



CITY OF LUMBERTON

CITY COUNCIL

MINUTES • OCTOBER 8, 2018

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
Bruce W. Davis	Mayor	Present	
Leroy Rising	Precinct 1	Present	
John Robinson	Precinct 2	Excused	
Karen Higley	Precinct 4	Present	
John Cantey	Mayor Pro Tem	Present	
Chris Howard	Precinct 6	Present	
Owen Thomas	Precinct 8	Present	
Wayne Horne	City Manager	Present	
Laney Mitchell-McIntosh	City Clerk	Remote	
Holt Moore	City Attorney	Present	

B. Invocation:& Comments: Dr. Davis Elks, Pastor First Baptist Church –

Dr. David Elks stated that he was on a conference call with several pastors around the North Carolina Region and many were impacted terribly by Hurricane Florence and a couple of them were from Robeson County. He stated that we were ahead of the game because of our outstanding leadership and that we are very thankful for.

Many times we don't know what to do; however, we can give space and that's what we have done. We are operating two church services from our location. We have allowed West Lumberton Baptist Church to operate out of First Baptist. When we look around, there is always something that we don't know that we have to offer.

II. SPECIAL PRESENTATION - MAYOR DAVIS

Mayor Davis presented Bruce Mullis with the Order of Long Leaf Pine signed by Governor Cooper. He mentioned his dedication to the LYBA, Lumberton Recreation Commission where he has served for 40 years and his banking expertise.

Mayor Davis thanked him for a job well done.

III. PRIDE IN LUMBERTON AWARDS: LYBA

A. Tim Locklear –

Tim Locklear, President LYBA, stated that the World Series was a great event. He stated that after Hurricane Matthew; we needed something to pull us together. He expressed his gratefulness to the Community and thanked them for coming together. He stated how they went down to Louisiana and placed a bid for the 2018 World Series and they got it. . He stated that many said that it was the best World Series and the hostility was outstanding.

Mr. Locklear was presented with a Pride in Lumberton Award which is a print of the Old City Hall and a City Pride in Lumberton pin for his outstanding service with the Lumberton Youth Baseball Association.

B. Bruce Mullis –

Mr. Mullis received a Pride in Lumberton Award which is a print of the Old City Hall and a City Lapel Pin for his outstanding service with the Lumberton Youth Baseball Association.

C. Gary Carr –

Mr. Carr was not present; however, he is the recipient of the Pride in Lumberton Award which is a print of the Old City Hall and a City Lapel Pin for his outstanding service with the Lumberton Youth Baseball Association.

D. Mira Kenny –

Ms. Mira Kenny received a Pride in Lumberton Award which is a print of the Old City Hall and a City Lapel Pin for her outstanding service with the Lumberton Youth Baseball Association.

E. Roy West –

Mr. West was not present; however, he is the recipient of a Pride in Lumberton Award which is a print of the Old City Hall and a City Lapel Pin for his outstanding service with the Lumberton Youth Baseball Association.

F. Adrian Lowry –

Mr. Lowry received a Pride in Lumberton Award which is a print of the Old City Hall and a City Lapel Pin for his outstanding service with the Lumberton Youth Baseball Association.

G. Alan Fowlkes –

Mr. Fowlkes was not present; however, he is the recipient of a Pride in Lumberton Award which is a print of the Old City Hall and a City Lapel Pin for his outstanding service with the Lumberton Youth Baseball Association.

IV. EMPLOYEE RECOGNITION:

A. Sheila A. Smith - Sr. Customer Service Clerk - 35 yrs. LPD –

Mayor Davis in the absence of Ms. Smith thanked her for 35 years of dedicated service.

B. Jeffrey D. Martin - Fire Battalion Chief - 20 yrs. LFD –

Jeffrey D. Martin, Retired Fire Battalion Chief received a plaque and his fireman helmet as the Mayor which him the best in his retirement. Members of the Lumberton Fire Department were with Mr. Martin as his support base.

C. Johnny R. Coleman - Police Captain - 24 yrs. LPD –

Mayor Davis in the absence of Retired Police Captain Coleman thanked her for 24 years of dedicated service to the City of Lumberton.

V. PUBLIC COMMENT PERIOD

Ms. Natalie Lewis, 11 River Road, appeared before Council and stated that she elevated her home after Hurricane Matthew and that she has witnessed many storms since she has been in her home some 23 years. She stated that there needs to be some sort of comprehensive study done or focus group that will meet with others who have experienced this same problem and glean from them.

Ms. Lewis stated that during Hurricane Floyd no one came to her home to warn her about leaving.

Nancy Wyer, 3181 Hampstead Road, appeared before Council and stated that she has resided in Mayfair since 1988. She stated that severe damage was caused during Matthew and Florence. They suffered with no power for a week each time. She stated that she is grateful because they can depend on each other.

Ms. Wyer stated that she watched three (3) dead bodies brought out of the house in front of hers during Hurricane Matthew. She wants to know where this water comes from. She stated that French Park is crime infested and they are asking for help.

She stated that they would like the City to appoint a committee that will help our community thrive and strive again. She felt that her Council representative along with herself should be part of this committee and if you don't want her them a member of the community.

Mr. Ray Lovie appeared before Council to give thanks for a wonderful job by our City staff. It's going to take a while to work it all out, but it will all workout.

VI. CONSENT AGENDA

A. City Council - Regular Meeting - Sep 10, 2018 6:00 PM -

RESULT:	ACCEPTED [5 TO 0]
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis
EXCUSED:	Robinson

- B. Refer the Petition from French Family Properties Requesting a Conditional Use Permit for property located off of Dawn Drive to the Planning Board for their review, and authorize the Planning Director to set the date of the public hearing - Council Policy Committee
- French Family Properties has submitted a Conditional Use Permit petition for property located off of Dawn Drive (parcel #1006-01-012/Deed Book 1430 Page 0572). This request is to allow for the subdivision of property in accordance with section 35-236 utility ownership and easement rights.

This section of the ordinance was amended on August 13, 2018, to allow for the subdivision of property without direct or indirect access to a public street, for public utility facilities only.

This property is located within the proposed 'rural' area, as identified in 'Area 1' of 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 [5 TO 0]
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis
EXCUSED:	Robinson

- C. Approval of Tax Releases for the Month of September 2018 - Council Policy Committee
- 2012----\$383.08
- 2013----\$45.65

2015----\$28,419.20

2016----\$32.31

2017----\$39.81

2018----\$2,416.56

Recommend Council approval of 2018 Tax Releases

RESULT:	APPROVED [5 TO 0]
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis
EXCUSED:	Robinson

- D. Adopt a Resolution Declaring Foreclosure Property Surplus to the Needs of the City for Sealed Bid Sale - Council Policy Committee

The property located at 2608 W. 5th Street went into tax foreclosure, and there were no bidders so the City purchased it on the courthouse steps. The property is located between Morgan's Tire and Brake Shop and a residential property on W. 5th Street; the property itself is currently unoccupied residential. Maps and a picture of the property are attached. We have a little less than \$10,000 in the property, and the City's priority is to have it returned to the tax rolls. The Legal Department reached out to adjacent property owners and there is interest in purchasing the property. We ask Council to declare the property surplus so that it may be sold by sealed bid and returned to private ownership.

Adopt a Resolution declaring property surplus to the needs of the City.

RESULT:	APPROVED [5 TO 0]
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis
EXCUSED:	Robinson

- E. Approve an Amendment to Fiscal Policy Regarding Credit Cards - Council Policy Committee

Approximately two years ago Council approved a fiscal/procurement policy for the City. FEMA considers this policy when they review how we handle disaster procurement. It is necessary for the policy to be amended as follows to reflect our current approach as to credit cards:

Current: The City Manager and Finance Director have City credit cards.

New: The City Manager, Finance Director, *City Attorney, Deputy City Manager and Department Heads* have City credit cards.

Approve technical change to fiscal policy.

RESULT:	APPROVED [5 TO 0]
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis
EXCUSED:	Robinson

- F. Approve the designation of \$400.00 of CRF to Walnut Cove for its Family Day - Council Policy Committee
Councilman Rising requests \$400.00 of Community Revitalization Funds be given to Walnut Cove for their Family Day.
Designate \$400.00 to Walnut Cove for the Family Day.

RESULT:	APPROVED [5 TO 0]
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis
EXCUSED:	Robinson

- G. Approve the Designation to the following disaster relief entities as follows: NC Baptists on Mission - \$1,900 as follows: P1 - \$500 P4 - \$100 P5 - \$100.00 P6 - \$100 P8 - \$100 and \$1,000 from the Mayor's Discretionary Fund. United Methodist Committee on Relief / Volunteers in Mission: \$1,900 as follows: P1 - \$500 P4 - \$100.00 P5 - \$100.00 P6 - \$100 P8 - \$100 and \$1,000 from the Mayor's Discretionary Fund. Christian Aid Ministries - \$1,400 as follows: P1 - \$500 P4 - \$100.00 P5 - \$100.00 P6 - \$100 P8 - \$100 and \$500 from the Mayor's Discretionary Fund and Hope Force - \$1,400 as follows: P1 - \$1000 P4 - \$100.00 P5 - \$100.00 and P6 - \$100 & P8 - \$100.00. - Council Policy Committee
The Mayor would like to make the following payments to the following disaster relief entities from the Mayor's Discretionary Fund:

NC Baptists on Mission \$1,000, United Methodist Committee on Relief / Volunteers in Mission \$1,000, Christian Aid Ministries \$500

Councilman Rising - added Hope Force - \$1,000.00

Approve payments as requested.

RESULT:	APPROVED [5 TO 0]
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis
EXCUSED:	Robinson

H. Adopt a Resolution Renaming Jaycee Hut after the Late City Councilman Leon Maynor - Council Policy Committee

Councilman Rising ask that the CPC consider re-naming the Jaycee Hut in West Lumberton after the Late City Councilman Leon Maynor. Once the building is reconstructed or renovated, this would be fitting for us as a Council to do.

Adopt a Resolution Re-naming the Jaycee Hut after the Late City Councilman Leon Maynor.

RESULT:	APPROVED [5 TO 0]
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis
EXCUSED:	Robinson

I. Grant Permission to the Lumberton Police Department to accept 2018 Edward Byrne JAG Grant - Council Policy Committee

The Lumberton Police Department is requesting permission to accept the 2018 Edward Byrne JAG Grant in the amount of \$45,304. \$35,003 has been awarded to the City of Lumberton; the remaining amount of \$10,301 has been awarded to the Robeson County Sherriff's Department. City of Lumberton grant will fund overtime and training.

It is recommended that the Lumberton Police Department be granted permission to accept the 2018 Edward Byrne JAG Grant in the amount of \$45,304.

RESULT:	APPROVED [5 TO 0]
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis
EXCUSED:	Robinson

VII. PUBLIC HEARING:

A. Elhuni Ali annexation request property located at 2485 E 5th Street – ArTriel Kirchner, Interim Planning Director

The Planning & Neighborhood Services Department received an application for a contiguous annexation from Elhuni Ali requesting that property located at 2485 E 5th Street (Parcel # 2903-01-003/Deed Book 1887 Page 0856) be annexed into the City of Lumberton.

The property is currently zoned City of Lumberton B-4 (business general commercial) and 'A' (Agriculture) therefore a rezoning is not required.

On September 24, 2018 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 September 24, 2018 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 September 28, 2018.

On September 24, 2018 a request was sent to the Robesonian to have the legal ad for this request ran on September 28, 2018 and October 5, 2018
Recommend that City Council hold tonight's public hearing and approve the annexation request

Mayor Davis opened the public hearing on a request to annex contiguous property located at 2485 E. 5th Street into the City limits. City Clerk Mitchell-McIntosh read the affidavit of publication showing that it was advertised in the Robesonian.

Russell Mayes, applicant for the rezoning of 2485 E. 5th Street, appeared before Council and stated that the rezoning is still coming forth. They are waiting on DOT for the consideration of the turning lane.

RESULT:	APPROVED [5 TO 0]
MOVER:	Karen Higley, Precinct 4
SECONDER:	John Cantey, Mayor Pro Tem
AYES:	Rising, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis
EXCUSED:	Robinson

VIII. ADJOURNMENT

Before adjourning, Council gave recognition to Ms. Jane Maynor, wife of the late Councilman Leon Maynor who thanked Council for acknowledging her husband and renaming the Jaycee Hut in his honor.

Each Council Member gave remarks concerning Hurricane Floyd from thanking the employees as well as department heads for the outstanding job they did. Many had lost their homes; however, they worked tirelessly for others before considering themselves.

Councilman Rising made a motion, seconded by Councilman Thomas to hold the CPC /City Council meetings on November 14th (CPC) and November 19th (Council). It carried unanimously.

There being no further business to come before Council, the meeting was adjourned.