



CITY OF LUMBERTON
CITY COUNCIL
MINUTES • SEPTEMBER 10, 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	Present	
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	Present	
Holt Moore	City Attorney	Present	

B. Invocation –

C. Pledge of Allegiance –

D. *Pride in Lumberton Awards*

i. : Robert "Robbie" Barr

Councilman Thomas called upon Brianna Goodwin-Davis to introduce Mr. Robert "Robbie" Barr to the audience. She mentioned a facts that were pretty outstanding, We originally met as children doing theatre at the Carolina Civic Center and were reacquainted in high school when he transferred into Lumberton High. We were part of a very cool crew known as the theatre kids when one single event changed both of our lives for good. On his way to school one day, he was in an accident that many thought would end his life, but in truth, it was the start of a new journey in which he inspired hundreds, maybe thousands by learning to walk again, talk again and most importantly, sing again. You see, life took almost everything from our Volunteer of the Year, and yet, he preserved. Through years of weeks, months and years of rehabilitation, he preserved, through wheelchairs and walkers and holding onto rails, he preserved. Through relearning how to express sounds, words and phrases, he persevered and what's more is that in spite of everything that life seems to take away from him, he held onto his joy, his sense of humor, his wit and most importantly, his compassion and love for others which shows through the countless hours that he and his family have spent volunteering here at Robeson County Church and Community Center and beyond. Without further ado, it is my honor and my privilege to introduce to you my hero, my friend, Robbie Barr.

After the introduction, Robbie was presented with a Pride in Lumberton pin along with a plaque of the Old City Hall. Robbie thank everyone and a special thanks to his friend Brianna.

ii. Mr. Harry Jhala

Mayor Davis along with Councilman Thomas presented Mr. Harry Jhala with a Pride of Lumberton pin and a plaque of the Old City Hall as requested by Mr. Arnold West. Mayor Davis read what Mr. West had to say about the incident by stating that Mr. West received a call one morning in reference to a guest of ours at the restaurant that she had passed away the night before at home in Broadridge Community. She was at

the age of 35 and had suffered from MS or Spinal Bifilar for years and was in a wheel chair. This upset me terribly, but the story continued. Her mother found her small body lifeless and not breathing and called for her father. Her mother dialed 911 as her father snatched her off the bed and started CPR. Harry Jhala received a page out as a volunteer fireman, jumps out of bed at 3 am and was first on the scene. Mr. Jhala continues CPR with dad until Lumberton Rescue arrives. No heartbeat. Finally with a faint heartbeat they load her up on the ambulance SRMC bound. At 9 am that morning I received a phone call she wanted to speak to me on the phone. The little lady was alive and talking because of the heroic efforts of our very own Harry Jhala and her father (Jerry May- a retired city employee). Harry serves on the tourism board. He has intervened on many occasions in our community because of his willingness to serve his community and fellow citizens this little girl is alive today.

Mr. Jhala expressed his thanks and stated that he is just one of the many who are called to serve. He thanked Mr. West for the nomination as he was thankful for an opportunity to serve.

E. Employee Retirement Recognition: Kenneth L. Richardson

Kenneth L. Richardson received a plaque for 20 years of service as a Police Lieutenant with the Lumberton Police Department. Mr. Richardson thanked the City for giving him the opportunity to serve which provided him the ability to feed his family. He stated that he is retiring but not leaving. He will serve as an auxiliary officer and as a mentor for the other officers as they learn that they are peace officers called to protect and serve.

II. PUBLIC COMMENT PERIOD

III. CONSENT AGENDA

A. City Council - Regular Meeting - Jun 11, 2018 6:00 PM -

RESULT:	ACCEPTED [6 TO 0]
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Leroy Rising, Precinct 1
AYES:	Rising, Robinson, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis

B. City Council - Regular Meeting - Aug 13, 2018 6:00 PM -

RESULT:	ACCEPTED [6 TO 0]
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Leroy Rising, Precinct 1
AYES:	Rising, Robinson, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis

C. Adopt the Grant Project Ordinance for FY 17 Community Development Grant for Wastewater System Improvements - Council Policy Committee

This resolution is to adopt the grant project ordinance as required and proceed with the grant project within the terms of the grant documents, the rules and regulations of the North Carolina Department of Environmental Quality and the budget contained herein. The project authorized is the Community Development Project described in the work statement contained in Grant Agreement 17-I-2967 between the City and the North Carolina Department of Environmental Quality. This project is known as the *2017 Wastewater System Improvements Grant (Rosewood Mobile Home Park)*.

The Planning Dept. along with Wooten Company recommends adoption of the grant project ordinance resolution as presented.

RESULT:	APPROVED [6 TO 0]
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Leroy Rising, Precinct 1
AYES:	Rising, Robinson, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis

D. Adopt a Resolution Authorizing the Adoption of the Program Manual for CDBG-Infrastructure Project - Council Policy Committee

This program manual is designed to meet requirements for participation in the 2017 CDBG program (Rosewood Mobile Home Park Sewer Project) administered by the North Carolina Department of Environmental Quality of Water Infrastructure. This resolution adopting the program manual is required per program guidelines. A memo highlighting the program manual contents is attached in the agenda packet.

The Planning Dept. recommends adoption of the resolution adopting the CDBG program manual.

RESULT:	APPROVED [6 TO 0]
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Leroy Rising, Precinct 1
AYES:	Rising, Robinson, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis

E. Grant Permission to Lumberton Police Department for the Acceptance of the 2019 Governor's Highway Safety Program Grant - Council Policy Committee

The Lumberton Police Department is requesting permission to accept the 2019 GHSP Grant in the amount of \$29,272.

It is recommended that the Lumberton Police Department be granted permission to accept the 2019 GHSP in the amount of \$29,272.

RESULT:	APPROVED [6 TO 0]
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Leroy Rising, Precinct 1
AYES:	Rising, Robinson, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis

F. Approve a Budget Amendment for a \$2,500 Grant from the General Fund Contingency to Arrested Potential for its After-School Tutoring Program - Council Policy Committee

Gene Jones has asked for an opportunity to speak with the Council Policy Committee regarding Arrested Potential, Inc., and its after-school tutoring program.

Consider presentation by Mr. Jones.

RESULT:	APPROVED [6 TO 0]
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Leroy Rising, Precinct 1
AYES:	Rising, Robinson, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis

- G. Adopt a Resolution to Apply for NC State Revolving Fund to fund the Northwest Sanitary Sewer Diversion Project - Council Policy Committee

Public Works would like to apply for North Carolina Division of Water Infrastructure State Revolving Fund Loan (SRF) and Grant for the Northwest Sanitary Sewer Diversion Project under I-95. This project was studied in 2015 as a result of commercial growth along Dawn Drive and around Robeson Community College. The Diversion Project's goal would be to remove growing sewer flows from the older sewer basin of Britt's Farm and divert these flows the Northeast Interceptor. This action would help reduce Sanitary Sewer Overflows in the Noir Street area which is downstream from Britt's Farm. A secondary benefit from this project is providing additional capacity to accommodate growth around exit 22. Public Works will also propose a small storm water / sewer separation project in Downtown at the corner of Chestnut Street and 7th Street as part of the diversion funding application. We anticipate the overall project cost to be \$1,150,000. If our SRF application is successful we would receive \$250,000 in principal forgiveness (grant) and \$750,000 in low interest loan. The City would provide \$150,000. Attached is a resolution supporting the application. Public Works is requesting Council adoption of the attached resolution to apply for North Carolina Division of Water Infrastructure funding for the Northwest Sanitary Sewer Diversion Project.

RESULT:	APPROVED [6 TO 0]
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Leroy Rising, Precinct 1
AYES:	Rising, Robinson, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis

- H. Refer the petition from Keilah Locklear for a Conditional Use Permit for property located at 3555 B North Roberts Avenue to the Planning Board for their review, and authorize the Planning Director to set the date of the public hearing - Council Policy Committee
- Keilah Locklear has submitted a Conditional Use Permit petition for property located at 3555 B North Roberts Avenue (parcel #1005-01-02203B/Deed Book 1601 Page 0609). This request is to allow for the operation of a skilled gaming center (use #6.160 Electronic Gaming Operations) at this location. This property is zoned B-4 (business general commercial) and requires a Conditional Use Permit for Electronic Gaming Operations.

This property is located within Area 11, 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 [6 TO 0]
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Leroy Rising, Precinct 1
AYES:	Rising, Robinson, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis

- I. Adopt a Resolution Setting the Date of the Public Hearing for October 8, 2018, on a Request for a Contiguous Annexation for Property located at 2485 E 5th Street (Parcel # 2903-01-003/Deed Book 1887 Page 0856). - Council Policy Committee

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.

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 October 8, 2018.

RESULT:	APPROVED [6 TO 0]
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Leroy Rising, Precinct 1
AYES:	Rising, Robinson, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis

- J. Approve a Letter of Cooperation Supporting a Sewer Regionalization Study with the Town of Bladenboro - Council Policy Committee

The town of Bladenboro would like to apply for a North Carolina Clean Water State Revolving Fund (NC CWSRF) grant to study wastewater regionalization between the Town of Bladenboro and the City of Lumberton. This is the same type of grant used to study regionalization with the Town of St Pauls and the Robeson County Landfill. Public Works is requesting Council approval of the attached letter of cooperation supporting the concept of the study. If the Town of Bladenboro is awarded the grant, the study will investigate potential operational and environmental benefits of wastewater regionalization. The grant would fund 100% of the study and there is no monetary match from any of the participants required. The study is non-binding and none of the participants are obligated to act on any of the study's findings.

Public Works is requesting Council approval of the attached letter of cooperation supporting a wastewater regionalization study with the Town of Bladenboro.

RESULT:	APPROVED [6 TO 0]
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Leroy Rising, Precinct 1
AYES:	Rising, Robinson, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis

- K. Approve Tax Release for August 2018 - Council Policy Committee
Taxes Released during the month of August 2018

- 2008---\$.02
- 2011—\$1089.88
- 2012--\$.13
- 2013--\$.16
- 2014--\$.03
- 2015--\$276.23
- 2016--\$262.22
- 2017--\$471.29
- 2018--\$7,143.33

Recommend Council approval of August 2018 Tax Releases

RESULT:	APPROVED [6 TO 0]
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Leroy Rising, Precinct 1
AYES:	Rising, Robinson, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis

L. Approval of the updated 10 Year Sanitary Sewer Capital Improvement Plan - Council Policy Committee

Public Works presents the updated 10 Year Sanitary Sewer Capital Improvement Plan for Council review and approval.

Public Works is requesting Council approval of the updated 10 Year Sanitary Sewer Capital Improvement Plan

RESULT:	APPROVED [6 TO 0]
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Leroy Rising, Precinct 1
AYES:	Rising, Robinson, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis

M. Approval of Pride In Lumberton Awards - LYBA Board Members - Council Policy Committee

The Mayor would like to honor the Lumberton Youth Baseball Association Board Members with Pride In Lumberton Awards, for their tireless efforts towards the successful 2018 Dixie Youth Baseball World Series held in Lumberton. The members are: Tim Locklear, President, Mira Kenny, Roy West, Gary Carr, Adrian Lowry and Alan Fowlkes. The awards would be presented at the October council meeting.

Approve proposed Pride In Lumberton awards.

RESULT:	APPROVED [6 TO 0]
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Leroy Rising, Precinct 1
AYES:	Rising, Robinson, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis

- N. Approval of Pride In Lumberton Awards for Robert "Robbie" Barr and Mr. Harry Jhala - Council Policy Committee
Councilman Thomas would like to honor Robert "Robbie" Barr with Pride In Lumberton Award.

Approve proposed Pride In Lumberton award.

RESULT:	APPROVED [6 TO 0]
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Leroy Rising, Precinct 1
AYES:	Rising, Robinson, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis

- O. Approve the designation of \$900.00 of Community Revitalization Funds for the 2018 South Carolina High School Rodeo and BBQ Cook Off as follows: P1 - \$200.00 P4 - \$200.00 P5 - \$100.00 P6 - \$100.00 P8 - \$100.00 & Mayor's Discretionary Fund - \$200.00 - Council Policy Committee
Councilman Rising is requesting support for the Borderbelt Horseman's Association for the 2018 South Carolina High School Rodeo and BBQ Cook Off.
Approve the designation of CRF.

RESULT:	APPROVED [6 TO 0]
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Leroy Rising, Precinct 1
AYES:	Rising, Robinson, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis

- P. Designate \$120.00 of CRF for a 400 Watt Flood Light to be Installed at 311 E. 5th Street - Council Policy Committee
Councilman Cantey is seeking Council's approval for a 400 watt flood light to be installed at 311 E. 5th for the purpose of safety at this establishment (Beauty Shop).
Please give consideration to this matter and advise accordingly.

RESULT:	APPROVED [6 TO 0]
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Leroy Rising, Precinct 1
AYES:	Rising, Robinson, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis

- Q. Approve the designation of \$1,000 for Precinct 8 Community Day - Council Policy Committee

Councilman Thomas is requesting \$1,000 of CRF to be used for Precinct 8 Community Day held on October 13th, 2018, at Tanglewood Elementary School.

Designate \$1,000 of CRF for Precinct 8 Community Day.

RESULT:	APPROVED [6 TO 0]
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Leroy Rising, Precinct 1
AYES:	Rising, Robinson, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis

- R. Approve the designation of \$400 of CRF for Mayfair Family Cookout - Council Policy Committee

Councilman Thomas is requesting \$400.00 of CRF for Mayfair Family Cookout.

Designate \$400.00 of CRF to Mayfair Family Cookout.

RESULT:	APPROVED [6 TO 0]
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Leroy Rising, Precinct 1
AYES:	Rising, Robinson, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis

IV. PUBLIC HEARINGS:

- A. Russell & Edna Mayes Rezoning petition for property located 2485 E 5th Street – Brandon Love, Deputy City Manager

Russell & Edna Mayes has submitted a Rezoning petition for property located at 2485 E 5th Street (Parcel # 2903-01-003/Deed Book 1887 Page 0856). This request is to rezone the property from B-4 (business general commercial) and 'A' (agriculture) to M-1 (light manufacturing).

The applicants intended use of the property is #11.000 Scrap Materials Salvage Yards, Junkyards, Automobile Graveyards. This property is located within Area 5, as identified in our Land Use Plan.

-On August 21, 2018 the Planning Board held the public meeting, based on submitted information from the Inspections Department and opposition from the residents, a tie vote was rendered. Therefore, the Planning Board forwards this request to City Council without a recommendation.

-On August 23, 2018 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 August 23, 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 August 31, 2018.

-On August 23, 2018 a request was sent to the Robesonian to have the legal ad for this request ran on August 31, 2018 and September 7, 2018.

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

Mayor Davis opened the Public Hearing on a request to rezone property located at 2485 E. 5th Street. City Clerk Laney Mitchell-McIntosh submitted the Affidavit of Publication showing that the Notice of the Hearing was advertised in The Robesonian.

Russell Mayes appeared before Council and stated that he spoke with the State and asked if they would take a look at traffic control. I am asking them to look at a traffic lane. He stated that he has a signed list from the neighbors and businesses. He stated that since he moved off W. 5th Street, his business has exploded and he is asking that he be given the opportunity to expand.

Ricky Speights, 605 Franklin Avenue, appeared on behalf of Naomi Conly and they want to make sure that there is no noise disturbing the neighbors and if they stick to the closing at 4:00 pm that would be okay.

Councilwoman Higley made a motion, seconded by Councilman Howard, to table this action until we receive further information. It carried unanimously.

RESULT:	TABLED [6 TO 0]	Next: 10/8/2018 6:00 PM
MOVER:	Karen Higley, Precinct 4	
SECONDER:	Chris Howard, Precinct 6	
AYES:	Rising, Robinson, Higley, Cantey, Howard, Thomas	
ABSTAIN:	Davis	

B. Rezoning petition for properties located on Kenny Biggs Road – Brandon Love, Deputy City Manager

Roger Hunt has submitted a Rezoning petition for properties located on Kenny Biggs Road (Parcel #'s 0208-01-006, 0208-01-00301, 0208-01-00304 and 0208-01-00307/Deed Book 1864 Page 0089 and Deed Book 0896 Page 0786). This request is to rezone the property from M-2 (Heavy manufacturing) to 'A' (agriculture).

The applicants intended use of the property is residential single family.

This property is located within Area 8, as identified in our Land Use Plan.

On August 21, 2018 the Planning Board held the public meeting and recommends that City Council approve the rezoning request.

-On August 23, 2018 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 August 23, 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 August 31, 2018.

-On August 23, 2018 a request was sent to the Robesonian to have the legal ad for this request ran on August 31, 2018 and September 7, 2018.

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

Mayor Davis opened the Public Hearing on a request to rezone property located on Kenny Biggs Road. City Clerk Laney Mitchell-McIntosh submitted the Affidavit of Publication showing that the Notice of the Hearing was advertised in The Robesonian.

Rob Hunt, 901 Kenny Biggs Road, appeared before Council and stated that he is trying to get his house back on his property.

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

C. City of Lumberton Rezoning petition for property located at the corner of Pine Log Road and NC Hwy 72 – Brandon Love, Deputy City Manager

On June 11, 2018 the City of Lumberton annexed property located at the corner of Pine Log Road and NC Hwy 72 (Rob's Quick Stop) (Parcel # 1607-01-01803). As of today, the property is zoned County Residential Agriculture. We are requesting to rezone the property to B-2 (business community).

On August 21, 2018 the Planning Board held the public meeting and recommends that City Council approve the rezoning request.

On August 23, 2018 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 August 23, 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 August 31, 2018.

On August 23, 2018 a request was sent to the Robesonian to have the legal ad for this request ran on August 31, 2018 and September 7, 2018.

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

Mayor Davis opened the Public Hearing on a request to rezone property located at the corner of Pine Log Road and NC Hwy 72 (Rob's Quick Stop). City Clerk Laney Mitchell-McIntosh submitted the Affidavit of Publication showing that the Notice of the Hearing was advertised in The Robesonian

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

D. Conditional Use Permit petition for 5000 Fayetteville Road – Brandon Love, Deputy City Manager

Brian Soltz with Commercial Site Design, PLLC has submitted a Conditional Use Permit petition for property located at 5000 Fayetteville Road (parcel #3206-01-012.5/Deed Book 2112 Page 0042). 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-oclock pm thru six-oclock am (Table of Permissible Uses number 8.450) which requires a conditional use permit in the B-4 zoning district.

This property is located within Area 12, as identified in our Land Use Plan.

-On August 21, 2018 the Planning Board held the public meeting and recommends that City Council approve the Conditional Use Permit request.

-On August 23, 2018 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 August 23, 2018 a request was sent to Public Works Department to have a sign placed on the property, notifying the adjacent property owners of the Conditional Use Permit request, on or before August 31, 2018.

-On August 23, 2018 a request was sent to the Robesonian to have the legal ad for this request ran on August 31, 2018 and September 7, 2018.

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

Mayor Davis opened the Public Hearing on a request for a Conditional Use Permit for property located at 5000 Fayetteville Road. City Clerk Laney Mitchell-McIntosh submitted the Affidavit of Publication showing that the Notice of the Hearing was advertised in The Robesonian.

Brian Schultz appeared before Council on behalf of his clients who own the new McDonald's. Mr. Schultz stated that they will have a public phone; noise level will not exceed the Chapter 14.1, there will be no liquor served. He stated that the restaurant will be opened 24 hrs., daily and the dining room will operate until 11:00 pm and the drive thru will be opened after 11:00 pm.

He stated that it will not materially endanger the public health or safety; and

That it will not substantially injure the value of the adjoining or abutting property; and that it will be in harmony with the area in which it is to be located; and that it will be in general conformity with the Land Use Plan, Thoroughfare Plan, or other plan officially adopted by the City.

No one else appeared to speak.

RESULT:	APPROVED [6 TO 0]
MOVER:	Leroy Rising, Precinct 1
SECONDER:	John Cantey, Mayor Pro Tem
AYES:	Rising, Robinson, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis

- E. Quality Oil Conditional Use Permit petition for property located at 1510 W. 5th Street. – Brandon Love, Deputy City Manager

Quality Oil has submitted a Conditional Use Permit petition for property located 1510 W. 5th Street (parcel #3225-02-004/Deed Book 2062 Page 0438). This request is to allow for the installation of outside propane storage tanks (use #10.220 storage inside or outside completely enclosed structure) at this location. This property is zoned B-4 (business general commercial) and requires a Conditional Use Permit for storage inside or outside completely enclosed structure.

This property is located within Area 17, as identified in our Land Use Plan.

-On August 21, 2018 the Planning Board held the public meeting and recommends that City Council approve the Conditional Use Permit request with one condition: owner/developer provide landscaping along the screen facing W. 5th Street.

-On August 23, 2018 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 August 23, 2018 a request was sent to Public Works Department to have a sign placed on the property, notifying the adjacent property owners of the Conditional Use Permit request, on or before August 31, 2018.

-On August 23, 2018 a request was sent to the Robesonian to have the legal ad for this request ran on August 31, 2018 and September 7, 2018.

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

Mayor Davis opened the Public Hearing on a request for a Conditional Use Permit for property located at 1510 W. 5th Street. City Clerk Laney Mitchell-McIntosh submitted the Affidavit of Publication showing that the Notice of the Hearing was advertised in The Robesonian.

Mr. Rice appeared before Council and stated that this action would give them the ability to move their tanks.

RESULT:	APPROVED [6 TO 0]
MOVER:	John Cantey, Mayor Pro Tem
SECONDER:	Leroy Rising, Precinct 1
AYES:	Rising, Robinson, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis

V. NEW BUSINESS:

- A. Approval of Terminal Building Site Improvements Grant Acceptance – Troy Gammon, Airport Manager

The City has received the initial grant agreement in the amount of \$90,955.00 for the Terminal Building Site Improvements project at the Lumberton Regional Airport. This grant has been budgeted and requires a 10% match; 5% City and 5% County and acceptance of the FAA grant assurances.

Recommend the council accepts the grant agreement and assurances for the Terminal Building Site Improvements in the amount of \$90,955.00.

RESULT:	APPROVED [6 TO 0]
MOVER:	Leroy Rising, Precinct 1
SECONDER:	John Robinson, Precinct 2
AYES:	Rising, Robinson, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis

- B. Authorize the Budget Increase for Full Time Position – Troy Gammon, Airport Manager
The Lumberton Airport Commission has voted to hire a full time lineman position. This action would require an increase to the current fiscal year budget of \$24,458.00 (\$16292 city, \$8146 count).

Recommend the council grant the required budget increase to hire a full time lineman at the Lumberton Regional Airport.

RESULT:	APPROVED [6 TO 0]
MOVER:	John Robinson, Precinct 2
SECONDER:	Leroy Rising, Precinct 1
AYES:	Rising, Robinson, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis

- C. Carthage Rd./Fayetteville Rd. Circuit Upgrade – Lamar Brayboy, Electric Utilities Director
Sealed bids were opened on August 21, 2018 for furnishing the necessary labor and equipment for the Distribution Line upgrade on Carthage Rd. and Fayetteville Rd. The new distribution line upgrade will consist of replacing 80 poles and changing the wire to a larger size to improve the power factor and allow the transfer of an increased load between each substation. Volt Power LLC quoted a total of \$784,255.50, LEE Electrical Construction quoted a total of \$905,898.00 and River City Construction quoted a total of \$932,197.49. As shown by the enclosed tabulation and recommended by Progressive Engineering Consultants Inc., Volt Power LLC, submitted the lowest proposal.

The distribution line upgrade was approved in this current year's capital budget in amount \$825,000. This bid is \$40,744.80 under the budgeted amount.

CPC recommends that Council award the distribution line upgrade contract to Volt Power LLC for \$784,255.50.

RESULT:	APPROVED [6 TO 0]
MOVER:	Karen Higley, Precinct 4
SECONDER:	John Robinson, Precinct 2
AYES:	Rising, Robinson, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis

- D. Public Works Steam Cleaner – Rob Armstrong, Public Works Director
Public Works needs to replace our Steam Cleaner. We have solicited three prices:

O'Reilly: \$6,240.00
Power Equipment Direct: \$6,899.99
CTS: \$6,105.00

CPC recommends that Council approve the purchase of a new steam pressure cleaner from CTS for \$6,105.00 to be paid from drainage operations budget line item: 10-00-4512-3520

RESULT:	APPROVED [6 TO 0]
MOVER:	John Robinson, John Cantey
SECONDER:	Karen Higley, Precinct 4
AYES:	Rising, Robinson, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis

- E. Elm Street Resurfacing – Rob Armstrong, Public Works Director
Public Works has identified a section of Elm Street, from 24 Street north to Roberts Avenue as a section of road that needs to be milled and resurfaced. The improvement plan for this street includes milling and removing approximately 2" of the existing asphalt surface and resurfacing with approximately 1.5" of new asphalt surface course. Because street milling is a specialty service Public Works would like to partner with NCDOT, using their already bid and established contract unit prices for milling and asphalt overlay with Barnhill Construction. Public Works has confirmed with NCDOT this is allowed by the General Statutes with the expense of the project charged directly to the City's Powell Bill. The estimated project cost is \$197,000. In order to proceed, a letter from the City of Lumberton to NCDOT is required. The estimated project completion date is mid-December depending on weather and contractor availability.
CPC recommends Council's approval to partner with the North Carolina Department of Transportation to mill and repave the section of Elms Street from 24th Street to Roberts Avenue using their contract unit prices with Barnhill Construction. The estimated project cost is \$197,000 which will be charged to the City's Powell Bill.

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

- F. Well Point Hoses and Accessories – Rob Armstrong, Public Works Director
Last year Public Works purchased a new quiet run well point pump. This year we would like

to update the accessory components associated with the pump. This includes a new header and 15 new well points and all the components to connect the system. Xylem, the company who sells Godwin Pumps has submitted a quote for \$23,967.08 for all the components. The 1 quote from Xylem only is due to the need for compatibility with the Godwin pump. CPC recommends Council's approval to purchase well point accessories from Xylem for \$23,967.08 to be paid from the water and sewer operations code 60-00-7121-2961

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

G. Alexander Street Sewer Replacement – Rob Armstrong, Public Works Director

A section of sanitary sewer main on Alexander Street, from Turner Place to Gavintown Road was scheduled to be slip lined with our current rehabilitation project with Prism Contractors. When preparing to slip line this main, we discovered the pipe condition was too bad to line, therefore, approximately 1,000 feet of 8" sewer main must be replaced. Prism Contractors noted they are a lining company and not really geared for this type of replacement so they did not submit a price to do this work. In seeking an alternative, Public Works ask for bids from contractors with Public Works providing the material to save costs. Bill Worley & Sons was not interested on those terms, nor was Axel McPherson Construction. Frank Horne Construction submitted a price for this work as a potential Change Order to his current contract for the Ramada Inn Force Main Replacement and the price was \$163,039.00 but that included materials as well as labor and equipment. John McArthur provided a quote for labor and equipment of \$51,541 (with Public Works providing the material). Public Works is proposing that John McArthur perform the replacement work on Alexander Street to be paid for from the Water and Sewer Capital Reserve Fund.

CPC recommends Council's approval for John McArthur Construction to provide the Labor and Equipment to replace the existing sanitary sewer main on Alexander Street for \$51,541 to be paid for from the Water and Sewer Capital reserve Fund. The material for the project will be provided by Public Works and taken out of our operations inventory.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Leroy Rising, Precinct 1
SECONDER:	John Robinson, Precinct 2
AYES:	Davis, Rising, Robinson, Higley, Cantey, Howard, Thomas

H. Approval of Change Order for Riverwalk Phase-I – Brandon Love, Deputy City Manager
Bo Noble with Koonce Noble and Associates has submitted a change order request for the following items regarding the Riverwalk Phase-I project:

- | | | |
|--|---|---------|
| 1. Additional engineering/observation fees | - | \$1,740 |
| 2. Tree removal of one dead tree and one large stump | - | \$7,000 |
| 3. Additional brush clearing and removal | - | \$7,600 |

Total amendment to the project budget will be an increase of \$16,340. These proposed

increases are due to problems encountered when attempting to place piles into the riverbank and additional tree, stump and brush removal requested by the City.

CPC recommends that City Council approve the project budget amendment as presented and authorize payment of the tree/stump removal and additional brush clearing from the Public Works drainage operations code and the added engineering/observation from the Planning Department's contracted services code.

RESULT:	APPROVED [6 TO 0]
MOVER:	John Robinson, Precinct 2
SECONDER:	John Cantey, Mayor Pro Tem
AYES:	Rising, Robinson, Higley, Cantey, Howard, Thomas
ABSTAIN:	Davis

VI. ADJOURNMENT

City Manager Horne called upon David Carroll; Deputy Director of Emergency Management who gave a brief overview of what is now a Category 4 Hurricane Florence. He spoke to the possibilities and the potential danger of the storm.

City Manager Horne stated that they will keep the people updated and give advice to the best of their abilities.

With no further business to come before the Board the meeting was adjourned.