



CITY OF LUMBERTON
COUNCIL POLICY COMMITTEE
MINUTES • SEPTEMBER 9, 2015

Regular Meeting

Third Floor Conference Room

11:00 AM

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

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Raymond B. Pennington	Mayor	Present	
Don Metzger	Mayor Pro Tem	Present	
John Robinson	Precinct 2	Absent	
Burnis Wilkins	Precinct 3	Excused	
Harry Ivey	Precinct 4	Present	
John Cantey Jr.	Precinct 5	Present	
Robert L. Jones	Precinct 6	Present	
Leon Maynor	Precinct 7	Present	
Erich Hackney	Precinct 8	Present	
Wayne Horne	City Manager	Present	
Laney Mitchell-McIntosh	City Clerk	Present	
Holt Moore	City Attorney	Present	
Alisha Thompson	Finance Director	Present	
Ben Andrews	Inspections Director	Present	
Brandon Love	Planning Director	Present	
Lamar Brayboy	Electric Utilities Director	Present	
Michael McNeill	Police Chief	Present	
Rob Armstrong	Public Works Director	Present	
Teresa Johnson	CDBG Coordinator	Present	
Tim Taylor	Recreation Director	Present	

Dedicated in honor of the meritorious service given by Mayor Raymond B. Pennington to this City; this Council for the past 24 years, and the guidance that he has given him; Councilman Erich Von Hackney presented a handcrafted podium to be used in the Council Policy Committee meetings. The podium is located in the Council Conference Room located on the 3rd floor in the Municipal Building (City Hall).

Mayor Pennington thanked Councilman Hackney for the beautifully handcrafted podium and for his kind words.

II. AGENDA ITEMS

1. Acceptance of the annual renewal of the CG Automation Solutions contract – Lamar Brayboy, Electric Utilities Director

The annual renewal agreements for CG Automation Solutions is to provide both software and hardware support including any upgrades for the Electric Utilities SCADA system. The Master Station Software Agreement is for \$2,704.00 and the CGA/HP Hardware Agreement is for \$3,601.00 with a combined total of \$6,305.00. This provides technical support should any problems with any associated software or devices occur which may prevent our complete control of the electric substations.

The Electric Utilities Department recommends the approval and execution of both service

agreements to CG Automation Solutions for a total of \$6,305.00.

RESULT:	REFERRED [6 TO 0]	Next: 9/14/2015 6:00 PM
MOVER:	John Cantey Jr., Precinct 5	
SECONDER:	Don Metzger, Mayor Pro Tem	
AYES:	Metzger, Ivey, Cantey Jr., Jones, Maynor, Hackney	
ABSTAIN:	Pennington	
ABSENT:	Robinson	
EXCUSED:	Wilkins	

2. Acceptance of Replacement of I-95 250 Watt Fixtures with LED Fixtures – Lamar Brayboy, Electric Utilities Director

Informal quotes were obtained for the replacement of the 250 watt fixtures with the more cost efficient LED fixtures along the I-95 corridor. Cooper Navion quoted \$121,380.00, American Electric \$76,440.00 and Leotek \$72,450.00. Necessary approval with the North Carolina Department of Transportation Roadway Design Unit was gained for the lowest bidder, Leotek for the price of \$72,450.00.

The Electric Department with the approval of the North Carolina Department of Transportation recommends purchasing the LED fixtures from the lowest bidder, Leotek, for the price of \$72,450.00.

RESULT:	REFERRED [6 TO 0]	Next: 9/14/2015 6:00 PM
MOVER:	Don Metzger, Mayor Pro Tem	
SECONDER:	Leon Maynor, Precinct 7	
AYES:	Metzger, Ivey, Cantey Jr., Jones, Maynor, Hackney	
ABSTAIN:	Pennington	
ABSENT:	Robinson	
EXCUSED:	Wilkins	

3. Authorization to Purchase StarWitness Interviewer Recorder System – Michael McNeill, Police Chief

Recording system in two interview rooms at Police Headquarters is no longer working and cannot be repaired. Three quotes were obtained for a new system that does visual and audio recordings required by State:

MediaSolv Solutions	\$70,568.57
Linear Systems	\$19,000.00
StarWitness Interviewer	\$17,131.00

It is recommended that StarWitness be chosen as the vendor and the Lumberton Police Department be authorized to proceed in purchasing StarWitness Interviewer Recorder System at a cost of \$17,131.00 with funding coming from the Investigative Division office supply code (011-00-4312-2601).

RESULT:	REFERRED [6 TO 0]	Next: 9/14/2015 6:00 PM
MOVER:	John Cantey Jr., Precinct 5	
SECONDER:	Erich Hackney, Precinct 8	
AYES:	Metzger, Ivey, Cantey Jr., Jones, Maynor, Hackney	
ABSTAIN:	Pennington	
ABSENT:	Robinson	
EXCUSED:	Wilkins	

4. Adopt an Ordinance Directing the Building Inspector to Demolish and Remove the Unsafe Structure Located at 107 South Street – Ben Andrews, Inspections Director
- The house located at 107 South Street was inspected by our department and was determined to be unsafe. A Notice of Condemnation and Hearing was sent and the Hearing was held on June 25, 2015. An order to demolish the structure was issued. The time in which the owners had to demolish the structure has expired as of August 17, 2015.
- Staff recommends that City Council Adopt an Ordinance Directing the Building Inspector to demolish and remove the structure located at 107 South Street.

RESULT:	REFERRED [UNANIMOUS]	Next: 9/14/2015 6:00 PM
MOVER:	Harry Ivey, Precinct 4	
SECONDER:	Robert L. Jones, Precinct 6	
AYES:	Pennington, Metzger, Ivey, Cantey Jr., Jones, Maynor, Hackney	
ABSENT:	Robinson	
EXCUSED:	Wilkins	

5. Adopt an Ordinance Directing the Building Inspector to Demolish and Remove the Unsafe Structure located at 107 1/2 South Street – Ben Andrews, Inspections Director
- The house located at 107 1/2 South Street was inspected by our department and was determined to be unsafe. A Notice of Condemnation and Hearing was sent and the Hearing was held on June 25, 2015. An order to demolish the structure was issued. The time in which the owners had to demolish the structure has expired as of August 17, 2015.
- Staff recommends that City Council Adopt an Ordinance Directing the Building Inspector to demolish and remove the structure located at 107 1/2 South Street.

RESULT:	REFERRED [6 TO 0]	Next: 9/14/2015 6:00 PM
MOVER:	Harry Ivey, Precinct 4	
SECONDER:	John Cantey Jr., Precinct 5	
AYES:	Metzger, Ivey, Cantey Jr., Jones, Maynor, Hackney	
ABSTAIN:	Pennington	
ABSENT:	Robinson	
EXCUSED:	Wilkins	

6. Adopt an Ordinance Directing the Building Inspector to Demolish and Remove the Unsafe Structure located at 109 South Street – Ben Andrews, Inspections Director
- The house located at 109 South Street was inspected by our department and was determined to be unsafe. A Notice of Condemnation and Hearing was sent and the Hearing was held on

June 25, 2015. An order to demolish the structure was issued. The time in which the owners had to demolish the structure has expired as of August 17, 2015.

Staff recommends that City Council Adopt an Ordinance Directing the Building Inspector to demolish and remove the structure located at 109 South Street.

RESULT:	REFERRED [6 TO 0]	Next: 9/14/2015 6:00 PM
MOVER:	Harry Ivey, Precinct 4	
SECONDER:	John Cantey Jr., Precinct 5	
AYES:	Metzger, Ivey, Cantey Jr., Jones, Maynor, Hackney	
ABSTAIN:	Pennington	
ABSENT:	Robinson	
EXCUSED:	Wilkins	

7. Adopt an Ordinance Directing the Building Inspector to Demolish and Remove the Unsafe Structure Located at 240 Steele Street – Ben Andrews, Inspections Director

The house located at 240 Steele Street was inspected by our department and was determined to be unsafe. A Notice of Condemnation and Hearing was sent and the Hearing was held on July 23, 2015. An order to demolish the structure was issued. The time in which the owners had to demolish the structure has expired as of August 28, 2015.

Staff recommends that City Council Adopt an Ordinance Directing the Building Inspector to demolish and remove the structure located at 240 Steele Street.

RESULT:	REFERRED [6 TO 0]	Next: 9/14/2015 6:00 PM
MOVER:	Robert L. Jones, Precinct 6	
SECONDER:	John Cantey Jr., Precinct 5	
AYES:	Metzger, Ivey, Cantey Jr., Jones, Maynor, Hackney	
ABSTAIN:	Pennington	
ABSENT:	Robinson	
EXCUSED:	Wilkins	

8. Approval of Flooring Quote for Bill Sapp Kitchen & Restroom Renovations – Brandon Love, Planning Director

On August 10th City Council awarded sub-contractor bids for the Bill Sapp kitchen and restroom renovation project. At that time, no bids were received for the flooring and tile work. The three original sub-contractors have been contacted once more and invited to submit a quote for the flooring work. The renovation project is well underway with the first phase scheduled to be complete in time for Cycle NC on October 1st.

Quotes for the flooring and tile work for the Bill Sapp kitchen and restroom renovation project are presented for your review. A bid alternate has been requested to include removal of the VCT flooring and installation of quarry tile in the canteen area. Staff recommends that CPC consider awarding the bid alternate and authorize the Finance Director to issue a purchase order to the selected bidder for completion of this work. Quotes are attached. CPC recommends that the quotes for the flooring and tile work for the Bill Sapp kitchen and restroom renovation project along with the bid alternate to include removal of the VCT flooring and installation of quarry tile in the canteen area be awarded to Britt's Carpet Service in the amount of \$31,014.36 and authorize the Finance Director to issue a purchase

order to the selected bidder for completion of this work.

RESULT:	REFERRED [6 TO 0]	Next: 9/14/2015 6:00 PM
MOVER:	John Cantey Jr., Precinct 5	
SECONDER:	Robert L. Jones, Precinct 6	
AYES:	Metzger, Ivey, Cantey Jr., Jones, Maynor, Hackney	
ABSTAIN:	Pennington	
ABSENT:	Robinson	
EXCUSED:	Wilkins	

9. Refer the Petition from Edgar Flores requesting a Conditional Use Permit for property located at 3025 North Roberts Avenue to the Planning Board for their review, and authorize the Planning Director to set the date of the Public Hearing – Brandon Love, Planning Director

Edgar Flores has submitted an application for a Conditional Use Permit for property located at 3025 North Roberts Avenue (parcel #1008-01-003.01). The proposed use of the property is for a restaurant bar.

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:	REFERRED [6 TO 0]	Next: 9/14/2015 6:00 PM
MOVER:	Erich Hackney, Precinct 8	
SECONDER:	Don Metzger, Mayor Pro Tem	
AYES:	Metzger, Ivey, Cantey Jr., Jones, Maynor, Hackney	
ABSTAIN:	Pennington	
ABSENT:	Robinson	
EXCUSED:	Wilkins	

10. Donation of K-9 Cage to Elizabethtown Police Department – Holt Moore, City Attorney
The Police Department has a K-9 cage which was in one of the Ford Crown Victorias. It is no longer being used as the department has transitioned to Dodge Chargers. The department would like to donate the cage to the Elizabethtown Police Department, who can use it.

Approve the resolution attached to this agenda item, declaring the item surplus and approving donation to the City of Elizabethtown for its police department.

RESULT:	REFERRED [6 TO 0]	Next: 9/14/2015 6:00 PM
MOVER:	John Cantey Jr., Precinct 5	
SECONDER:	Don Metzger, Mayor Pro Tem	
AYES:	Metzger, Ivey, Cantey Jr., Jones, Maynor, Hackney	
ABSTAIN:	Pennington	
ABSENT:	Robinson	
EXCUSED:	Wilkins	

11. Adopt a Resolution Directing the City Clerk to Certify the Petition for a Ditch Tiling Assessment for Ashvid Desai for Property Located at 7 Trinity Drive – Holt Moore, City Attorney

A request for a ditch tiling assessment has been received; however, the petition was not attached and had not been submitted at the time the agenda was made final. The petition will be submitted before CPC on Wednesday.

Adopt the Resolution if the petition is received by Wednesday.

RESULT:	REFERRED [6 TO 0]	Next: 9/14/2015 6:00 PM
MOVER:	Don Metzger, Mayor Pro Tem	
SECONDER:	John Cantey Jr., Precinct 5	
AYES:	Metzger, Ivey, Cantey Jr., Jones, Maynor, Hackney	
ABSTAIN:	Pennington	
ABSENT:	Robinson	
EXCUSED:	Wilkins	

12. Request for Approval - Contract with Thomson Reuters / Westlaw – Holt Moore, City Attorney

Westlaw, owned by the Thomson Reuters company, is the service which has been used by the legal department for online research and ‘people-searching’ for such purposes and title searches and collections efforts. It is the primary source of research for the department and is used rather extensively; it is really the department’s only significant expense aside from salaries. Shortly after the current city attorney arrived, the contract had gone month-to-month, which resulted in a higher monthly rate. We are currently paying \$1,064 per month for all of the Westlaw services. Westlaw has tweaked the package somewhat, and can provide the services for \$911.00 per month with a 3-year contract, or \$153/month less than we are paying currently. Having used various providers in the past, all of which are comparable in price, the city attorney recommends approval of this contract with Westlaw. Consider and approve contract with Thomson Reuters / Westlaw.

RESULT:	REFERRED [6 TO 0]	Next: 9/14/2015 6:00 PM
MOVER:	Erich Hackney, Precinct 8	
SECONDER:	Don Metzger, Mayor Pro Tem	
AYES:	Metzger, Ivey, Cantey Jr., Jones, Maynor, Hackney	
ABSTAIN:	Pennington	
ABSENT:	Robinson	
EXCUSED:	Wilkins	

13. Request for Forgiveness of Loan to First Image, Inc / Grace Court – Holt Moore, City Attorney

In 1997, the City received a CDBG grant, which it provided as a loan to First Image, Inc., a non-profit which constructed and has operated Grace Court, an interim housing facility for women and children. First Image has requested that the loan be forgiven, as project-based vouchers, which largely funded the facility, are no longer available, and the non-profit does not have the income to repay the loan in addition to operating the facility. NC CDBG has indicated that converting the loan to a grant is allowable. Attached are: The letter of request from First Image, Inc., a memorandum from the City Attorney describing the history in more detail, and the letter from Interim NC CDBG Director indicating that converting the loan to a grant is allowable.

Consider the request from First Image, Inc. to convert the 1997 loan to them to a grant.

RESULT:	REFERRED [6 TO 0]	Next: 9/14/2015 6:00 PM
MOVER:	John Cantey Jr., Precinct 5	
SECONDER:	Robert L. Jones, Precinct 6	
AYES:	Metzger, Ivey, Cantey Jr., Jones, Maynor, Hackney	
ABSTAIN:	Pennington	
ABSENT:	Robinson	
EXCUSED:	Wilkins	

14. Set Date for Special Meeting Regarding Historic Fire Station for September 28, 2015 at 11:00 – Holt Moore, City Attorney

Staff is recommending that Council hold a special meeting in late September to consider various proposals from parties interested in taking ownership of the historic Lumberton fire station on Second Street. Cathleen Turner with Preservation NC, with whom the City has a contract regarding the property, will be present to discuss the proposals with Council. She and the interested parties are available at 11 AM on September 24th or 11 AM on September 28th, and staff would ask that Council agree to meet on one of these two days if at all possible.

CPC recommends September 28, 2015 @ 11:00 am.

RESULT:	REFERRED [6 TO 0]	Next: 9/14/2015 6:00 PM
MOVER:	Don Metzger, Mayor Pro Tem	
SECONDER:	Leon Maynor, Precinct 7	
AYES:	Metzger, Ivey, Cantey Jr., Jones, Maynor, Hackney	
ABSTAIN:	Pennington	
ABSENT:	Robinson	
EXCUSED:	Wilkins	

15. Approve the 2015-2016 Council Meeting Schedule – Holt Moore, City Attorney

Pursuant to NCGS 160A-71, Council shall fix the time and place for its regular meetings. Failure to do so would result in a statutory default schedule of 10:00 am on the first Monday of each month as well as requiring additional notice and restrictions for meetings at any other time.

The attached schedule principally follows the pattern of Council meeting on the second Monday with CPC meetings the prior Wednesday. Exceptions may be necessary for holidays, particularly Independence Day and Veterans' Day.

Also included in the schedule are agenda deadlines, which are recommended to be on the Thursday prior to any meeting.

Consider the attached schedule, adjust for any conflicts, and adopt a final schedule.

RESULT:	REFERRED [6 TO 0]	Next: 9/14/2015 6:00 PM
MOVER:	John Cantey Jr., Precinct 5	
SECONDER:	Don Metzger, Mayor Pro Tem	
AYES:	Metzger, Ivey, Cantey Jr., Jones, Maynor, Hackney	
ABSTAIN:	Pennington	
ABSENT:	Robinson	
EXCUSED:	Wilkins	

16. Public Hearing concerning the City of Lumberton application for CDBG application to NC Small Cities Community Development program for U.S. Housing and Urban Development Funds. – Teresa Johnson,
Tonight's Public Hearing is the first of two required public hearings in order for the City to apply for 2014/2015 CDBG funds.

All NC small cities are eligible to apply for CDBG funds.

Available funding for the infrastructure and Economic Development categories from the State CDBG program is approximately \$43 million for 2014/2015.

The City of Lumberton submitted a pre-application to the Rural Economic Development of the NC Department of Commerce to provide funding for the demolition of two industrial buildings on Town Common and First Street that were acquired by the City.

The buildings were constructed in 1928 and 1946, one is 29,000 sq. ft. and the other is 40,000 sq. ft.

The City has been invited by the NC Department of Commerce to submit a full application in the amount of \$495,041 for CDBG funds to demolish these two buildings. Upon completion the City plans to market the cleared properties for use a light industrial and warehouse operations.

Tonight's Public Hearing is required during the planning stages of the CDBG application. A second Public Hearing will be held at the October 12 City Council meeting when the CDBG application is complete, but prior to submission to the State.

Recommend City Council conduct the Public Hearing and entertain any citizens' comments.

RESULT:	REFERRED [6 TO 0]	Next: 9/14/2015 6:00 PM
MOVER:	John Cantey Jr., Precinct 5	
SECONDER:	Don Metzger, Mayor Pro Tem	
AYES:	Metzger, Ivey, Cantey Jr., Jones, Maynor, Hackney	
ABSTAIN:	Pennington	
ABSENT:	Robinson	
EXCUSED:	Wilkins	

17. Antioch Christian Academy Request for Assistance to Purchase Uniforms for the Cross Country Team – Don Metzger, Precinct 1

See the attached.

<< Recommendation >>

RESULT:	NOT APPLICABLE
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18. Approve the designation of \$400.00 of Community Revitalization Funds to Wycliffe East Homeowners Association for a Community Day Event – Don Metzger, Precinct 1
Councilman Metzger requests \$400.00 of CRF to be given to the Wycliffe East Homeowners Association for a community event.
Designate \$400.00 of CRF to the Wycliffe East Homeowners Association.

RESULT:	REFERRED [6 TO 0]	Next: 9/14/2015 6:00 PM
MOVER:	John Cantey Jr., Precinct 5	
SECONDER:	Leon Maynor, Precinct 7	
AYES:	Metzger, Ivey, Cantey Jr., Jones, Maynor, Hackney	
ABSTAIN:	Pennington	
ABSENT:	Robinson	
EXCUSED:	Wilkins	

19. Approve the designation of \$400.00 of Community Revitalization Funds to Oakridge Association for a Community Day Event – Don Metzger, Precinct 1
Councilman Metzger requests \$400.00 of CRF to be given to the Oakridge Association for a community event.
Designate \$400.00 of CRF to the Oakridge Association.

RESULT:	REFERRED [6 TO 0]	Next: 9/14/2015 6:00 PM
MOVER:	Erich Hackney, Precinct 8	
SECONDER:	John Cantey Jr., Precinct 5	
AYES:	Metzger, Ivey, Cantey Jr., Jones, Maynor, Hackney	
ABSTAIN:	Pennington	
ABSENT:	Robinson	
EXCUSED:	Wilkins	

20. Approve the designation of \$400.00 of Community Revitalization Funds to Wycliffe Homeowners Association for a Community Day Event – Don Metzger, Precinct 1
Councilman Metzger requests \$400.00 of CRF to be given to the Wycliffe Homeowners

Association for a community event.

Designate \$400.00 of CRF to the Wycliffe Homeowners Association.

RESULT:	REFERRED [6 TO 0]	Next: 9/14/2015 6:00 PM
MOVER:	Erich Hackney, Precinct 8	
SECONDER:	John Cantey Jr., Precinct 5	
AYES:	Metzger, Ivey, Cantey Jr., Jones, Maynor, Hackney	
ABSTAIN:	Pennington	
ABSENT:	Robinson	
EXCUSED:	Wilkins	

21. Approve the Designation of \$350.00 of Community Revitalization Funds for Community Watch in Precinct 2 – John Robinson, Precinct 2

Councilman Robinson requests \$350.00 for Community Watch.

Designate \$350.00 for Community Watch

RESULT:	REFERRED [6 TO 0]	Next: 9/14/2015 6:00 PM
MOVER:	Erich Hackney, Precinct 8	
SECONDER:	John Cantey Jr., Precinct 5	
AYES:	Metzger, Ivey, Cantey Jr., Jones, Maynor, Hackney	
ABSTAIN:	Pennington	
ABSENT:	Robinson	
EXCUSED:	Wilkins	

22. Approve the Designation of \$250.00 of Community Revitalization Funds for Community Watch in Precinct 5 – John Cantey Jr., Precinct 5

Councilman Cantey requests \$250.00 for Community Watch.

Designate \$250.00 for Community Watch

RESULT:	REFERRED [6 TO 0]	Next: 9/14/2015 6:00 PM
MOVER:	Erich Hackney, Precinct 8	
SECONDER:	Don Metzger, Mayor Pro Tem	
AYES:	Metzger, Ivey, Cantey Jr., Jones, Maynor, Hackney	
ABSTAIN:	Pennington	
ABSENT:	Robinson	
EXCUSED:	Wilkins	

23. Approve the designation of \$500.00 of Community Revitalization Funds to West Lumberton Elementary School for the Positive Behavioral intervention Support Program in Precinct 7 – Leon Maynor, Precinct 7

Councilman Maynor requests \$500.00 of Community Revitalization Funds to the West Lumberton Elementary School for the Positive Behavioral Intervention Support program.

Designate \$500.00 of CRF to West Lumberton Elementary School for PBIS.

RESULT:	REFERRED [6 TO 0]	Next: 9/14/2015 6:00 PM
MOVER:	Erich Hackney, Precinct 8	
SECONDER:	John Cantey Jr., Precinct 5	
AYES:	Metzger, Ivey, Cantey Jr., Jones, Maynor, Hackney	
ABSTAIN:	Pennington	
ABSENT:	Robinson	
EXCUSED:	Wilkins	

24. Approve the designation of \$400.00 of CRF for the Replacement of a Tree at Central Fire Station – Erich Hackney, Precinct 8

Councilman Hackney is requesting \$400 of Community Revitalization Funds for the planting of a new Japanese Maple tree to replace the dying tree in front of the Central Fire Department.

Approve the designation of \$400.00 of CRF to the Central Fire Department.

RESULT:	REFERRED [6 TO 0]	Next: 9/14/2015 6:00 PM
MOVER:	John Cantey Jr., Precinct 5	
SECONDER:	Don Metzger, Mayor Pro Tem	
AYES:	Metzger, Ivey, Cantey Jr., Jones, Maynor, Hackney	
ABSTAIN:	Pennington	
ABSENT:	Robinson	
EXCUSED:	Wilkins	

CLOSED SESSION