CITY OF LUMBERTON

CITY COUNCIL

MINUTES ● DECEMBER 4, 2019

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	Precinct 4	Present	
John Cantey	Mayor Pro Tem	Present	
Chris Howard	Precinct 6	Present	
Eric Chavis	Precinct 7	Excused	
Owen Thomas	Precinct 8	Present	
Wayne Horne	City Manager	Present	
Holt Moore	City Attorney	Present	
Laney Mitchell-McIntosh	City Clerk	Present	

B. Invocation: City Attorney Moore –

C. Pledge of Allegiance: Led by Councilman Carroll –

D. Retirees Recognition

1. Paul Godaire - Electric Utilities Powerline Crew Supervisor - 21 yrs of Service: Will attend in January –

2. John Simmons - Lumberton Police Department - Police Corporal - 12 yrs of Service –

John Simmons received a plaque from the City of Lumberton for 12 years of dedicated service to the City.

II. PUBLIC COMMENT PERIOD

III. COMMUNICATIONS

A. General

1. Brenda Hunt-Emanuel, BART Program Director Financial Support for the Installation of a Heating and Air System –

Ms. Brenda Hunt-Emmanuel, Borderbelt Aids Resources Training (BART) CEO/Programs Director, appeared before Council stating that they have a 24 x 24 new building that has been setup and the electric has been done; however, BART is responsible for the electrical, heating and air. We had fund raising events and the monies paid for the electric. Now we have to get our heat/air installed plus the installation. She stated that the last time that they handed out food it was very cold because they had no heat.

What I am asking for is that Council take into consideration this effort and give a donation. She stated that the County and other organizations have been asked to give. Councilman Rising asked what did the County donate and she replied $1,000.

The City Manager, in the absence of Councilman Chavis, stated that Councilman Chavis would like to donate $400.00 to BART.

RESULT:	**ANNOUNCED**

IV. MINUTES APPROVAL

A. City Council - Regular Meeting - Oct 14, 2019 6:00 PM –

RESULT:	**ACCEPTED [UNANIMOUS]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Owen Thomas, Precinct 8
AYES:	Davis, Rising, Robinson, Carroll, Higley, Cantey, Howard, Thomas
EXCUSED:	Chavis

B. City Council - Regular Meeting - Nov 6, 2019 11:00 AM –

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

V. AGENDA ITEMS

A. Unsafe structure located at 2311 Carver Street – Ben Andrews, Inspections Director
The structure located at 2311 Carver Street was inspected by our department an was determined to be unsafe. A notice of Condemnation and Hearing was sent. A hearing was held on September 23, 2019 in which the owner was not present for the hearing. An order to demolish the structure was issued. The time in which the owner had to comply expired on November 18, 2019.
Staff recommends that City Council direct the building inspector to demolish and remove the unsafe structure located at 2311 Carver Street.

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

B. Unsafe structure located at 1906 Edgewood Street – Ben Andrews, Inspections Director

The structure located at 1906 Edgewood Street was inspected by our department an was determined to be unsafe. A notice of Condemnation and Hearing was sent. A hearing was heald on September 23, 2019 in which the property owner was present for the hearing. An order to demolish the structure was issued. The time in which the owner had to comply exprired on Novemeber 18, 2019

Staff recommends that City Council direct the building inspector to demolish and remove the unsafe structure located at 1906 Edgewood Street.

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

C. Authorize the Lumberton Police Department to submit revision to 2019 Edward Byrne Memorial JAG Grant – Michael McNeill, Police Chief

The Lumberton Police Department and Robeson County Sheriff's Office have received notification for the 2019 Edward Byrne Memorial Justice Assistance Grant (JAG) for which our departments were allocated $32,425.00. This is a three-year grant, and if awarded, monies will be used to fund training ($6806.48), equipment ($14,000), overtime ($7,000), and equipment for the county ($4618.52). Training and travel for all police personnel will be funded to enhance, develop, and increase skill of staff to include, records management, patrol officers, special operations, SWAT, administration, and other essential command staff. Overtime operations will include patrol officers, drug enforcement team, interdiction team, detectives, gang officers, hot spot officers and housing officers who will conduct special operations within the city. Monies for equipment (LPD) will be used to purchase 10 printers and printer mounts to complete the outfitting of patrol vehicles in addition to computers and computer mounts for those vehicles as well. Monies for equipment (RCSO) will be used to purchase thermal printers that will be used to assist patrol officers everyday activities of their law enforcement duties such as printer Amber Alerts, Criminal Summons, warrants, and orders for arrest.

It is requested that the Lumberton Police Department be granted permission to re-submit the 2019 Edward Byrne Memorial Justice Assistance Grant.

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

D. Generator for New Terminal Building – Bob Snuck, Airport Manager

The new terminal building was bid it had an alternate bid for a generator at $103,000. It was originally decided to not install the generator. Last week NCDOT has approved the use of future Non Primary Entitlement monies for the generator as a change to the Terminal contract at 90% funding. The updated cost for the complete Generator installation with transfer switch is $106,971.48. The City and County would have to initially front the monies for this portion of the project to be later reimbursed by NCDOT Aviation. There are some costs saving credits on the total project that will bring the total generator cost just below $100,000. The City and County would be responsible for approximately $50,000 each. Approve the funding for the new generator. Funding will be reimbursed through future Non Primary Entitlement monies.

RESULT:	**APPROVED [7 TO 0]**
MOVER:	Leroy Rising, Precinct 1
SECONDER:	Karen Higley, Precinct 4
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis
EXCUSED:	Chavis

E. Traffic Signal Upgrade – Lamar Brayboy, Electric Utilities Director
In this year's capital budget the Electric Utilities Department is requesting to replace the traffic signals at the intersections of 24th St and 29th St. on Elm St. The new traffic signal upgrade will consist of installing new traffic signal heads, trip loops and base mount traffic controllers. Two quotes were received for furnishing the necessary labor and equipment from Fulcher Electric for $62,411.94 and ALS for $56,210.58.
The Electric Utilities Department is requesting Council approval to award the traffic signal upgrade to ALS of Fayetteville in the amount of $56,210.58.

RESULT:	**APPROVED [7 TO 0]**
MOVER:	Owen Thomas, Precinct 8
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis
EXCUSED:	Chavis

F. Lift Station 21 (Cancer Institute) Flood Mitigation Improvement Design Contract – Rob Armstrong, Public Works Director
During Hurricane Matthew and Hurricane Florence, Lift Station 21, was damaged by flood waters. In each case it took about 10 days to get the lift station operable again. During the 10 period, several industries were without sewer service and could not operate. This 10 day shut-down was a significant impact for the industries. The City is pursuing at least two sources of grant funds to improve the lift station so it is not impacted by future floods. Public Works would like to proceed with the design of the improvements while we are waiting for grant approval. Attached is an agreement with the Wooten Company for $32,670.00 for the design.
Public Works is requesting Council approval of the agreement with the Wooten Company for $10,670 for the design of the flood mitigation improvements for Lift Station 21 to be paid for from the Water and Sewer Capital Reserve Fund.

Director Armstrong stated that Elkay was one of the industries that had to shutdown after Hurricane Florence. He stated that where the Lift Station is located water will not recede within a few days.

City Manager Horne stated that this is a critical project with job creation. He stated that there is no guarantee that grant money will be approved, but it's something that has to be done.

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

G. Acceptance of the roads in the Pinecrest Subdivision – ArTriel Kirchner, Interim Planning Director
The Planning Department received a request from Greg Caulder asking the City to accept the roads in the Pinecrest Subdivision. The request has been sent to the Public Works Department to ensure the infrastructure and roads have been installed in accordance with policy. Public Works has reviewed and is ok with final paving and the Planning Department has approved the planting of the street trees.
Recommend CPC review the request and accept the roads within the Pinecrest Subdivision.

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

H. Thomas G. Hunt has submitted a Conditional Use Permit petition for property located on Elizabethtown Road – ArTriel Kirchner, Interim Planning Director
Thomas G. Hunt has submitted a Conditional Use Permit petition for property located at the corner of on Elizabethtown Road and Snake Road (parcel # 290101001 /Deed Book 845 Page 291 and Deed Book 846 Page 858). This request is to allow for the subdivision of property in accordance with ARTICLE IV. PERMITS AND FINAL PLAT APPROVAL Division 2: Major and Minor Subdivisions.

No more than a total of eight (8) lots may be created out of one tract using the minor subdivision plat approval process, regardless of whether the lots are created at one time or over an extended period of time.

This property is located within Area 4 and its recommended future use is low intensity, 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 [7 TO 0]**
MOVER:	John R. Carroll, Precinct 3
SECONDER:	Leroy Rising, Precinct 1
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis
EXCUSED:	Chavis

I. Approval of Financing Vehicles & Equipment – Alisha Thompson, Finance Director
The Finance Department obtained quotes for financing vehicles and a fire truck.

Vehicles $563,660 for 5 years

BB&T	2.05%
First Bank	2.55%
Lumbee Guaranty Bank	3.19%

Fire Truck $600,000 for 10 years

BB&T	2.26%
First Bank	2.55%
Lumbee Guaranty Bank	3.52%

Recommend that Council award the financing of the vehicles and fire truck to BB&T and approve the attached resolutions.

RESULT:	**APPROVED [7 TO 0]**
MOVER:	Leroy Rising, Precinct 1
SECONDER:	Karen Higley, Precinct 4
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis
EXCUSED:	Chavis

J. Final Approval of Donation of Property From French Family Properties – Brandon Love, Deputy City Manager
At its October 9th Council Policy Committee meeting, City Council authorized staff to proceed with survey work and preparation of a subdivision plat pertaining to a potential donation of land along Dawn Drive, just outside of the Mayfair subdivision, and also one area inside the subdivision. Mr. B G French, Principal with French Family Properties, had approached the City about the company's donating the property shown in pink on the attached map. This donation is contingent upon the property being maintained as a vegetative buffer with no new construction, and small parcels being carved out and retained for the billboards located on the property. This conveyance would benefit the City, as it will protect the residents of Mayfair from commercial development immediately adjacent to their property, would eliminate the creation of additional impervious area in the floodplain and would ensure an attractive vegetative buffer from I-95.
Accept the proposed charitable donation of land from French Family Properties and approve the attached subdivision plat.

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

K. Approval of Floodgate CDBG-DR Grant Administration Contract with McGill Associates PA – Brandon Love, Deputy City Manager
At its May 13, 2019 regular council meeting, City Council authorized staff to negotiate a contract for CDBG-DR grant administration services for the city's floodgate project with McGill Associates PA. This recommendation followed a Request for Proposals (RFP) process, from which McGill was selected as the most qualified firm to handle the grant administration of one million dollars in CDBG-DR funding from Hurricane Matthew, for the construction of floodgates at the CSX – Interstate 95 overpass.
Recommend that City Council approve the attached CDBG-DR grant administration services contract with McGill Associates PA for $80,000. This is 8% of the total grant amount and will be paid entirely from the awarded grant funds.

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

L. Approve the Christmas Holiday Schedule as December 24th , 25th & 26th as Paid Christmas Holidays and December 23rd and 27th as Required Vacation or Leave Without Pay Days Off – 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:

Current Policy

1) Tuesday, Dec. 24th, Christmas Eve and Wednesday, Dec. 25th, Christmas Day & Thursday, December 26th as scheduled days off.

Additional Days:

2) Monday, Dec. 23rd, and Friday, Dec. 27th, approved by the County as

holidays. Employees are required to take vacations days or leave without pay)

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

M. Approve the designation of $250.00 of CRF to Avondale Pictures – Owen Thomas, Precinct 8
Councilman Thomas would like to give $250.00 of CRF to support a free movie showing "The Righteous Twelve" sponsored by Avondale Pictures.
Designate $250.00 of CRF from Precinct 8 as indicated above.

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

N. Approve the Designation of $250.00 of CRF to Lumberton High Visual Art Program – Owen Thomas, Precinct 8
Councilman Thomas would like to contribute $250 of CRF in support of Lumberton High Visual Art program.
Design $250.00 to Lumberton Senior High School in support of its Visual Art program.

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

O. Adopt an Ordinance Erecting "No Parking Zone" Signs on Hardin Road at the Intersections of Willis and Elizabethtown Roads – John Carroll, Precinct 3
Councilman Carroll requested that the Police Department take a look at correcting an issue with parking on Hardin Road. After consulting with Chief McNeill; we believe that it is advantageous to erect “No Parking Zone” signs at the intersection of Hardin and Willis and Hardin and Elizabethtown Road on both sides approximately 200 ft. traveling east and west.
Adopt an Ordinance erecting the “No Parking Zone” signs of Hardin Road and the intersection of Willis and Elizabethtown Roads.

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

P. Approve the designation of $2,500 of CRF as follows: Baptist Men Association: $1,000, Mohr Plaza Activities: $500.00, Church & Community Center $500.00, and Lumberton Christian Care: $500.00 – Bruce Davis, Mayor
Mayor Davis would like to make CRF appropriations as listed above .
Designate the CRF appropriations as listed above.

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

Q. Approve the designation of $400.00 of Community Revitalization Funds to Borderbelt Aids Resources Training (BART) Fundraising Event for Electrical, Heating and Air – Eric Chavis, Precinct 7
Councilman Chavis would like to donate $400.00 to BART Fundraising event for electrical, heating and air for Food Bank building.
Designate $400.00 of CRF to BART for the Food Bank building.

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

VI. CLOSED SESSION

VII. ADJOURNMENT