



# CITY OF LUMBERTON

## CITY COUNCIL

MINUTES • AUGUST 13, 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 |         |
| Burnis Wilkins          | Precinct 3    | Present |         |

B. Invocation: City Attorney Holt Moore –

C. Pledge of Allegiance –

D. Distinguished Service Award: Mr. Rhodes –

E. Certificate of Recognition - Councilman Burnis Wilkins –

### II. PUBLIC PORTION

### III. CONSENT AGENDA

A. Authorize the Police Department to Apply for the 2018 Edward Byrne JAG Grant - Council Policy Committee

The Lumberton Police Department is requesting permission to apply for the 2018 Edward Byrne JAG Grant in the amount of \$35,003 which will fund equipment, overtime, and training.

It is recommended that the Lumberton Police Department be granted permission to accept the 2018 Edward Byrne JAG Grant in the amount of \$35,003.

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

- B. Adopt an Ordinance directing the Building Inspector to demolish and remove the structure located at 525 E. 16th Street. - Council Policy Committee

The structure located at 525 E. 16th Street was inspected by our department and determined to be unsafe. A Notice of Condemnation and Hearing was sent by first class, certified mail, and published in the Robesonian. A hearing was held on May 23, 2018. An order to demolish and remove the structure was issued. The time in which the owner had to comply with the demolition expired as of July 3, 2018.

Staff recommends that City Council direct the Building Inspector to demolish and remove the structure located at 525 E. 16th Street.

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

- C. Adopt an Ordinance Directing the Building Inspector to Demolish and Remove the Unsafe structure located at 118 Warwick Mill Road - Council Policy Committee

The structure located at 118 Warwick Mill Road was inspected by our department and determined to be unsafe. A Notice of Condemnation and Hearing was sent by first class, certified mail, and published in Robesonian. A hearing was held on May 10, 2018. An order to demolish and remove the structure was issued. The time in which the owner had to comply with the demolition expired as of June 20, 2018.

Staff recommends that City Council direct the Building Inspector to demolish and remove the structure located at 118 Warwick Mill Road.

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

- D. Adopt an Ordinance Directing the Building Inspector to Demolish and Remove the Unsafe Structures located at 715 & 717 E 11th Street - Council Policy Committee

The structure located at 715 & 717 E. 11th Street was inspected by our department and determined to be unsafe. A Notice of Condemnation and Hearing was sent by first class, certified mail, and published in the Robesonian. A hearing was held on May 23, 2018. An order to demolish and remove the structure was issued. The time in which the owner had to comply with the demolition expired as of July 3, 2018.

Staff recommends that City Council direct the Building Inspector to demolish and remove the structures located at 715 & 717 E. 11th Street.

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

- E. Adopt an Ordinance Directing the Building Inspector to Demolish and Remove the Unsafe structure located at 211 E Avenue - Council Policy Committee

The structure located at 211 E Avenue was inspected by our department and determined to be unsafe. A Notice of Condemnation and Hearing was sent by first class and certified mail. A hearing was held on June 5, 2018. An order to repair or demolish and remove the structure was issued. The time in which the owner had to comply expired as of July 12, 2018. Staff recommends that City Council direct the Building Inspector to demolish and remove the structure located at 211 E Avenue.

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

- F. Adopt an Ordinance Directing the Building Inspector to Demolish and Remove the Unsafe structure located at 102 E Avenue - Council Policy Committee

The structure located at 102 E Avenue was inspected by our department and determined to be unsafe. A Notice of Condemnation and Hearing was sent by first class and certified mail. A hearing was held on June 5, 2018. An order to repair or demolish and remove the structure was issued. The time in which the owner had to comply expired as of August 5, 2018. Staff recommends that City Council direct the Building Inspector to demolish and remove the structure located at 102 E Avenue.

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

- G. Refer the petition from Quality Oil Requesting Conditional Use Permit for property located at 1510 W. 5th Street to Planning Board for their review, and authorize the Planning Director to set the date of the public hearing - Council Policy Committee

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.  
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.

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

- H. Refer the petition from City of Lumberton to Rezone property (Rob's Quick Stop) located at the corner of Pine Log Road and NC Hwy 72 to Planning Board for their review, and authorize the Planning Director to set the date of the public hearing (Parcel # 1607-01-01803) - Council Policy Committee

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).

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.

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

- I. Refer the ordinance pertaining to Political Campaign Signs to the Planning Board for their review - Council Policy Committee

At its spring planning workshop this past March, City Council directed the Planning Department to amend the ordinance pertaining to Political Campaign Signs in an effort to further simplify the ordinance. Please see the proposed amendment attached. All of the bold, italicized and underlined language is entirely new, except for section 3-14, which as you can see is a change from existing language.

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.

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

- J. Refer the Request for Commercial Site Design, PLLC Conditional Use Permit petition for property located at 5000 Fayetteville Road to the Planning Board for their review, and authorize the Planning Director to set the date of the Public Hearing (parcel #3206-01-012.5/Deed Book 2112 Page 0042). - Council Policy Committee
- 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-o'clock pm thru six-o'clock 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.  
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.

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

- K. Refer the Request from Russell & Edna Mayes Rezoning petition for property located 2485 E 5th Street to the Planning Board for their review and authorize the Planning Director to set the date of the Public Hearing (Parcel # 2903-01-003) - Council Policy Committee
- Russell & Edna Mayes has submitted a Rezoning petition for property located 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.  
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.

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

- L. Adopt a Resolution Directing the City Clerk to Investigate the Annexation Request from Elhuni Ali 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 rezoning is not required.

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

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

- M. Refer the Request for Rezoning from Roger Hunt for properties located on Kenny Biggs Road to the Planning Board for their review, and Authorize the Planning Director to set the date of the Public Hearing - Council Policy Committee

Roger Hunt has submitted a Rezoning petition for properties located on Kenny Biggs Road (Parcel #'s 0208-01-006, 0208-01-00601, 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.

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.

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

- N. Adopt an Ordinance Regarding Lack of Utilities in Occupied Residential Property - Council Policy Committee

The issue of residential properties being occupied without utilities, and the various problems associated with that, has been a concern for many members of Council. Staff has had productive discussions on this topic with Councilwoman Higley. Our current city code has a number of provisions which are helpful on this topic already. We believe just one more specific provision will help nail this down. The two attachments are: (1) the proposed language by itself, and (2) the ordinance with the language inserted (in red for your convenience on page 4).

Consider and approve addition to the ordinance if you deem it appropriate.

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

- O. Authorize the award of administrative services for CDBG -Infrastructure Grant to The Wooten Company to Make Sewer Improvements in the Rosewood Mobile Home Park - Council Policy Committee

The City has been awarded a \$2 million CDBG-Infrastructure grant to make sewer improvements in the Rosewood Mobile Home Park. Request for proposals for administrative services were received on 7/30/2018. The city received proposals from four different firms. After evaluation of all proposals The Wooten Company was identified as the most qualified according to the evaluation criteria. The Wooten Company wrote the grant application for the city, has extensive knowledge of the project, and has partnered with local engineering firm Larry Anderson & Associates.

The Planning Dept. recommends awarding an administrative services contract to The Wooten Company.

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

- P. Authorize the award of engineering services for CDBG -Infrastructure Grant to The Wooten Company for Sewer Improvements in Rosewood Mobile Home Park - Council Policy Committee

The City has been awarded a \$2 million CDBG-Infrastructure grant to make sewer improvements in the Rosewood Mobile Home Park. Request for qualifications for engineering services were received on 7/30/2018. The city received proposals from five different firms. After evaluation of all proposals The Wooten Company was identified as the most qualified according to the evaluation criteria. The Wooten Company wrote the grant application for the city, has extensive knowledge of the project, and has partnered with local engineering firm Larry Anderson & Associates.

The Planning Dept. recommends awarding an engineering services contract to The Wooten Company.

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

- Q. Authorize the Planning Department to Proceed with CDBG Grant Application for Building Demolition and Redevelopment of the Ramada Inn Property Located at 3608 Kahn Drive - Council Policy Committee

The Planning Dept. is seeking authorization to move forward with the application process for applying for a Community Development Block Grant. The CDBG will be for the purposes of building demolition and redevelopment of the Ramada Inn property located at 3608 Kahn Drive. The city will work in conjunction with business owner Harry Jhala. This CDBG category is available for economic development and eliminating slum and blight. The owner of the building plans to build new businesses onsite and create jobs improving the local economy. The value of the grant will be for up to \$500,000. The next steps are to submit pre-application, schedule two public hearings as required for CDBG's, and adopt a resolution before formal submittal of the application to the state. The two public hearings will be tentatively scheduled for the next two City Council Meetings in September and October 2018.

The Planning Department recommends authorization to proceed with the application process for this grant.

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

- R. Approve the designation of \$450.00 of Community Revitalization Funds to Southern Sapphires Dance Company as follows: P1 - \$150.00 P3 - \$50.00 P4 - \$100.00 P6 - \$50.00 and P8 - \$100.00 - Council Policy Committee

Councilman Rising requests \$150.00 of Community Revitalization Funds to be given to Southern Sapphires Dance Company for support as they compete across NC against other dance companies.

Designate \$150.00 of CRF to the Southern Sapphires Dance Company.

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

- S. Approved the Designation of \$1,000.00 of CRF to the Robeson County 2nd Annual 9/11 Remembrance Walk as follows: P1 - \$200.00 P3 - \$300.00 P4 - \$200.00 P5 - \$100.00 P6 - \$100.00 P8 - \$100.00 - Council Policy Committee  
On September 8<sup>th</sup>, 2018, Southeast Fire & Rescue will sponsor the 2nd Annual Remembrance Walk at Luther Britt Park held in remembrance of those who gave all and to honor those who continue to serve.

They have asked that we help support this cause by giving a donation.  
Approve the designation of \$300.00 to the Robeson County's 9/11 Remembrance Walk.

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

- T. Approve the designation of \$300.00 of Community Revitalization Funds to the Lions Club - Council Policy Committee  
Councilman Wilkins requests \$300.00 of CRF to be given to the Lions Club for their assistance with three (3) beautiful picnic benches in Godwin Heights Park.  
Designate \$300.00 of CRF to the Lions Club.

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

- U. Approve the designation of \$1,200.00 of Community Revitalization Funds to Rowland Norment Elementary School for the English as a Second Language (ESL) Students Field Trip - Council Policy Committee  
Councilman Wilkins is requesting \$1,200.00 of Community Revitalization Funds to be given to Rowland Norment Elementary School for the ESL students field trip.  
Designate \$1,200.00 to Rowland Norment Elementary School for a field trip.

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

- V. Approve the designation of \$350.00 for August 25th Community Day Event - Council Policy Committee  
Councilman Wilkins is requesting an additional \$350.00 of CRF for the August 25<sup>th</sup> Community Day. This money will be used for food and water.  
Designate \$350.00 of CRF for the August 25th Community Day in Precinct 3.

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

- W. Approve the designation of \$1,200.00 of CRF for the Community Fun Day in Precinct 4 - Council Policy Committee  
Councilwoman Higley requests \$1,200.00 of CRF for a Community Fun Day in Precinct 4.  
Designate \$1,200.00 of CRF in Precinct 4 for a Community Fun Day.

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

- X. Approve the Designation of \$600.00 of Community Revitalization Funds for Back to School Supplies - Janie Hargrave in Precinct 4 as follows: P1 - \$50.00 P3 - \$50.00 P4 - \$300.00 P5 - \$50.00 P6 - \$100.00 & P8 - \$50.00 - Council Policy Committee  
Councilwoman Higley requests \$300.00 of CRF for Back to School Supplies for Janie Hargrave School.  
Designate \$300.00 to Janie C. Hargrave to help teachers for school supplies.

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

- Y. Approve the designation of \$500.00 of CRF to Redstone-Hayswood School as follows: P1 - \$50.00 P4 - \$50.00 & P6 - \$400.00 - Council Policy Committee  
Councilman Howard requests \$400.00 of CRF to be given to Redstone-Hayswood School for a celebration.

Designate \$400.00 of CRF to Redstone-Hayswood School.

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

- Z. Approve the designation of \$800.00 to Omega Psi Phi Beta Nu Chapter for Boys Training Camp as follows: P1 - \$50.00 P3 - \$50.00 P4 - \$50.00 P5 - \$100.00 P6 - \$500.00 & P8 - \$50.00 - Council Policy Committee

Councilman Howard is requesting \$500.00 of CRF to be given to Omega Psi Phi Beta Nu Chapter for boys training camp.

Designate \$500 to Omega Psi Phi Beta Nu Chapter for boys training camp.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                      |
| <b>MOVER:</b>    | Chris Howard, Precinct 6                         |
| <b>SECONDER:</b> | John Cantey, Mayor Pro Tem                       |
| <b>AYES:</b>     | Rising, Robinson, Higley, Cantey, Howard, Thomas |
| <b>EXCUSED:</b>  | Davis                                            |

- AA. Approve the designation of \$550.00 of CRF to Kiwanis of Robeson-Lumberton as follows: P1- \$100.00 P3 - \$100.00 P4 - \$100.00 P6 - \$50.00 P8 - \$100.00 & \$100 Mayor's Discretionary Fund - Council Policy Committee

Councilman Thomas requests \$100.00 of Community Revitalization Funds to be given to the Kiwanis of Robeson-Lumberton for their Community work. The Kiwanis of Robeson-Lumberton serve many of the children in our communities and are highly recognized for the work that they do.

Designate \$100.00 of CRF to the Kiwanis of Robeson-Lumberton.

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

- AB. Approve the designation of \$400.00 of Community Revitalization Funds to West Lumberton Kiwanis Club as follows: P1 \$100.00 P4 - \$100.00 P6 - \$50.00 P8 - \$50.00 and \$100.00 from the Mayor Discretionary Fund - Council Policy Committee

Mayor Davis requests \$100.00 of CRF to be given to the West Lumberton Kiwanis Club to install a floor in West Lumberton Shelter at Luther Britt Park.

Designate \$100.00 of CRF to West Lumberton Kiwanis Club.

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

#### IV. OLD BUSINESS: PUBLIC HEARINGS

- A. Request for Subdivision Ordinance Amendment – Brandon Love, Planning Director Eric Collins, Government Affairs Director with Charter Communications, has met with City staff to investigate options for amending the Land Use Ordinance, more specifically, the subdivision regulations with regards to divisions of commercial tracts without direct access to a public right-of-way. Mr. Collins wishes to subdivide a roughly 1/4 acre tract for purposes of housing fiber optic communications equipment for Charter Communications. This subdivision would not be in compliance with the current Land Use Ordinance and would therefore require a text amendment of some sort. Attached you will find excerpts from the current Land Use Ordinance regarding subdivisions of commercial tracts of land and their access to public rights-of-way, as well as a rough survey of three potential tracts of land for Charter Communications.

Upon request, we suggest the following amendments:

- ARTICLE II. BASIC DEFINITIONS AND INTERPRETATIONS - Sec. 35-15.

Definitions of basic terms.

- ARTICLE XIV. STREETS AND SIDEWALKS - Sec. 35-211. Access to public streets in general.
- ARTICLE XV. UTILITIES - Sec. 35-236. Utility ownership and easement rights.
- ARTICLE X. PERMISSIBLE USES - Sec.35-149. Table of permissible uses.

On June 19, 2018 the Planning Board held the public meeting and recommends that City Council approve the amendments.

On July 30, 2018 a request was sent to the Robesonian to have the legal ad ran on August 3, 2018 and August 10, 2018.

Recommends that City Council hold tonight's public hearing and approve the following amendments:

- ARTICLE II. BASIC DEFINITIONS AND INTERPRETATIONS - Sec. 35-15.

Definitions of basic terms.

- ARTICLE XIV. STREETS AND SIDEWALKS - Sec. 35-211. Access to public streets in general.
- ARTICLE XV. UTILITIES - Sec. 35-236. Utility ownership and easement rights.
- ARTICLE X. PERMISSIBLE USES - Sec.35-149. Table of permissible uses.

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

- B. City of Lumberton. Rezoning petition for properties located on Branch Street and Lowery Street. – Brandon Love, Planning Director

City of Lumberton. has submitted a Rezoning petition for two properties located on Branch Street and Lowery Street (parcel # 3225-01-011/Deed Book 1980 Page 0753). This request is to rezone the property from M-1 (light manufacturing) and R-20 (residential single family) to R-20 (residential Single Family).

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

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

On June 19, 2018 the Planning Board held the public meeting and recommends that City Council approve the rezoning request.

On July 30, 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 July 30, 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 June 29, 2018.

On July 30, 2018 a request was sent to the Robesonian to have the legal ad for this request ran on August 3, 2018 and August 10, 2018.

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

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

## V. NEW BUSINESS

- A. Annual Generator Service Contract Award – Council Policy Committee -- Corey Walters, Deputy Public Works Director

Within the City there are a total of 34 standby generators that are serviced annually to prevent a failure when they are called on to operate. This contract has been for the last several years with Power Secure. We have received two separate quotes for this contract this year, one from Power Secure and one from Gregory Poole (Caterpillar). Power Secure was

\$21,855.00, while Gregory Poole was \$29,425.68. Public Works is responsible for 30 of the 34 generators in this contract, with EUD, LPD, City Hall, and the FD on Cedar St. making up the remaining of these. Over the last year alone Power Secure has become increasingly difficult to work with and will not respond in a timely manner when called upon; this absolutely is not an option for the Water Plant (WTP) or Waste Water Plant (WWTP). Last year with Hurricane Irma heading towards the City of Lumberton one of the large generators at the WWTP failed and Power Secure would not come in time and we were forced to rent a generator for 3 weeks totaling \$24,415.26.

CPC recommends that Council approve the contract for the generator service to Gregory Poole in the amount of \$29,425.68

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

B. Water Plant Well Site Flow Meters – Council Policy Committee -- Corey Walters, Deputy Public Works Director

The Water Plant (WTP) is supplied by water from both surface water, Lumber River, and 8 deep wells. During our last state inspection of the WTP several items were brought to our attention that we must complete to satisfy the state on a few matters. One of these items was the need for each well to have its own flow meter. We currently have one master meter that measures the total flow going into the plant and one flow meter on the surface water source. We currently have a quote from W. K. Hile Company, Inc. for these very specific flow meters.

We had budgeted in \$12,000.00 for flow meters this year to begin this process; however, the state would like for this to be completed sooner rather than later and has given us a time limit to comply. The total cost of this project will be \$30,358.00. In order to make up this difference Public Works would like Council approval to transfer funds from East & West Pulsator Vent Valves (60-00-8220-5860) budgeted in the capital code for \$10,000.00 as well as from Britt's Farm LS Transfer Switch (60-00-8332-5960) for \$6,500.00 in to the Flow Meters (60-00-8220-5860) that currently has \$12,000.00 in it. We would also request that the remainder of the funds in the amount of \$1,858.00 come from the Capital Reserve Water Fund. *Note from legal: Public Works reports these are available from only one vendor in our area, and thus the purchase is exempt from informal bidding under the 'sole source' rule.*

CPC recommends that Council approve W. K. Hile Company, Inc. for the purchase of 8 flow meters for the well sites at the water treatment plant for \$30,358.00 with funds transferred from the originally budgeted East & west Pulsator Vent Valves and Britt's Farm LS Transfer Switch in the capital codes 60-00-8220-5860 & 60-00-8332-5960 into Flow Meters budget item of code 60-00-8220-5860. Additionally we are requesting \$1,858.00 to be transferred to this project from the Capital Reserve Water Fund.

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

C. Lambeth Street Sewer Rehabilitation Contract 1 Change Order #1 – Council Policy Committee -- Rob Armstrong, Public Works Director

Prism Contractors is the Sewer Rehab Contractor for Contract 1: Lambeth & Lackey Street Sewer Rehabilitation. While this project was being reviewed for NCDWI SRF funding approval several other sewer deficiencies were discovered. Also when the cleaning and inspection of the original contract was initiated, we discovered field conditions that varied from our design assumptions. Change Order #1 adds \$84,958 to the contract to cover the new discoveries and variations. \$10,512.75 of this amount is not eligible to be paid for with the NCDWI SRF money. Public Works is asking that this amount be taken from the Water and Sewer Capital Reserve Fund. The remaining \$74,445.25 will be paid thru the loan/grant SRF contingency funds for the project.

CO#1 Summary

1. Adds cleaning and inspection of sewer lines on Johnson Street, North Walnut Street and Fayetteville Road.
2. Increases Point Repair Quantities to account for deficiencies discovered during initial inspection.
3. Reduce Slip Lining Quantities because previous repairs have been made will obtaining funding approval

CPC recommends that Council approve Change Order #1, Contract 1 with Prism Contractors for \$84,958 with \$74,445.25 being paid for with NCDWI SRF contingency funds and \$10,512.75 coming from the Water and Sewer Capital Reserve Fund.

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| <b>RESULT:</b>   | <b>APPROVED [6 TO 0]</b>                         |
| <b>MOVER:</b>    | Karen Higley, Precinct 4                         |
| <b>SECONDER:</b> | John Cantey, Mayor Pro Tem                       |
| <b>AYES:</b>     | Rising, Robinson, Higley, Cantey, Howard, Thomas |
| <b>ABSTAIN:</b>  | Davis                                            |

D. LCID Landfill Permit Renewal – Council Policy Committee -- Rob Armstrong, Public Works Director

The City's Land Clearing and Inert Debris (LCID) Landfill on Saddletree Road is up for permit renewal. The permit renewal process with the North Carolina Department of Environmental Quality is very lengthy and Comprehensive. Anderson Engineering handled the original permitting and last renewal of the landfill. The firm has given us an estimated fee of \$10,000 to put together the renewal application package to the state. The renewal package includes detailed topographic surveys and mapping of the disposal area and a summary showing the growth of the disposal area since the last renewal. A new Erosion and Sediment Control Plan will need to be developed and approved as well. This item is being pursued under an exemption from the Mini Brooks Act since the fee amount is less than

\$50,000.

CPC recommends that Council authorize Public Works to contract with Anderson Engineering for an amount up to \$10,000 to administer the LCID landfill permit renewal to be paid for from Sanitation Services Fund Balance.

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| <b>RESULT:</b>   | <b>APPROVED [7 TO 0]</b>                                  |
| <b>MOVER:</b>    | John Cantey, Mayor Pro Tem                                |
| <b>SECONDER:</b> | Chris Howard, Precinct 6                                  |
| <b>AYES:</b>     | Rising, Robinson, Higley, Cantey, Howard, Thomas, Wilkins |
| <b>ABSTAIN:</b>  | Davis                                                     |

- E. 6" Water Main Crossing Lumber River – Council Policy Committee -- Rob Armstrong, Public Works Director  
Public Works opened bids for the 6" Water Main Crossing the Lumber River on Thursday, July 26 at 2:00pm. Two bids were received:

|                                         |                    |
|-----------------------------------------|--------------------|
| <b>Axel McPherson Construction Inc.</b> | <b>\$69,899.00</b> |
| Columbus Utilities, Inc.                | \$81,132.00        |

The low bid is within the project cost opinion which is funded by FEMA as part of the Hurricane Matthew repairs. Attached is a Bid Discussion summarizing the project. CPC recommends that Council award the 6" Water Main Crossing the Lumber River to Axel McPherson Construction Inc. for \$69,899.00 to be paid for by funds reimbursed from FEMA.

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| <b>RESULT:</b>   | <b>APPROVED [7 TO 0]</b>                                  |
| <b>MOVER:</b>    | Chris Howard, Precinct 6                                  |
| <b>SECONDER:</b> | John Cantey, Mayor Pro Tem                                |
| <b>AYES:</b>     | Rising, Robinson, Higley, Cantey, Howard, Thomas, Wilkins |
| <b>ABSTAIN:</b>  | Davis                                                     |

- F. First Street Drainage Study – Council Policy Committee -- Rob Armstrong, Public Works Director

The removal of the warehouse and industrial buildings on First Street has opened up the opportunity to install stormwater improvements in the area that would alleviate upstream flooding. Public Works is recommending that we study the entire drainage basin, which extends up toward Godwin Heights Park, in order to get a complete understanding of the system deficiencies. Once the study is complete, Public Works will install as many of the improvements that we are capable of handling in house and would phase in other more complex improvements over several fiscal years. We have received a proposal from the Wooten Company for \$18,800 to conduct this study. This procurement is being handled under an exemption from the Mini-Brooks Act given that the fee is less than \$50,000. CPC is requesting that Council authorize a contract with the Wooten Company to study the First Street Drainage Basin for \$18,800 to be paid for out of the Drainage Fund

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| <b>RESULT:</b>   | <b>APPROVED [7 TO 0]</b>                                  |
| <b>MOVER:</b>    | Owen Thomas, Precinct 8                                   |
| <b>SECONDER:</b> | John Cantey, Mayor Pro Tem                                |
| <b>AYES:</b>     | Rising, Robinson, Higley, Cantey, Howard, Thomas, Wilkins |
| <b>ABSTAIN:</b>  | Davis                                                     |

G. Acceptance of Councilman Wilkins' Resignation to Take Office of Sheriff – Council Policy Committee -- Holt Moore, City Attorney

As discussed at the meeting in July, this item is designed to cover Councilman Wilkins' resignation in order to pursue the position of Sheriff of Robeson County. We are proud of his transition into this new role, but are sad to see him go!

Accept letter of resignation from Councilman Wilkins.

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| <b>RESULT:</b>   | <b>APPROVED [6 TO 0]</b>                         |
| <b>MOVER:</b>    | John Cantey, Mayor Pro Tem                       |
| <b>SECONDER:</b> | Chris Howard, Precinct 6                         |
| <b>AYES:</b>     | Rising, Robinson, Higley, Cantey, Howard, Thomas |
| <b>ABSTAIN:</b>  | Davis                                            |
| <b>EXCUSED:</b>  | Wilkins                                          |

H. Special Election Details for Vacancies, Precincts 3 and 7 – Council Policy Committee -- Holt Moore, City Attorney

Please see the attached memorandum discussing the proposed schedule for the special election, and the option relating to early / absentee (aka '1-stop') voting.

Approve the proposed schedule for the special election, and advise whether Council wants early / absentee ('1-stop') voting for that 1 election, or just election-day voting only.

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| <b>RESULT:</b>   | <b>APPROVED [6 TO 0]</b>                         |
| <b>MOVER:</b>    | John Cantey, Mayor Pro Tem                       |
| <b>SECONDER:</b> | Chris Howard, Precinct 6                         |
| <b>AYES:</b>     | Rising, Robinson, Higley, Cantey, Howard, Thomas |
| <b>ABSTAIN:</b>  | Davis                                            |
| <b>EXCUSED:</b>  | Wilkins                                          |

## VI. PRESENTATION OF A PROCLAMATION TO COUNCILMAN BURNIS WILKINS

## VII. UNAGENDAED ITEM

Councilman Cantey voiced his concerns about a sign that is to be placed at the Lumberton Senior High School. He was concerned about the design of the sign being that he felt that all names should appear to be somewhat of the same size and that the names of the City Manager, City Attorney and City Clerk should also be displayed on the sign.

After a brief discussion; Councilman Cantey made a motion, seconded by Councilman Howard, to add the City Manager, City Attorney and City Clerk to the sign. The motion carried.

**VIII. ADJOURNMENT**

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