMITTEE / CITY COUNCIL
MINUTES • DECEMBER 6, 2017

Regular Meeting

Council Chambers

11:00 AM

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

I. INVOCATION

Attendee Name	Title	Status	Arrived
Bruce W. Davis	Mayor	Present	
Leroy Rising	Precinct 1	Present	
John Robinson	Mayor Pro Tem	Present	
Burnis Wilkins	Precinct 3	Present	
Karen Higley	Precinct 4	Present	
John Cantey Jr.	Precinct 5	Present	
Chris Howard	Precinct 6	Present	
Leon Maynor	Precinct 7	Present	
Erich Hackney	Precinct 8	Present	
Wayne Horne	City Manager	Present	
Holt Moore	City Attorney	Present	
Laney Mitchell-McIntosh	City Clerk	Present	

II. ITEMS FOR COUNCIL POLICY COMMITTEE CONSIDERATION

III. MINUTES APPROVAL

A. Council Policy Committee / City Council - Regular Meeting - Mar 8, 2017 11:00 AM –

RESULT:	ACCEPTED [8 TO 0]
MOVER:	John Cantey Jr., Precinct 5
SECONDER:	Leon Maynor, Precinct 7
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney
ABSTAIN:	Davis

IV. AGENDA ITEMS

A. 911 Fund Contract Approval – Bill French, Emergency Services Director
The following two items are part of the \$333,311.17 911 Fund budget for the 911 Backup Center previously approved by Council on August 9, 2017. Both will require Council approval due to the dollar amounts. They are:

1. AT&T V-Viper 911 Call Handling Solution:	\$100,116.00
2. Motorola MIP-5000 Radio Consoles (3)	<u>\$ 85,816.32</u>
	\$185,932.32

As previously stated, both these items are 911 Fund eligible expenses, so no General or Capital funds were used.

Recommend approval so items may be placed on order for the 911 Backup Center.

RESULT:	APPROVED [8 TO 0]
MOVER:	Leon Maynor, Precinct 7
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney
ABSTAIN:	Davis

B. Purchase of a 2018 F-250 – Lamar Brayboy, Electric Utilities Director

The Electric Utilities Department seeks approval to purchase a 2018 F-250 Ford pickup truck from Capital Ford through NC State contract 070A. This truck will replace truck # 217, a 2008 F-250 Ford truck with 133,000 miles. This purchase was approved in the 2017-2018 budget in our Capital Code 63-00-8420-5463. The total amount of this purchase is \$35,953.00

Staff is requesting Council approval to purchase a 2018 F-250 Ford pickup truck from Capital Ford through the NC State Contract 070A in the amount of 35,953.00.

RESULT:	APPROVED [8 TO 0]
MOVER:	Leon Maynor, Precinct 7
SECONDER:	John Cantey Jr., Precinct 5
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney
ABSTAIN:	Davis

C. Installation of Stop Signs - Intersection of High Street and Glisson Street – Michael McNeill, Police Chief

Councilwoman Higley is requesting the approval of a four-way stop at the intersection of High Street and Glisson Street. We have had several accidents at this location and the erection of the stop signs could resolve this issue.

Approve the recommendation that stop signs be erected at the intersection of High Street and Glisson Street.

RESULT:	APPROVED [8 TO 0]
MOVER:	Burnis Wilkins, Precinct 3
SECONDER:	John Robinson, Mayor Pro Tem
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney
ABSTAIN:	Davis

D. Consideration of 1-side-of-street parking E. 8th St., E. 10th St. – Holt Moore, City Attorney

Councilman Cantey would like Council to consider allowing parking only on the south side of E. 8th Streets and E. 10th Streets between Cedar and Willow Streets. The concern prompting this request is that currently, cars are parked on both sides of the streets, leaving only one lane, and making for an unsafe situation when cars are trying to travel in opposite directions in those areas. Chief McNeill has no objection to this proposal. There is off-site parking on a number of those properties. A map with the subject areas marked in red is attached.

Consider this parking proposal.

RESULT:	APPROVED [8 TO 0]
MOVER:	John Cantey Jr., Precinct 5
SECONDER:	Erich Hackney, Precinct 8
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney
ABSTAIN:	Davis

- E. Snake Solar, LLC Conditional Use Permit petition for property located at 2399 Snake Road.
– Brandon Love, Planning Director

Snake Solar, LLC has submitted a Conditional Use Permit petition for property located at 2399 Snake Road. This request is to allow for the operation of a commercial solar farm (use #17.200-community or regional utility facility) at this location. This property is zoned M-1 (light manufacturing) and requires a Conditional Use Permit.

A Conditional Use Permit was granted for this use and property on February 8, 2016. However, the permit expired; therefore, they are reapplying.

This property is located within Area 4, as identified in our Land Use Plan.
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.

RESULT:	APPROVED [8 TO 0]
MOVER:	Burnis Wilkins, Precinct 3
SECONDER:	Leon Maynor, Precinct 7
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney
ABSTAIN:	Davis

- F. Full Gospel Tabernacle, Inc. Rezoning petition for property located at 104 Carolina Avenue.
– Brandon Love, Planning Director

Full Gospel Tabernacle, Inc. has submitted a Rezoning petition for property located at 104 Carolina Avenue (parcel #'s 3239-04-011; 3239-04-011-01; 3239-04-012; 3239-04-012-01/Deed Book 1174 Page 415; Deed Book 1174 Page 417; Deed Book 1963 Page 206; Deed Book 1963 Page 206). This request is to rezone the properties from M-1, light manufacturing and B-4, business general commercial to R-7, residential single family/duplex.

This property is located within Area 6, as identified in our Land Use Plan.
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.

RESULT:	APPROVED [8 TO 0]
MOVER:	Karen Higley, Precinct 4
SECONDER:	Burnis Wilkins, Precinct 3
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney
ABSTAIN:	Davis

- G. Christmas Holiday Schedule – Wayne Horne, City Manager
The City of Lumberton Personnel Ordinance Sec. 16-165 designates the following holidays

with pay for the City employees; Christmas Eve and Christmas Day, and

- Sec. 10 – Any other day designated as a Christmas Holiday by both the State and the County.
- Sec. 11 – Any other day designated by the City Council

Recommend that City Council review the following dates and approve a vacation schedule for City Employees:

- Monday, Dec. 24th, Christmas Eve and Tuesday, Dec. 25th, Christmas Day
- Wednesday, Dec. 27th, approved by County and State as holiday
- Thursday, Dec. 28th, approved by the County as a holiday (Employee required to take vacation or leave without pay).
- Friday, Dec. 29th, approved by the County as a holiday. (Employee required taking vacation or leaving without pay).

The City of Lumberton will be closed the week of Christmas Monday, December 24th – December 29th, 2017. Lumberton City employees will be required to use vacation to cover December 28th and 29th, or take the time off with no pay.

RESULT:	APPROVED [8 TO 0]
MOVER:	Erich Hackney, Precinct 8
SECONDER:	John Cantey Jr., Precinct 5
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney
ABSTAIN:	Davis

H. January's Meeting Schedule – Wayne Horne, City Manager

The January CPC Meeting is scheduled for Wednesday, January 3rd. The City Council Meeting that follows is on the calendar for Monday, January 8th. The issue that we have encountered is that staff will be on Christmas vacation the week of December 25th, the week that we would normally prepare the agenda.

The following dates are provided for council consideration for the January meeting;

- Monday, January 8th – City Council meeting no CPC Meeting could be scheduled at 11:00 am. Or 6:00 p.m.
- Wednesday, January 10th – CPC/City Council Meeting combined, meeting time 11:00 a.m.

NOTE: Monday, January 15th is a holiday.

The meeting schedule was changed to reflect January 10th, 2017, at 11:00 as the City Council meeting for January.

RESULT:	APPROVED [8 TO 0]
MOVER:	Leon Maynor, Precinct 7
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney
ABSTAIN:	Davis

I. Adopt a Resolution Declaring Personal Property Surplus to the Needs of the City Authorizing Disposition of the Property as Allowed by Law – Holt Moore, City Attorney

Attached is a Resolution Declaring Personal Property Surplus to the Needs of the City

Authorizing Disposition of the Property as allowed by law.
Adopt the resolution declaring the personal property to be surplus to the needs of the City and authorizing disposition of the property as allowed by law.

RESULT:	APPROVED [8 TO 0]
MOVER:	Erich Hackney, Precinct 8
SECONDER:	Burnis Wilkins, Precinct 3
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney
ABSTAIN:	Davis

V. DESIGNATION OF CONSENT/NON-CONSENT ITEMS

VI. RECESS MEETING

CITY COUNCIL MEETING

I. CONSENT AGENDA

II. PUBLIC COMMENT PERIOD

III. PUBLIC HEARINGS:

A. 2369 Public Hearing to Amend various sections of the Land Use Ordinance pertaining to Electronic Gaming Operations – Holt Moore, City Attorney
Last month the Council Policy Committee considered an ordinance to address electronic gaming and recommended that Council pass the ordinance. The changes and improvements discussed at that meeting have been made. Because the ordinance would be a change to Chapter 35 of the City Code (land use), advertisements and a public hearing are required, and there was not time to advertise for a hearing between the November CPC meeting and the November Council meeting. The advertisements have now taken place and the matter is ripe for consideration by Council.

It is the recommendation of the City Attorney that Council pass the revised ordinance. That City Council hold the public hearing and consider the ordinance and pass if deemed appropriate.

RESULT:	APPROVED [8 TO 0]
MOVER:	Erich Hackney, Precinct 8
SECONDER:	Leroy Rising, Precinct 1
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney
ABSTAIN:	Davis

B. 2363 : Bob Billingsley requests a contiguous annexation of property located at NC Hwy 6762 NC 41 HWY E (parcel #2901-01-001-12) – Brandon Love, Planning Director
The Planning & Neighborhood Services Department received an application for a contiguous annexation from Bob Billingsley requesting that property located at 6762 NC HWY 41 E,

being Parcel # 2901-01-001-12/deed book 02000 page 0073, be annexed into the City of Lumberton.

The property is currently zoned City of Lumberton B-7 (general commercial/mobile home sales) therefore rezoning the property is not required.

-On November 20, 2017 the Planning Department sent out letters to the adjacent property owners within 150 feet of the petitioned property, notifying them of the annexation request.

-On November 20, 2017 a request was sent to Public Works Department to have a sign placed on the property, notifying the adjacent property owners of the rezoning request, on or before November 22, 2017.

-On November 22, 2017 a request was sent to the Robesonian to have the legal ad for this request ran on November 24, 2017 and December 1, 2017.

Recommend that City Council hold the public hearing and approve the annexation request.

RESULT:	APPROVED [8 TO 0]
MOVER:	Burnis Wilkins, Precinct 3
SECONDER:	John Robinson, Mayor Pro Tem
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney
ABSTAIN:	Davis

C. 2362 : Metcon Inc./Robeson County. Conditional Use Permit petition for property located at 500 Chestnut St. – Brandon Love, Planning Director

Metcon Inc./Robeson County has submitted a Conditional Use Permit petition for property located at 500 Chestnut Street (parcel #'s 3233-02-007/3233-02-008/3233-02-008.01/3233-02-008.01A/3233-02-008.02/3233-02-008.03 Deed Book 1825 Page 0649/Deed Book 1825 Page 0645). This request is to allow for the operation of a government office (use #3.140 Government Office Buildings) at this location. This property is zoned B-1 (central business) and requires a Conditional Use Permit for Government Office Buildings.

This property is located within Area 16, as identified in our Land Use Plan.

-On November 21, 2017 the Planning Board held the public meeting and recommends that City Council approve the Conditional Use Permit request.

-On November 22, 2017 the Planning Department sent out letters to the adjacent property owners within 150 feet of the petitioned property, notifying them of the Conditional Use Permit request.

-On November 20, 2017 a request was sent to Public Works Department to have a sign placed on the property, notifying the adjacent property owners of the Conditional Use Permit request, on or before November 22, 2017.

-On November 22, 2017 a request was sent to the Robesonian to have the legal ad for this request ran on November 24, 2017 and December 1, 2017.

Recommends that City Council hold the public hearing and approve the Conditional Use Permit request.

Mayor Davis opened the Public Hearing on a request for a Conditional Use Permit for property located at 500 N. Chestnut Street. City Clerk Laney Mitchell-McIntosh submitted the Affidavit of Publication showing that the Notice of the Hearing was advertised in The Robesonian.

Larry Anderson appeared before Council to answer any questions that they might have.

City Attorney Moore interjected that the address to this property is so similar to that of the City that it would probably bring about a lot of confusion. People who are looking for the City would end up at the County and vice versa.

Mr. Anderson stated that he sees no problem with changing the address; however, he would bring this to the attention of his clients. Brandon Love, Director of Planning & Neighborhood Services stated that his department assigns all of the City addresses and do not foresee a problem with changing the address.

RESULT:	APPROVED [8 TO 0]
MOVER:	John Cantey Jr., Precinct 5
SECONDER:	Erich Hackney, Precinct 8
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney
ABSTAIN:	Davis

D. 2360 : Renee Perry Rezoning petition for property located at 1502 Godwin Avenue. – Brandon Love, Planning Director

Renee Perry has submitted a Rezoning petition for property located at 1502 Godwin Avenue (parcel # 3229-04-057/Deed Book 2012 Page 446). This request is to rezone the property from M-1, light manufacturing and B-3, office residential to B-7, Business general commercial/mobile home sales. The applicants intended use of the property is for the operation of a manufactured home sales lot (use# 9.800 Manufactured home sales).

This property is located within Area 15, as identified in our Land Use Plan.

-On November 21, 2017 the Planning Board held the public meeting and found that the proposed development will not be in harmony with the area in which it is to be located and the development will not be in harmony with the Land Use Plan. Therefore, the Planning Board recommends that City Council deny the rezoning request

-On November 22, 2017 the Planning Department sent out letters to the adjacent property owners within 150 feet of the petitioned property, notifying them of the rezoning request.

-On November 20, 2017 a request was sent to Public Works Department to have a sign placed on the property, notifying the adjacent property owners of the rezoning request, on or before November 22, 2017.

-On November 22, 2017 a request was sent to the Robesonian to have the legal ad for this request ran on November 24, 2017 and December 1, 2017.

Recommends that City Council hold tonight's public hearing and deny the rezoning request.

Mayor Davis opened the Public Hearing on a request rezone property located at 1502 Godwin Avenue. from M-1, Light Manufacturing and B-3, Office Residential to B-7, Business General Commerical/Mobile Home Sales. City Clerk Laney Mitchell-McIntosh submitted the Affidavit of Publication showing that the Notice of the Hearing was advertised in The Robesonian.

Renee Perry appeared before Council and stated that she believed that there was a big misunderstanding about mobile homes being located within this area. She explained that she will be working with clients out of this location and that she would be leasing them office space. She stated that this request came about because of a requirement from the DMV as part of her request for a Dealer's License. DMV requires the City to sign off on a rezoning as part of a dealer's license.

Councilman Cantey commented that he believes that there is a misunderstanding and based on what Ms. Perry is asking for it could be rectified according to the intended use by a Parallel Use Permit.

Director Love stated that B-4 is the broadest use that the City has and how often has this request come up. He stated that we have had this to come up with automobile sales. Director Love was asked to interject his opinion as he expressed to Council some of the options that they could consider:

1. Approve as the application is presented:
2. Deny the application.
3. PCU and offer restrictions.
4. Amend the Land Use Ordinance to create a new zoning district.

A long discussion ensued and Councilman Wilkings made a motion, seconded by Councilman Hackney, to continue the public hearing and send the item back to the Planning Board and ask the Planning Director to express out concerns. It carried unanimously.

RESULT:	APPROVED [8 TO 0]
MOVER:	Burnis Wilkins, Precinct 3
SECONDER:	Erich Hackney, Precinct 8
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney
ABSTAIN:	Davis

E. 2361 : Jonathan Wayne Hunt Rezoning petition for property located off of Elizabethtown Road. – Brandon Love, Planning Director

Jonathan Wayne Hunt has submitted a Rezoning petition for property located off of Elizabethtown Road (parcel # 1012-01-01001/Deed Book 661 Page 310). His request is to rezone the property from 'A', Agriculture to B-7, Business general commercial/mobile home sales. The applicants intended use of the property is for the operation of a manufactured home sales lot (use# 9.800 Manufactured home sales).

-This property is located within Area 3, as identified in our Land Use Plan.

-On November 21, 2017 the Planning Board held the public meeting and recommends that City Council approve the rezoning request.

-On November 22, 2017 the Planning Department sent out letters to the adjacent property owners within 150 feet of the petitioned property, notifying them of the rezoning request.

-On November 20, 2017 a request was sent to Public Works Department to have a sign placed on the property, notifying the adjacent property owners of the rezoning request, on or before November 22, 2017.

-On November 22, 2017 a request was sent to the Robesonian to have the legal ad for this request ran on November 24, 2017 and December 1, 2017.

Recommends that City Council hold the public hearing and approve the rezoning request.

Jonathan Hunt appeared before Council and stated that he goes along with everything that is stated or required on the lot. He stated that the office will be affixed to the property buffer off the back.

RESULT:	APPROVED [8 TO 0]
MOVER:	Burnis Wilkins, Precinct 3
SECONDER:	Erich Hackney, Precinct 8
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney
ABSTAIN:	Davis

III. ADJOURNMENT