



CITY OF LUMBERTON
CITY COUNCIL
MINUTES • NOVEMBER 9, 2015

Regular Meeting

Council Chambers

6:00 PM

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

I. CALL TO ORDER

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	Present	
John Cantey Jr.	Precinct 5	Present	
Robert L. Jones	Precinct 6	Present	
Leon Maynor	Precinct 7	Absent	
Erich Hackney	Precinct 8	Present	
Wayne Horne	City Manager	Present	
Laney Mitchell-McIntosh	City Clerk	Present	
Holt Moore	City Attorney	Present	
Heath Graham	Sergeant-at-Arms	Present	

2. Proclamation: National Home Care Month

Mayor Pennington presented a Proclamation for National Home Care Month to Vickie Atkinson and her coworkers and thanked them for the great work that they do.

II. PRIDE IN LUMBERTON: THE CHURCH OF THE LIVING GOD PILLAR AND GROUND OF THE TRUTH, THE LIGHT OF THE WORLD

Mayor Pennington and Councilman Erich Hackney presented a Pride in Lumberton to the Church of the Living God for the excellent work they do in the community. He stated how they often call and ask if they are any projects that they can assist the City with.

The Church of the Living God Pillar and Ground of the Truth, the Light of the World choir rendered a beautiful selection.

III. PUBLIC COMMENT PERIOD

No one appeared to speak.

IV. CONSENT AGENDA

- a. City Council - Regular Meeting - Sep 14, 2015 6:00 PM -

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

b. City Council - Regular Meeting - Oct 12, 2015 6:00 PM -

RESULT:	ACCEPTED [7 TO 0]
MOVER:	Harry Ivey, Precinct 4
SECONDER:	Erich Hackney, Precinct 8
AYES:	Metzger, Robinson, Wilkins, Ivey, Cantey Jr., Jones, Hackney
ABSTAIN:	Pennington
ABSENT:	Maynor

c. Authorize the Release of Property Taxes for the Month of October - Council Policy Committee

Per G.S. 105-381, which authorizes the release or refund of billed and / or collected taxes when such taxes were imposed as a result of any of the following reasons: Clerical / computational error, the tax was listed and billed in the name of the wrong taxpayer, the property did not fall within the jurisdiction of the City of Lumberton, or the tax was listed in duplicate.

The City of Lumberton Tax Office submits for approval the following tax releases which were generated primarily in response to documentation from the Robeson County Tax Assessor and/or city staff clerical errors for the years and amounts outlined below:

2014----- \$87.32

2015----- \$328.25

Approve the tax releases for the years and amounts listed above.

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

d. 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 29, 2015, 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.

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

- e. Set the date of the Public Hearing for Michael P. Walters with Mack White Investments, Inc., requesting a contiguous annexation of property located on HARRILL RD for December 14, 2015. - Council Policy Committee

The Planning & Neighborhood Services Department received an application for a contiguous annexation from Michael P. Walters with Mack White Investments, Inc., requesting that property located on HARRILL RD, being parcel #1014-01-003/PIN 030178023100, be annexed into the City of Lumberton.

The City Clerk has certified the sufficiency of the petition and the Planning Department recommends City Council set the date of the public hearing for December 14, 2015.

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

- f. Refer the petition to Planning Board for their review, and authorize the Planning Director to set the date of the public hearing for a Rezoning Request for property located at 700 Roberts Avenue - Council Policy Committee

William Charles Rowan has submitted a Rezoning Petition for property located at 700 Roberts Avenue (parcel #3236-02-017) (Deed Book 408 Page 404) and 2101 E. 7th Street (parcel #3236-02-016) (Deed Book 1420 Page 197). This request is to rezone property from B-3, Office Residential to B-2, Business Community.

On August 11, 2014 the above mentioned properties were rezoned from B-4, Business General Commercial, B-3, Office Residential and B-2, Business Community to B-3, Office Residential.

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 Cantey Jr., Precinct 5
SECONDER:	Erich Hackney, Precinct 8
AYES:	Metzger, Robinson, Wilkins, Ivey, Cantey Jr., Jones, Hackney
ABSTAIN:	Pennington
ABSENT:	Maynor

- g. Refer the petition to Planning Board for their review, and authorize the Planning Director to set the date of the public hearing for Melvin Morris Conditional Use Permit Petition for 700 Roberts Avenue - Council Policy Committee
Melvin Morris has submitted a Conditional Use Permit Petition for property located at 700 Roberts Avenue (parcel #3236-02-017) (Deed Book 408 Page 404). The proposed use of the property is an art gallery.

5.320 Libraries, museums, art galleries, art centers and similar uses located within any permissible structure requires a Conditional Use Permit in the B-3 zoning district. 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 Cantey Jr., Precinct 5
SECONDER:	Erich Hackney, Precinct 8
AYES:	Metzger, Robinson, Wilkins, Ivey, Cantey Jr., Jones, Hackney
ABSTAIN:	Pennington
ABSENT:	Maynor

- h. Direct the City Clerk to investigate the petition from Richard Kaczar requesting a contiguous annexation of property located at 465 Kenric Road - Council Policy Committee
The Planning & Neighborhood Services Department received an application for a contiguous annexation from Richard Kaczar requesting that property located at 465 Kenric Road, being Parcel #'s 0204-01-003; 0207-02-006; 0204-01-003, be annexed into the City of Lumberton.

Recommends that City Council direct the City Clerk to investigate said petition.

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

- i. Direct the City Clerk to investigate said petition of Powers Family Properties, LLC requesting a contiguous annexation of property located on Roberts Avenue - Council Policy Committee

The Planning & Neighborhood Services Department received an application for a contiguous annexation from Powers Family Properties, LLC requesting that property located on Roberts Avenue, being parcel #101403021, be annexed into the City of Lumberton.

Recommends that City Council direct the City Clerk to investigate said petition.

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

- j. Refer the petition to Planning Board for their review, and authorize the Planning Director to set the date of the public hearing for Rezoning Request for property located at 2870 Kenny Biggs Rd. - Council Policy Committee

Tony Paylor has submitted a Rezoning Petition for property located at 2870 Kenny Biggs Rd. (parcel #1013-01-013-20) (Deed Book 1983 Page 419). This request is to rezone property from M-2, Heavy Manufacturing to B-4, Business General Commercial.

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 Cantey Jr., Precinct 5
SECONDER:	Erich Hackney, Precinct 8
AYES:	Metzger, Robinson, Wilkins, Ivey, Cantey Jr., Jones, Hackney
ABSTAIN:	Pennington
ABSENT:	Maynor

- k. Approve the sign permits for Sign City requesting three (3) hospital signs in the B-6, Medical Arts district. - Council Policy Committee

Sign City is requesting three (3) hospital signs on three (3) different properties zoned B-6, Medical Arts. The requests are as follows:

- 1) Southeastern Wellness Imaging Clinic located at 105 W. 27th Street
- 2) Southeastern Radiology Associates located at 209 W. 27th Street
- 3) Southeastern Pulmonary & Sleep Clinic located at 401 W. 27th Street

Sec. 35-282. Signs within the medical arts district. States:

Notwithstanding any other provisions of this article excepting for the provisions of section 35-281, signs in the B-6 (medical arts) district may be erected, moved, enlarged, or substantially altered pursuant to plans approved by city council.

(Ord. No. 1448, 6-27-94)

Recommends City Council Policy Committee approve the attached sign permits.

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

- l. Approve Christmas Days off for City Employees as Wednesday, Thursday, and Friday; December 23rd, 24th and 25th. - Council Policy Committee

With regard to Christmas, the City of Lumberton Personnel Ordinance, Section 16-156, designates the following holidays with pay: Christmas Eve and Christmas Day, and

- Sec. 10 - Any other days designated as a Christmas holiday by both the State and the county.

- Sec. 11 - Any other day designated by the City Council.

It is recommended that the following days be considered by Council for Christmas Holidays.

- Thursday, December 24th, 2015 and Friday, December 25th, 2015 (Christmas Eve and Christmas Day).

- Wednesday, December 23rd, 2015, which has been approved by both the State and the County as a paid holiday.

- Monday, December 21st and Tuesday, December 22nd have been approved by the County as additional days off, employees are required to take either vacation or leave without pay. Emergency personnel or other employees who must work will receive comp time.

CPC recommended that the Christmas Holidays are paid for Wednesday, Thursday, and Friday; December 23, 24th and 25th.

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

- m. Approve the designation \$200.00 of Community Revitalization Funds - P1 - Pine Straw Phase III - Pinedale Blvd - Council Policy Committee

Councilman Metzger requests \$200.00 of Community Revitalization Funds for pine straw used on the median of the Phase III, Pinedale Blvd.

Recommend that the Council designate \$200.00 of Community Revitalization Funds for pine straw used on the median of the Phase III, Pinedale Blvd.

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

- n. Approve the designation of \$2,150.00 of CRF to Toys for Kids as follows: P1 \$200.00 P3 - \$200.00 P4 - \$200.00 P5 - \$300.00 P7 - \$100.00 P8 - \$150.00 & from the Mayor's Discretionary Fund \$1,000.00 - Council Policy Committee
Councilman Cantey requests \$300.00 of Community Revitalization Funds to be given to the Toys for Kids program.
Designate \$2,150.00 for Toys for Kids.

Councilman Cantey with a second by Councilman Hackney, waived the second reading on the request for designation of funds to Toys for Children in order to allow the Councilmen they were absent from the Council Policy Committee the opportunity to give. It carried unanimously.

Councilman Jones gave \$300.00 and Councilman Robinson gave \$300.00 for a total of \$2,750.00. It motion was made by Councilman Metzger and seconded by Councilman Hackney. It carried unanimously.

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

- o. Approve the designation of \$800.00 of CRF to Colors of Life Inc. For the Annual Thanksgiving and Christmas - Council Policy Committee
The CPC entertained a request from Leon Burden, CEO of Colors of Life which is a non-profit organization seeking funding for their Annual Thanksgiving Giveaway on November 21, 2015, and the Annual Christmas dinner on December 12, 2015.
Council donated as listed above.

Councilman Cantey with a second by Councilman Hackney, waived the second reading on the request for designation of funds to Colors of Life in order to allow the Councilmen they were absent from the Council Policy Committee the opportunity to give. It carried unanimously.

Councilman Jones gave \$300.00 and Councilman Robinson gave \$200.00 for a total of \$1,300.00. It motion was made by Councilman Hackney and seconded by Councilman Hackney. It carried unanimously.

RESULT:	APPROVED [7 TO 0]
MOVER:	Erich Hackney, Precinct 8
SECONDER:	Burnis Wilkins, Precinct 3
AYES:	Metzger, Robinson, Wilkins, Ivey, Cantey Jr., Jones, Hackney
ABSTAIN:	Pennington
ABSENT:	Maynor

- p. Approve the designation of \$2,000 of Community Revitalization Funds from the Mayor's Discretionary Fund to Communities in Schools BakPak Pals Lunch Program - Council Policy Committee

Mayor Pennington requests \$2,000 of Community Revitalization Funds be designated to Communities in Schools for the BakPak Pals Lunch program.

Designate \$2,000 of Community Revitalization Funds to Communities in Schools for the BakPak Pals Lunch program.

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

V. PUBLIC HEARINGS

- a. Rezoning petition for property located off of Flair Fold Road and Caton Road (parcel # 160702003) - Planning / Inspections

Par 3 Development Group has submitted a Rezoning petition for property located off of Flair Fold Road and Caton Road (parcel # 160702003). This request is to rezone property from M-2 (heavy manufacturing) to B-2 (business community). The applicant's intent for the property is for retail development to be constructed along Flair Fold Road.

On October 20, 2015 the Planning Board reviewed the request and unanimously recommends that City Council approve the rezoning request.

On October 27, 2015 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 October 30, 2015 a sign was posted on the property giving notice of the rezoning request.

On October 30, 2015 and November 6, 2015 the Robesonian ran the legal ad giving notice of the rezoning request.

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

Mayor Pennington opened the Public Hearing to consider an amendment to the Land Use Ordinance by rezoning property located off of Fair Fold Road and Caton Road from M-2 (Heavy Manufacturing) to B-2

(Business Community) with the intent for retail development. City Clerk Laney Mitchell-McIntosh submitted the Affidavit of Publication showing that the Notice of the Hearing was advertised in The Robesonian.

Scott Brown, 409 Chicago Drive, Suite 112, Fayetteville, NC, appeared before Council and stated that the property has been vacant for some number of years and they understand that Council has just approved a future zoning plan. He spoke about how they are going to installed access off of Caton Road.

Councilman Hackney made a motion, seconded by Councilman Cantey, that Council consider a continuation of the hearing because it's located within Precinct 7 and Councilman Maynor was not present. It carried unanimously.

RESULT:	CONTINUED [7 TO 0]	Next: 1/11/2016 6:00 PM
MOVER:	Erich Hackney, Precinct 8	
SECONDER:	John Cantey Jr., Precinct 5	
AYES:	Metzger, Robinson, Wilkins, Ivey, Cantey Jr., Jones, Hackney	
ABSTAIN:	Pennington	
ABSENT:	Maynor	

- b. Rezoning petition for property located off of Colony Drive and Martin Luther King, Jr. Drive. (portion of parcel # 2401-01-019/Deed Book 1824 Page 0293) and (portion of parcel # 2401-01-019.01/Deed Book 1824 Page 0295). - Planning / Inspections
Stone Solar Farm, LLC. has submitted a rezoning petition for two properties located off of Colony Drive and Martin Luther King, Jr. Drive. (portion of parcel # 2401-01-019/Deed Book 1824 Page 0293) and (portion of parcel # 2401-01-019.01/Deed Book 1824 Page 0295).

This request is to rezone the property from 'A' agriculture to M-1, light manufacturing. The intended use of the property is to construct and operate a community or regional utility facility (solar farm) at this location.

The applicant has submitted a Conditional Use Permit application, which follows this agenda item.

On October 20, 2015 the Planning Board reviewed the request and unanimously recommends that City Council approve the rezoning request.

On October 27, 2015 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 October 30, 2015 a sign was posted on the property giving notice of the rezoning request.

On October 30, 2015 and November 6, 2015 the Robesonian ran the legal ad giving notice of the rezoning request.

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

Mayor Pennington opened the Public Hearing to consider an amendment to the Land Use Ordinance by rezoning property located off of Colony Drive and Martin Luther King Drive from A Agriculture to M-1 Light Manufacturing) with the intent of constructing and operating a community or regional utility facility (Solar farm). City Clerk Laney Mitchell-McIntosh submitted the Affidavit of Publication showing that the Notice of the Hearing was advertised in The Robesonian.

Steve Petersen, Attorney on behalf of Solar Farms appeared before Council and stated that they have three (3) affidavits within a packet that he presented to Council. He stated that there is no danger associated with this solar farm. He passed out a packet containing affidavits to be used in the Conditional Use Permit hearing.

Jerry Dudzik, COO, Carolina Solar Energy, 139 Kingston Dr., Chapel Hill, NC, appeared before Council and stated that his company is the developer of this process. He gave an overview of the project. He also stated that the energy will be sold to Duke Energy. He stated that they have a warranty of 25 years but a life cycle of 30 years. They would maintain a ft. Security fence around this place with the grass being maintained. There has also been the question of what can it (Solar farms) do for the City of Lumberton: influx of 130 to 140 jobs; increase in revenue for restaurants and hotels, future benefit to developing a tax base and there is no police and no fire required, and no additional roads. No additional water or sewer.

The Civil Engineer for Strata spoke before Council and stated that he has submitted his affidavit and it is his professional opinion that the solar farm project meets the requirements of the code.

Tom Hester, Professional Appraiser, Hester Company, 228 Fayetteville St, appeared before Council and stated that he is an appraiser and that the land is pretty much vacant and there is no residential property immediately adjacent to the property. He stated that he has conducted a research to see if property value changed when close to the proximity of farms and he has not witnessed a decline in property. He said that this location has more setback than any other solar farm project that he has seen.

Attorney Peterson stated that they have presented all that they have and there no opposition; however, if there is they would like the opportunity to respond.

No further discussion the public hearing was closed.

Councilman Cantey expressed his concerns with locating the solar farm on this property. He stated that there are twenty-six families who would be looking at the solar farm daily and they have expressed their concerns to him and he opposes placing the solar farm in this area.

City Attorney Moore stated that he would like for Mr. Love to explain what is permitted within the M-1 zoning districts.

Brandon Love, Planning & Neighborhood Director, explained the permissible uses within the M-1 zoning district.

Councilman Cantey made a motion, seconded by Councilman Robinson to deny the request for rezoning for property located off of Colony Drive. Discussion: Councilman Hackney asked if the owners of the property are present. Ms. Sandra Stone Sheily and Deborah Stone Bullock appeared before Council and stated that they own the property. Councilman Hackney asked what if anything have to discussed concerning what will happen after the life cycle of the panels after the 30 years. Ms. Sandra Stone Sheily answered with they have not discussed that as of yet; however, they are selling that portion of the land. . They stated that the property is located in an isolated area.

Councilman Hackney asked Director Love if he had any concerns with this item as it pertains to the City. Director Love stated that as far as an annexation is concerned; unless State Law changes, the City limit would not extend to this area. Unless there is a voluntary annexation I do not see how the City limits would extend to this area. For the sake of saying that this property becomes part of the City; based on the training

that I received from COG coming from State, there is no health impact and there is decommission required where the panels would be moved off site. New panels could possibly be installed.

Councilman Metzger asked Councilman Cantey about the distance that he referred to concerning the families. He stated that you are talking in a range of 500 to 1000 feet; do you not think that this could be resolved with some type of screening or vegetation. He stated that it would take 5 to 8 years for something to grow up. With the zoning that already exists there is the potential that you could have something that is not in harmony with a residence.

Councilman Wilkins stated that this has been a very controversial topic with the County. I know that the solar farm on Whiteville Road had to come before this Council and its located right out of the residents backdoor. He stated that he can't wrap his head around the issue as far as the concerns because it's an isolated wooded area. He asked if any of the 26 families that you are talking about present. No they are not and there are none here that are for it with the exception of the landowners.

Councilman Cantey made a motion, seconded by Councilman Robinson to deny the request for rezoning for property located off of Colony and Martin Luther King Dr.; the motion failed with a 4 to 3 vote as follows P1 - Nay P2 - Yes P3 - Nay P4 - Nay P5 - Yes N6 - Nay P8 - Yes.

After a discussion ensued, Councilman Metzger made a motion, seconded by Councilman Wilkins to approve the rezoning request for property located off of Colony and Martin Luther King Jr. Drive; the motion failed with a 4 to 3 vote as follows: P1 - Yes P2 - Nay P3 - Yes P4 - Yes P5 - Nay P6 - Nay P8 - Yes

Not being able to reach a decision; Attorney Petersen stepped forward and stated that they do not have a problem starting over with the action in January; Councilman Cantey stated that would be fine and talk to the people on Lovette Road. A motion was made by Councilman Cantey and seconded by Councilman Hackney, to continue the hearing until January. It carried unanimously.

RESULT:	CONTINUED [7 TO 0]	Next: 1/11/2016 6:00 PM
MOVER:	John Cantey Jr., Precinct 5	
SECONDER:	Erich Hackney, Precinct 8	
AYES:	Metzger, Robinson, Wilkins, Ivey, Cantey Jr., Jones, Hackney	
ABSTAIN:	Pennington	
ABSENT:	Maynor	

- c. Conditional Use Permit petition for property located off of Colony Drive and Martin Luther King, Jr. Drive. (portion of parcel # 2401-01-019/Deed Book 1824 Page 0293) and (portion of parcel # 2401-01-019.01/Deed Book 1824 Page 0295). - Planning / Inspections

Stone Solar Farm, LLC. has submitted a Conditional Use Permit petition for two properties located off of Colony Drive and Martin Luther King, Jr. Drive (portion of parcel # 2401-01-019/Deed Book 1824 Page 0293) and (portion of parcel # 2401-01-019.01/Deed Book 1824 Page 0295).

This request is for the construction and operation of a solar farm (use#17.200) at this location.

On October 20, 2015 the Planning Board reviewed the request and unanimously recommends that City Council approve the Conditional Use Permit request with the following condition:

1. Lot Maintenance: Must comply with the City of Lumberton's Code of Ordinances Chapter 22 Article III. Grass, Weeds, Etc.

On October 27, 2015 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 October 30, 2015 a sign was posted on the property giving notice of the Conditional Use Permit request.

On October 30, 2015 and November 6, 2015 the Robesonian ran the legal ad giving notice of the Conditional Use Permit request.

Recommends that City Council hold tonight's public hearing and approve the Conditional Use Permit request with the following condition: Lot Maintenance- Must comply with the City of Lumberton's Code of Ordinances Chapter 22 Article III. Grass, Weeds, ETC.

RESULT:	NOT APPLICABLE
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VI. NEW BUSINESS

- a. Acceptance of Replacing a 1992 Ford Pick Up Tk – Council Policy Committee -- Lamar Brayboy, Electric Utilities Director

The Electric Utilities Department is requesting to replace a 1992 Ford truck that was wrecked and listed as a total loss with a 2011 Ford Ranger truck. The Electric Department has three quotes ranging from \$12,999.00 from Fair Bluff Ford, 13,419.00 from Bleecker GMC to \$13,995.00 from Scotland Motors, Inc. The Electric Utilities recommends the purchase of the 2011 Ford Truck from the lowest bidder, Fair Bluff Ford for the price of \$12,999.00.

The Electric Department recommends the approval to purchase the 2011 Ford Ranger from Fair Bluff Ford in the amount of \$12,999.00 to replace a 1992 total loss Ford truck.

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

- b. Acceptance of Replacement of Bus Breakers at POD 2 – Council Policy Committee -- Lamar Brayboy, Electric Utilities Director

Sealed bids were opened and read on October 14, 2015 for the purchase of two (2) 25 kV Vacuum Bus Breakers to replace two (2) Oil Filled Bus Breakers at POD 2 on Wesley Pines Road that have been in service since 1982. Schneider Electric USA, Inc. quoted a total of \$40,416.00, Siemen's Industry Inc. quoted a total of \$46,949.00,

Irby Utilities quoted a total of \$47,501.00 and WESCO Distribution, Inc. quoted a total of \$55,517.00. As shown by the enclosed tabulation and recommended by Progressive Engineering Consultants, Inc., Schneider Electric USA, Inc. submitted the lowest proposal. There was \$60,000.00 approved in the 2015 -2016 budget for this purchase.

The Electric Department recommends the purchase of the two (2) Vacuum Bus Breakers for POD 2 on Wesley Pines Road from Schneider Electric USA, Inc. for a total of \$40,416.00.

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

- c. Approval of Financing Vehicles & Equipment – Council Policy Committee -- Alisha Thompson, Finance Director

The Finance Department obtained quotes for financing vehicles and equipment.

Loan 1 Police Cars \$310,000 for 5 years

	<u>Rate</u>	<u>Fee</u>
Lumbee	2.11%	.25% of the loan amount (\$775)
First South	2.1945%	\$1,085
BB&T	2.48%	-0-
Select	2.75%	\$250

Loan 2 Forklift, Limb Chipper, Small Bucket Truck & Big Bucket Truck \$415,000

	<u>7 years Rate</u>	<u>10 years Rate</u>	<u>Fee</u>
Lumbee	2.59%	2.90%	.25% of the loan amount (\$1,037.50)
BB&T	2.74%	No bid	-0-
First South	2.8215%	2.8215%	\$1,452.50
Select	3.00%	3.25%	\$325

* Origination fees were included in the calculation

Recommend that CPC award the financing of the vehicles and equipment to Lumbee Bank for 5 years at 2.11% and 7 years at 2.59% and approve the attached governmental certificates.

RESULT:	APPROVED [7 TO 0]
MOVER:	Robert L. Jones, Precinct 6
SECONDER:	John Cantey Jr., Precinct 5
AYES:	Metzger, Robinson, Wilkins, Ivey, Cantey Jr., Jones, Hackney
ABSTAIN:	Pennington
ABSENT:	Maynor

- d. Waste Water treatment Plant Generator Upgrades – Council Policy Committee -- Rob Armstrong, Public Works Director

In August Council awarded Power Secure a \$239,624 Construction Contract to upgrade the Motor Control Center and large generator at the Waste Water Treatment Plant. During the equipment procurement phase for the project we noted that the originally specified FVNR motor starters will experience service problems where they will be located within the corrosive atmosphere near the aeration basin and clarifiers and will damage the older mechanical drives of the existing treatment equipment. Public Works requested Power Secure to look into an equipment upgrade by providing a Square D Motor Control Center with auto transformer starters like we have currently. This equipment upgrade is expected to offer long-term performance and reduce maintenance cost and reduce possible state violations due to unexpected equipment failure. The cost of the upgrade will bring the total project cost to \$320,000. This is an \$80,376 increase. Public Works is proposing to pay for the equipment upgrades by appropriating funds from the Water and Sewer Capital Reserve Fund.

Public Works is requesting Council to appropriate \$80,376 from the Water and Sewer Capital Reserve Fund to be paid to Power Secure for Motor Control Center and Equipment Starter upgrades at the Waste Water Treatment Plant.

RESULT:	APPROVED [7 TO 0]
MOVER:	John Cantey Jr., Precinct 5
SECONDER:	Robert L. Jones, Precinct 6
AYES:	Metzger, Robinson, Wilkins, Ivey, Cantey Jr., Jones, Hackney
ABSTAIN:	Pennington
ABSENT:	Maynor

VII. APPOINTMENTS TO BOARDS AND COMMISSIONS - LIBRARY BOARD

Councilman Cantey made a motion, seconded by Councilman Metzger, appointing Glen Heinz to the Robeson County Public Library Board. It carried unanimously.

VIII. ADJOURNMENT

There being no further action to come before the board the meeting was adjourned.