CITY OF LUMBERTON

CITY COUNCIL

MINUTES ● OCTOBER 14, 2019

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	
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	Present	
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 Holt Moore

C. Pledge of Allegiance: Led by Troop # 301, First Presbysterian Church

II. RETIREE RECOGNITION

A. Fabian B. Hewett - Police Sergeant - 9 years - No Show

B. Luke Humphrey - Police Corporal - 12 years:

Received a plaque for his years of service with the City of Lumberton.

C. Stephen F. Harden - Police Sergeant - 19 years: No Show

III. PUBLIC COMMENT PERIOD

Dr. Shanita Wooten, Superintendent of the Public Schools of Robeson County, appeared before the Committee and presented a grant opportunity to hire two (2) additional Resource Officers (RSO) for three (3) schools. . Currently, there is one officer that serve

IV. CONSENT AGENDA

A. Approval of Bid for CDBG-NR Housing Rehabilitation to Lumber River Quality Builders and Faith Home Improvements for 2406 Chambers St; 817 MLK Jr. Dr., and 62 Marion Road. - Council Policy Committee
The planning dept. received bids on Sept.25, 2019 for the rehabilitation of three houses under the city's Community Development Block Grant – Neighborhood Revitalization program. We received 3 bids for each home. The lowest bidder was Lumber River Quality

Builders/Mark Cummings for 2 homes located at 2406 Chambers St at $38,325 and 817 MLK Jr. Dr. at $33,625. The lowest bid for 62 Marion Rd. was Faith Home Improvements/Frankie Demery at $51,755.
The planning dept. recommends awarding contracts to the lowest bidders Lumber River Quality Builders and Faith Home Improvements.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

B. Approval of Bid for Hazard Mitigation Grant Program (HMGP) Elevation Group 1 to Paul Woolard, Winchip Construction, and Buechele Building Group for 220 Front Street; 223 Front St., 1709 Nevada St., 2416 MLK Jr. Dr., 3660 Kale Dr, and 3680 Kale Dr. - Council Policy Committee
The planning dept. received bids for the first group of homes to be elevated under the city's Hazard Mitigation Grant Program on Oct. 1. We received bids from 4 contractors. The low bids for each property are:

220 Front St. $90,896 – Paul Woolard Construction, Bath, NC
223 Front St. $103,928 – Paul Woolard Construction, Bath, NC
1709 Nevada St. $85,000 – Paul Woolard Construction, Bath, NC
*2416 MLK Jr. Dr. $154,000 – Winchip Construction, Carolina Beach, NC
*3660 Kale Dr. $168,465 – Buechele Building Group, Wilmington, NC
*3680 Kale Dr. $172,260 – Buechele Building Group, Wilmington, NC

*Award will be contingent upon negotiations with the state and contractor to get cost within budget.
The planning dept. recommends awarding the contracts to the low bidders – Paul Woolard Construction, Winchip Construction, and Buechele Building Group.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

C. Approval of Bid for HMGP Reconstruction to Cook Contractors, LLC contingent upon an execution of change order to reduce the new home construction to $150,000 or below to remain within the budget set by HMGP. - Council Policy Committee
The planning dept. received bids for the reconstruction of a home located at 265 Halsey St. under the city's Hazard Mitigation Grant Program. A total of 4 bids were received with the lowest bid going to Cook Contractors, LLC of Whiteville, NC at $161,751.00.
The planning dept. recommends awarding the contract to the low bidder Cook Contractors, LLC contingent upon an execution of change order to that will reduce the new home

construction to $150,000 or below to remain within the budget set by HMGP.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

D. Approval of Bid for HMGP Reconstruction for 12 Marion Road to Lumber River Quality Builders/Mark Cummings. in the amount of $133,000 - Council Policy Committee
The planning dept. held a bid opening for the demo/reconstruction of a home at 12 Marion Rd under the City's Hazard Mitigation Grant Program on September 10, 2019. A total of 4 bids were received with the lowest bid going to Lumber River Quality Builders/Mark Cummings at $133,000.
The planning dept. recommends awarding the contract to the lowest bidder, Lumber River Quality Builders/Mark Cummings.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

E. Approval of Bid for HMGP Demolition for 104 Best Dr., 1219 Lowery St., 1704 Michigan St., 1705 Maryland St., 39 Canal St., 63 National Ave., and 211 Elmhurst Dr. to Kevin K. Jacobs General Contracting, Inc. of Lumberton - Council Policy Committee
The planning dept. received bids for the second group of homes to be demolished under the city's Hazard Mitigation Grant Program on August 29th, 2019. A total of 9 bids were received with the lowest bid going to Kevin K. Jacobs General Contracting, Inc. of Lumberton, NC. This group will include properties at:

104 Best Dr.
1219 Lowery St.
1704 Michigan St.
1705 Maryland St.
39 Canal St.
63 National Ave.
211 Elmhurst Dr.
The planning dept. recommends approving the contract to the lowest bidder, Kevin K. Jacobs Contracting, Inc.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

F. Approval of Bid for HMGP Demolition for 102 Best Dr., 117 Fuller Ave., 213 Elmhurst Dr., 49 National Ave., 602 Branch St., and 619 Branch St., to Chisum Construction Company, Inc. in the amount of $59,874.00 - Council Policy Committee
The planning dept. received bids for the third group of homes to be demolished under the city's Hazard Mitigation Grant Program on September 12th, 2019. A total of 4 bids were received with the lowest bid going to Chisum Construction Company, Inc. of Wilmington, NC at $59,874.00. This group will include properties at:

102 Best Dr.
117 Fuller Ave.
213 Elmhurst Dr.
49 National Ave.
602 Branch St.
619 Branch St.
The planning dept. recommends awarding contract to the lowest bidder Chisum Construction Company, Inc.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

G. Approval of Bid for HMGP Demolition for 106 Lesane St., 112 Best Dr., 59 National Ave., 701 S. Sycamore St., 63 Marion Rd., and 607 S Sycamore St., to Chisum Construction Company, Inc of Wilmington, NC in the amount of $98,321 - Council Policy Committee
The planning dept. received bids for the fourth group of homes to be demolished under the city's Hazard Mitigation Grant Program on September 19, 2019. A total of 7 bids were received with the lowest bid going to Chisum Construction Company, Inc of Wilmington, NC at $98,321. This group will include properties at:

106 Lesane St.
112 Best Dr.
59 National Ave.
701 S. Sycamore St.
63 Marion Rd.
607 S Sycamore St.
The planning dept. recommends awarding the contract to the lowest bidder, Chisum Construction Co, Inc.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

H. Approve the Reappointment of Mrs. Priscilla Leazer to the Robeson County Public Library Board of Trustees - Council Policy Committee
City Manager Horne received a request from Chairman McGougan and Director Fountain, Robeson County Public Library, asking that the City reappoint Mrs. Priscilla Leazer to the Board of Trustees. Her term will expire on June 30, 2025.
Reappoint Mrs. Priscilla Leazer to the RCPL Board of Trustees, if so desired.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

I. Adopt a Resolution Directing the City Clerk to Investigate a Petition from Cape Fear Property Ventures Requesting a Contiguous Annexation for property located on Caton Road - Council Policy Committee
The Planning & Neighborhood Services Department received an application for a contiguous annexation from Cape Fear Property Ventures requesting a contiguous annexation of property located on Caton Road (Parcel #1610-02-00303/Deed Book 02193 Page 0493).

The property is currently zoned City of Lumberton 'A' (Agriculture) therefore a rezoning is not required.
Recommends that City Council direct the City Clerk to investigate said petition.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

J. Refer the Rezoning Petition from Ivey King with Cape Fear Property Ventures, LLC for property located on Caton Road to the October 22, 2019, Planning Board meeting for their review, and authorize the Interim Planning Director to set the date of the public hearing - Council Policy Committee
Ivey King with Cape Fear Property Ventures, LLC submitted a rezoning petition for property located on Caton Road (Parcel #16100200303 Deed Book 02193 Page 0493). This request is to rezone the property from 'A' agriculture to B-3, office residential for the construction of a multifamily development.

This property is located within Area 9 and its recommended future use is medium intensity, as identified in our Land Use Plan.

If this rezoning is granted the applicant must obtain a Land Use Permit from the City of Lumberton's Planning Department.
CPC to review the request, refer the petition to the October 22, 2019 Planning Board meeting for their review, and authorize the Interim Planning Director to set the date of the public hearing.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

K. Approval of the Water Plant Berm Change Order #1 with T2 Contracting, Inc. adding $11,920.12 to the contract for a total contract price of $1,260,558.31 to be paid by the FEMA Hazard Mitigation Grant. - Council Policy Committee
Attached is Change Order #1 with T2 Contracting, Inc. for the Water Treatment Plant Berm. The Change Order modifies the internal pump type, deducts some internal drainage features and adds a concrete wing wall required at one of the access openings. The total addition to the contract is $11,920.12. The new contract amount is $1,260,558.31.
Public Works is requesting Council approval of Order #1 with T2 Contracting, Inc. for the Water Treatment Plant Berm adding $11,920.12 to the contract for a total contract price of $1,260,558.31 to be paid by the FEMA Hazard Mitigation Grant.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

L. Approval of Mayfair Drainage Easement Between Wellington and Westminster - Council Policy Committee
In the past, Public Works has periodically cleaned the ditch that is behind the homes that face Wellington and Westminster, shown on the attached map. In recent years our cleaning effort has been limited to inmate crews hand clearing the ditch because homeowners have placed fences, storage buildings, landscaping, and other yard features within the easement making it difficult to access. Additionally, EUD has some large pad mount transformers within the easement and also large pine trees have grown up over time in the travel access and on the ditch bank. After the last two hurricanes, residents living in this section have expressed their concern about the hydraulic performance of the ditch. After a review of the ditch, Public Works believes the ditch needs to be thoroughly cleared and reconstructed, something that will require a major effort using heavy equipment. We will need the easement completely clear of obstacles. Also we believe Public Works will need a temporary easement in the areas where there is a pad mount transformer within the original easement so we can drive

the equipment around the transformers. Attached is a draft letter Public Works would like to send to home owners requiring them to remove the obstacles within a designated time frame. Approve Council Direction to Staff to Setup Meetings Concerning Mayfair Drainage Easement

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

M. Approval of the Rosewood Mobile Home Park CDBG Sanitary Sewer Engineering Contract Amendment of $10,000 to the Wooten Company to provide Subsurface Utility Engineering (SUE) services associated with the Piedmont Natural Gas pipe line to be paid from CDBG Funds - Council Policy Committee

During the design of the Sanitary Sewer Extension to serve the Rosewood Mobile Home Park, it was determined that a Piedmont Natural Gas high pressure main runs through the mobile home park and may conflict with our sewer extension. In order to determine the proper grade to set the new sewer, we will need to dig down to the gas main and determine the bury depth. This service is called a Subsurface Utility Engineering service or SUE service. The SUE service required close coordination between Piedmont Natural Gas and the Wooten Company Surveyors. The Wooten Company is proposing a $10,000 amendment to the engineering contract to pay for this service. This will be paid for from the CDBG funds awarded to the project.

Public Works is requesting approval of a $10,000 amendment to the Wooten Company Engineering Agreement to provide SUE services associated with the Piedmont Natural Gas pipe line. This service will be paid from CDBG funds

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

N. Direct staff to draft an ordinance prohibiting food parking vendors from parking in the spots adjacent to Elm and Chestnut Streets and facing 2nd Street by the plaza, and reserving the two spots by the bricked median facing 2nd Street for food vendors only, first come, first serve. - Council Policy Committee

Council is most likely familiar with the food vendors who regularly park by the plaza on the 2nd Street side. The vendors serve a need, but the general concern of staff and some of Council is having those businesses so close to two city streets. Site distance is impacted pulling onto 2nd Street from Elm, and the location next to Chestnut creates visual challenges for those coming around the plaza onto Chestnut. Also, it seems unsafe for children of customers of these mobile businesses to be so close to those streets. Staff's proposal is to make the two outside (adjacent to Elm and Chestnut Streets) parking spots off limits for food vendors, and make the two innermost spots (by the bricked median) reserved for food vendors on a first-come first-serve basis. We believe these two measures will help alleviate both of these problems. Attached are: (1) a picture showing the current parking in red and the proposed parking in blue, and (2) a picture showing the bricked median where the new parking for the vendors would be.

Direct staff to draft an ordinance for the Mayor's signature prohibiting food parking vendors from parking in the spots adjacent to Elm and Chestnut Streets and facing 2nd Street by the plaza, and reserving the two spots by the bricked median facing 2nd Street for food vendors only, first come, first serve.

Councilman Cantey made a motion, seconded by Councilman Howard, pulling Item 4.N. Directing staff to draft an ordinance prohibiting food parking vendors from parking in the spots adjacent to Elm and Chestnut Streets. It carried unanimously.

Councilman Howard made a motion, seconded by Councilman Cantey, to table the item until the next CPC meeting for further discussion. It carried unanimously.

RESULT:	**REFERRED [8 TO 0]**	**Next: 11/6/2019 11:00 AM**
MOVER:	Chris Howard, Precinct 6	
SECONDER:	John Cantey, Mayor Pro Tem	
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas	
ABSTAIN:	Davis	

O. Approval to purchase a 30' wide permanent drainage easement from Jerry Allen on West 23rd Street for $5,500 to be paid for from the Drainage Fund and reimbursed by grant money allocated to the project. - Council Policy Committee

The proposed Tanglewood Drainage Project requires an easement from Jerry Allen on West 23rd Street. We have an existing stormwater pipe on the eastern boundary of Mr. Allen's property but there is no recorded easement for it. The Tanglewood Project will be removing the existing pipe and installing a larger and deeper pipe in the same alignment. This construction impacts Mr. Allen's existing landscape and storage shed. He has asked for $5,500 compensation to replace the shed and landscaping. The right of way agent working on the easement for the City believes this is fair compensation. The easement purchase will be reimbursed to the grant funding the project.

Public Works is requesting Council approval to purchase a 30' wide permanent drainage easement from Jerry Allen on West 23rd Street for $5,500 to be paid for from the Drainage Fund and reimbursed by grant money allocated to the project.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

P. Approval of Main Street Advisory Board Members and Appoint Councilman Chris Howard as Council Liaison to the Board - Council Policy Committee

This past July, a request for volunteers to serve on the Main Street Advisory Board was distributed to our local community. Six names were vetted and chosen to serve from the list

of those who responded. These individuals are respectfully submitted for your approval: Dencie Lambdin, Scott Bigelow, Rhonda Williamson, Janell Carroll, Rich Sceiford and Sharon Smith. City Council will also need to appoint a Council liaison to attend the advisory board meetings.
The general purpose of the Main Street Advisory Board is to serve as an advisory committee to City Council for the purposes of facilitating the implementation of the Comprehensive Downtown Master Plan and the 4-point Main Street approach.
Recommend that City Council approve the Main Street Advisory Board candidates as submitted and appoint a Council liaison to the board.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

Q. Adopt a Resolution for the Acceptance for a State Loan for Sanitary Sewer Collection System Rehab Project from the Department of Environmental Quality - Grant No. CS370455-05 - Council Policy Committee
The City of Lumberton has been approved for loan assistance from the Clean Water State Revolving Fund in the amount of $1,000,000 with $500,000 in principal forgiveness for the Sanitary Sewer Collection System Rehabilitation and 2018 Priority Repairs. The attached resolution must be adopted by City Council, accepting the loan offer and making applicable assurances contained therein.
Staff, along with the Public Works Department, recommends that CPC accept the State Loan from the Clean Water State Revolving Fund in the amount of $1,000,000 with $500,000 in principal forgiveness for the Sanitary Sewer Collection System and 2018 Priority Repairs and Rehab Project by adopting the attached resolution.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

R. Refer the Rezoning Petition from the Public Schools of Robeson County for property located at 100 Hargrave Street (Janie C Hargrave Elementary School) to the Planning Board for their review, and authorize the Interim Planning Director to set the date of the public hearing - Council Policy Committee
Public Schools of Robeson County Request to rezone property located at 100 Hargrave Street (Hargrave Elementary School) (parcel # 324001019).

This request is to rezone the property from R-7 residential single-family/duplex to B-3 office residential to use as office space of the school system.

This property is located within Area 6, and its recommended future use is medium intensity, as identified in our Land Use Plan. Furthermore, this property is located adjacent to Council Precinct #4.

If this rezoning is granted the applicant must obtain a Land Use Permit from the City of Lumberton's Planning Department.
CPC to review the request, refer the petition to the October 22, 2019 Planning Board meeting for their review, and authorize the Interim Planning Director to set the date of the public hearing.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

S. Approval of the proposed Flood Gate engineering contract with Atkins Global for $1,317,922.16 to be paid for by CDBG Disaster Relief and North Carolina Golden Leaf funds. - Council Policy Committee
Attached is the Flood Gate Engineering scope & proposal from Atkins Global for $1,317,922.16.
Public Works is requesting Council approval of the proposed Flood Gate engineering contract with Atkins Global for $1,317,922.16 to be paid for by CDBG Disaster Relief and North Carolina Golden Leaf funds.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

T. Acceptance of Final plat approval of Oak Pointe subdivision - Council Policy Committee
The Planning Department received a request from Greenstate Investments LLC for final plat approval of Oak Pointe subdivision, acceptance of the roads, and acceptance of the bond in the amount of $406,250. The bond is intended to cover the completion of asphalt paving, sidewalks, street trees, water, sewer, and curbing. Public works is satisfied with the bond.
Recommend approval of the final plat for Oak Pointe subdivision, for the acceptance of the roads and acceptance of the bond in the amount of $406,250 to cover the completion of asphalt paving, sidewalks, street trees, water, sewer, and curbing.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

U. Acceptance of Staff Request for Approval of EDA Grant Applications - Council Policy Committee
Staff has made Council aware of its intent to apply for two grants with the U.S. Economic Development Administation (EDA), for funding for the Floodgate Project and the Tanglewood Drainage Improvements Project. The City is seeking approximately $3.3 million for the Floodgates and $6.8 million for Tanglewood. This item is to enter into the record Council's previously expressed support for these requests. Additional, more detailed, approvals may be required at some point in the future.
Staff would request a motion of support and any necessary authorization for the applications for these grants from the EDA.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

V. Approve/ratify Contract Documents for East Lumberton Housing Project - Council Policy Committee
Council is aware of the exciting new program the City has entered into with the NC Office of State Budget and Management to build new homes, as well potentially to renovate some existing homes, in the East Lumberton Mill Village area, primarily to assist those displaced by the hurricanes. Among the reasons for the selection of this area for this particular project was its location out of the floodplain. This item is just a formality to ratify and approve the latest contract documents for that project.
Approve latest contract documents for East Lumberton Housing Project.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

W. Conceptual Approval - Partnership with United Methodists Committee on Relief (UMCOR) on 171 Coleman Street - Council Policy Committee
As Council is aware, UMCOR (United Methodists Committee on Relief), has done a considerable amount of work in our community in restoring flood damaged homes and building new homes for flood victims. Staff has been in consultation with representatives of UMCOR about partnering with the City by restoring a City-owned (obtained through tax foreclosure) property, which UMCOR would use to house some of their volunteers. The

plan would be for the City to provide the property, and funds for materials for restoration, and UMCOR would provide the restoration labor. UMCOR would then lease the property for $1 a year to house volunteers, and when their mission here is complete, they would return the restored home to the City for whatever purpose Council deemed best. The property in which UMCOR is most interested currently is 171 Coleman Street, primarily because it is near Asbury Methodist Church with whom UMCOR has been working. UMCOR should have some estimates on what the materials should cost by the CPC meeting. The City has approximately $12,000 in the property as a result of purchasing it through tax foreclosure, and paying the County taxes to get a clean title. A map showing the location (corner of Coleman and Asbury) and a picture of the property are attached.
Grant staff authority to move forward with this partnership with UMCOR on the City-owned property.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

X. Approval of the Airport Grant Application for Funding with NCDOT Div. of Aviation for Runway 5 - Council Policy Committee
The Airport is requesting the City approval of a request for funding from the NCDOT Aviation Division in the amount of $133,974.00. The project will extend the current parallel taxiway to the end of the runway 5 pavement. This will alleviate the current problem of aircraft having to make 180 degree turns in order to take off. This will be 100% state funded with no matching local contribution. The application is attached.
Approve request to support grant application.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

Y. Approval of Airport Grant Agreement - Runway 23 - Council Policy Committee
This is a request from the Airport for approval of the Grant Agreement for the Partial Parallel Taxiway and Turnaround Runway 23 Project. The State will provide $209,124 (90%) of the total costs of $232,361. The City and County will contribute 5% each, and those funds have already been budgeted. The Agreement is attached.
Approve airport agreement.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

Z. Approve the designation of $450.00 of Community Revitalization Funds to Wycliffe East Homeowners' Association - Council Policy Committee
Councilman Rising requests $450.00 of CRF to be given to the Wycliffe East Homeowners' Association for Community Event.
Designate $450.00 of CRF to the Wycliffe East Homeowners' Association in Precinct 1 for a Community Event.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

AA. Approve the designation of $250.00 for Second Street Memories in Precinct 4 - Council Policy Committee
Councilwoman Higley requests $250.00 of CRF for “Second Street Memories” an event that will be held on December 1, 2019 between the hours of 1:00 - 6:00 p.m.
Designate $250.00 for Second Street Memories.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

AB. Approve the designation of $250.00 of Community Revitalization Funds to the Robeson County Humane Society from P-8 - Council Policy Committee
Councilman Thomas requests $250.00 of Community Revitalization Funds be given to the Robeson County Humane Society.
Designate $250.00 of CRF to the Robeson County Humane Society from P-8.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

AC. Approve the designation of $1,000.00 of Community Revitalization Funds to North Carolina Conference United Methodist Church from the Mayor's Discretionary Fund - Council Policy Committee

At its meeting of October 9, 2019, the Council Policy Committee considered among other items to give a donation of $2,000.00 to Communities in Schools BakPak Pals Program. The following contributions were made:

P1 - $250.00 P2 - $250.00 P3 - $250.00 P4 - $250.00 P5 - $250.00 P6 - $250.00 P7 - $250.00 P8 - $250.00
Designate $2.000 of CRF to the BakPak Pals Program as follows:
P1 - $250.00 P2 - $250.00 P3 - $250.00 P4 - $250.00 P5 - $250.00 P6 - $250.00 P7 - $250.00 P8 - $250.00

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

AD. Approve the designation of $2,000 of Community Revitalization Funds of Community Revitalization Funds to Communities in Schools BakPak Pals Lunch Program as follows: P1 - $250.00 P2 - $250.00 P3 - $250.00 P4 - $250.00 P5 - $250.00 P6 - $250.00 P7 - $250.00 P8 - $250.00 - Council Policy Committee
At its meeting of October 9, 2019, CPC considered among other items contributing Community Revitalization Funds be 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 [8 TO 0]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

AE. Approve the designation of $850.00 of Community Revitalization Funds to Southern Sapphires Dance Company as follows: P1 - $200.00 P2 - $50.00 P3 - $150.00 P4 - $150.00 P5 - $50.00 P6 - $50.00 and P8 - $200.00 - Council Policy Committee
At its meeting of October 9, 2019, CPC considered among other items contributing Community Revitalization Funds Southern Sapphires Dance Company for support as they compete across NC against other dance companies.
Approve the designation of $850.00 of Community Revitalization Funds to Southern Sapphires Dance Company as follows: P1 - $200.00 P2 - $50.00 P3 - $150.00 P4 - $150.00 P5 - $50.00 P6 - $50.00 and P8 - $200.00

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

AF. Conceptual Approval of Donation of Property From French Family Properties - Council Policy Committee

Mr. B G French, Principal with French Family Properties, has approached the City about the company's donating to the City the property shown in pink on the attached map. This is along Dawn Drive, just outside the Mayfair subdivision, and also one area inside the subdivision. The donation would be contingent upon the property being maintained as a vegetative buffer with no new construction, and small parcels or easements would be carved out for the billboards located on the property. Mr. French has requested that the City bear some of the expense of the surveying that would be necessary to accomplish the conveyance, and staff recommends agreeing to this term, with a maximum of $5,000. Staff believes the conveyance would benefit the City, as it would protect the residents of Mayfair from commercial development immediately adjacent to their property, and would ensure an attractive vegetative area facing I95. This is being offered as conceptual as the actual conveyance would not occur for another couple of months and small details relating to the transfer would be worked out in the interim.

Consider conceptual approval of property from French Family Properties.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSENT:	Davis

V. PUBLIC HEARINGS

A. Bharat Kumar L. Patel Rezoning petition for property located on Farmbrook Drive and Hatfield Court – ArTriel Kirchner, Interim Planning Director

Bharat Kumar L. Patel has submitted a Rezoning petition for property located on Farmbrook Drive and Hatfield Court (parcel #'s 1003-04-021 and 35' of 1003-04-02802/Deed Book 1670 Page 23 and Deed Book 2180 Page 747). This request is to allow for the construction of a four story hotel at this location. This property is zoned B-4 (business general commercial) and the original request was to rezone the parcels to B-5, highway services which allows a maximum building height of 60 feet. However, at Council's request, the Applicant has revised his application after discussions with staff. Under the new request, the applicant would add 35 feet to the rear of the parcel which fronts Farmbrook Drive (to be taken from the parcel which fronts Hatfield Court), and the new larger parcel would be rezoned B5 and the remainder of the parcel fronting Hatfield would remain B4. This is shown on the 3rd attachment.

This property is located within Area 12 and its recommended future use is high intensity, as identified in our Land Use Plan. Furthermore, this property is located within Council Precinct #1.

If this rezoning is granted the applicant must obtain a Land Use Permit from the City of Lumberton's Planning Department.

September 17, 2019 the Planning Board held the public meeting and with a majority vote, recommends City Council approve the amended rezoning request.

On September 18, 2019 the Planning Department sent out letters to the adjacent property owners within 150 feet of the petitioned property, requested to have a sign placed on the property, and requested the legal ad be ran on October 4 and 11th, 2019 all to provide public notice of this request.
Recommends that City Council hold tonight's public hearing and make a decision regarding this rezoning request.

Mayor Davis opened the public hearing to consider rezoning property located on Farmbrook Drive and Hatfield Court from B-4, Business General Commercial to B-5, Highway Services to allow for the construction of a four story hotel and allows a maximum building height of 60 feet. City Clerk Mitchell-McIntosh submitted the Affidavit of Publication showing that it was advertised in the Robesonian.

Dr. David Allen appeared before Council and stated that he has had his business located next door to this property for 22 years. He stated that there is plenty of property located in the B-5 zoning that they could purchase and build this hotel. He spoke to the caliber or appearance of the current property of the applicants. He circulated pictures of the traffic flow and water clearance after a storm.

Bharat Kumar L. Patel, owner of the property, stated that they are willing to make the necessary adjustments from the Planning Board and he did not agree with the statement that they do not take care of their properties.

Mr. Ben Brady, 200 Wintergreen Drive, first stated that he is not against the rezoning; however, he voiced concerns about the water runoff. He stated that we never had an issue during Hurricane Matthew; but we had issues with Hurricane Florence. Mr. Brady would like for that issue to be addressed.

No one else appeared to speak and the hearing was closed.

Councilman Rising stated that he believes that the proposed rezoning, especially as amended, is consistent with the Lumberton land use plan. The record reflects that Council has considered all of the potential uses allowed in the B5 zoning. The land-use plan envisions this property as being part of a high intensity area, accommodating regional- scale commercial and employment centers, auto-oriented retail uses and services for transient customers at strategic locations along primary highway corridors and other prominent locations in the city. I believe that the proposed B-5 uses, including but not limited to the envisioned four-story hotel, are consistent with the land-use plan for this location.

Councilman Rising stated that the Farmbrook property had been purchased a long time ago; but that on Hatfield was recently purchased. With that said, Councilman Rising made a motion, seconded by Councilman Cantey, approving the request to rezone property located on Farmbrook Drive to B-5, (allowing the applicant to add 35 feet to the rear of the parcel which fronts Farmbrook Drive from the parcel which fronts Hatfield Court), and the remainder of the parcel fronting Hatfield would remain B4. It carried unanimously.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Leroy Rising, Precinct 1
SECONDER:	John Cantey, Mayor Pro Tem
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

B. Pizza 22, LLC d/b/a Your Pie Conditional Use Permit petition for property located at 5130 Fayetteville Road Suite A – ArTriel Kirchner, Interim Planning Director
Pramit V. Patel, managing member of Pizza 22, LLC has submitted a Conditional Use Permit petition for property located at 5130 Fayetteville Road Suite A (parcel # 10030102602A/Deed Book 1935 Page 0102). This request is to allow for the operation of a Restaurant with carry-out/delivery/outdoor dining; with drive-in service; with hours of operation which include the hours of eleven-o'clock pm thru six-o'clock am (Table of Permissible Uses number 8.450) which requires a conditional use permit in the B-5 zoning district.

This property is located within Area 1 and its recommended future use is high intensity, as identified in our Land Use Plan. Furthermore, this property is located within Council Precinct #1.

September 17, 2019 the Planning Board held the public meeting and unanimously recommends City Council approve the Conditional Use Permit request.

On September 18, 2019 the Planning Department sent out letters to the adjacent property owners within 150 feet of the petitioned property, requested to have a sign placed on the property, and requested the legal ad be ran on October 4 and 11th, 2019 all to provide public notice of this request.
Recommends that City Council hold tonight's public hearing and approve the Conditional Use Permit request.

Mayor Davis opened the public hearing to consider the issuance of a Conditional Use Permit for property located at 5130 Fayetteville Road. City Clerk Mitchell-McIntosh submitted the Affidavit of Publication showing that it was advertised in the Robesonian.

Pramit Patel came before Council and stated that they would like to be able to accommodate their customers and be able to stay open for their special events. He stated that their normal hour for closing is 10:00 p.m.

No one else came forth to speak and the hearing was closed.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Leroy Rising, Precinct 1
SECONDER:	John Cantey, Mayor Pro Tem
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

C. AMEND ARTICLE XVI. FLOOD DAMAGE PREVENTION – ArTriel Kirchner, Interim Planning Director

This request is to amend the Land Use Ordinance by replacing ARTICLE XVI. FLOOD DAMAGE PREVENTION:

The National Flood Insurance Program (NFIP) is a voluntary program, however, it is required that the City updates the floodplain management regulations and adopt the new maps to continue to obtain assistance from the program. City Council must adopt the updated ordinance and maps to remain in compliance with the NFIP.

On September 17, 2019 the Planning Board held the public meeting and recommends that City Council approve the ordinance amendment and accept the new maps.

On September 18, 2019 a request was sent to the Robesonian to have the legal ad for this request ran on September, 20, 2019; September, 24, 2019; October 4, 2019 and October 11th, 2019
Recommends that City Council hold tonight's public hearing and approve the ordinance amendment and accept the new maps.

Mayor Davis opened the public hearing to amend the Land Use Ordinance by replacing Article XVI, Flood Damage Prevention. City Clerk Mitchell-McIntosh submitted the Affidavit of Publication showing that it was advertised in the Robesonian.

No one appeared to speak and the hearing was closed.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Chris Howard, Precinct 6
SECONDER:	John Cantey, Mayor Pro Tem
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

VI. NEW BUSINESS

A. Approval of Change Order 1 & 2 for the Airport Terminal Project – Council Policy Committee -- Wayne Horne, City Manager
Airport Manager Bob Snuck has presented the following Change Orders for the Airport Terminal project:

Change Order 1 ------------------ $21,795.98
Change Order 2 --------------------$60,652.41

Funding for the Change Orders and the local match of $16,667 is allocated for, with the Non-Primary Entitlement Funds of $150,000 from the State Block Grant Program.

Change Orders are attached.
<< Recommendation >>

Councilman Thomas made a motion, seconded by Councilman Cantey, waiving the first reading for the Airport Terminal Project. It carried unanimously.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Leroy Rising, Precinct 1
SECONDER:	John Cantey, Mayor Pro Tem
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

B. Request from the Carolina Civic Center Board of Directors for Financing and Design – Council Policy Committee -- Wayne Horne, City Manager
Results of meeting will be discussed
<< Recommendation >>

At its September 17th, 2019, quarterly meeting, the Carolina Civic Center Foundation unanimously approved formally requesting that the Lumberton City Council approve the Center to build an annex to the existing theater on property. (Please see the insert to the Agenda Packet for October 14, 2019).

After the discussion to the financing of the expansion; City Council endorsed the concept of the expansion. Please see handout.

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

C. Use of Space by Congressman Bishop – Council Policy Committee -- Holt Moore, City Attorney
Results to be presented at the meeting.
Use of space to be provided to Congressman Bishop.

As the discussion ensued; Councilman Rising made a motion to select Option 2

RESULT:	**APPROVED [6 TO 2]**
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Chris Howard, Precinct 6
AYES:	Robinson, Carroll, Higley, Cantey, Howard, Chavis
NAYS:	Rising, Thomas
ABSTAIN:	Davis

VII. ADJOURNMENT