



CITY OF LUMBERTON

CITY COUNCIL

MINUTES • AUGUST 12, 2013

Regular Meeting

Council Chambers

7:00 PM

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

I. ROLL CALL

A. Call to Order

Attendee Name	Title	Status	Arrived
Raymond B. Pennington	Mayor	Present	
Don Metzger	Precinct 1	Present	
John Robinson	Precinct 2	Present	
Jackie Taylor	Mayor Pro Tem	Present	
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	
Robert E. Price	Interim City Attorney	Present	

B. Invocation: Interim City Attorney Robert Price

II. PRIDE IN LUMBERTON

Daniel Harper - Valedictorian - Lumberton High School. -

Daniel Harper had a Grade Point Average (GPA) of 4.98. On behalf of the City Council; Mayor Pennington wished Daniel the best in all of his endeavors and instructed to learn all that he can and return home and use it for the betterment of this City.

Will Norton - Salutatorian - Lumberton High School -

Will Norton had a Grade Point Average (GPA) of 4.78. On behalf of City Council, Mayor Pennington wished Harper the best and instructed him to learn all that he possibly can and return home and use it in the City of Lumberton.

III. RETIREE RECOGNITION

Howard Reaves -

Officer Reaves did not appear to receive his plaque; however, he had 29 years with the Lumberton Police Department. Mayor Pennington in the absence of Reaves wished him the best in his retirement.

Johnny Harrelson -

Mr. Johnny Harrelson was presented with a plaque thanking him for his 14 years of service with the City of Lumberton as a Material and Inventory Specialist in the Electric Utilities Department. On behalf of the City of Lumberton, Mayor Pennington wished Mr. Harrelson the best on his retirement and God's speed.

Gordon Wright -

Mayor Pennington thanked Mr. Gordon Wright for his ten years with the City of Lumberton as a Tree Trimmer in the Electric Utilities Department. Mayor Pennington and on behalf of this City wished Mr. Wright the best in his retirement and his endeavors. He thanked him for his ten years with this City.

UNCP

Mayor Pennington was presented an award from the University North Carolina at Pembroke Board of Trustees by Kyle Carter, Chancellor and his wife Sarah; Joshua Malcolm, General Counsel and Dan Kenney, Chief of Staff to the Chancellor for his meritorious service on the Board of Trustees at the University of Pembroke. They thanked Mayor Pennington for his dedication and loyalty over the years.

IV. PUBLIC COMMENT PERIOD

Mr. Terry Evans appeared to speak before Council and stated that he is in opposition to item concerning Nathaniel Stubbs and the youth center. He stated that he is a member of the Robeson County Planning Board and that they refuse to allow this type of pyramid scheme in Robeson County. Their job is to protect the children not allow them to be exploited.

Sergeants-at-Arm -

Mayor Pennington recognized the Sergeants-at-arms and thanked them for their service.

Sgt. Shawn Byrd -

Plt. Steven Jacobs -

V. CONSENT AGENDA

- A. City Council - Regular Meeting - Jun 10, 2013 7:00 PM -
- B. Acceptance of the Division of Aging and Adult Services Grant Award to the Pine Street Senior Center - Council Policy Committee
The Lumber River Council of Governments Area Agency on Aging recently notified Senior Center Coordinator Tonya Alford that the Pine Street Senior Center has been awarded \$12,610 from Home & Community Care Block Grant Funds for the fiscal year ending June 2013. These funds were awarded due to under spending by another center and funds were transferred to Robeson County so that unused funds would not be returned to the State. Grant award requires a ten percent local match; any expense incurred between July 1, 2012 and June 30, 2013 would qualify as the local match. The Senior Center will receive \$11,349 after the ten percent match has been withheld by the State.
Recreation staff recommend that the Council Policy Committee accept the Home & Community Care Block Grant award of \$11, 349 to the Pine Street Senior Center.
- C. Adopt a Resolution Declaring the Property Located at 1204 Peachtree Street as Surplus to the Needs of the City, and Authorize the Property to be Demolished and Removed - Council Policy Committee

The property located at 1204 Peachtree Street is part of an original tract of land purchased in 1991 by the City for the purpose of providing community based recreation. Known now as the Hayswood Community Center, the site contains a community building, an outdoor basketball court, a children's play unit and open space for athletic practice. The Inspection's Department has deemed the property to be damaged beyond repair.

Recreation administrative staff recommends that the Council Policy Committee declare the property located at 1204 Peachtree Street as surplus property; and authorize city staff to demolish structure and remove all debris at this location.

- D. Approve the Creation of Section 35-174 C, Organized Shelter Type C, and amend the Definitions Section, Table of Permissible Uses, and Parking Table - Council Policy Committee

Currently, the Land Use Ordinance for the City of Lumberton does not allow organized shelters that provide Counseling and/or therapeutic activities on site. The planning Department request that the following sections be amended to accommodate for a greater number of individuals and to allow Counseling and/or therapeutic activities on site.

Definitions Sections

Organized shelter--Type C. A transitional housing facility designed to temporarily feed, shelter and provide counseling or therapeutic activities for individuals according to the standards in section 35-178.

Sec. 35-178. Organized shelters

(C) An organized shelter Type C shall meet all of the following standards:

- (1) The organized shelter Type C shall house no more than forty-five (45) individuals at any one time.
- (2) No individual shall remain in any one shelter longer than (90) consecutive days per calendar year. No individual shall be readmitted to any organized shelter Type C until at least thirty (30) days have elapsed from his last residency at that shelter.
- (3) Counseling and/or therapeutic activities shall be conducted in an organized shelter Type C.
- (4) The shelter operators will provide an employee or volunteer to maintain a continuous on-site supervision of the shelter.
- (5) No organized shelter Type C shall be located within a one and one-half mile radius (determined by straight line and not street distances) of another organized shelter Type C, an organized shelter Type B or an organized shelter Type A.

Table of Permissible Uses

Use	B	B	B	B	M	M	M
Description	-	-	-	-	-	-	-
	4	5	6	7	1	2	3

7.500 Organized Shelters Facilities								<u>Parking Table</u>
7.510 Type A	C			C	C	C		
7.520 Type B	C			C	C	C		
7.530 Type C	C			C	C	C		
7.510 7.520 7.530				1 space per every 3 beds or 1 space per 400 square feet of gross floor area, whichever is greater.				

Recommend Council Policy Committee discuss this item, forward request to the Planning Board for their review and authorize the Planning Director to set the date for a public hearing.

- E. Refer the Petition from Lumberton Christian Care Center Requesting a Conditional Use Permit for property located at 220 East Second Street to the Planning Board for their review, and authorize the Planning Director to set the date of the Public Hearing - Council Policy Committee

Lumberton Christian Care Center has submitted a Conditional Use Permit application for property located at 220 East Second Street, parcel #3238-01-014. This request is to obtain a Conditional Use Permit to operate a soup kitchen/transient housing (Organized Shelter type "C").

On February 11, 2013 City Council voted to approve Lumberton Christian Care Center's previous CUP request for an Organized Shelter type "B" which allows for 15 individuals.

Lumberton Christian Care has been selected to participate in the North Carolina Housing Finance Agency Supportive Housing Program. They have been awarded \$600,000 for the construction of the emergency housing portion of the new facility. In order to receive the funds, the facility has to increase the number of individuals they will be able to assist at one time from 15 to 44.

On July 29, 2013 Lumberton Christian Care Center is requesting to operate an Organized Shelter type "C". They stated that the Organized Shelter type "C" will best suit their needs.

Sec. 35-178. Organized shelters

(C) An organized shelter Type C shall meet all of the following standards:

- (1) The organized shelter Type C shall house no more than forty-five (45) individuals at any one time.
- (2) No individual shall remain in any one shelter longer than (90) consecutive days per calendar year. No individual shall be readmitted to any organized shelter Type C until at least thirty (30) days have elapsed from his last residency at that shelter.
- (3) Counseling and/or therapeutic activities shall be conducted in an organized shelter Type C.

(4) The shelter operators will provide an employee or volunteer to maintain a continuous on-site supervision of the shelter.

(5) No organized shelter Type C shall be located within a one and one-half mile radius (determined by straight line and not street distances) of another organized shelter Type C, an organized shelter Type B or an organized shelter Type A.

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.

F. Approval of July 2013 Tax Releases - Council Policy Committee

Per. G.S. 105-381, which authorizes the release or refund of billed and/or collected taxes when such taxes were imposed as a result of any of the following reasons:

Clerical/computational error, the tax was listed and billed in the name of the wrong taxpayer, the property did not fall within the jurisdiction of the City of Lumberton, or the tax was listed in duplicate.

The City of Lumberton Tax Office submits for approval the following tax releases which were generated primarily in response to documentation from the Robeson County Tax Assessor and/or city staff clerical errors for the years and amounts outlined below:

2002.....	\$4.52
2005.....	\$2.07
2006.....	\$51.56
2007.....	\$12.48
2008.....	\$8.58
2009.....	\$45.91
2010.....	\$833.07
2011.....	\$912.08
2012.....	\$2,542.03

TOTAL \$4,412.30

Approve the tax releases for the years and amounts listed above.

G. Direct Staff to Repair the City owned Building at 110 N Chestnut Street - Council Policy Committee

The building located at 110 N Chestnut Street owned by the City, was inspected this past month. As a result of the inspection, issues with the floor system, windows, block walls, fascia boards and roof were the most severe damaged areas. We have secured a quote of \$13,170.00 to repair the structure and estimated \$5,000 - \$6,000 to demolish.

CPC recommends that City Council review the information and direct Staff to repair the structure.

H. Accept the Request to Withdraw the Petition from RMC Holdings for a Conditional Use Permit for property located at the corner of W. 5th Street and Hilton Street. - Council Policy Committee

RMC Holdings (Larry Stone, Owner) has submitted a Conditional Use Permit application for property located at the corner of W. 5th Street and Hilton Street, parcel #'s 1013-01-001-04

and 1013-01-001-05. This request is to obtain a Conditional Use Permit for a major subdivision.

On June 18, 2013 the Planning Board reviewed the request and recommended denial based on the fact that no one was present at the meeting on behalf of the applicant/owner to present the application to the Board.

On July 29, 2013 Mr. Larry H. Stone, President of RMC Holdings, Inc. submitted a formal request to withdraw this application.

The Council Policy Committee recommends that City Council accept this withdrawal request.

- I. Refer the Rezoning Request from Steven Branch (Breck LLC) to the Planning Board for its review and Authorize the Planning Director to set the date of the public hearing for property located at 410 E 2nd Street - Council Policy Committee

Steven Branch (Breck LLC) has submitted a rezoning application for property located at 410 E 2nd Street (Parcel #s 3238-02-016 and 3238-02-015). This request is to rezone the properties from M-1 (Light Manufacturing) to B2H (Business Community). The applicant's intent is to operate a miscellaneous retail store.

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.

- J. Approve the Request form Southeastern Regional Medical Center for 8 freestanding signs - Council Policy Committee

Southeastern Regional Medical Center is requesting the following freestanding signs:

- 1) 63 sq.ft. freestanding sign at location 1
- 2) 63 sq.ft. freestanding sign at location 2
- 3) 41.1 sq.ft. freestanding sign at location 3
- 4) 41.1 sq.ft. freestanding sign at location 4
- 5) 41.1 sq.ft. freestanding sign at location 5
- 6) 41.1 sq.ft. freestanding sign at location 6
- 7) 23 sq.ft. freestanding sign at location 7
- 8) 12 sq.ft. freestanding sign at location 8

This request is for property located at 300 W. 27th Street. This property is zoned B-6, Medical Arts.

Sec. 35-282. Signs within the medical arts district states:

Notwithstanding any other provisions of this article excepting for the provisions of section 35-281, signs in the B-6 (medical arts) district may be erected, moved, enlarged, or substantially altered pursuant to plans approved by city council.

(Ord. No. 1448, 6-27-94)

Recommends Council Policy Committee and City Council approve this request.

- K. Adopt the Tax Collection Order for 2013-2014 - Council Policy Committee

Pursuant to a resolution adopted by Council on August 26, 2002, an order for the collection of taxes is to be adopted annually. An order in the form specified by that ordinance is attached.

Recommend that Council adopt an order directing the tax collector to collect taxes in accordance with G.S. §105-321 & 105-351.

- L. Approve the Mutual Aid Agreement with Smyrna Volunteer Fire Department - Council Policy Committee

Lumberton Fire Department requests permission to enter into a Mutual Aid Agreement with Smyrna Volunteer Fire Department. The agreement would allow either department to request assistance from the other department during an emergency.

Lumberton Fire Department recommends that city council allow the fire department to enter into a mutual aid agreement with Smyrna Volunteer Fire Department.

- M. Deny the Request to Amend Table of Permissible Uses to allow Clerical Office in the B-5 Zoning District - Council Policy Committee

Currently, the Land Use Ordinance for the City of Lumberton does not allow clerical office and services not primarily related to goods or merchandise in the B-5 Zoning District. This request is to consider amending the table of Permissible Uses to allow clerical office and services not primarily related to goods or merchandise (use#3.100, 3.110, 3.200, and 3.220) in the B-5 zoning district.

On April 15, 2013 staff requested City Council to forward this amendment proposal to the Planning Board for their review and consideration.

On May 16, 2013 the Planning Board reviewed the request and recommended the request be denied.

On June 10, 2013 City council voted to send the proposal back to the Planning Board for further review.

On June 18, 2013 the Planning Board reviewed this proposal again and recommends the request be approved, allowing *clerical office and services not primarily related to goods or merchandise (use#3.100, 3.110, 3.200, and 3.220) in the B-5 zoning district. Additionally, the Planning Board recommends that City Council allow land use 3.130 – offices of physicians and dentists in the B-5 zoning district. This recommendation passed the Board by a vote of 6-2.*

Planning Board recommends City Council approve the request allowing clerical office and services not primarily related to goods or merchandise (use#3.100, 3.110, 3.200, and 3.220) and offices of physicians and dentists (use#3.130) in the B-5 zoning district.

- N. Approve the Ratification of the United States Department of Agriculture Contract Change Order No. 4 in the Amount of \$8,050.00 for the Lumberton Police Department - City Manager

Chancel Builders, Inc. Requested Change Order No. 4 to the USDA contract for the Lumberton Police Department in the amount of \$8,050.00 be approved. On June 19, 2013, a telephonic poll was conducted and the vote was unanimous.

That City Council ratify the unanimous vote to increase the USDA contract for the Lumberton Police Department by \$8,050.00.

- O. Adopt an Ordinance Directing the Building Inspector to Remove or Demolish Unsafe Structure at 2901 Olive Drive - Council Policy Committee

The house located at 2901 Olive Drive (Parcel# 3218-02-011) 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 May 21, 2013. An order to demolish the structure was issued. The time in which the owners had to demolish the structure has expired. Staff recommends City Council Adopt an Ordinance Directing the Building Inspector to demolish and remove the structure located at 2901 Olive Drive.

P. Approve Tax Releases for May 2013 - Council Policy Committee

2011	\$66.54
2012	\$7,123.83

Q. Approve the designation of \$200.00 of Community Revitalization Funds for a Community Watch Program in Gavintown Housing Area. - Council Policy Committee
Councilman Robinson requests \$200.00 of Community Revitalization Funds for a Community Watch Program in Gavintown Housing Area.
Designate \$200.00 of Community Revitalization Funds for a Community Watch Program in Gavintown Housing Area.

R. Approve the designation of \$560.05 of Community Revitalization Funds to Community Watch to offset the cost for the 911 Day in Precinct 7 - Council Policy Committee
Council Mayor requests that \$560.05 be designated to Community Watch to offset the cost for the 911 Day.
Designate \$560.05 to Community Watch.

S. Approve the Designation of \$250.00 of Community Revitalization Funds to First Baptist Church for a Community Day. - Council Policy Committee
Councilman Cantey requests \$250.00 of Community Revitalization Funds be designated to First Baptist Church for a Community Day on August 17, 2013.
Designate \$250.00 of Community Revitalization Funds to First Baptist Church, Lumberton.

T. Approve the designation of \$900.00 For Community Watch in Precinct 3 - Council Policy Committee
Councilman Taylor requests \$900.00 be designated to Community Watch in Precinct 3.
Designate \$406.55 to Community Watch in Precinct 3.

U. Approve the designation of \$208.82 of Community Revitalization Funds from P7 for a Water Bill @ BART 3143 W. 5th Street - Council Policy Committee
The building located at 3143 W. 5th Street is used by BART for a storage area that has no service for water. BART has had several homeless people living in the back yard of the building and many times they have been asked to leave. Ms. Hunt, CEO for BART never knew there was a problem until she attempted to use the kitchen sink and the water had been turned off due to an extremely high water bill. Researching the problem; we found a water hose hanging in a tree apparently where vagrants were using the water to bathe or drink.

BART could not afford to pay this bill; working with Councilman Maynor, the bill was checked out for accuracy and found that there were no plumbing problems and we asked for financial assistance. Councilman Maynor is requesting \$208.82 dollars be designated to

BART to pay the water bill at 3143 W. 5th Street.

Designate \$208.82 of CRF be made payable to the City of Lumberton from Precinct 7 on behalf of BART's water bill.

- V. Approve the designation of \$850.00 to Offset the Cost of the Community Day on July 13, 2013 - Council Policy Committee

Councilman Cantey requests \$850.00 to offset the cost of the Community Day held on July 13, 2013.

Designate \$850.00 of CRF to offset the cost of the Community Day.

- W. Approve the designation of \$200.00 of Community Revitalization Funds for Community Watch Program - Council Policy Committee

Councilman Cantey requests \$200.00 of Community Revitalization Funds in Precinct 5 for a Community Watch program at Weaver Court Housing Community.

Designate \$200.00 of CRF to Weaver Court Housing Community for Community Watch.

- X. Approve the designation of \$250.00 of Community Revitalization Funds for a Community Watch Program - Council Policy Committee

Councilman Cantey requests \$250.00 of Community Revitalization Funds for a Community Watch Programs in Magnolia Housing / Rozier Homes Communities in Precinct 5.

Designate \$250.00 of CRF to Magnolia Housing / Rozier Homes Communities for Community Watch.

- Y. Approve the designation of \$1,100.00 of Community Revitalization Funds to Breath of Life Ministries, Inc., for a Community Day - Council Policy Committee

Approve the designation of CRF to Breath of Life Ministries, Inc., for a Community Day event on August 24, 2013 at Luther Britt Park as follows:

P2 - \$200.00 P3 - \$200.00 P4 - \$300.00 P5 - \$200.00 P6- \$200.00

Designate \$200.00 of CRF to Breath of Life Ministries, Inc.

- Z. Approve the designation of \$200.00 of Community Revitalization Funds for a Community Watch Program in Davis Heights - Council Policy Committee

Councilman Robinson requests \$200.00 of Community Revitalization Funds for a Community Watch Program in Davis Heights.

Designate \$200.00 of CRF to Davis Heights for Community Watch.

- AA. Approve the designation of \$200.00 of Community Revitalization Funds for a Community Watch Program in Carriage Hills Housing Area - Council Policy Committee

Councilman Robinson requests \$200.00 of Community Revitalization Funds for a Community Watch Program in Carriage Hills Housing Area.

Designate \$200.00 of Community Revitalization Funds for a Community Watch Program in Carriage Hills Housing Area.

- AB. Approve the designation of \$100.00 of CRF to be paid to the West Lumberton Kiwanis Club for a handicap ramp at 2905 Hedge Dr. - Council Policy Committee

Councilman Maynor requests \$100.00 of Community Revitalization Funds to be paid to the

West Lumberton Kiwanis Club for a handicap ramp located at 2905 Hedge Dr.
Designate \$100.00 of CRF to West Lumberton Kiwanis Club for handicap ramp in Precinct 7.

AC. Approve the Designation of \$500.00 of Community Revitalization Funds to Oakridge Association of Lumberton - Council Policy Committee
Request that \$500.00 of Community Revitalization Funds be given to the Oakridge Association of Lumberton Ltd. for maintenance of common areas in Precinct 1.
Designate \$500.00 of CRF to Oakridge Association of Lumberton Ltd for maintenance.

AD. Designation \$500.00 of Community Revitalization Funds to the Robeson County Museum - Council Policy Committee
Designation of \$500.00 of Community Revitalization Funds to the Robeson County Museum from Precinct 8.
Designate \$500.00 of CRF to the Robeson County Museum in Precinct 8.

VI. OLD BUSINESS

1. Appeal Hearing for Unsafe structure at 210 E 10th Street - Ben Andrews, Inspections Director

The structure located at 210 E. 10th Street has been cited by the City of Lumberton Inspections Department on multiple unsafe building code violations. The inspections department started enforcement action on this property on September 24, 2012 and has completed all required steps in the process, including the Order to Demolish. The owner John Singletary, upon receipt of the order, filed a notice of appeal. As of to date the owner has taken no action to correct or address the code violations that have been identified by the inspections department.

Refer the appeal to City Council for recommendation.

Mr. John Singletary, 210 E. 10th Street appeared before Council and stated that his intention is repair this home. He has applied for financing and should hear an answer very soon. He stated that the house is under modification review.

The motion made by Councilman Jones extends Mr. Singletary time to comply by 90 days. Mr. Singletary was instructed that if anything happens in the time span of the 90 days; please inform Mr. Andrews.

RESULT:	DESIGNATED [UNANIMOUS]
MOVER:	Robert L. Jones, Precinct 6
SECONDER:	Leon Maynor, Precinct 7
AYES:	Pennington, Metzger, Robinson, Taylor, Ivey, Cantey Jr., Jones, Maynor, Hackney

2. Public Hearing to Consider Economic Development Incentives for Project Carpet Ride - Wayne Horne, City Manager
Staff is currently working with the Robeson County Economic Development office to help locate Project Carpet Ride to the Fox Building on W 5th Street/I-95.

This project if approved by Council qualifies for \$14,125 incentives under Lumberton Economic Development Policy. These incentives will be granted as a utility tax credit over a

three year period.

Project Parameters - \$ 1.9 million investment for equipment and real property.

- Phase I.....26 jobs (1st year)
- Phase II.....15 jobs (2nd & 3rd year)
- Phase III..... 9 jobs (5th year)

Total.....50 jobs

That City Council hold the Public Hearing to consider economic development incentives for Project Carpet Ride.

Council approved granting economic development incentives for Project Carpet Ride.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Leon Maynor, Precinct 7
SECONDER:	Jackie Taylor, Mayor Pro Tem
AYES:	Pennington, Metzger, Robinson, Taylor, Ivey, Cantey Jr., Jones, Maynor, Hackney

3. Adopt an Ordinance Granting Franchise Agreement for Commercial Waste - Wayne Horne, City Manager

The City has received requests from Waste Management of Carolinas; Waste Industries, and Pembroke Waste Collection to renew their franchise for Commercial Solid Waste. The existing franchise agreements expire on May 31, 2013. The existing franchise agreements were for five (5) years. Within the present agreement, Council approved in section (9) that an Annual CPI increase shall be based on the Bureau of Labor Index South Urban and shall not exceed 5% annually.

That the City Council approve granting the new franchise agreements for five years beginning June 1, 2013, and ending on May 31, 2018, and may be renewed for an additional five (5) year period as written in section three (3) page three (3) of the franchise agreement. All franchise agreements must have two (2) readings. Recommend accepting this as the second reading.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Cantey Jr., Precinct 5
SECONDER:	Don Metzger, Precinct 1
AYES:	Pennington, Metzger, Robinson, Taylor, Ivey, Cantey Jr., Jones, Maynor, Hackney

4. Public Hearing FY2013 CDBG Program - Brandon Love, Planning Director

Tonight's public hearing is the first of two required public hearings required prior to the City submitting an application to the State for CDBG funds. This is an informational public hearing which is held during the planning stages of the CDBG application process.

The State budget deleted the CDBG housing grant funds. The CDBG funds were redirected to economic development and infrastructure.

Staff will begin working to conduct door-to-door surveys in two (2) areas which need sewer replacement to determine if the areas are low to moderate income. The CDBG infrastructure grant submission is a two part process. Based upon the door-to-door survey information, the City will be required to submit a letter of interest to the State along with the preliminary engineering report and proof that the first public hearing was held. The State will schedule a meeting with City staff to review and discuss the proposed project. The State will either send the City a letter inviting them to conduct a second public hearing and submit the CDBG application, or send the City a letter declining the proposed project. The maximum CDBG infrastructure grant amount is \$850,000.

Recommend City Council conduct the public hearing and authorize staff to proceed with the CDBG infrastructure preliminary application process.

Brandon Love, Planning & Neighborhood Services Director appeared before Council and stated that tonight's public hearing is the first of two required public hearings required prior to the City submitting an application to the State for CDBG funds.

This public hearing is an informational public hearing which is held during the planning stages of the CDBG application process.

State budget has deleted CDBG housing funds. These funds have been redirected to economic development and infrastructure; therefore the CDBG funding categories for the 2013 grant cycle are infrastructure or economic development.

Staff has been directed to two (2) areas which need sewer replacement. During the CDBG planning process, staff will conduct door to door surveys to see if these areas meet the LMI objective required by CDBG regulations.

Based upon the door-to-door survey information, the City will submit a letter of interest along with proof that the first public hearing was held and the Preliminary Engineering report to the State.

State representatives will schedule a meeting with City staff to review the proposed CDBG project.

After review of the City's proposed CDBG project, the State will either send the City a letter inviting them to conduct the second public hearing and submit the CDBG application or a letter of decline.

Maximum CDBG grant amount for infrastructure is \$850,000.

No one appeared to speak and the hearing was closed.

A motion was made and Council conducted the first public hearing and authorize Staff to proceed with the preliminary CDBG infrastructure application process.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Don Metzger, Precinct 1
AYES:	Pennington, Metzger, Robinson, Taylor, Ivey, Cantey Jr., Jones, Maynor, Hackney

5. Ruling on Petition of Nathaniel Stubbs for Conditional Use Permit - Rob Price, City Attorney
A hearing on the application for a CUP by Nathaniel Stubbs was held at the Council Meeting of June 10, 2013. No action was taken on the application. The Planning Board had voted on May 21, 2013, to approve the application.

Council should act on the application. Should Council decide to deny the permit, it should state the standard of review on which the denial is based and the evidentiary basis for the determination that the application doesn't satisfy the standard. For guidance on these issues, see the attached memo, which restates a memo of June 21, 2013.

The motion was made recommending that Council adopt the following ruling:

The request is denied based upon the following:

1. The proposed use will endanger the public health or safety; and,
2. It will not be in harmony with the area in which it is to be located.

These legal conclusions are based upon findings that the applicant didn't appear, requested information was not timely provided, not enough information was provided to assure that the standards would be met, the information provided wasn't thorough, it appears that the actual use of the facility will not be in keeping with the application, and the applicant did not commit to refusing felons access to the premises, which was proposed as a youth center.

RESULT:	DENIED [7 TO 1]
MOVER:	John Cantey Jr., Precinct 5
SECONDER:	Leon Maynor, Precinct 7
AYES:	Metzger, Robinson, Taylor, Ivey, Cantey Jr., Maynor, Hackney
NAYS:	Jones
ABSTAIN:	Pennington

VII. NEW BUSINESS

1. Approve Agreement with Lumberton Housing Authority - Council Policy Committee
The City has an agreement with the Lumberton Housing Authority to provide LHA beat officers. The contract is pursuant to the Drug Elimination Program, a HUD funded program of the LHA. This agreement is typically renewed annually. Earlier in the year Council approved an agreement which had been approved by the LHA executive director and called for higher payment amounts. LHA is now requiring revisions to that agreement.

The revisions include a shortened term (from one year to 6 months), a modified start date, a mutual indemnification clause and a requirement that the City provide time or activity sheets. Approve the attached agreement with Lumberton Housing Authority.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Erich Hackney, Precinct 8
SECONDER:	Leon Maynor, Precinct 7
AYES:	Pennington, Metzger, Robinson, Taylor, Ivey, Cantey Jr., Jones, Maynor, Hackney

2. Approve Change Order #3 Decreasing the Overall Contract Price for the Tanglewood Sanitary Sewer Rehabilitation Project - Council Policy Committee
Attached is a detailed summary of Change Order #3 and progress map for the Tanglewood Sanitary Sewer Rehabilitation Project. Public Works will discuss the changes in detail. As an overview, the change order is a series of additions and deductions that are required to correspond with the actual field conditions encountered during the construction. The actual overall contract price has decreased \$1,820.99.
Publics Works is requesting approval of Change Order #3 for the Tanglewood Sanitary Sewer Rehabilitation Project.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jackie Taylor, Mayor Pro Tem
SECONDER:	John Robinson, Precinct 2
AYES:	Pennington, Metzger, Robinson, Taylor, Ivey, Cantey Jr., Jones, Maynor, Hackney

3. Authorize the Police Department to Apply for the Cops (CHRP) Grant in the Amount of \$303,632.00 - Council Policy Committee

We are asking to apply for the COPS Hiring Recovery Program (CHRP) Grant which is a competitive grant program that provides funding directly to law enforcement's agencies having primary law enforcement authority to create and preserve jobs and to increase their community policing capacity and crime-prevention efforts. Funding will be available for hiring additional officers and will provide 75 percent funding for approved entry-level salaries and benefits for 3 years (36 months) for the newly-hired officers.

Computation to include projected salary and benefit increases, is as follows:

See attachment

It is requested that the Lumberton Police Department be granted permission to apply for the COPS Hiring Grant in the amount of \$303,632.00.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Robinson, Precinct 2
SECONDER:	Jackie Taylor, Mayor Pro Tem
AYES:	Pennington, Metzger, Robinson, Taylor, Ivey, Cantey Jr., Jones, Maynor, Hackney

4. Well Number 2 Repair - Council Policy Committee

Public Works has \$11,000 allocated from capital Reserves to clean well #2 this FY (Capital Project 60-00-8220-5860). Pearson Pump started the cleaning process in July and discovered a hole in the well casing & screen that is allowing sediment to clog the well. Public Works recommendation is to rebuild the well. The total cost of rebuilding the well is \$23,765.27. We have spent \$4,200 of the original \$11,000 doing the inspection work to date. We will need to allocate an additional \$17,000 from the capital reserve fund to complete this project.

CPC recommends that City Council authorize Public Works the allocation of \$17,000 from the capital reserve fund to complete the repair of Well Number 2 for a total cost of \$23,765.27.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Cantey Jr., Precinct 5
SECONDER:	John Robinson, Precinct 2
AYES:	Pennington, Metzger, Robinson, Taylor, Ivey, Cantey Jr., Jones, Maynor, Hackney

5. Proposed Days off for City Employees - Council Policy Committee

In light of the fact that the City was unable to provide an annual cost of living increase for City employees due to budget restraints, the following additional day off with pay is

proposed for Council consideration.

December 27th - Christmas holiday.

.
Recommend that Council consider and approve the additional day (December 27) off for our City employees.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Erich Hackney, Precinct 8
SECONDER:	John Robinson, Precinct 2
AYES:	Pennington, Metzger, Robinson, Taylor, Ivey, Cantey Jr., Jones, Maynor, Hackney

**CITY OF LUMBERTON****CITY COUNCIL****MINUTES • JUNE 10, 2013****Regular Meeting****Council Chambers****7:00 PM****500 N Cedar St, Third Floor, Lumberton, NC 28358****I. CALL TO ORDER****II. ROLL CALL****III. INVOCATION****IV. PLEDGE OF ALLEGIANCE****V. RECOGNITION**

A. Sergeant-at-Arms Plt. Rodney Herring & Officer Latisha Ranson -

VI. PUBLIC COMMENT PERIOD

Mr. Robert Britt appeared before Council and introduced the Rediscover Downtown Lumberton Committee. He wanted to make Council aware of who they are and thank them for the work that they have done.

Dencie Lambdin appeared before Council as part of the Rediscover Downtown Lumberton Committee to reiterate the words of Mr. Britt; she also thanked Council for the work that they have done downtown and she enlighten Council on a few things that the Committee are doing.

Mrs. Landa Gaddy, 2405 Gaddy Road, Fairmont, NC, appeared before Council and promoted the Youth Self-Improvement plan.

Mrs. Helen Sharpe appeared before Council and thanked them for what they have done for the Robeson Museum and to solicit funds for the Museum. She stated that there is a lot of history in this museum and they cannot even afford to pay the curator. She stated that if they do not receive any help they will not be able to keep the curator or the museum going much longer. She asked Council to please consider a financial increase within the budget.

VII. CONSENT AGENDA

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Don Metzger, Precinct 1
SECONDER:	John Cantey Jr., Precinct 5
AYES:	Pennington, Metzger, Robinson, Taylor, Ivey, Cantey Jr., Jones, Maynor, Hackney

A. Minutes Approval

1. City Council - Regular Meeting - May 13, 2013 7:00 PM -
2. Approve the 2013-2014 Council Meeting Schedule - Council Policy Committee
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 meetings 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.

3. Approve the Removal of the Cyber Gambling Privilege License Fee - Council Policy Committee

The budget to be adopted on June 10, 2013, should not include a Privilege License fee like the 2012-2013 budget provision that the fees for Cyber Gambling Establishments are \$5,000 per location and \$2,500 per machine. That fee amount was determined to be unconstitutional by the N.C. Supreme Court. At the direction of our District Attorney, our Police Department is committed to pursuing criminal prosecution against all establishments which might otherwise pursue licensing under Sec. 12-60.1 of our Budget Ordinance.

Eliminate Sec. 12-60.1

(15) Cyber Gambling Tax Per Establishment

Cyber Gambling Tax Per Computer

of SECTION XII. RATES AND FEES of the 2013 Budget Ordinance

4. Approve the Request from Southeastern Regional Medical Center requesting three building signs - Council Policy Committee

Southeastern Regional Medical Center is requesting the following building signs:

- 1) 315.39 sq.ft. building sign at location 1
- 2) 169 sq.ft. building sign at location 2
- 3) 82 sq.ft. building sign at location 3

This request is for property located at 300 W. 27th Street. This property is zoned B-6, Medical Arts.

Sec. 35-282. Signs within the medical arts district states:

Notwithstanding any other provisions of this article excepting for the provisions of section 35-281, signs in the B-6 (medical arts) district may be erected, moved, enlarged, or substantially altered pursuant to plans approved by city council.

(Ord. No. 1448, 6-27-94)

Recommends Council Policy Committee and City Council approve this request.

5. Return the Item Concerning an Amendment to the Table of Permissible Uses to allow for Clerical Office in the B-5 Zoning District Request to Staff and the Planning Board. - Council Policy Committee

Currently, the Land Use Ordinance for the City of Lumberton does not allow clerical office and services not primarily related to goods or merchandise in the B-5 Zoning District. This request is to consider amending the table of Permissible Uses to allow clerical office and services not primarily related to goods or merchandise (use#3.100, 3.110, 3.200, and 3.220) in the B-5 zoning district.

On April 15, 2013 staff requested City Council to forward this amendment proposal to the Planning Board for their review and consideration.

On May 16, 2013 the Planning Board reviewed the request and recommends the request be denied.

Recommend that this item be returned to Staff and the Planning Board to find (if possible) any viable options to this issue and bring back to the Council Policy Committee.

6. Refer the petition from RMC Holdings to the Planning Board for their review, and Authorize the Planning Director to set the date of the public hearing for RMC Holdings CUP for a Major Subdivision - Council Policy Committee
RMC Holdings (Larry Stone, Owner) has submitted a Conditional Use Permit application for property located at the corner of W. 5th Street and Hilton Street, parcel #s 1013-01-001-04 and 1013-01-001-05. This request is to obtain a Conditional Use Permit for a major subdivision.
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 .
7. Adopt a Resolution Appointing King Compton to the Personnel Board. - Council Policy Committee
At its meeting of May 8, 2013, the Council Policy Committee approved King Compton as a member of the Personnel Board. The appointment is forwarded for Council's approval. That City Council approve the appointment of King Compton to the Personnel Board.
8. Approval of Contract for Outside Fire Protection with Alamac Knitting - Council Policy Committee
Alamac American Knits, LLC., is requesting a renewal of contract for outside fire protection. The contract will begin on July 1, 2013, with an ending date of June 30, 2014.
That the Council Policy Committee approved the renewal of contract with Alamac American Knits, LLC.
9. Approve the Designation of \$500.00 of Community Revitalization Funds for East Wycliffe Landscape Project - Council Policy Committee
Councilman Metzger requests \$500.00 of Community Revitalization Funds for East Wycliffe Landscape Project.
Designate \$500.00 of Community Revitalization Funds to East Wycliffe Landscape Project.

10. Approve the designation of \$400.00 for a Handicap Ramp at 1708 Maryland Street - Council Policy Committee
Councilman Cantey requests \$400.00 of Community Revitalization Funds for a handicap ramp located at 1708 Maryland Street for Ms. Mollie Robinson.
That the Council Policy Committee approve the designation of \$400.00 for a handicap ramp located at 1708 Maryland Street.
11. Approve the designation of \$500.00 of CRF to Lumberton Junior High School for awards and Plaques - Council Policy Committee
Councilman Jones requests \$500.00 of CRF to Lumberton Junior High School to be used for to purchase rewards and plaques.
Designate \$500.00 of CRF to Lumberton Junior High School for awards and plaques.
12. Approve the designation of \$500.00 Community Revitalization Funds to W.H. Knuckles - Council Policy Committee
Councilman Jones requests \$500.00 of Community Revitalization Funds for W.H. Knuckles Elementary School to purchase supplies for Fun/Field Day.
Designate \$500.00 of CRF to W.H. Knuckles Elementary School for Fun/Field Day.
13. Approve the designation of \$100.00 in Precinct 7 for Handicap Rails on Branch Street - Council Policy Committee
Councilman Maynor requests \$100.00 for handicap rails on a senior citizen's home on Branch Street. The money will be paid to the West Lumberton Kiwanis.
Designate \$100.00 for handicap rails on Branch Street. The money is to be paid to the West Lumberton Kiwanis.
14. Approve the designation of \$1,500.00 To Robeson County Partnership for Children as follows P1 - \$200.00 P2- \$200.00 P3 - \$200.00 P4 - \$200.00 P6 - \$200.00 P7 - \$200.00 P8 - \$100.00 and from the Mayor's discretionary fund \$200.00 - Council Policy Committee
At its meeting of June 5, 2013, the Council Policy Committee discussed among other things the designation of funds to the Robeson County Partnership for Children.
Designate \$1,500.00 to Robeson County Partnership for Children as listed above.

VIII. PUBLIC HEARINGS

- A. CUP for Nathaniel Stubbs to operate a youth center - Brandon Love, Planning Director
On December 7, 2012 the Planning and Neighborhood Services Department received an application for a Conditional Use Permit from Nathaniel Stubbs for property located at 3150 Martin Luther King, Jr. Drive. This request is to allow for the operation of a youth center. The property is zoned PCU B-4 with a restriction that only a thrift shop be allowed at this location. The B-4 zoning district would allow for this type of center however, a new Conditional Use Permit must be issued in order to authorize a youth center.

On December 18, 2012 the Planning Board made a motion to table the request and asked the applicant to provide additional information.

On December 18, 2012, January 22, 2013, and February 19, 2013 the Planning Board reviewed the request and asked the applicant to provide additional information.

On April 23, 2013 the Planning Board voted to deny the petition due to the lack of additional information regarding the request. The applicant nor a representative was present to answer questions.

On May 13, 2013 the City Council voted to continue the public hearing, direct the item back to the Planning Board for further review and allow the applicant to present further information regarding this petition.

On May 21, 2013 the Planning Board, after further review, voted to approve the petition.

Attached you will find a copy of the application, map, a description of the intended use, and other pertinent information.

The Planning Board recommends City Council approve the attached Conditional Use Permit.

The motion to approve the Conditional Use Permit died for lack of a second.

RESULT:	DEFEATED [1 TO 8]
MOVER:	Robert L. Jones, Precinct 6
AYES:	Jones
NAYS:	Pennington, Metzger, Robinson, Taylor, Ivey, Cantey Jr., Maynor, Hackney

- B. Approval of the Rezoning Request for 4015 W 5th Street - Brandon Love, Planning Director Haywood McCormick and Clementine Thompson McCormick have submitted a rezoning application for property located at 4015 W 5th Street (Parcel # 0201-01-013). This request is to rezone this property from M-2 (Heavy Manufacturing) to A (Agriculture). The applicant's intent is to operate an open air market.

On April 23, 2013 the Planning Board held their public meeting on this petition. At this meeting they voted to table the petition and requested more information.

On May 21, 2013 the Planning Board voted to approve the rezoning petition. Recommends that City Council hold tonight's public hearing and approve the attached ordinance approving the rezoning request.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Leon Maynor, Precinct 7
SECONDER:	Erich Hackney, Precinct 8
AYES:	Pennington, Metzger, Robinson, Taylor, Ivey, Cantey Jr., Jones, Maynor, Hackney

- C. Public Hearing for incentives for Project Flow - Wayne Horne, City Manager
Project Flow will locate in the City of Lumberton with an investment of \$1million for building and equipment will create 40 new jobs with an average wage of \$15.00 per hour plus benefits.

That City Council set a public hearing for Monday, June 10th to consider incentives for

Project Flow.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jackie Taylor, Mayor Pro Tem
SECONDER:	John Cantey Jr., Precinct 5
AYES:	Pennington, Metzger, Robinson, Taylor, Ivey, Cantey Jr., Jones, Maynor, Hackney

- D. Public Hearing on the 2013-2014 Fiscal Year Budget - Wayne Horne, City Manager
The proposed 2013-2014 Fiscal Year Budget was presented to City Council on Wednesday, May 15th, 2013.

* NCGS 159-12 requires that City Council hold a public hearing to allow for public comments on

the proposed budget before it is adopted.

* The proposed budget has been placed in; the City Clerks Office, the Robesonian County Public

Library, Parkview Activity Center and East Lumberton Resource Center.

Notice of the public hearing was advertised in the Robesonian.

Recommend that City Council hold a public hearing and consider the adoption of the proposed FY 2013-2014 Budget Ordinance.

Chris Howell appeared before Council and stated that it would be great if the City could look at the budget and find some kind of way to give the employees an increase. He stated that the employees are the backbone of the City.

RESULT:	REFERRED [UNANIMOUS]
MOVER:	Erich Hackney, Precinct 8
SECONDER:	Don Metzger, Precinct 1
AYES:	Pennington, Metzger, Robinson, Taylor, Ivey, Cantey Jr., Jones, Maynor, Hackney

IX. NEW BUSINESS

- A. Settlement Agreement (Keystone) - Council Policy Committee

The City entered into a mutual limited settlement agreement and release with Keystone Construction & Consulting, LLC. Pursuant to NCGS 132-1.3, all such settlement documents are public record. When initially reported in closed session, settlement agreements must be later reported to and entered into the minutes of an open session.

Accept the report of the attached settlement agreement.

RESULT:	APPROVED [7 TO 1]
MOVER:	Don Metzger, Precinct 1
SECONDER:	John Robinson, Precinct 2
AYES:	Metzger, Robinson, Ivey, Cantey Jr., Jones, Maynor, Hackney
NAYS:	Taylor
ABSTAIN:	Pennington

- B. Approval of Change Order #4 - Lumberton Police Department in the Amount of \$7,383.00 - Council Policy Committee

Attached you will find a list of change order items which have been requested as part of the new Lumberton Police Department project. Please note that this list reflects a majority of items which have been requested by the owner (City) as well as several credits to the City's contract. With this request included, the total amount of project change orders to date is \$29,146 and represents slightly over 1% of the total project cost. A contingency fund of 5% was established by USDA for this project in the amount of \$125,693.

Staff recommends that CPC approve Change Order #4 for the Lumberton Police Department project in the amount of \$7,383.00 And authorize payment from the project contingency.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jackie Taylor, Mayor Pro Tem
SECONDER:	Don Metzger, Precinct 1
AYES:	Pennington, Metzger, Robinson, Taylor, Ivey, Cantey Jr., Jones, Maynor, Hackney

- C. Tanglewood Stormwater Sewer Rehab Change Order - Council Policy Committee

While installing the new sanitary sewer on Elm Street, the contractor discovered a set of stormwater catch basins at the intersection of 11th and Elm that were connected to the sanitary sewer system. In order to separate the stormwater / sewer interconnection, a new stormwater pipe must be extended from 12th Street intersection, south, to the 11th Street intersection. The contractor has provided a change order price of \$30,200 to do this work. This amount is below the estimated amount of \$30,600 which is eligible for NC Cleanwater IFS funding.

Public Works is requesting Council approve the Change Order amount of \$30,200 and authorize Stepp Construction of Lenoir, NC to install the proposed stormwater pipe.

RESULT:	APPROVED [5 TO 0]
MOVER:	Erich Hackney, Precinct 8
SECONDER:	Jackie Taylor, Mayor Pro Tem
AYES:	Taylor, Ivey, Cantey Jr., Maynor, Hackney
ABSTAIN:	Pennington
EXCUSED:	Metzger, Robinson, Jones

- D. Carthage Road and Water Street Intersection Street Improvement Project-TIP #: U5524 - Council Policy Committee

The City of Lumberton was awarded a Transportation Community and System Preservation Program Grant for \$556,000 for the Carthage Road and Water Street Intersection Improvement Project. This project will be administered by the NC Department of

Transportation.

The NCDOT is requesting that the City of Lumberton enter into a Municipal Agreement for improvements to this intersection to include the construction of a round-about. The City's cost for the relocation of utilities and acquisition of right of way for this project is \$175,000. That City Council review and approve the attached Municipal Agreement TIP#:u5524 for the Carthage Road and Water Street Intersection Improvement Project.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Harry Ivey, Precinct 4
AYES:	Pennington, Metzger, Robinson, Taylor, Ivey, Cantey Jr., Jones, Maynor, Hackney

X. ADJOURNMENT

Minutes Acceptance: Minutes of Jun 10, 2013 7:00 PM (Consent Agenda)

Lumberton City Council

Lumberton, North Carolina



REQUEST FOR CC ACTION

Meeting Date: August 7, 2013

Originated By: Recreation

Submission Date: August 1, 2013

Subject: Senior Center Operations Funding

Summary/Background of Subject Matter -

The Lumber River Council of Governments Area Agency on Aging recently notified Senior Center Coordinator Tonya Alford that the Pine Street Senior Center has been awarded \$12,610 from Home & Community Care Block Grant Funds for the fiscal year ending June 2013. These funds were awarded due to under spending by another center and funds were transferred to Robeson County so that unused funds would not be returned to the State. Grant award requires a ten percent local match; any expense incurred between July 1, 2012 and June 30, 2013 would qualify as the local match. The Senior Center will receive \$11,349 after the ten percent match has been withheld by the State.

Recommendation for CC Consideration:

Recreation staff recommend that the Council Policy Committee accept the Home & Community Care Block Grant award of \$11, 349 to the Pine Street Senior Center.

Signature: *Tim Taylor*

Department: Recreation

City Manager's Comments:

<< FOR CITY MANAGER ONLY >>

Signature: *Wayne Horne*

Department: City Management

Lumberton City Council

Lumberton, North Carolina



REQUEST FOR CC ACTION

Meeting Date: August 7, 2013

Originated By: Recreation

Submission Date: August 1, 2013

Subject: 1204 Peachtree Street Property

Summary/Background of Subject Matter -

The property located at 1204 Peachtree Street is part of an original tract of land purchased in 1991 by the City for the purpose of providing community based recreation. Known now as the Hayswood Community Center, the site contains a community building, an outdoor basketball court, a children's play unit and open space for athletic practice. The Inspection's Department has deemed the property to be damaged beyond repair.

Recommendation for CC Consideration:

Recreation administrative staff recommends that the Council Policy Committee declare the property located at 1204 Peachtree Street as surplus property; and authorize city staff to demolish structure and remove all debris at this location.

Signature: *Tim Taylor*

Department: Recreation

City Manager's Comments:

<< FOR CITY MANAGER ONLY >>

Signature: *Wayne Horne*

Department: City Management

DEPARTMENT OF PLANNING & INSPECTIONS
CITY OF LUMBERTON

1204 Peachtree St.

Location

Tim Taylor - City of Lumberton

Permittee

Demolition

Type of Inspection

Comments: ① Structure damaged beyond repair. ② Roof has severe water damage ③ Floor system has severe structural damage ④ Electrical, Plumbing, and Heating vandalism has occurred and would have to be replaced.

7/25/13

Date

BTA

Inspector

N.B. NO WORK IS TO PROCEED BEYOND THE NEXT REQUIRED INSPECTION WITHOUT WRITTEN AUTHORIZATION OF THE DEPARTMENT. PLEASE CALL IF THERE ARE ANY QUESTIONS OR IF YOU NEED FUTURE INSPECTIONS: 671-3838. PLEASE ALLOW AT LEAST 24 HOURS FOR COMPLETION OF REQUESTED INSPECTION.



Attachment: Peachtree.001 (1154 : 1204 Peachtree Street Property)



Attachment: Peachtree.002 (1154 : 1204 Peachtree Street Property)

Lumberton City Council

Lumberton, North Carolina



REQUEST FOR CC ACTION

Meeting Date: August 7, 2013

Originated By: Planning / InspectionsSubmission Date: July 31, 2013Subject: Creation of Section 35-174 C, Organized Shelter Type C**Summary/Background of Subject Matter -**

Currently, the Land Use Ordinance for the City of Lumberton does not allow organized shelters that provide Counseling and/or therapeutic activities on site. The planning Department request that the following sections be amended to accommodate for a greater number of individuals and to allow Counseling and/or therapeutic activities on site.

Definitions Sections

Organized shelter--Type C. A transitional housing facility designed to temporarily feed, shelter and provide counseling or therapeutic activities for individuals according to the standards in section 35-178.

Sec. 35-178. Organized shelters

(C) An organized shelter Type C shall meet all of the following standards:

(1) The Type C shall house forty-five (45) one time.

(2) No remain in any one than (90) consecutive year. No individual

Use Description	B-4	B-5	B-6	B-7	M-1	M-2	M-3
7.500 Organized Shelters Facilities							
7.510 Type A	C			C	C	C	
7.520 Type B	C			C	C	C	
7.530 Type C	C			C	C	C	

organized shelter no more than individuals at any

individual shall shelter longer days per calendar shall be

Recommendation for CC Consideration:

Recommend Council Policy Committee discuss this item, forward request to the Planning Board for their review and authorize the Planning Director to set the date for a public hearing.

Signature: *Brandon Love*Department: Planning / Inspections**City Manager's Comments:**

<< FOR CITY MANAGER ONLY >>

Signature: *Wayne Horne*Department: City Management

Lumberton City Council

Lumberton, North Carolina



REQUEST FOR CC ACTION

Meeting Date: August 7, 2013

Originated By: Planning / Inspections

Submission Date: July 31, 2013

Subject: Lumberton Christian Care Center Conditional Use Permit application

Summary/Background of Subject Matter -

Lumberton Christian Care Center has submitted a Conditional Use Permit application for property located at 220 East Second Street, parcel #3238-01-014. This request is to obtain a Conditional Use Permit to operate a soup kitchen/transient housing (Organized Shelter type "C").

On February 11, 2013 City Council voted to approve Lumberton Christian Care Center's previous CUP request for an Organized Shelter type "B" which allows for 15 individuals.

Lumberton Christian Care has been selected to participate in the North Carolina Housing Finance Agency Supportive Housing Program. They have been awarded \$600,000 for the construction of the emergency housing portion of the new facility. In order to receive the funds, the facility has to increase the number of individuals they will be able to assist at one time from 15 to 44.

On July 29, 2013 Lumberton Christian Care Center is requesting to operate an Organized Shelter type "C". They stated that the Organized Shelter type "C" will best suit their needs.

Sec. 35-178. Organized shelters

(C) An organized shelter Type C shall meet all of the following standards:

(1) The organized shelter Type C shall house no more than forty-five (45) individuals at any one time.

Recommendation for CC Consideration:

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.

Signature: *Brandon Love*

Department: Planning / Inspections

City Manager's Comments:

<< FOR CITY MANAGER ONLY >>

Signature: *Wayne Horne*

Department: City Management

**DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
CITY OF LUMBERTON, NORTH CAROLINA
APPLICATION FOR CONDITIONAL USE PERMIT**

TO: THE CITY COUNCIL OF THE CITY OF LUMBERTON

The undersigned hereby respectfully requests that the City Council of the City of Lumberton issue a Conditional Use Permit as hereinafter described:

1. Applicant: Renie Mills, Chairman

Name: Lumberton Christian Care

Mailing Address: 305 E. 1st St.

Lumberton, NC 28358

Business Address: 305 E. 1st St.

Lumberton, NC 28358

Telephone:

Owner (if different from Applicant):

Name: City of Lumberton

Mailing Address: 500 N. Cedar St

Lumberton, NC 28358

Business Address: 500 N. Cedar St

Lumberton, NC 28358

Telephone:

2. Description of Property:

220 E. Second Street

1360

463

(Address)

(Deed Book)

(Page)

216

1.1 acre

(Map Book)

(Page)

(Frontage)

(Area)

3. Tax Map Identification:

32

38

01

014

(Township)

(Map)

(Block)

(Parcel)

4. Proposed Use of Property: Organized Shelter Type "C"

5. Zoning District Designation of Property: M-1

6. Development Site Plan: See Appendix A of Land Use Ordinance.

7. Notice of Hearing: All property owners within 150' of the perimeter of the property subject of this petition must be notified by first class mail. Please attach list of all such property owners as reflected on the current Tax Assessor's Rolls with current mailing addresses, Taxing Township, Map Number, Block Number, and Parcel Number.

8. Supportive Information: At the Hearing, you will be responsible for providing information to the City Council to enable it to determine whether the development, if completed as proposed, will comply with the requirements of the Land Use Ordinance. Please attach a detailed description of the proposed use/uses, to include information such as operating hours, staffing, business plan etc. You should be ready to show the following relative to the proposed development:

- a. That it will not materially endanger the public health or safety; and
- b. That it will not substantially injure the value of adjoining or abutting property; and
- c. That it will be in harmony with the area in which it is to be located; and
- d. That it will be in general conformity with the Land Use Plan, Thoroughfare Plan, or other plan officially adopted by the City.

9. Application Fee: Submit the fee payment with application. The application fee is nonrefundable.

All property owners must provide a physical address and sign their application. Additional signature page(s) are available upon request.

Attachment: CUP application and maps (1151 : Lumberton Christian Care Center Conditional Use Permit application)

City of



Lumberton

DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
APPLICATION FOR CONDITIONAL USE PERMIT

10. Applicant's Intended Use of Property (Applicant should attach a detailed business plan which includes the intended use of the property):

Requested location 220 E. Second Street:

- Lumberton Christian Care Center is requesting a soup kitchen/transient housing for the above mentioned location.

- We would like to be able to house between 32 and 44 individuals at any one time.

- There will be a 90 day stay limit over the period of one year, with a 30 day break between stays.

- The hours of operation are as follows:

+ Client check in is 5:00 - 6:00 p.m. daily

+ Rooms locked (keys returned) 8:00 a.m. weekdays, 9:00 a.m. weekends

- Currently, there are 2 employees who manage the shelter and the kitchen. They maintain a residence on site. This will continue in the new facility.

- LCC is hoping to offer client services through various agencies who would come to the center on at least a monthly basis, or more frequently if need, to meet with them and assist them with any needs they may have.

We would like to provide the following programs:

+ Hospital mobile unit, or a nurse, Dept. of Social Services, Employment Agencies, Robeson County Church and Community Center, and others that may be helpful for our clients.

- Currently we have referrals from Red Cross, Southeastern Family Violence Center (battered men), and work with the Church and Community Center.

2 of 3

All property owners must provide a physical address and sign their application. Additional signature page(s) are available upon request.

File #

6/18/2013

Updated 4/5/2012

P.O. Box 1388 ♦ 500 N. Cedar Street ♦ Lumberton, NC 28359 ♦ Phone : 910-671-3838 ♦ Fax : 910-671-3975

Attachment: CUP application and maps (1151 : Lumberton Christian Care Center Conditional Use Permit application)

City of



Lumberton

DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
APPLICATION FOR CONDITIONAL USE PERMIT

11. Notarized Signatures:

Applicant: Renie Mills, Chairman 305 E 1st Street L'ton NC
Full Legal Name (type or print) Physical Address

STATE OF North Carolina COUNTY OF Robeson

I, Teresa B. Johnson, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Applicant: Renie Mills, Chairman
Signature

WITNESS my hand and official seal, this the 31st day of July, 2013.

(Official Seal)

Teresa B. Johnson
Official Signature of Notary

Teresa B. Johnson, Notary Public
Notary's printed or typed name

My Commission Expires: 11/16/2014

City manager

Owner: WAYNE HORNE 500 N. Cedar St.; Lumberton NC 2839
Full Legal Name (type or print) Physical Address

STATE OF North Carolina COUNTY OF Robeson

I, Teresa B. Johnson, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Owner: Wayne Horne
Signature

WITNESS my hand and official seal, this the 31st day of July, 2013.

(Official Seal)

Teresa B. Johnson
Official Signature of Notary

Teresa B. Johnson, Notary Public
Notary's printed or typed name

My Commission Expires: 11/16/2014

3 of 3

All property owners must provide a physical address and sign their application. Additional signature page(s) are available upon request.

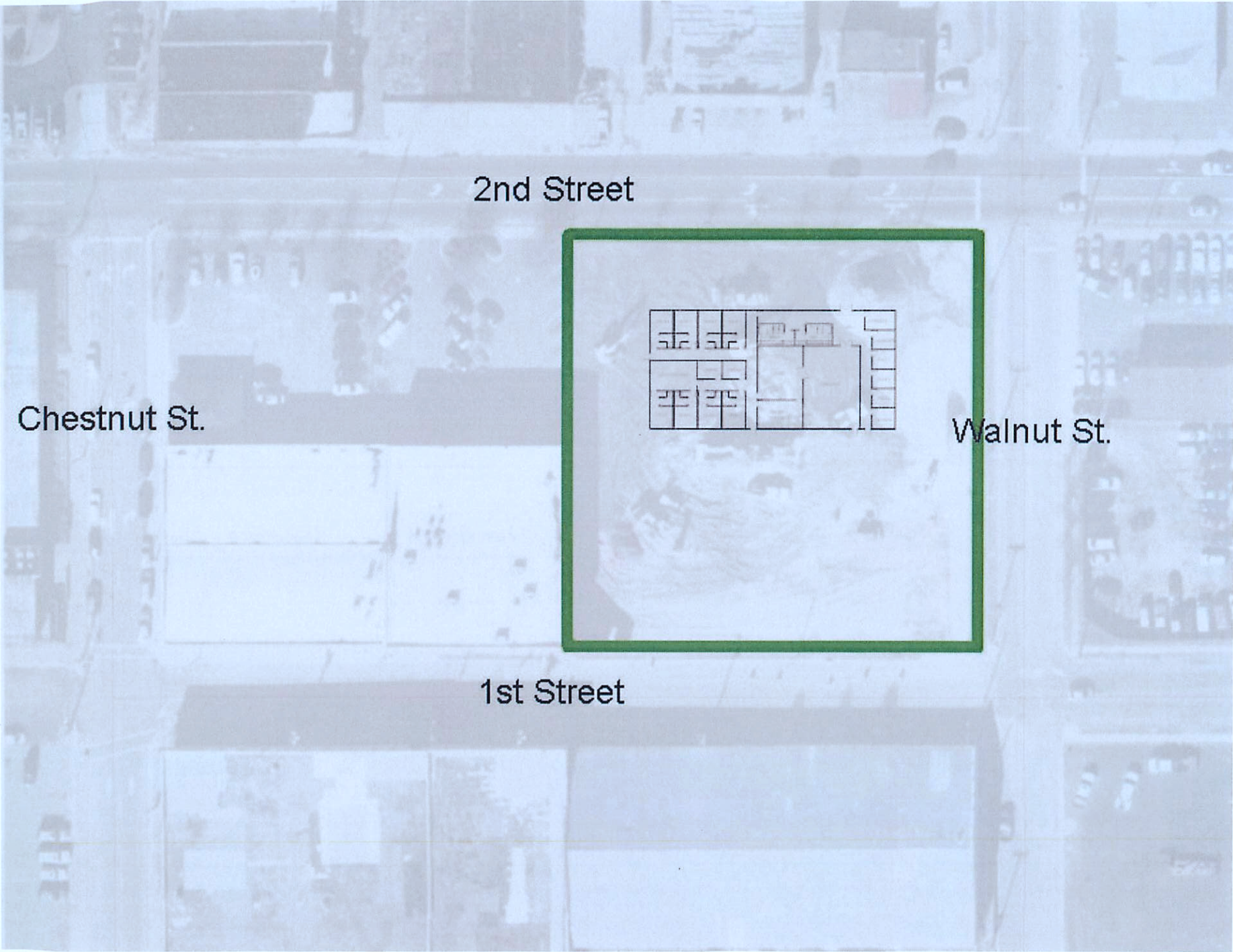
File #

6/18/2013

Updated 4/5/2012

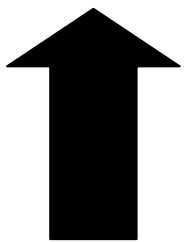
P.O. Box 1388 ♦ 500 N. Cedar Street ♦ Lumberton, NC 28359 ♦ Phone : 910-671-3838 ♦ Fax : 910-671-3975

Attachment: CUP application and maps (1151 : Lumberton Christian Care Center Conditional Use Permit application)





NOT TO SCALE



REQUESTED: Conditional Use Permit
OWNER: City of Lumberton
MEETING DATE: CPC – August 7, 2013 – 11:00 am City Council – August 12, 2013 – 7:00 pm
PLACE: CITY HALL- CITY COUNCIL CHAMBERS 3rd Floor

2013001663

ROBESON CO, NC FEE \$26.00
 PRESENTED & RECORDED:
 02-27-2013 03:27:00 PM
 VICKI L LOCKLEAR
 REGISTER OF DEEDS
 BY: TOMASA MORALES PEAVY
 ASSISTANT
 BK:D 1892
 PG:309-310

RETURN:CITY OF LUMBERTON

NORTH CAROLINA

CONDITIONAL USE PERMIT

ROBESON COUNTY

APPLICANT: Lumberton Christian Care Center
 PROPERTY OWNER: City of Lumberton
 TAX MAP: 3238-01-014
 DEED REFERENCE: Deed Book 1360 Page 463
 PROPOSED USE: Soup kitchen/Transient housing (type "B" Shelter)
 MEETING DATE: February 11, 2013

On the date listed above, the City Council of the City of Lumberton met to consider an application to issue a Conditional Use Permit for the aforelisted proposed use of property at the aforelisted property location.

Having heard all the evidence and argument presented at the hearing, the Council finds that the application is complete, that the application complies with all of the applicable requirements of the Lumberton Land Use Ordinance for the development proposed, and that, therefore, the application to make use of the above-described property for the purpose indicated is hereby approved, subject to all applicable provisions of the Lumberton Land Use Ordinance and the following conditions:

- (1) The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Council, a copy of which is filed in the Planning and Neighborhood Services Department of the City of Lumberton, North Carolina.
- (2) In granting the Conditional Use Permit, the Council has placed the following additional conditions or requirements upon the owner, his successors and assigns in exercising the rights granted herein:

Section 35-178 (b) An organized shelter Type B shall meet all of the following standards:

- (1) The organized shelter Type B shall house no more than fifteen (15) individuals at any one time.
- (2) No individual shall remain in any one shelter longer than thirty (30) consecutive days per calendar year. No individual shall be readmitted to any organized shelter Type B until at least fourteen (14) days have elapsed from his last residency at that shelter.
- (3) No counseling or therapeutic activities shall be conducted in an organized shelter Type B. Referral of residents to employment agencies and other personal service agencies shall not be deemed to be counseling.
- (4) The shelter operators will provide an employee or volunteer to maintain a continuous on-site supervision of the shelter.
- (5) No organized shelter Type B shall be located within a one-half mile radius (determined by straight line and not street distances) of another organized shelter Type B, or an organized shelter Type A.

Attachment: recorded CUP (1151 : Lumberton Christian Care Center Conditional Use Permit application)

(3) If any of the conditions affixed hereto or any part thereof shall be held invalid or void, this permit shall be void and of no effect.

Nothing authorized by the permit may be done until the property owner properly executes and returns to the City the attached acknowledgement of the issuance of this permit so that the City may have it recorded in the Robeson County Registry.

IN WITNESS WHEREOF, The City of Lumberton has caused this permit to be issued in its name, and the undersigned, being all of the property owners of the above-described property, do hereby accept this Conditional Use Permit, together with all its conditions, as binding on them and their successors in interest.

CITY OF LUMBERTON

BY: Raymond B. Pennington
Raymond B. Pennington, Mayor

ATTEST:

Laney Mitchell-McIntosh
Laney Mitchell-McIntosh, City Clerk

The undersigned, being all of the owners of the above described property, do hereby acknowledge: (1) receipt of this Conditional Use Permit, (2) that no work may be done pursuant to this permit except in accordance with all of its conditions and requirements, and (3) that this restriction shall be binding on them and their successors in interest.

Wayne Horne (SEAL) _____ (SEAL)
Owner Owner

STATE OF NORTH CAROLINA
COUNTY OF Robeson

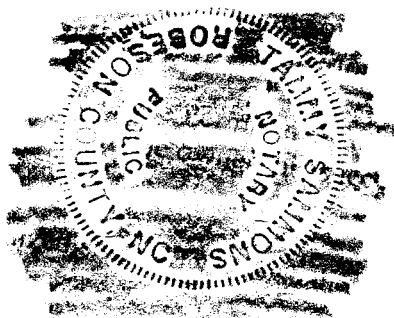
I, Tammy Sammons, a Notary Public in and for said County and State, do hereby certify that Wayne Horne personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this 27th day of February, 2013.

Tammy Sammons
Notary Public

My Commission Expires: 9/7/2016

Ala 7/28/04



Attachment: recorded CUP (1151 : Lumberton Christian Care Center Conditional Use Permit application)

Lumberton City Council

Lumberton, North Carolina



REQUEST FOR CC ACTION

Meeting Date: August 7, 2013

Originated By: Public Services
Subject: July 2013 Tax Releases

Submission Date: July 31, 2013

Summary/Background of Subject Matter -

Per. G.S. 105-381, which authorizes the release or refund of billed and/or collected taxes when such taxes were imposed as a result of any of the following reasons:

Clerical/computational error, the tax was listed and billed in the name of the wrong taxpayer, the property did not fall within the jurisdiction of the City of Lumberton, or the tax was listed in duplicate.

The City of Lumberton Tax Office submits for approval the following tax releases which were generated primarily in response to documentation from the Robeson County Tax Assessor and/or city staff clerical errors for the years and amounts outlined below:

2002.....	\$4.52
2005.....	\$2.07
2006.....	\$51.56
2007.....	\$12.48
2008.....	\$8.58
2009.....	\$45.91
2010.....	\$833.07
2011.....	\$912.08
2012.....	\$2,542.03

Recommendation for CC Consideration:

Approve the tax releases for the years and amounts listed above.

Signature: *Linda Oxendine*

Department: Public Services

City Manager's Comments:

<< FOR CITY MANAGER ONLY >>

Signature: *Wayne Horne*

Department: City Management

Lumberton City Council

Lumberton, North Carolina



REQUEST FOR CC ACTION

Meeting Date: August 7, 2013

Originated By: Planning / Inspections

Submission Date: July 30, 2013

Subject: City owned building at 110 N Chestnut St

Summary/Background of Subject Matter -

The building located at 110 N Chestnut Street owned by the City, was inspected this past month. As a result of the inspection, issues with the floor system, windows, block walls, facia boards and roof were the most severe damaged areas. We have secured a quote of \$13,170.00 to repair the structure and estimated \$5,000 - \$6,000 to demolish.

Recommendation for CC Consideration:

CPC recommends that City Council review the information and direct Staff to repair the structure.

Signature: *Ben Andrews*

Department: Planning / Inspections

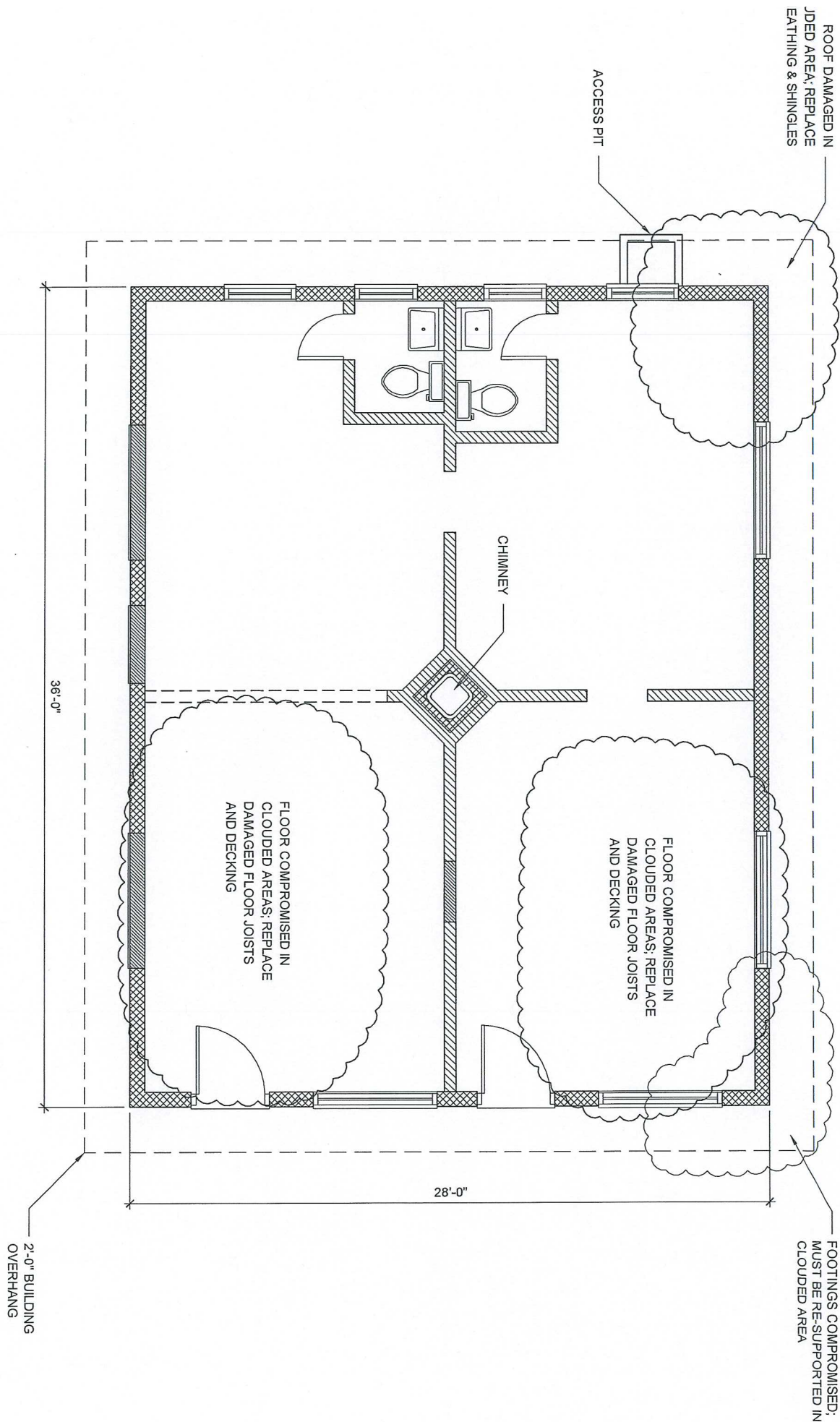
City Manager's Comments:

<< FOR CITY MANAGER ONLY >>

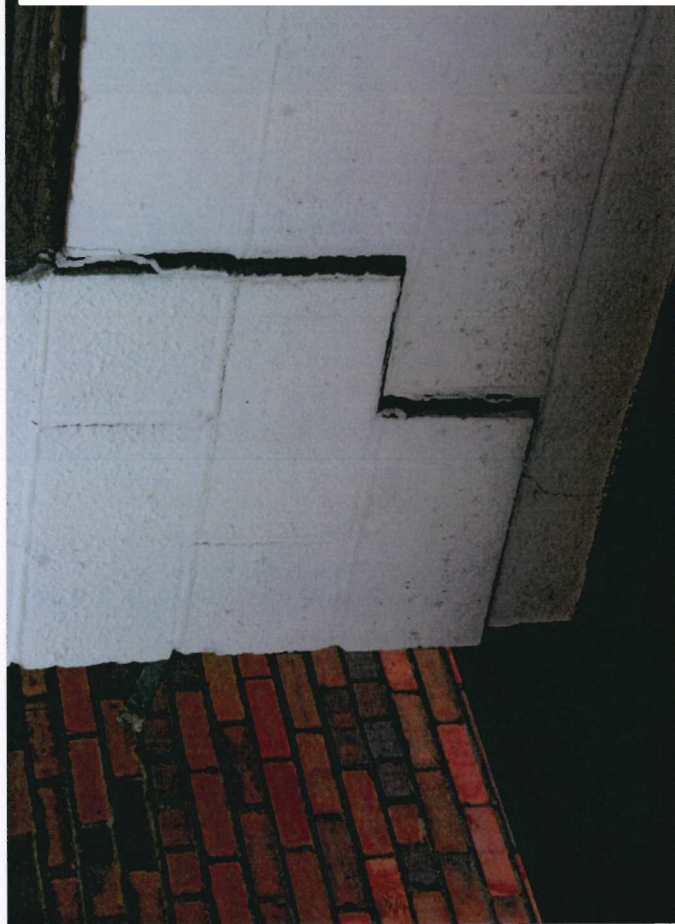
Signature: *Wayne Horne*

Department: City Management

Attachment: Pictures 110 N Chestnut Street (1141 : City owned building at 110 N Chestnut St)









Lumberton City Council

Lumberton, North Carolina



REQUEST FOR CC ACTION

Meeting Date: August 7, 2013

Originated By: Planning / Inspections

Submission Date: July 29, 2013

Subject: RMC Holdings Conditional Use Permit application

Summary/Background of Subject Matter -

RMC Holdings (Larry Stone, Owner) has submitted a Conditional Use Permit application for property located at the corner of W. 5th Street and Hilton Street, parcel #'s 1013-01-001-04 and 1013-01-001-05. This request is to obtain a Conditional Use Permit for a major subdivision.

On June 18, 2013 the Planning Board reviewed the request and recommended denial based on the fact that no one was present at the meeting on behalf of the applicant/owner to present the application to the Board.

On July 29, 2013 Mr. Larry H. Stone, President of RMC Holdings, Inc. submitted a formal request to withdraw this application.

Recommendation for CC Consideration:

The Council Policy Committee recommends that City Council accept this withdrawal request.

Signature: *Brandon Love*

Department: Planning / Inspections

City Manager's Comments:

<< FOR CITY MANAGER ONLY >>

Signature: *Wayne Horne*

Department: City Management

RMC HOLDINGS, INC.

Larry H. Stone

Post Office Box 787

Lumberton, NC 28359

July 29, 2013

Brandon Love

City of Lumberton Director of Planning and Neighborhood Services

500 North Cedar Street

Lumberton, North Carolina 28358

Dear Mr. Love,

I would like to request the City of Lumberton withdraw my major subdivision application at your earliest convenience for my property located on West Fifth Street, Lumberton, NC, Robeson County Tax Map Numbers 10120100105 and 10130100104.

Sincerely,



Larry H. Stone, President

RMC Holdings, Inc.

Attachment: RMC Holdings Withdrawal notice (1140 : RMC Holdings Conditional Use Permit application)

RMC HOLDINGS, INC.

Cary H. Stone

Post Office Box 707

Lumberton, NC 28359

04/27/2011

04/27/2011

City of Lumberton, Department of Planning and Neighborhood Services

100 North 1st Street, Suite 200

Lumberton, NC 28359

04/27/2011

04/27/2011

I hereby certify that I am a resident of the City of Lumberton, North Carolina, and I am the owner of the property located on West Fifth Street, Lumberton, North Carolina, with parcel numbers 10130100102 and 10130100104.

04/27/2011


Cary H. Stone, President
RMC Holdings, Inc.

Attachment: RMC Holdings Withdrawal notice (1140 : RMC Holdings Conditional Use Permit application)

Lumberton City Council
Lumberton, North Carolina



REQUEST FOR CC ACTION

Meeting Date: August 7, 2013

Originated By: Planning / Inspections
Subject: Rezoning of 410 E. 2nd Street

Submission Date: July 31, 2013

Summary/Background of Subject Matter -

Steven Branch (Breck LLC) has submitted a rezoning application for property located at 410 E 2nd Street (Parcel #s 3238-02-016 and 3238-02-015). This request is to rezone the properties from M-1 (Light Manufacturing) to B2H (Business Community). The applicant's intent is to operate a miscellaneous retail store.

Recommendation for CC Consideration:

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.

Signature: *Brandon Love*

Department: Planning / Inspections

City Manager's Comments:

<< FOR CITY MANAGER ONLY >>

Signature: *Wayne Horne*

Department: City Management

City of



Lumberton

DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
APPLICATION FOR ZONING MAP AMENDMENT

TO: THE CITY COUNCIL OF THE CITY OF LUMBERTON

The undersigned hereby respectfully requests that the Official Zoning Map of the City of Lumberton, North Carolina be amended as hereinafter described:

(NOTE: Please complete this application by typing or printing legibly.)

1. Applicant:

Full Legal Name: Breck LLC
Physical Address: 410 E 2nd Str
Lumberton NC 28358
Mailing Address: 751 S Roberts Ave
Lumberton NC 28358
Telephone: 910-739-5106
Legal Name of Business: N/A

Owner:

Full Legal Name: Breck LLC
Physical Address: 410 E 2nd Str
Lumberton NC 28358
Mailing Address: 751 S Roberts Ave
Lumberton NC 28358
Telephone: 910-739-5106

2. Description of Property:

410 E 2nd Str Lumberton NC 28358 1615 377
(Address) (Deed Book) (Page)
N/A N/A 108' 17,496 sq ft
(Map Book) (Page) (Frontage) (Area)

3. Tax Map Identification Number (parcel number): 323802016 3238020154. Existing Zoning District Designation of Property: Light Manufacturing M15. Requested Zoning District Designation of Property: Community Business B2H

6. Applicant's Interest In Property (check one): ☒ Owner ☐ Owner's Agent ☐ Lease-to-Own
☐ Tenant ☐ Family member ☐ Other (explain) _____

7. ☒ Legal Description of Property: Attach a running description of the portion of the property to be rezoned in metes and bounds sufficient to reconstruct the same on the property.

8. ☒ Site Map: Attach a map of the property in question.

9. Application Fee: Submit the fee payment with application. The application fee is nonrefundable.

1 of 3

All property owners must provide a physical address and sign their application. Additional signature page(s) are available upon request.

File # _____
7/23/2012
Updated 4/5/2012

P.O. Box 1388 ♦ 500 N. Cedar Street ♦ Lumberton, NC 28359 ♦ Phone : 910-671-3838 ♦ Fax : 910-671-3975

Attachment: Application et al (1116 : Rezoning of 410 E. 2nd Street)



DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
APPLICATION FOR ZONING MAP AMENDMENT

10. Applicant's Intended Use of Property (Applicant should attach a detailed business plan which includes the intended use of the property):

Will lease to a business for miscellaneous
retail sales.

Attachment: Application et al (1116 : Rezoning of 410 E. 2nd Street)

2 of 3

All property owners must provide a physical address and sign their application. Additional signature page(s) are available upon request.

File #

7/23/2012

Updated 4/5/2012

P.O. Box 1388 ♦ 500 N. Cedar Street ♦ Lumberton, NC 28359 ♦ Phone : 910-671-3838 ♦ Fax : 910-671-3975

City of



Lumberton

DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
APPLICATION FOR ZONING MAP AMENDMENT

11. Notarized Signatures:

Applicant: 1
Full Legal Name (type or print) Physical Address

STATE OF _____ COUNTY OF _____

I, _____, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Applicant: _____
Signature

WITNESS my hand and official seal, this the _____ day of _____, 20__.

(Official Seal)

Official Signature of Notary_____, Notary Public
Notary's printed or typed name

My Commission Expires: _____

Owner: Breck LLC 751 S Roberts Ave Lumberton NC 283
Full Legal Name (type or print) Physical Address

STATE OF North Carolina COUNTY OF Robeson

I, W. Craig Lovette, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Owner: Breck LLC by Steven R Branch (member manager)
Signature

WITNESS my hand and official seal, this the 15th day of JULY, 20 13.

(Official Seal)

Official Signature of Notary_____, Notary Public
Notary's printed or typed nameMy Commission Expires: February 28, 2017

3 of 3

*** All property owners must provide a physical address and sign their application. Additional signature page(s) are available upon request.***

File # _____

7/23/2012
Updated 4/5/2012

P.O. Box 1388 ♦ 500 N. Cedar Street ♦ Lumberton, NC 28359 ♦ Phone : 910-671-3838 ♦ Fax : 910-671-3975

Attachment: Application et al (1116 : Rezoning of 410 E. 2nd Street)



NOT TO SCALE

REQUESTED: Rezoning

OWNER: Breck LLC

MEETING DATE: CPC August 7, 2013-
11:00am

City Council August 12, 2013- 7:00pm

PLACE: CITY COUNCIL CHAMBERS
CITY HALL
3RD FLOOR

Lumberton City Council

Lumberton, North Carolina



REQUEST FOR CC ACTION

Meeting Date: August 7, 2013

Originated By: Planning / Inspections

Submission Date: July 22, 2013

Subject: Southeastern Regional Medical Center is requesting 8 freestanding signs

Summary/Background of Subject Matter -

Southeastern Regional Medical Center is requesting the following freestanding signs:

- 1) 63 sq.ft. freestanding sign at location 1
- 2) 63 sq.ft. freestanding sign at location 2
- 3) 41.1 sq.ft. freestanding sign at location 3
- 4) 41.1 sq.ft. freestanding sign at location 4
- 5) 41.1 sq.ft. freestanding sign at location 5
- 6) 41.1 sq.ft. freestanding sign at location 6
- 7) 23 sq.ft. freestanding sign at location 7
- 8) 12 sq.ft. freestanding sign at location 8

This request is for property located at 300 W. 27th Street. This property is zoned B-6, Medical Arts. Sec. 35-282. Signs within the medical arts district states:

Notwithstanding any other provisions of this article excepting for the provisions of section 35-281, signs in the B-6 (medical arts) district may be erected, moved, enlarged, or substantially altered pursuant to plans approved by city council.
(Ord. No. 1448, 6-27-94)

Recommendation for CC Consideration:

Recommends Council Policy Committee and City Council approve this request.

Signature: *Brandon Love*

Department: Planning / Inspections

City Manager's Comments:

<< FOR CITY MANAGER ONLY >>

Signature: *Wayne Horne*

Department: City Management

CITY OF LUMBERTON SIGN PERMIT APPLICATION

Company, Corporation or Person Requesting Sign Permit: Poblocki Sign Company

Address: 201 Kitty Hawk Drive, Suite 100, Morrisville, NC 27560

Telephone: 919.354.3803

Owner of Proposed Sign: Southeastern Regional Medical Center

Address: 300 West 27th St., Lumberton, NC 28359

Site Location of Proposed Sign: 300 West 27th St., Lumberton, NC 28359

Type of Proposed Sign

ON PREMISES

Free Standing Sign Location 1 Linear Feet of Street Frontage 3,890 for the campus

Building Sign _____ Total Surface Area of the Building Wall _____

OFF PREMISES

Distance to Nearest Adjoining Off Premises Sign _____ ft.

Description of Proposed Sign

Size of Proposed Sign (sq. ft.) 63 sq. ft. per side.

Single Face X Double Face _____

Height of Proposed Sign 10' 1" ft.

Value of Proposed Sign \$ \$16,000

(Attach Site Plan Showing location of Proposed Sign on Lot and Distance from the Street right-of-way and Adjoining Property Lines).

Signed By: 

Date: 6-27-2013

Approved _____

Disapproved _____

Comments: _____

Land Use Administrator _____

Date _____

CITY OF LUMBERTON SIGN PERMIT APPLICATION

Company, Corporation or Person Requesting Sign Permit: Poblocki Sign Company

Address: 201 Kitty Hawk Drive, Suite 100, Morrisville, NC 27560

Telephone: 919.354.3803

Owner of Proposed Sign: Southeastern Regional Medical Center

Address: 300 West 27th St., Lumberton, NC 28359

Site Location of Proposed Sign: 300 West 27th St., Lumberton, NC 28359

Type of Proposed Sign

ON PREMISES

Free Standing Sign Location 2 Linear Feet of Street Frontage 3,890 for the campus

Building Sign _____ Total Surface Area of the Building Wall _____

OFF PREMISES

Distance to Nearest Adjoining Off Premises Sign _____ ft.

Description of Proposed Sign

Size of Proposed Sign (sq. ft.) 63 sq. ft. per side.

Single Face X Double Face _____

Height of Proposed Sign 10' 1" ft.

Value of Proposed Sign \$ \$16,000

(Attach Site Plan Showing location of Proposed Sign on Lot and Distance from the Street right-of-way and Adjoining Property Lines).

Signed By: 

Date: 6-27-2013

Approved _____

Disapproved _____

Comments: _____

Land Use Administrator _____

Date _____

Attachment: Hospital Signs Freestanding sign applications (1117 : Southeastern Regional Medical Center is requesting 8 freestanding signs)

CITY OF LUMBERTON SIGN PERMIT APPLICATION

Company, Corporation or Person Requesting Sign Permit: Poblocki Sign Company

Address: 201 Kitty Hawk Drive, Suite 100, Morrisville, NC 27560

Telephone: 919.354.3803

Owner of Proposed Sign: Southeastern Regional Medical Center

Address: 300 West 27th St., Lumberton, NC 28359

Site Location of Proposed Sign: 300 West 27th St., Lumberton, NC 28359

Type of Proposed Sign

ON PREMISES

Free Standing Sign Location 3 Linear Feet of Street Frontage 3,890 for the campus

Building Sign _____ Total Surface Area of the Building Wall _____

OFF PREMISES

Distance to Nearest Adjoining Off Premises Sign _____ ft.

Description of Proposed Sign

Size of Proposed Sign (sq. ft.) 41.1 sq. ft. per side.

Single Face _____ Double Face X

Height of Proposed Sign 7' 7" ft.

Value of Proposed Sign \$ \$12,000

(Attach Site Plan Showing location of Proposed Sign on Lot and Distance from the Street right-of-way and Adjoining Property Lines).

Signed By: 

Date: 6-27-2013

Approved _____

Disapproved _____

Comments: _____

Land Use Administrator _____

Date _____

Attachment: Hospital Signs Freestanding sign applications (1117 : Southeastern Regional Medical Center is requesting 8 freestanding signs)

CITY OF LUMBERTON SIGN PERMIT APPLICATION

Company, Corporation or Person Requesting Sign Permit: Poblocki Sign Company

Address: 201 Kitty Hawk Drive, Suite 100, Morrisville, NC 27560

Telephone: 919.354.3803

Owner of Proposed Sign: Southeastern Regional Medical Center

Address: 300 West 27th St., Lumberton, NC 28359

Site Location of Proposed Sign: 300 West 27th St., Lumberton, NC 28359

Type of Proposed Sign

ON PREMISES

Free Standing Sign Location 4 Linear Feet of Street Frontage 3,890 for the campus

Building Sign _____ Total Surface Area of the Building Wall _____

OFF PREMISES

Distance to Nearest Adjoining Off Premises Sign _____ ft.

Description of Proposed Sign

Size of Proposed Sign (sq. ft.) 41.1 sq. ft. per side.

Single Face _____ Double Face X

Height of Proposed Sign 7' 7" ft.

Value of Proposed Sign \$ \$12,000

(Attach Site Plan Showing location of Proposed Sign on Lot and Distance from the Street right-of-way and Adjoining Property Lines).

Signed By: 

Date: 6-27-2013

Approved _____

Disapproved _____

Comments: _____

Land Use Administrator _____

Date _____

Attachment: Hospital Signs Freestanding sign applications (1117 : Southeastern Regional Medical Center is requesting 8 freestanding signs)

CITY OF LUMBERTON SIGN PERMIT APPLICATION

Company, Corporation or Person Requesting Sign Permit: Poblocki Sign Company

Address: 201 Kitty Hawk Drive, Suite 100, Morrisville, NC 27560

Telephone: 919.354.3803

Owner of Proposed Sign: Southeastern Regional Medical Center

Address: 300 West 27th St., Lumberton, NC 28359

Site Location of Proposed Sign: 300 West 27th St., Lumberton, NC 28359

Type of Proposed Sign

ON PREMISES

Free Standing Sign Location 5 Linear Feet of Street Frontage 3,890 for the campus

Building Sign _____ Total Surface Area of the Building Wall _____

OFF PREMISES

Distance to Nearest Adjoining Off Premises Sign _____ ft.

Description of Proposed Sign

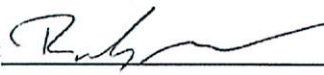
Size of Proposed Sign (sq. ft.) 41.1 sq. ft. per side.

Single Face _____ Double Face X

Height of Proposed Sign 7' 7" ft.

Value of Proposed Sign \$ \$12,000

(Attach Site Plan Showing location of Proposed Sign on Lot and Distance from the Street right-of-way and Adjoining Property Lines).

Signed By: 

Date: 6-27-2013

Approved _____

Disapproved _____

Comments: _____

Land Use Administrator _____

Date _____

Attachment: Hospital Signs Freestanding sign applications (1117 : Southeastern Regional Medical Center is requesting 8 freestanding signs)

CITY OF LUMBERTON SIGN PERMIT APPLICATION

Company, Corporation or Person Requesting Sign Permit: Poblocki Sign Company

Address: 201 Kitty Hawk Drive, Suite 100, Morrisville, NC 27560

Telephone: 919.354.3803

Owner of Proposed Sign: Southeastern Regional Medical Center

Address: 300 West 27th St., Lumberton, NC 28359

Site Location of Proposed Sign: 300 West 27th St., Lumberton, NC 28359

Type of Proposed Sign

ON PREMISES

Free Standing Sign Location 6 Linear Feet of Street Frontage 3,890 for the campus

Building Sign _____ Total Surface Area of the Building Wall _____

OFF PREMISES

Distance to Nearest Adjoining Off Premises Sign _____ ft.

Description of Proposed Sign

Size of Proposed Sign (sq. ft.) 41.1 sq. ft. per side.

Single Face _____ Double Face X

Height of Proposed Sign 7' 7" ft.

Value of Proposed Sign \$ \$12,000

(Attach Site Plan Showing location of Proposed Sign on Lot and Distance from the Street right-of-way and Adjoining Property Lines).

Signed By: 

Date: 6-27-2013

Approved _____

Disapproved _____

Comments: _____

Land Use Administrator

Date

Attachment: Hospital Signs Freestanding sign applications (1117 : Southeastern Regional Medical Center is requesting 8 freestanding signs)

CITY OF LUMBERTON SIGN PERMIT APPLICATION

Company, Corporation or Person Requesting Sign Permit: Poblocki Sign Company

Address: 201 Kitty Hawk Drive, Suite 100, Morrisville, NC 27560

Telephone: 919.354.3803

Owner of Proposed Sign: Southeastern Regional Medical Center

Address: 300 West 27th St., Lumberton, NC 28359

Site Location of Proposed Sign: 300 West 27th St., Lumberton, NC 28359

Type of Proposed Sign

ON PREMISES

Free Standing Sign Location 7 Linear Feet of Street Frontage 3,890 for the campus

Building Sign _____ Total Surface Area of the Building Wall _____

OFF PREMISES

Distance to Nearest Adjoining Off Premises Sign _____ ft.

Description of Proposed Sign

Size of Proposed Sign (sq. ft.) 23 sq. ft. per side.

Single Face X Double Face _____

Height of Proposed Sign 5' 8" ft.

Value of Proposed Sign \$ \$3,000

(Attach Site Plan Showing location of Proposed Sign on Lot and Distance from the Street right-of-way and Adjoining Property Lines).

Signed By:

Date: 6-27-2013

Approved _____

Disapproved _____

Comments: _____

Land Use Administrator _____

Date _____

Attachment: Hospital Signs Freestanding sign applications (1117 : Southeastern Regional Medical Center is requesting 8 freestanding signs)

CITY OF LUMBERTON SIGN PERMIT APPLICATION

Company, Corporation or Person Requesting Sign Permit: Poblocki Sign Company

Address: 201 Kitty Hawk Drive, Suite 100, Morrisville, NC 27560

Telephone: 919.354.3803

Owner of Proposed Sign: Southeastern Regional Medical Center

Address: 300 West 27th St., Lumberton, NC 28359

Site Location of Proposed Sign: 300 West 27th St., Lumberton, NC 28359

Type of Proposed Sign

ON PREMISES

Free Standing Sign _____ Linear Feet of Street Frontage _____

Building Sign Location 8 Total Surface Area of the Building Wall has more than 1,000 square feet of wall

OFF PREMISES

Distance to Nearest Adjoining Off Premises Sign _____ ft.

Description of Proposed Sign

Size of Proposed Sign (sq. ft.) 12 sq. ft. per side.

Single Face X Double Face

Height of Proposed Sign 1'6" ft.

Value of Proposed Sign \$ \$3,500

(Attach Site Plan Showing location of Proposed Sign on Lot and Distance from the Street right-of-way and Adjoining Property Lines).

Signed By: [Signature]

Date: 6-27-2013

Approved

Disapproved

Comments: _____

Land Use Administrator

Date _____



201 Kitty Hawk Dr., Suite 102, Morrisville, NC 27560
919.354.3800 • www.poblock.com

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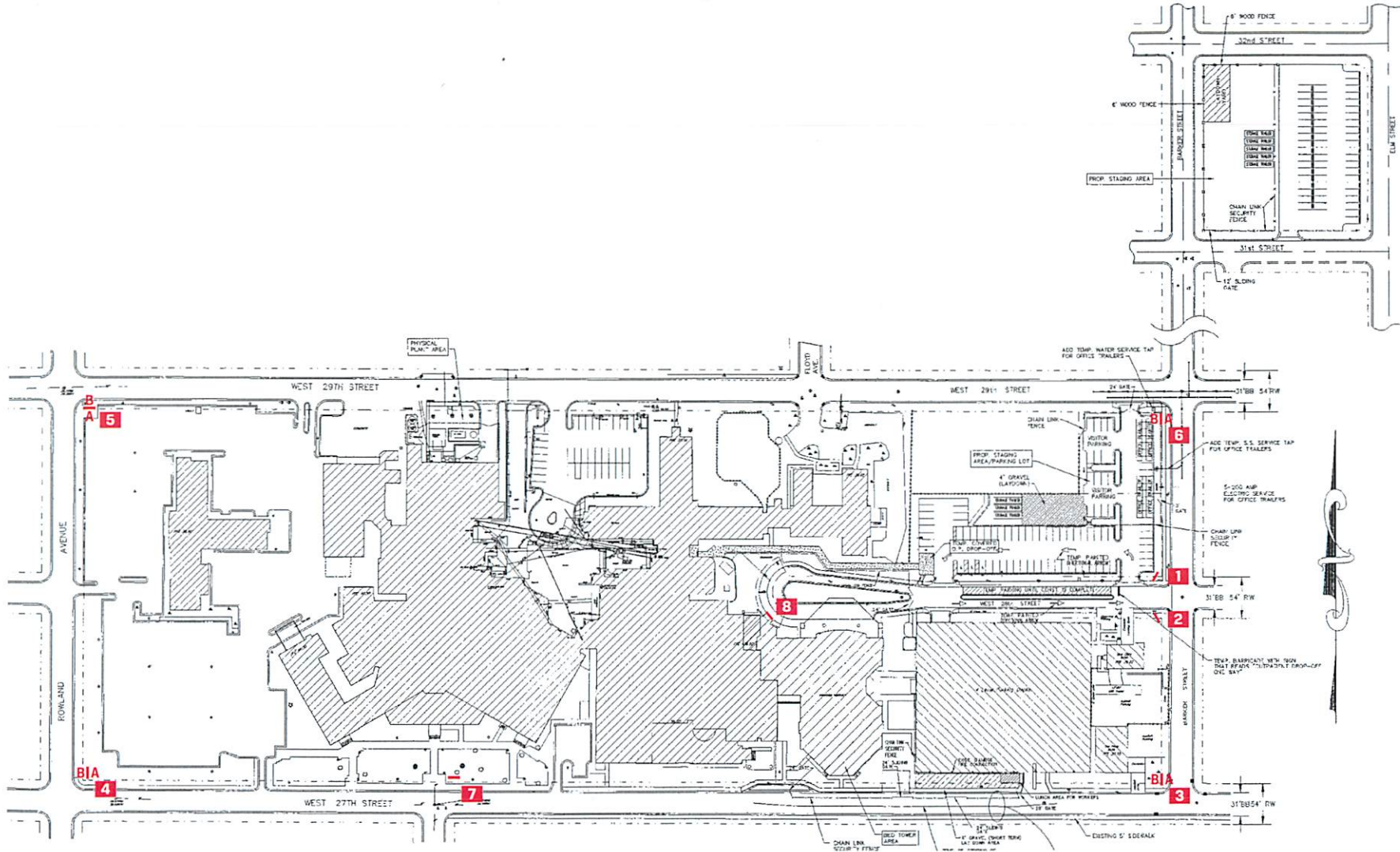
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Project

**Rebranding
Southeastern
Health**
Lumberton, NC &
Surrounding Areas

Original Page Size: 11" x 17"

300 27th Street (West)
Lumberton, NC 28358



SIGN SPECIFICATIONS

[A] - Front Cabinet

Material: Fabricated aluminum cabinet with push through letters (projecting 1/4" from face)

Letter Style: Gotham Bold

Letter Color: PMS 5405 C, PMS 430 C

Background Color: White

Mounting: Mechanical

Voltage: T.B.D.

[B] - Blue Cabinet

Material: Aluminum

Color: PMS 5405 C

[C] - Monolithic Column

Material: Aluminum cabinet with halo-lit channel logo

Background Color: PMS 427 Grey

Logo Color: Brush Aluminum

Voltage: T.B.D.

[D] - Brick

Color: Glen Gery Dolomite Grey (W181)

[E] - Brick

Color: Triangle Brick Red Wirecut Ironspot

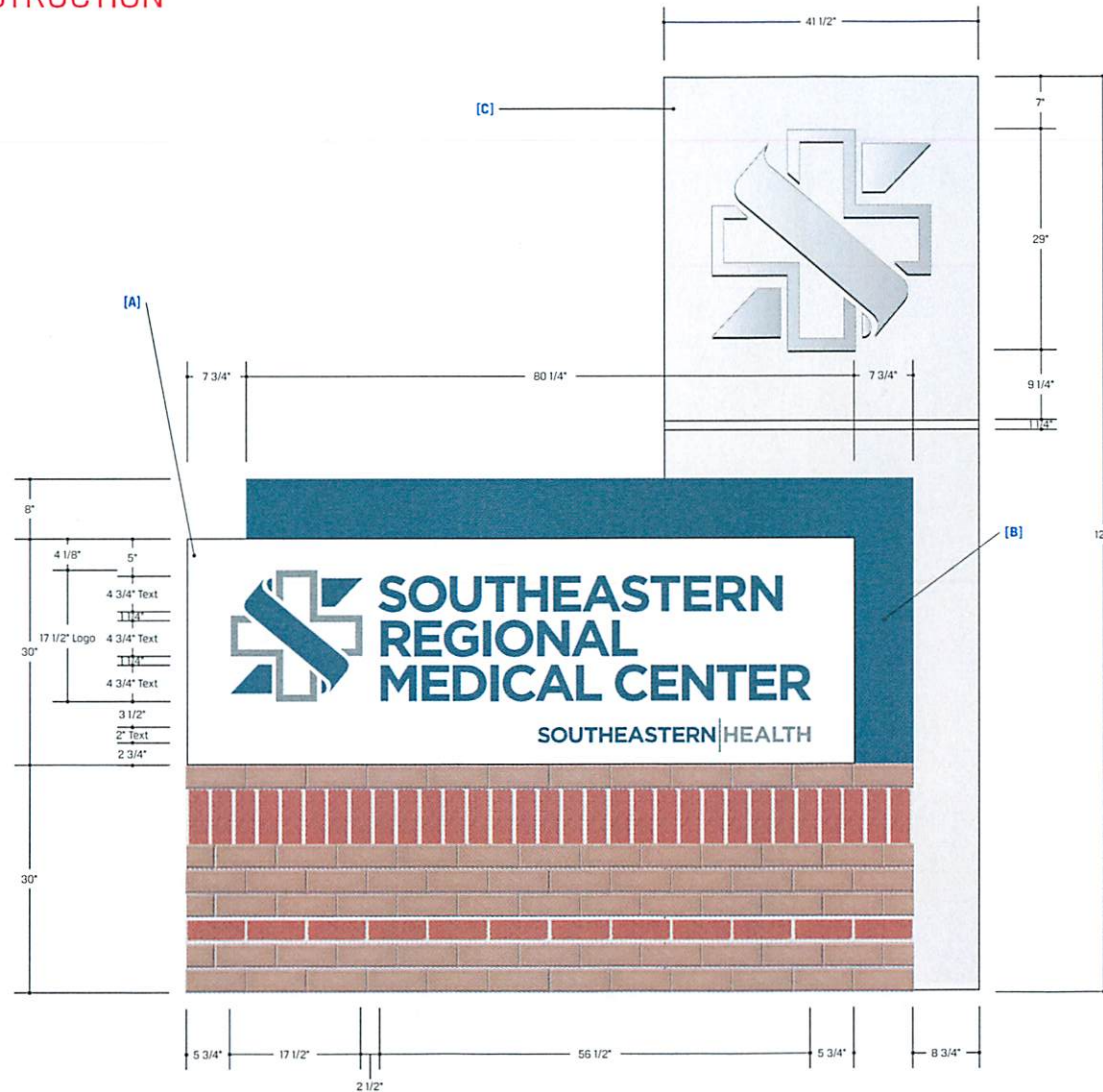
CONSTRUCTION



Location



Existing Layout



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Project

Rebranding Southeastern Health

Lumberton, NC &

Surrounding Areas

Scale: X/XX" = X"

Original Page Size: 11" x 17"

Notes

2 Signs Total

Revisions

REV	DESCRIPTION	BY	DATE

Rep: Randy Goodfred Orig. Date: 02.12.13

Drawn By: Ryan Whitmore

Sign Type

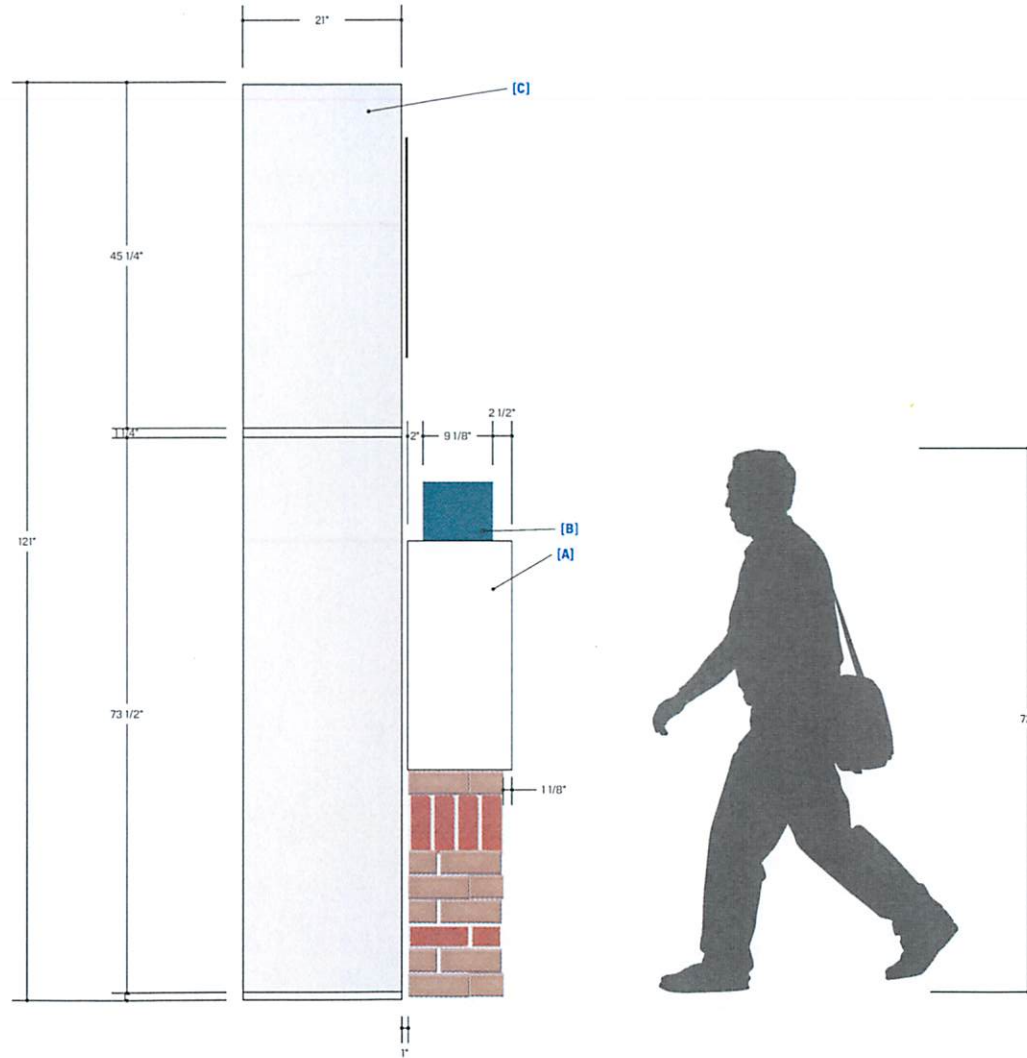
7D.1

Entrance Sign
28th Street & Barker

300 27th Street (West)
Lumberton, NC 28358

SIGN SPECIFICATIONS

CONSTRUCTION



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Project

Rebranding
Southeastern
Health
 Lumberton, NC &
 Surrounding Areas

Scale: X/XX" = X"
 Original Page Size: 11" x 17"

Notes

2 Signs Total

Revisions

REV	DESCRIPTION	BY	DATE

Rep.: Randy Goodfred Orig. Date: 02.12.13
 Drawn By: Ryan Whitmore

Sign Type

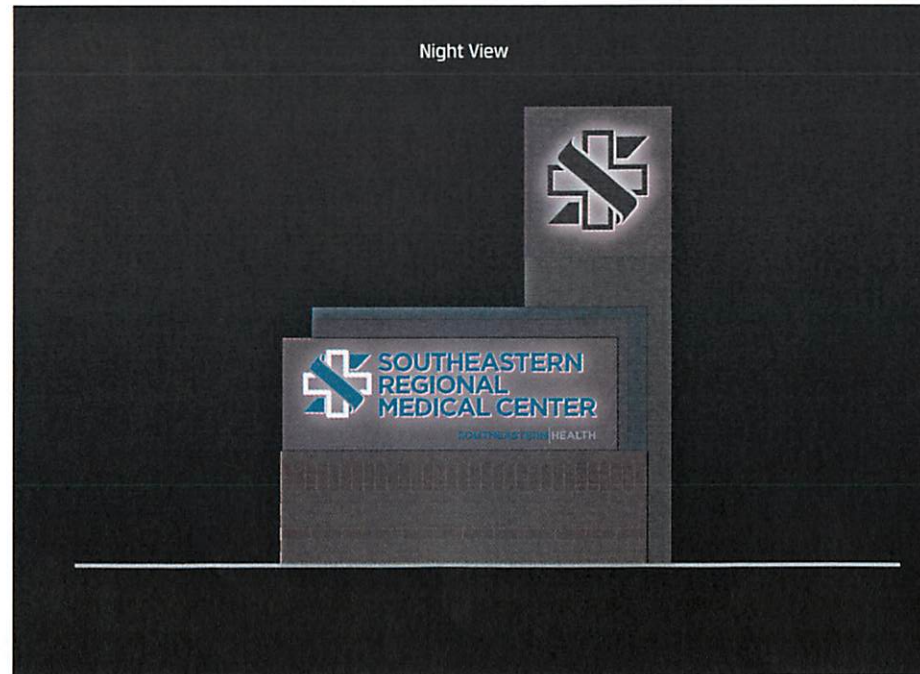
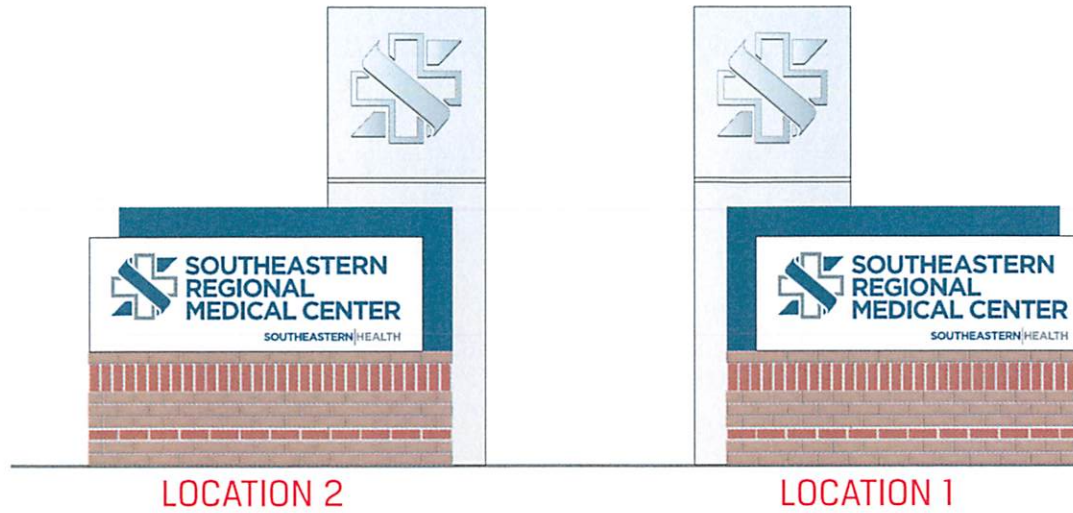
7D.2

Entrance Sign
 28th Street & Barker

300 27th Street (West)
 Lumberton, NC 28358

SIGN SPECIFICATIONS

Attachment: Hospital Signs Freestanding sign applications (1117 : Southeastern Regional Medical Center is requesting 8 freestanding signs)



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Project
**Rebranding
Southeastern
Health**
Lumberton, NC &
Surrounding Areas

Scale: X/XX" = X"
Original Page Size: 11" x 17"

Notes

2 Signs Total

Revisions

REV	DESCRIPTION	BY	DATE

Rep: Randy Goodfred Orig. Date: 02.12.13
Drawn By: Ryan Whitmore

Sign Type

7D.3

Entrance Sign
28th Street & Barker

300 27th Street (West)
Lumberton, NC 28358

SIGN SPECIFICATIONS

[A] - Front Panel

Material: Fabricated illuminated aluminum cabinet with changeable faces on both sides
Graphics Method: Flush face, push through translucent white acrylic with digitally-printed translucent vinyl faces

Letter Style: Gotham Bold, Gotham Medium
Letter Color: White, PMS 5405 C, PMS 430 C

Background Method: Surface painted

Background Color: White, PMS 5405 C, PMS 485 Red

Mounting: Internal posts in concrete
Voltage: T.B.D.

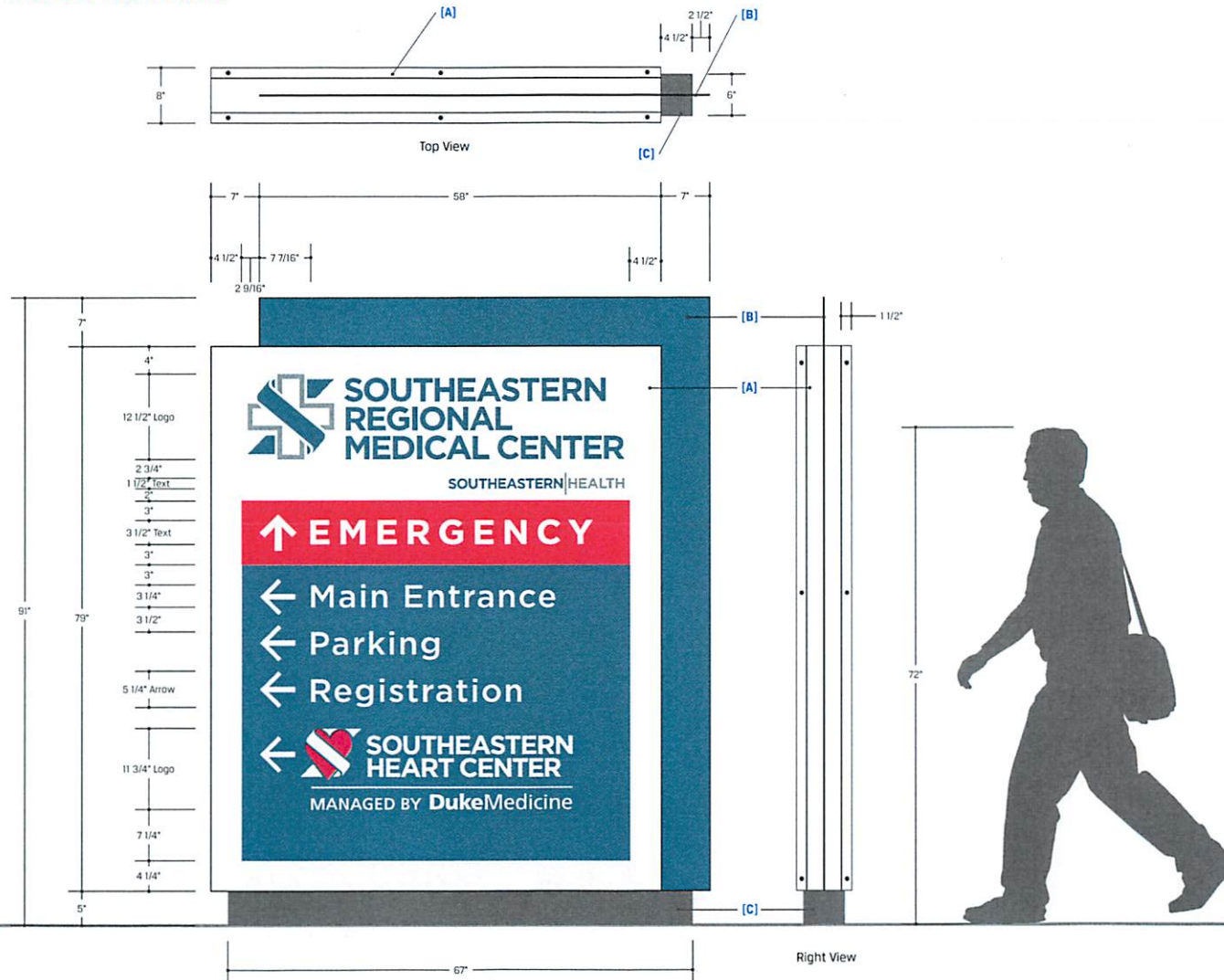
[B] - Accent Panel

Material: 1/4" Aluminum
Color: PMS 5405 C

[C] - Base

Material: Aluminum
Color: PMS 430 C

CONSTRUCTION



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Project

Rebranding
Southeastern
Health

Lumberton, NC &

Surrounding Areas

Scale: 1/16" = 1"
 Original Page Size: 11" x 17"

Notes

6 1/2"x7'8"
 Double Sided, Lighted

Revisions

REV	DESCRIPTION	BY	DATE

Rep: Randy Goodfred Orig. Date: 02.12.13
 Drawn By: Ryan Whitmore

Sign Type

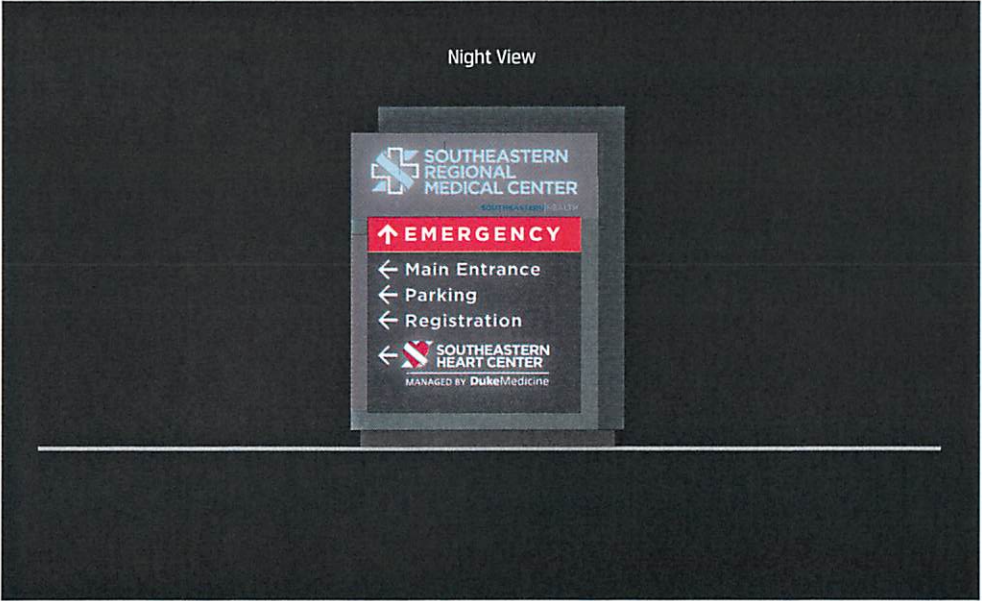
7i
 Outside Sign
 27th Street & Barker

300 27th Street (West)
 Lumberton, NC 28358

SIGN SPECIFICATIONS

Attachment: Hospital Signs Freestanding sign applications (1117 : Southeastern Regional Medical Center is requesting 8 freestanding signs)

CONSTRUCTION



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Project
Rebranding
Southeastern
Health
Lumberton, NC &
Surrounding Areas

Scale: 1/32" = 1"
Original Page Size: 11" x 17"

Notes
6 1/2"x7'8"
Double Sided, Lighted

Revisions		
REV	DESCRIPTION	BY DATE

Rep.: Randy Goodfred Orig. Date: 02.12.13
Drawn By: Ryan Whitmore

Sign Type
7i.1
Outside Sign
27th Street & Barker

300 27th Street (West)
Lumberton, NC 28358

SIGN SPECIFICATIONS

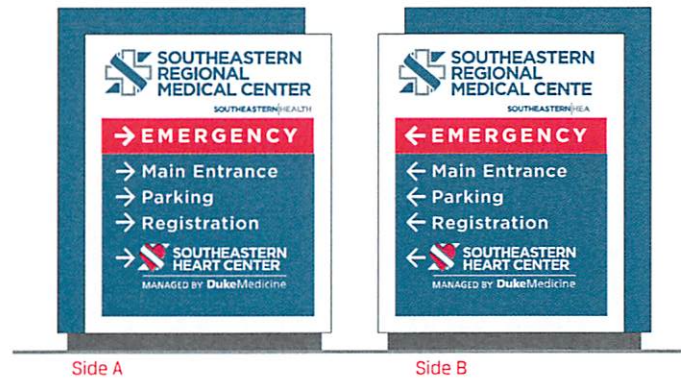
Attachment: Hospital Signs Freestanding sign applications (1117 : Southeastern Regional Medical Center is requesting 8 freestanding signs)



Location 3



Location 4



Location 5



Location 6



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Project

Rebranding
Southeastern
Health

Lumberton, NC &
Surrounding Areas

Scale: 1/32" = 1"
Original Page Size: 11" x 17"

Notes

6 1/2"x7'8"
Double Sided, Lighted

Revisions

REV	DESCRIPTION	BY	DATE

Rep: Randy Goodfred Orig. Date: 02.12.13
Drawn By: Ryan Whitmore

Sign Type

7i.1

Outside Sign
27th Street & Barker

300 27th Street (West)
Lumberton, NC 28358

SIGN SPECIFICATIONS

[A] - Front Panel

Material: Fabricated aluminum cabinet with changeable face on front side

Graphics Method: Surface reflective red vinyl, surface reflective white vinyl, 1/4" cut aluminum logo

Letter Style: Gotham Bold, Gotham Medium

Letter Color: White, PMS 5405 C

Background Method: Surface painted

Background Color: White, PMS 5405 C, PMS 485 Red

Mounting: Internal posts in concrete

[B] - Logo

Material: 1/4" cut aluminum

Background Method: Surface painted

Background Color: PMS 5405 C, PMS 430 C

Mounting: Adhesive and silicone as needed

[C] - Accent Panel

Material: 1/4" aluminum

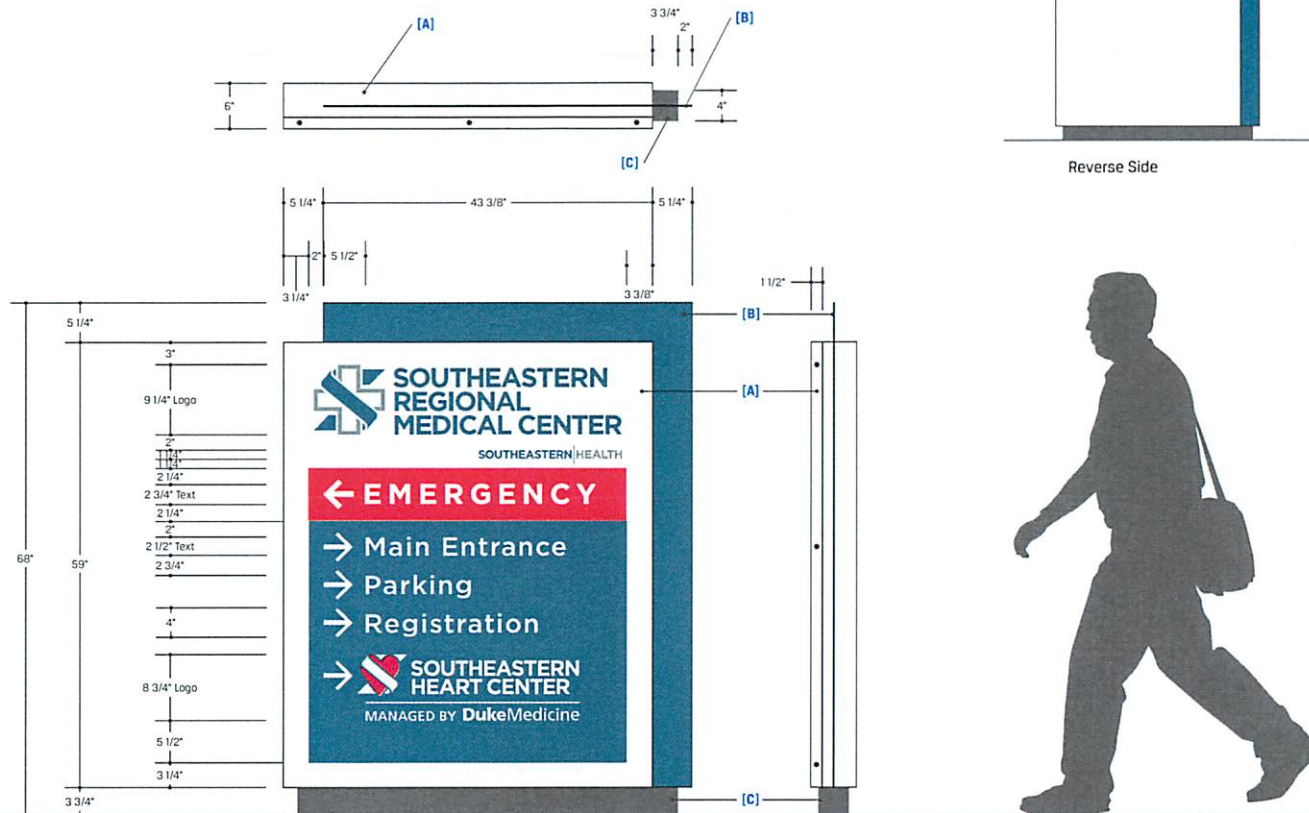
Color: PMS 5405 C

[D] - Base

Material: Aluminum

Color: PMS 430 C

CONSTRUCTION & LOCATION 7



Reverse Side



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Project

Rebranding
Southeastern
Health
Lumberton, NC &
Surrounding Areas

Scale: 1/16" = 1"
Original Page Size: 11" x 17"

Notes**Revisions**

REV	DESCRIPTION	BY	DATE

Rep: Randy Goodfred Orig. Date: 02.12.13
Drawn By: Ryan Whitmore

Sign Type**7E**

Outside Sign

300 27th Street (West)
Lumberton, NC 28358



Existing Layout

SIGN SPECIFICATIONS

[A] - Panel

Material: Illuminated aluminum cabinet with changeable face

Graphics Method: Flush face, push through translucent white acrylic with digitally-printed translucent vinyl faces

Letter Style: Gotham Bold

Letter Color: PMS 5405 C, PMS 430 C

Background Color: White

Mounting: Mechanical

Voltage: 120v

CONSTRUCTION & LOCATION 8



Existing Layout



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Project

Rebranding
Southeastern
Health
Lumberton, NC &
Surrounding Areas

Scale: 1/16" = 1"
Original Page Size: 11" x 17"

Notes

Revisions

REV	DESCRIPTION	BY	DATE

Rep.: Randy Goodfred Orig. Date: 02.12.13
Drawn By: Ryan Whitmore

Sign Type

7K
Building Sign

300 27th Street (West)
Lumberton, NC 28358

Lumberton City Council

Lumberton, North Carolina



REQUEST FOR CC ACTION

Meeting Date: August 7, 2013

Originated By: Public Services

Submission Date: July 23, 2013

Subject: Tax Collection Order for 2013-2014

Summary/Background of Subject Matter -

Pursuant to a resolution adopted by Council on August 26, 2002, an order for the collection of taxes is to be adopted annually. An order in the form specified by that ordinance is attached.

Recommendation for CC Consideration:

Recommend that Council adopt an order directing the tax collector to collect taxes in accordance with G.S. §105-321 & 105-351.

Signature: *Linda Oxendine*

Department: Public Services

City Manager's Comments:

<< FOR CITY MANAGER ONLY >>

Signature: *Wayne Horne*

Department: City Management

Lumberton City Council
Lumberton, North Carolina



AGENDA CODE: _____

REQUEST FOR CPC ACTION

Meeting Date: Feb. 9, 2011

Originated By: Tax Dept.

Submission Date: July 23, 2013

Subject: Tax Collection Order for 2010-2011

Summary/Background of Subject Matter - Supplementary Material Attached: YES.

Pursuant to a resolution adopted by Council on August 26, 2002, an order for the collection of taxes is to be adopted annually. An order in the form specified by that ordinance is attached.

**Recommendation for CPC Consideration:
Recommend that Council adopt the Order.**

Signature: s/Linda Oxendine Department: Tax Department

City Manager's Comments:

Signature: s/J. Wayne Horne Department: City Management

Council Action Form Dated: 04/2010

Attachment: CAF AGENDA FORM_Order to Collect Taxes_Feb2011 (1119 : Tax Collection Order for 2013-2014)

RESOLUTION AND ORDER OF THE CITY COUNCIL OF THE CITY OF LUMBERTON
DIRECTING THE TAX COLLECTOR TO COLLECT TAXES CHARGED IN THE TAX
RECORDS AND RECEIPTS IN ACCORDANCE WITH
GENERAL STATUTES §105-321 AND 105-351

WHEREAS, as provided in N.C.G.S. 105-321 and N.C.G.S. 105-351, upon order of the governing body, the tax receipts shall be delivered to the tax collector on or before the first day of September; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lumberton that it does hereby adopt this resolution directing the tax collector to collect the taxes charged in the tax records and receipts in accordance with G.S. §105-321 as follows:

- (a) City tax records shall be filed in the office of the Chief Financial Officer. A duplicate copy of the tax records shall be delivered to the tax collector at the time he is charged with the collection of taxes.
- (b) Before delivering the tax receipts to the tax collector in any year, the City Council shall adopt and enter in its minutes an order directing the tax collector to collect the taxes charged in the tax records and receipts. A copy of this order shall be delivered to the tax collector at the time the tax receipts are delivered to him. The order of collection shall be written shown on the attached order, which is hereby approved by the City Council as a part of this resolution if incorporated herein.
- (c) The original tax receipts, together with any duplicate copies that may have been prepared, shall be delivered to the tax collector by the City Council on or before the first day of September each year if the tax collector has made settlement as required by G.S. 105-352. The tax collector shall give his receipt for the tax receipts and duplicates delivered to him for collection.
- (d) The Tax Collector shall apply the taxes collected to the taxes due from the earliest year to the most current year.

On motion of Councilman _____, seconded by Councilman _____, the foregoing Resolution was adopted the 12th day of August, 2013.

Raymond B. Pennington, Mayor

ATTEST:

Laney Mitchell-McIntosh, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Robert E. Price, Interim City Attorney

Attachment: Resolution and Order for Tax Collection (2013) (1119 : Tax Collection Order for 2013-2014)

State of North Carolina
City of Lumberton

ORDER

To the Tax Collector of the City of Lumberton:

You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records filed in the offices of the City Financial Officer and the Tax Collector and in the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the City of Lumberton, and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with law.

Witness my hand and official seal, this_____day
of_____, 2013_____.
(Seal)

Raymond B. Pennington, Mayor

Attest:

Laney S. Mitchell-McIntosh, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Robert E. Price, Interim City Attorney

Attachment: Resolution and Order for Tax Collection (2013) (1119 : Tax Collection Order for 2013-2014)

Lumberton City Council

Lumberton, North Carolina



REQUEST FOR CC ACTION

Meeting Date: August 7, 2013

Originated By: Fire

Submission Date: July 23, 2013

Subject: Mutual Aid Agreement

Summary/Background of Subject Matter -

Lumberton Fire Department requests permission to enter into a Mutual Aid Agreement with Smyrna Volunteer Fire Department. The agreement would allow either department to request assistance from the other department during an emergency.

Recommendation for CC Consideration:

Lumberton Fire Department recommends that city council allow the fire department to enter into a mutual aid agreement with Smyrna Volunteer Fire Department.

Signature: *Paul Ivey*

Department: Fire

City Manager's Comments:

<< FOR CITY MANAGER ONLY >>

Signature: *Wayne Horne*

Department: City Management

NORTH CAROLINA)
)
 ROBESON COUNTY)

MUTUAL AID AGREEMENT

THIS AGREEMENT made and entered into this 11 day of July, 2013 by and between the Lumberton Fire Department of the City of Lumberton ("LFD"), a municipal entity organized under the laws of the State of North Carolina, and the Smyrna ("VFD"), a non-profit corporation existing under the laws of the State of North Carolina;

WITNESSETH:

THAT, WHEREAS, the General Assembly of North Carolina passed into law an act to authorize mutual aid assistance between fire departments whereby full authority may be exercised for fire departments to send firefighters and apparatus beyond the territorial limits which they normally serve, said act having been codified as G.S. §58-83-1;

WHEREAS, the purpose of this agreement is to provide each of the parties hereto, through their mutual cooperation, a pre-determined plan by which each of them might render aid to the other in case of conflagration, holocaust, civil disorder, or natural disaster, any of which demand fire services to a degree beyond the existing capabilities of either party;

WHEREAS, it is deemed to be in the public interest for the parties hereto to enter into an agreement for mutual assistance in fire protection and in order to increase fire defenses and to assure proper fire control, as well as providing reserves needed to assure the community of adequate protection;

WHEREAS, by action of the Lumberton City Council on _____, 2013, and also by appropriate action on behalf of the VFD, this agreement for reciprocal mutual aid assistance was duly authorized;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, should

it become necessary to activate the terms of this agreement due to conflagration, holocaust, civil disorder, or natural disaster, the Chief of the LFD and the Chief of the VFD shall have the explicit and implicit authority, upon notification by one of the parties to the other that an emergency does in fact exist and that aid is needed, to order available apparatus, equipment, and manpower into action to assist the requesting party as may be required.

1. Should it become necessary to activate the terms of this agreement as herein set forth, due to conflagration, holocaust, civil disorder or natural disaster, the Chiefs of LFD and VFD shall have the explicit and implicit authority, upon notification by one of the parties to the other that an emergency does in fact exist and that aid is needed, to order available apparatus, equipment and manpower into action to assist the requesting party as may be required. (The term "Chief" shall also include the Acting Chiefs of those departments, if any).

2. It shall be the responsibility of the chief of the fire department of the responding party that all personnel responding to the request for assistance are responsible persons and that the conduct and actions of said personnel shall be the responsibility of the party sending assistance.

3. Each party to this agreement shall assume all liability and responsibility for the death of or injury to any personnel of their own command responding to the request for mutual aid.

4. The party responding under the terms of this agreement shall assume no responsibility or liability for property damaged or destroyed at the actual scene of any civil disorder, holocaust, conflagration, or natural disaster due to fire fighting and rescue operations, fire control tactics and strategy or other operations as may be required or ordered; said liability and responsibility shall rest solely with the party requesting such aid and within whose boundaries the

property shall exist, or the incident occur.

5. The party responding to the request for mutual aid under the terms of this agreement shall assume all liability and responsibility for any damage caused by its own apparatus while in route to or returning from a specific location.

6. The party who requests mutual aid shall in no way be deemed liable or responsible for the personal property of the members of the fire department of the responding party which may be lost, stolen, or damaged while performing their duties under the response terms herein.

7. Each party to this agreement shall assume all costs of salaries, wages, bonuses, or other compensation for its own personnel that responds for duty under the terms of this agreement and shall also assume all costs involving the use of apparatus, equipment, etc., used specifically in response to the request for aid and shall make no charge for such use to the party requesting assistance; however, any special extinguishing agents used by the responding party from its own supply shall be paid for by the party requesting the aid upon receipt of an itemized statement of costs for such extinguishing agents.

8. Upon receipt of a request for assistance by the chief of the fire department from the requesting party, and upon a determination by the chief of the fire department of the responding party that the request may be honored without impairing the capacity to provide fire protection within its own jurisdiction, the chief of the fire department may take such steps as necessary to furnish apparatus, manpower, and assistance to the requesting party as he/she deems appropriate. Such response shall remain solely the decision of the chief of the fire department of the responding party.

9. The chief of the fire department in whose community the emergency exists, and who places the request for assistance, shall in all instances be in command of the emergency as to the

aspects of strategy, fire control tactics and overall direction of the operations. All orders or directions regarding the operations of the responding party shall be relayed to the chief firefighting officer in command of the responding party.

10. Neither party to this agreement shall be bound to dispatch apparatus, equipment, or personnel to the assistance of the other but every effort should be made to furnish such assistance if, in the judgment of the chief of the fire department of either party, such dispatch would not impose upon its own community a serious impairment to the fire defenses and fire protection.

11. Either party may, at any time, terminate this agreement, upon the serving of a thirty-day written notice. Notices shall be sent as follows:

If to the City, to both the:

City Manager and the
P.O. Box 1388
500 North Cedar Street
Lumberton, NC 28358

Fire Chief
P.O. Box 1388
600 North Cedar Street
Lumberton, NC 28358

If to the VFD, to the President at :

Smyrna Volunteer Fire Department
P.O. Box 2988

Lumberton, NC 28359

12. When the fire department personnel are sent to another community pursuant to this agreement, the jurisdiction, authority, rights, privileges, and immunities, including coverage under Workers' Compensation laws, which they have in the sending fire department shall be extended to and include the area in which like benefits and authorities are or could be afforded to fire department personnel of the requesting fire department and shall also be extended to the area located between their respective communities when said personnel are acting within the scope of the authority conferred by this agreement.

IN WITNESS WHEREOF, the City of Lumberton has caused this instrument to be signed

in its corporate name by its Mayor, attested by its City Clerk, and its corporate seal affixed, and the VFD has likewise caused this instrument to be signed in its name, attested by its secretary and its seal affixed, all on the day and year first above written, and this agreement is executed in duplicate originals.

THE CITY OF LUMBERTON

BY: _____
Raymond B. Pennington, Mayor

ATTEST:

, City Clerk

Smyrna VOLUNTEER FIRE
DEPARTMENT, INC.

BY: Marni Pallwest
, President

BY: Jimmy Freeman
, Fire Chief

ATTEST:

Secretary

Attachment: LFD Mutual Aid Agreement (1120 : Mutual Aid Agreement)

Lumberton City Council

Lumberton, North Carolina



REQUEST FOR CC ACTION

Meeting Date: August 7, 2013

Originated By: Planning / Inspections

Submission Date: July 23, 2013

Subject: Amend Table of Permissible Uses to allow Clerical Office in the B-5 Zoning District

Summary/Background of Subject Matter -

Currently, the Land Use Ordinance for the City of Lumberton does not allow clerical office and services not primarily related to goods or merchandise in the B-5 Zoning District. This request is to consider amending the table of Permissible Uses to allow clerical office and services not primarily related to goods or merchandise (use#3.100, 3.110, 3.200, and 3.220) in the B-5 zoning district.

On April 15, 2013 staff requested City Council to forward this amendment proposal to the Planning Board for their review and consideration.

On May 16, 2013 the Planning Board reviewed the request and recommended the request be denied.

On June 10, 2013 City council voted to send the proposal back to the Planning Board for further review.

On June 18, 2013 the Planning Board reviewed this proposal again and recommends the request be approved, allowing *clerical office and services not primarily related to goods or merchandise* (use#3.100, 3.110, 3.200, and 3.220) in the B-5 zoning district. Additionally, the Planning Board recommends that City Council allow land use 3.130 – *offices of physicians and dentists* in the B-5 zoning district. This recommendation passed the Board by a vote of 6-2.

Recommendation for CC Consideration:

Planning Board recommends City Council approve the request allowing clerical office and services not primarily related to goods or merchandise (use#3.100, 3.110, 3.200, and 3.220) and offices of physicians and dentists (use#3.130) in the B-5 zoning district.

Signature: *Brandon Love*

Department: Planning / Inspections

City Manager's Comments:

<< FOR CITY MANAGER ONLY >>

Signature: *Wayne Horne*

Department: City Management

March 18, 2013

City of Lumberton

500 N. Cedar St.

Lumberton, NC 28358

Attention: Mr. Brandon Love, Director

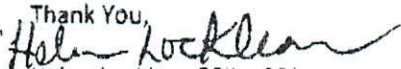
Inspection and Neighborhood Development

Dear Mr. Love,

I am requesting that the City Council amend the B-5 Zoning to accommodate Cerical,Office and Services

Not primarily related to Goods or Merchandise.

Thank You,


Helen Locklear, CCIM, GRI

3571 Lackey St.

P.O. Box 1743

Lumberton, NC 28359

Cell # 910-734-6226

Attachment: attachments (1121 : Amend Table of Permissible Uses to allow Clerical Office in the B-5 Zoning District)

City of*Lumberton**Planning & Neighborhood Services*

May 16, 2013

Greetings Planning Board Members:

The Planning Department compiled information regarding the proposed Ordinance Amendment to the B-5 zoning district to allow for clerical, office and services not primarily related to goods or merchandise. The information is as follows:

There are approximately 111 parcels zoned B-5 within Lumberton's Jurisdiction.

There are approximately 6 offices located within the B-5 zoning districts

Sec. 35-136 (f) The B-5 (highway service) is designed to accommodate commercial activities that draw business primarily from and provide services primarily to I-95 traffic.

- W. 5th Street – Tarheel Insurance Group
- Capuano Rd – Chad Hammonds Attorney
- Lackey St. – Southeastern Behavior Health Care
- o EZ Access Internet Center
- o The Staffing Alliance
- o Rivergate Business Center?
-

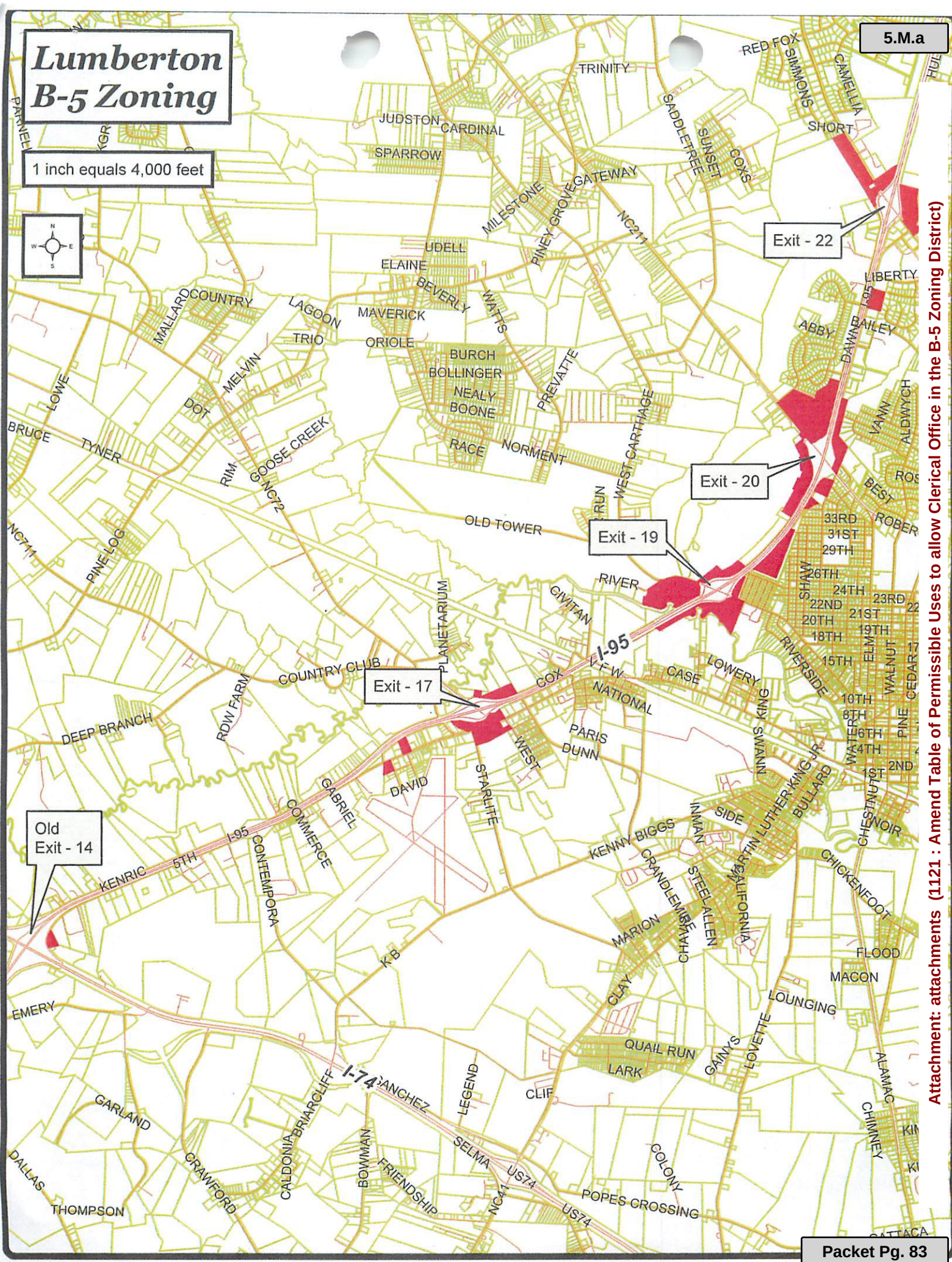
Attachment: attachments (1121 : Amend Table of Permissible Uses to allow Clerical Office in the B-5 Zoning District)

Lumberton B-5 Zoning

1 inch equals 4,000 feet



5.M.a



Attachment: attachments (1121 : Amend Table of Permissible Uses to allow Clerical Office in the B-5 Zoning District)

Use Description	A	R-20	R-15	R-11	PR-11	R-7	R-6	R-3	B-1	B-2	B-3	B-4	B-5	B-6	B-7	M-1	M-2	M-3
2.200 Storage and display of goods outside fully enclosed building allowed																		
2.210 High-volume traffic generation												Z	Z		Z	Z	Z	
2.220 Low-volume traffic generation												Z	Z		Z	Z	Z	
2.230 Wholesale sales												Z			Z	Z	Z	C
3.000 <i>Office, Clerical, Research and Services Not Primarily Related to Goods or Merchandise</i>																		
3.100 All operations conducted entirely within fully enclosed building													Z					

Attachment: attachments (1121 : Amend Table of Permissible Uses to allow Clerical Office in the B-5

Use Description	A	R-20	R-15	R-11	PR-11	R-7	R-6	R-3	B-1	B-2	B-3	B-4	B-5	B-6	B-7	M-1	M-2	M-3
3.110 Operations designed to attract and serve customers or clients on the premises, such as the offices of attorneys, realtors, other professions, insurance and stock brokers, travel agents, etc.									Z	Z	Z	Z	Z	Z	Z			
3.120 Operations designed to attract little or no customer or client traffic other than employees of the entity operating the principal use									Z	Z	Z	Z	Z	Z	Z	Z	Z	C
3.130 Office or clinics of physicians or dentists									Z	Z	Z	Z		Z	Z			
3.140 Government Office Buildings									C	C	C	C		C	C			

Attachment: attachments (1121 : Amend Table of Permissible Uses to allow Clerical Office in the B-5

Use Description	A	R-20	R-15	R-11	PR-11	R-7	R-6	R-3	B-1	B-2	B-3	B-4	B-5	B-6	B-7	M-1	M-2	M-3
3.200 Operations conducted within or outside fully enclosed building													Z					
3.210 Operations designed to attract and serve customers or clients on the premises											Z	Z	Z		Z	Z	Z	
3.220 Operations designed to attract little or no customer or client traffic other than the employees of the entity operating the principal use											Z	Z	Z		Z	Z	Z	C
3.230 Banks with drive-in windows										Z	Z	C			C			

Attachment: attachments (1121 : Amend Table of Permissible Uses to allow Clerical Office in the B-5

Dunn, North Carolina, Code of Ordinances >> PART II - CODE >> Chapter 22 - ZONING >> ARTICLE III. - DISTRICTS >> DIVISION 8. - C-3 HIGHWAY COMMERCIAL DISTRICT >>

DIVISION 8. - C-3 HIGHWAY COMMERCIAL DISTRICT

Sec. 22-181. - Principal permitted uses.

Sec. 22-182. - Accessory uses.

Sec. 22-183. - Dimensional requirements.

Sec. 22-184. - Special use permit for adult oriented business.

Secs. 22-185—22-190. - Reserved.

Sec. 22-181. - Principal permitted uses.

The following uses shall be permitted in a C-3 highway commercial district:

- (1) Animal hospitals/kennels;
- (2) Apothecaries;
- (3) Appliance sales and repair;
- (5) Auto car wash;
- (6) Auto parts (new);
- (7) Auto sales and service;
- (8) Bakeries;
- (9) Banks and credit unions;
- (10) Barbershops and beauty shops;
- (11) Boat sales;
- (12) Building supplies retail;
- (13) Building trades/services;
- (14) Bus station;
- (15) Churches;
- (16) Commercial and public parking lots and garages;
- (17) Convenience stores;
- (18) Dance schools and similar instruction;
- (19) Farm implement/heavy machinery sales and service;
- (20) Financial institutions;
- (21) Funeral homes;
- (22) Furniture showrooms;
- (23) Garden supplies;
- (24) Golf driving range;
- (25) Governmental building and uses;
- (26) Grocery stores
- (27) Hardware retail;
- (28) Hospitals/professional medical complex (emergency care);
- (29) Hotels, motels and associated conference facilities;
- (30) Indoor machinery sales
- (31) Laundromats and dry cleaners;

- (32) Miniature golf courses;
- (33) Mobile home sales;
- (34) Offices (general and professional);
- (35) Private meeting halls and fraternal organizations;
- (36) Public utilities with storage and service yards, blind fence;
- (37) Restaurants, both indoor and drive-ins;
- (38) Retail stores;
- (39) Taxicab stands;
- (40) Vending companies;
- (41) Outdoor advertising signs (billboards) allowed in C-3 zoning districts immediately adjacent to I-95.

(Code 1974, § 25-52; Ord. No. 1997.01, 1-2-97; Ord. No. 1999.01, 2-4-99; Ord. No. 02004-02, 3-4-04; Ord. No. 02008-05, 2-7-08)

Sec. 22-182. - Accessory uses.

The following regulations shall govern permitted accessory uses within the C-3 highway commercial district:

- (1) Automobile parking shall be only for automobiles in operating condition. Automobile storage may exceed no more than seventy-two (72) hours.
- (2) Swimming pools shall be no nearer than fifty (50) feet to a lot used or zoned for single-family dwelling purposes, as measured from the edge of the pool. All pools shall be enclosed by a fence at least four (4) feet in height.
- (3) Child care center for use of employees and not the general public.

(Code 1974, § 25-53; Ord. No. 02004-05, 3-4-04)

Sec. 22-183. - Dimensional requirements.

The following dimensional requirements shall apply within the C-3 highway commercial district:

- (1) *Minimum lot size:*
 - a. In town: Ten thousand (10,000) square feet.
 - b. In fringe: One-half (½) acre (twenty-one thousand seven hundred eighty (21,780) square feet).
 - c. Depth: Seventy-five (75) feet.
 - d. Width: Seventy-five (75) feet.
- (2) *Minimum yard sizes:*
 - a. In town:
 - 1. Front: Twenty (20) feet from front property line.
 - 2. Rear: Ten (10) feet; buffer of blind fence must separate from residential district which abuts.
 - 3. Side: Ten (10) feet (each side); blind fence must separate C-3 highway commercial district from an abutting residential district.
 - b. In fringe:
 - 1. Front: Forty (40) feet from front property line.
 - 2. Rear: Twenty (20) feet; buffer of blind fence must separate C-3 highway commercial district from an abutting residential district.

(Code 1974, § 25-54; Ord. No. 02007-12, 9-6-07)

Table 5-2: General Use Table
Transitional, Business and Industrial Districts

Permitted Uses	Transitional Districts			Business Districts					Industrial Districts		
	O-I	O-I(2)	MA	B-1	B-2	B-3	B-4	B-5	I-1	I-2	IP
Accessory building	x	x	x	x	x	x	x	x	x	x	x
Accessory use	x		x	x	x	x	x	x	x	x	x
Adult day center in nonresidential district (see note 1)	x		x	x	x	x	x	x	x	x	x
Adult day center in an institutional structure	x		x	x	x	x	x	x	x	x	x
Adult day home occupation (see note 2)	x						x				
Adult establishment (see note 3)					x			x			
Airport operation										x	
Alcoholic beverages, packaged, retail store, including ABC store		x		x	x	x	x	x			
Ambulance service, non governmental			x		x		x	x			
Animal medical care, including kennel operation (see note 16)	s/BOA				s/BOA	s/BOA		s/BOA			
Architectural Feature Sales		x		x			x				
Assembly: armory, assembly hall, coliseum, movie theater, stadium, etc.				s/BOA	x	x	x	x			
Auction sales, excluding livestock auctioning					x			x			
Automobile off-street parking	s/BOA			x	x	x	x	x	x	x	
Automobile off-street parking deck/garage commercial		x	x				x				
Automobile truck, trailer rental					x	x	x	x		x	
Automobile repair and/or body work excluding commercial wrecking, dismantling, or storage of junked vehicle					x	x		x		x	
Automobile sales, new and used					x		x	x		x	
Automobile service station operation (see note 5)				x	x	x		x			
Automobile/vehicle wash (automatic or hand wash) (see note 4)					x	x		x	x	x	
Automobile wrecker service (towing and storage only)								x	x	x	
Bakery production and wholesale sales					x			x	x	x	x
Bakery, on-premises and retail only		x		x	x	x	x	x			
Beauty shop/barber service	x	x		x	x	x	x	x			
Bed and breakfast (see section 503C.6)	x	x			x		x	x			
Boardinghouse operation (see note 7)	x							x			
Boats and accessories, retail sales, and service					x	x		x	x	x	
Bus station activities					x		x	x			
Cemetery/Columbarium	s/BOA						s/BOA				
Childcare center in nonresidential district (see note 8)	x	x	x	x	x	x	x	x	x	x	x
Childcare center in an institutional structure	x		x	x	x	x	x	x	x	x	x
Childcare home occupation (see note 9)	x						x				

Attachment: attachments (1121 : Amend Table of Permissible Uses to allow Clerical Office in the B-5 Zoning District)

B-2

Church/religious institution (see note 18)	x			x	x	x	x	x			
College or university	s/CC						x				
Contractor, excluding outside storage of equipment or supplies					x		x	x	x	x	
Contractor, with outside storage of equipment or supplies								x	x	x	
Convenience store				x	x	x	x	x			
Crematory								x	x	x	
Dwelling, multifamily	s/CC	x				x					
Dwelling, multistory high density, Central City area and adaptive reuse of historic properties (see note 10)	x	x			x		x				
Dwelling, single-family	x	x					x				
Dwelling, duplex (two-family)	x	x					x				
Fabrication, light manufacturing					x			x	x	x	x
Family care home (see note 11)	x										
Farmers' market		x		x	x		x	x	x	x	
Financial Institutions (bank, savings and loan companies, and other financial activities)	x	x		x	x	x	x	x			
Fire station operations	x		x	x	x	x	x	x	x	x	x
Flammable material (distribution/storage/bulk storage)								x	x	x	
Flea market (indoor or outdoor)					x			x			
Funeral home	s				x			x			
Government operation	x	x	x	x	x	x	x	x	x	x	x
Grocery/food sales		x		x	x	x	x	x			
Group care facility (see note 11)	s/BOA						s/BOA				
Group home for developmentally disabled adults (see note 11)	x						x				
Health club/gym spa	x	x	x	x	x	x	x	x	x	x	x
Historical preservation commercial use	s/CC	s	s/CC	s/CC	s/CC	s/CC	s/CC	s/CC	s/CC	s/CC	s/CC
Home for the aged	s/BOA		s/BOA								
Home occupation (see notes 2, 9 and 13)	x						x				
Hospital (see note 15)	x		x				x				
Hospital, General (see note 14)	x		x				x				
Industrial operations not otherwise listed herein, except the uses listed									x	x	s/BOA
Industrial sales of equipment or repair service								x	x	x	x
Internet cafés					x			x			
Kennel operations (see note 16)					x			x	x	x	
Laboratory operations, medical or dental	x	x	x	x	x		x	x			
Laboratory research									x	x	x
Landfill, c&d									s/BOA	s/BOA	
Landfill, hazardous										s/BOA	
Landfill, yardwaste									s	s	
Library	x	x	x	x	x	x	x	x			
Lodge (fraternal organizations)	x				x		x	x			
Manufactured home sales (but excluding any residential occupancy) (see note 17)					x			x	x	x	
Motel, hotel, or motor court operations (see note 16)	s/CC				x		x	x			
Monument sales					x			x	x	x	
Monument works									x	x	

Attachment: attachments (1121 : Amend Table of Permissible Uses to allow Clerical Office in the B-5 Zoning District)

B-2

Museum/art gallery	x	x		x	x	x	x	x			
Newspaper publishing					x			x	x	x	
Nightclub, Bar & Tavern					x	x	x	x			
Nursery operations - retail/wholesale (see note 12)					x	x		x	x	x	
Nursing home (see section 503C.19)	s/BOA		s/BOA								
Office use (of a doctor, dentist, osteopath, chiropractor, optometrist, physiotherapist, or other medically-oriented profession)	x	x	x	x	x	x	x	x			
Office use (with no on-premise stock of goods for sale to the general public and the operation and services of which are customarily conducted by means of written, verbal, or mechanically reproduced communication material)(see note 26)	x	x		x	x	x	x	x	x	x	
Open/passive space	x	x	x	x	x	x	x	x	x	x	x
Pawn shop					x	x	x	x			
Prison (minimum custody facility)										s/CC	

Sec. 502. - Zoning use tables, interpretation.

The following tables list the category of uses allowed within each district by symbols set forth below:

- A. *Use categories.* All of the use categories listed in the tables are defined in [section 503](#)
- B. *Uses permitted by right ("X").* An "X" indicates that a use category is allowed by right in the respective district. These permitted uses are subject to all other applicable regulations of this LDC.
- C. *Special uses ("S").* An "S" indicates that a use category is allowed only on review and approved as a special use in accordance with the special use review procedures of [section 506](#). Special uses are subject to all other applicable regulations of this LDC.
- D. *Uses not allowed ("blank cell").* A "-" indicates that a use type is not allowed in the respective zoning district, unless it is otherwise expressly allowed by other regulations of this LDC.
- E. *New or unlisted uses.* If an application is submitted for a use type that is not listed in the use table, the Director shall be authorized to make a similar use interpretation based on the use category descriptions of [section 501](#) and the similar use interpretation criteria of subsection 501.C. If the director determines that the proposed use does not fit any of the use category descriptions of [section 503](#), no similar use interpretation shall be made and said use shall be prohibited in that district. The director shall provide a letter to the applicant regarding use interpretation decisions and maintain an official written file of all such interpretation decisions.

Sec. 406. - Commercial district intent statements.

Regulations for the commercial districts are designed to encourage stable and efficient commercial areas to meet the needs of various trade areas for commercial goods and services. The regulations are also designed to minimize the adverse effects of commercial uses on other land uses and provide opportunities for investment.

- A. *Ol, office and institutional district.* The Ol district is intended to provide for the conduct of general and professional office, medium or high-density housing and related activity to meet the professional services, institutional function office and residential accommodation needs of the community. It is intended that this district be located so as not to introduce traffic onto solely residential streets or become an intrusion into a residential district, but to serve as a buffer between residence districts and more intensive commercial activities.
Ol-2, Office mixed use district (combination of business, office and residential). This is a mix-use district that allows office, residential and limited business. The business and office uses allow and fulfill service and convenience needs of the surrounding neighborhood. These uses are primarily pedestrian oriented. The district is intended to be established along the following corridors: Sunset Avenue (Halifax Road to Wesleyan Boulevard), Benvenue Road (Peele Road to Jefferys Road), Goldrock Road (Benvenue Road to Greyson Road), Raleigh Street (Parker Street to Springfield Road), Raleigh Road (Wesleyan Boulevard to the foot of the bridge that runs over Main Street) and Cokey Road (Marigold Street to Fairview Road). In addition this district is encouraged for parcels abutting proposed or existing subdivisions/neighborhoods.
- B. *MA, medical arts district.* The MA district is for the conduct of hospitals, medical and dental clinics, medical and dental offices and labs; pharmacies, blood-collection facilities and related activity to meet the needs of the community. It is intended that this district be located so as not to introduce traffic onto solely residential streets or become an intrusion into a residential district, but to serve as a community asset located away from residence districts and closer to more intensive commercial activities.
- C. *B-1, neighborhood commercial district.* The B-1 district is intended for local retail and personal services of limited size and service area that provide for the regular needs and convenience of those residing in the adjacent residential neighborhoods. These are generally small in area and contain businesses that deal in "convenience goods" such as groceries, drugs and household supplies, and the furnishing of personal services. It is intended that neighborhood commercial uses be developed as a unit with adequate off street parking space for customers and employees and with appropriate landscaping and screening and are therefore subject to all planned building group requirements and standards of this LDC.
- D. *B-2, commercial corridor district.* The B-2 district is established for major retail and service activities removed from the central business district, with major arterial access and with adequate open space and parking. This district is intended to serve the resident, non-residents and transient traffic using major arterials that run through or around the city.
- E. *B-3, regional commercial district.* The B-3 district is intended for regional retail and personal services of significant size and service area that provide for the larger needs and convenience of those residing in the community and surrounding areas. It is intended that regional commercial uses be developed as a unit with adequate off street parking space for customers and employees and with appropriate means of access, ingress and egress with landscaping and screening and are therefore subject to all planned building group requirements and standards of this LDC.
- F. *B-4, central business district.* The CBD district is intended for the conduct of personal and business services and the general retail trade of the core business center of the community. It is designed to accommodate a wide variety of commercial uses in the traditional downtown business area and related areas of mixed commercial enterprises. It is designed to maintain, support and facilitate compatible redevelopment of existing and new uses within the core area. Residential uses may be appropriate above the ground floor of commercial, office or other uses within the CBD district.
- G. *B-5, business service district.* This B-d District is intended for business and warehouse support services that support the regular needs of the primary activities in the B-4 district, along rail sidings and primary streets. It is designed to support a wide variety of commercial uses in the adjacent rail sidings and primary streets adjacent to the traditional downtown central business district and related areas of mixed commercial enterprises.

(Ord. No. O-2009-2, § 2, 1-12-09)

Article 3 Zoning

Section 3.01 Establishment of Zoning Districts

A. Base Zoning Districts

To carry out the purpose and intent of this Code and provide for the orderly growth and development, the jurisdiction of the City is hereby divided into the following zoning districts:

- RA Residential Agricultural District
- R-20 Suburban Residential District
- R-15 Urban Fringe Low Density Residential District
- R-15M Urban Fringe Low Density Residential/Manufactured Housing District
- R-10 Urban Low Density Residential District
- R-10M Urban Low Density Manufactured Housing Residential District
- R-8 Medium Density Single-Family Residential District
- R-8M Medium Density Single-Family/Manufactured Housing Residential District
- R-8MF Medium Density Multi-Family Residential District
- R-5 High Density Single-Family Residential District
- R-5M High Density Single-Family/Manufactured Housing Residential District
- R-5MF High Density Multi-Family Residential District
- O-1 Office Single Lot District
- O&I-2 Office and Institutional Complex District
- B-1 Neighborhood Service District
- B-2 Neighborhood Business District
- B-3 Shopping Center Business District
- B-4 Highway Business District
- B-5 General Business District
- CB Central Business District
- CBP Central Business Perimeter District
- LI Light Industrial District
- HI Heavy Industrial District
- HD Historic District Overlay
- PUD Planned Unit Development District
- H-115 Highway 115/Shelton Avenue Corridor District

B. Conditional Use Overlay Districts

Each base zoning district, except HD and PUD, may be designated as a Conditional Use Overlay District by prefixing the base zoning district with a "CU".

Section 3.02 Zoning Map

A. Official Zoning Map

The boundaries of the zoning districts shall be indicated upon the Official Zoning Map of Statesville, which is made a part of this Code by reference. The Official Zoning Map shall be on file in the office of the Planning Director and shall bear the signature of the Mayor and attestation of the City Clerk, certifying it as the Official Zoning Map of Statesville. The City Council may, from time to time, adopt a new Official Zoning Map which shall supersede the prior Official Zoning Map, in the event the Official Zoning Map becomes damaged or destroyed, or for purposes of clarity.

Use	R-A	R-20	R-15	R-15M	R-10	R-10M	R-8	R-8M	R-8MF	R-5	R-5M	R-5MF	O-1	O&I-2	B-1	B-2	B-3*	B-4*	CB	CBP/H-115	B-5	LI	HI
Museums, (See cultural facilities)																							
Music stores/Studios																X	X	X	X	X	X		
Newsstands															X	X	X	X	X	X	X		
News syndicates and publishing																		X	X	X	X		
Nursing convalescent and extended care facilities, Section 5.04	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	X	X	X	X			X	X			
Office, General													X	X		X	X	X	X	X	X	X	X
Office supplies and equipment stores																X	X	X	X	X			
Oil, gasoline and propane distribution, Section 2.10																						S	S
Optical goods manufacturing, Section 5.05																					PS	PS	PS
Optician and optical supply stores														X		X	X	X	X	X	X		
Optician, accessory to health practitioner													X	X		X	X	X	X	X	X		

X – Permitted
10/28/2011

SR – Supplemental Regulations

S – Special Use Permit

PS – Performance Standards

105

Section 301. - Establishment and purpose of districts.

For the purposes of this ordinance, the zoning jurisdiction of the Town of Smithfield is divided into the following districts:

General use districts.

R-20A - Residential-Agricultural District. The purpose of this district is to provide for areas where the principal use of land is for low density residential and agricultural purposes. The regulations of this district are intended to protect the agricultural sections of the community from an influx of uses likely to render them undesirable for farms and future residential development.

R-10 - Single-family Residential District. The purpose of this district is to provide areas for conventional single-family neighborhoods. The regulations of this district are intended to discourage any use which, because of its character, would substantially interfere with the development of residences and which would be detrimental to the quiet residential nature of the areas included within this district.

R-8 - Single, Two, and Multi-family Residential District. The purpose of this district is to provide areas where a mixture of housing types are allowed, some as permitted and others as conditional or special uses, with proper review, site planning, and design controls. Planned unit developments are allowed in R-8 districts.

R-6 - High Density Single, Two, and Multi-family Residential District. The purpose of this district is to provide for older areas which have developed with a mixture of housing types at fairly high densities. Except in unusual circumstances, it will not be used in new areas, and additional property will not be considered for rezoning to this district.

R-MH - Mobile Home Residential District. The purpose of this district is to provide areas in which the principal uses of land are single-family dwellings, two-family dwellings, and mobile homes on individual lots. Multi-family dwellings and mobile home parks are special uses in this district.

O&I - Office and Institutional District. The purpose of this district is to provide areas for offices, institutional uses, and uses which are compatible with such uses.

B-1 - Central Business District. The purpose of this district is to provide for those uses which can provide and contribute to a strong retail and service core for downtown Smithfield.

B-2 - General Business District. The purpose of this district is to provide for those business areas adjacent to the downtown core as well as other intensive and extensive business areas in Smithfield.

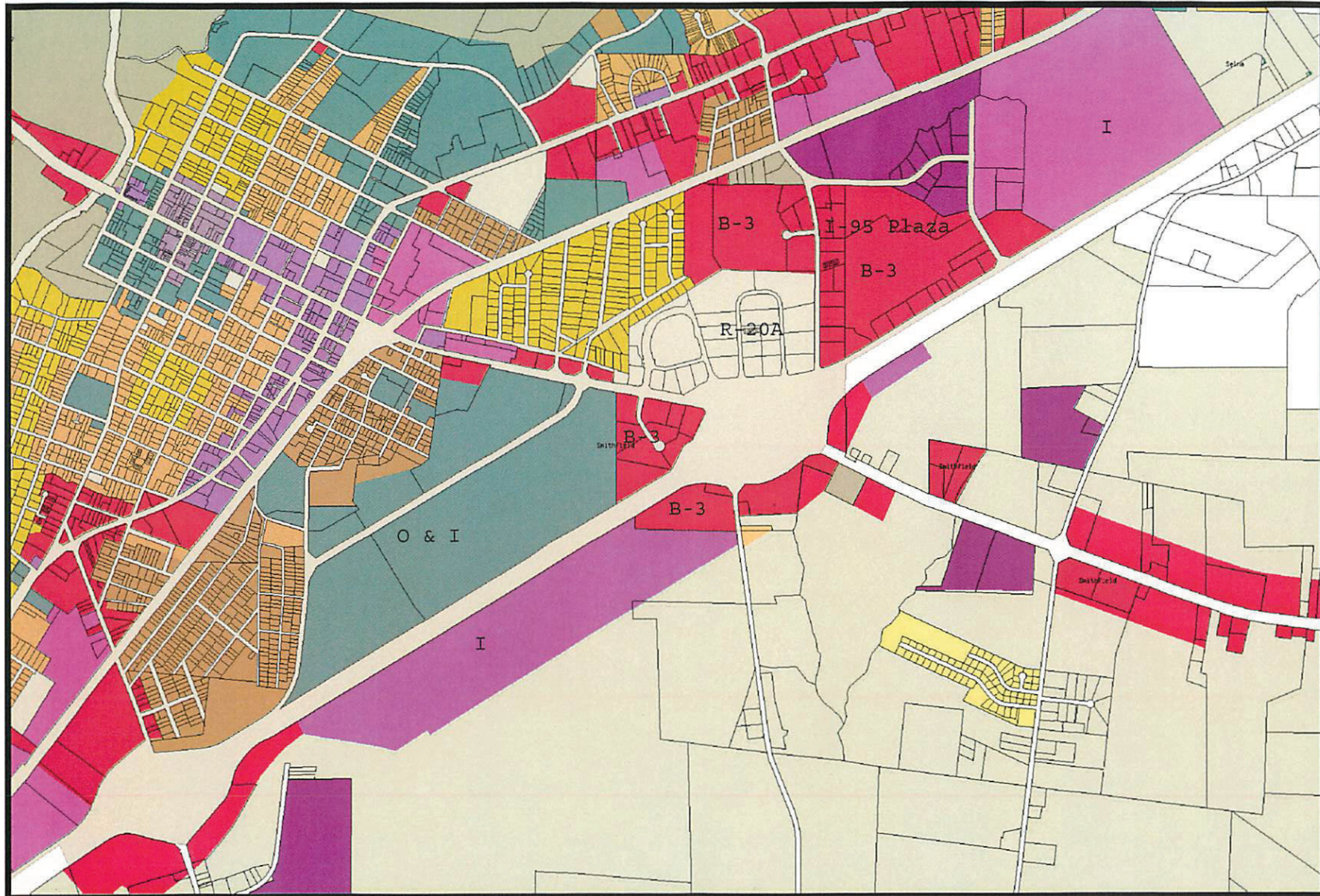
B-3 - Highway Entranceway Business District. The purpose of this district is to allow commercial uses with proper regulations and safeguards to promote the safe and efficient movement of traffic, and the orderly development of land along major arteries leading into town, while enhancing and preserving the environmental and aesthetic qualities of these areas. The proper location, and development of the uses along these corridors will contribute to and enhance trade, tourism, capital investment and the general welfare.

I - Industrial District. The purpose of this district is to provide areas for those industrial uses which will be compatible with the Smithfield area and will not cause adverse effects for the area or adjacent uses.

AD - Airport District. The purpose of this district is to ensure the appropriate location, design, construction and maintenance of land uses compatible with air transportation facilities. Refer to [Section 309](#) for development standards applicable in this district. (Ord. No. 301, § 1, 9-5-95)

*** DISCLAIMER ***

Johnston County assumes no legal responsibility for the information represented here.



Scale 1 inch = 1984 feet

(The scale is only accurate when printed landscape on a 8.5x11in size sheet with no page scaling.)

Date June 13, 2013

adoption, amendment, or repeal.

Section 307. - Regulations for districts.

307.1 Table of Permitted Uses. Uses allowed in the districts named in this ordinance shall be in accordance with the following table in which "x" signifies that the use is permitted as of right, "c" indicates that the use is a conditional use which requires approval of the Board of Adjustment, "s" indicates that the use is a special use which requires approval of the Town Council, and a blank indicates that the use is not permitted in that zoning district. Uses allowed in Special Use Districts shall be in accordance with Section 307.4.

B-2 and B-3 Districts

Use	District B-2 B-3
Any retail or wholesale business, educational, medical, dental, optical establishment or service establishment excluding warehousing, or public use or utility or place of worship, or place of assembly, which is enclosed in a building and does not and will not emit smoke, odor, dust, fumes, glare, noise, radiation, or vibration from the building in which it is located, and does not and will not involve bulk storage of volatile materials or other fire hazards, and which does not have a drive-in window, except that commercial amusement uses are a special use even if they meet these conditions	x
Establishments of the types listed above which have outdoor sales, service or storage areas, drive-in windows, or would emit smoke, odor, dust, fumes, glare, noise, radiation, or vibration from the building in which they are located or involve possible fire hazards, except that the following are permitted uses in the districts indicated even though they involve outdoor sales, storage, or operations, provided such sales, storage, or operations do not encroach into required yards:	s
-Automobile sales	s
-Automobile service stations	x
-Bus stations	x
-Car washes	x
-Financial institutions having drive-in windows	x
-Parking lots	x
Parking structures and underground parking garages	s
Light manufacturing uses involving fewer than <u>35</u> employees and warehousing uses, including mini-storage warehouses	s
Minor shopping center	x
Major shopping center	s
The following residential uses: single, two, and multi-family dwellings, loft and studio apartments	s
Recreational vehicle parks	c
Accessory buildings, structures, and uses in accordance with Article II	x
Signs in accordance with Article V	x
Temporary uses in accordance with Article VII	s
Temporary office units in accordance with Article II	x
Mobile and modular office units in accordance with Article II	
Adult Oriented Business as defined under <u>section 1003</u> . of this Code as a special use in B-2/B-3 districts	s
(1) No such business shall be located within 2,000 feet of any other sexually oriented business, as measured in a straight line from property line to property line;	
(2) No such business shall be located within 1,000 feet of a church, public or private elementary or secondary school, child day care or nursery, public park, residentially used or residentially zoned property, or any establishment with an on-premise ABC license, as measured on a straight line from property line to property line;	
(3) There shall be no more than one adult oriented business on the same property or in the same building, structure, or portion thereof;	
(4) No other principal or accessory use may occupy the same building, structure, property, or portion thereof of any adult oriented business;	
(5) Except for signs as permitted under Article V of this Code, there shall be no other advertisements, displays, or other promotional materials visible to the public from pedestrian sidewalks, walkway, or vehicular use areas.	
Commercial amusement uses as defined in <u>section 1003</u> . Such uses may include, but shall not be limited to:	s
(1) Bowling alleys	
(2) Arcades, game rooms	
(3) Miniature golf/driving ranges	
(4) Billiard halls	
(5) Skating rinks	
(6) Dinner theatres	
(7) Raceways	
(8) Any use which employs, as incidental or subordinate to the primary use of the property, more than five (5) coin-operated amusement devices	
(9) Mechanical rides, such as ferris wheels, roller coasters, bumper cars, etc.	

(10)
Clubs, whether public or private, providing entertainment, whether live or programmed, for an admission charge, membership fee, or other form of compensation

Professional offices	x
Unit ownership development	s
Sidewalk sales as a temporary use defined in section 1003	x
Temporary uses as defined in section 1003	s
Auction houses	x
	(Ord. No. 429, 8-9-06)

(Ord. No. 298, §§ 1—3, 6-6-95; Ord. No. 343, 8-3-99; Ord. No. 408, 11-19-02; Ord. No. 416, 5-3-05)

Office and Institutional District

Use	District O&I
Barber or beauty shop	P
Offices	X
Research laboratories	C
Drugstores	C
Places of worship	X
Schools	X
Libraries	X
Museums	X
Art galleries	X
Junkyards	S
Parks	X
Playgrounds	X
Community centers	X
Cemeteries	X
Government buildings	X
Civic and fraternal meeting halls	C
Armories	X
Financial institutions	X
Studios for artists, designers, and photographers, and studios for the performing arts	X
Parking lots	X
Parking structures and underground parking garages	C
Floral and gift shops	X
Public uses not otherwise mentioned in this list	C
Funeral homes	C
Hotels	C
Motels	C
Convalescent, nursing, and rest homes	C
Hospitals	X
Clinics	X
Opticians and optical goods	X
Restaurants and cafeterias primarily for employees, patients, or students located in same building as another use and having no outside advertising or drive-in facilities	X
Residential uses	S
Accessory buildings, structures, and uses in accordance with Article II	X
Home occupations in accordance with Article II	X
Signs in accordance with Article V	X
Temporary uses in accordance with Article VII	C
Temporary office units in accordance with Article II	X
Mobile and modular office units in accordance with Article II	X
Newspaper printing and publishing services (Ord. No. 357, 7-11-00)	X
Commercial amusement uses as defined in <u>section 1003</u> may include, but shall not be limited to:	S
1. Bowling alleys	
2. Arcade, game rooms	
3. Billiard halls	
4. Skating rinks	
5. Dinner theatres	
6. Any use which employs, as incidental or subordinate to the primary use of the property, more than five (5) coin-operated amusement devices	
With the exception that clubs, whether public or private, shall not be allowed in the B-1 (Business) zoning district. (Ord. No. 404, 9-3-02)	

Attachment: attachments (1121 : Amend Table of Permissible Uses to allow Clerical Office in the B-5 Zoning District)

I District

Use	District I
Any manufacturing, processing, or warehousing or transportation use or public use or utility including offices associated with these uses, which is enclosed in a building and does not and will not emit smoke, odor, dust, fumes, glare, noise, vibrations, nuclear waste, or radioactivity, from the building in which it is located, except acid manufacture, cement, lime, gypsum, or plaster of paris manufacture, distillation of bones, explosives manufacture or storage, fat rendering, fish or fertilizer plant, garbage, waste parts, dead animal reduction or dumping, gas manufacture, glue manufacture, stockyards or slaughter of animals, tannery, or pulp manufacture	x
Any manufacturing, processing, warehousing, or transportation use or public use or utility including offices associated with these uses which involves outdoor storage, service, operations, emits or will emit smoke, odor, dust, fumes, glare, noise, vibrations, nuclear waste, or radioactivity, from the building in which it is located or involves bulk storage of combustible materials or is among the uses listed as exceptions in the list immediately above	s
Professional offices	s
Cafeterias and snack bars for employees and offices of plants and facilities	x
Accessory buildings, structures, and uses in accordance with Article II	x
Signs in accordance with Article V	x
Temporary uses in accordance with Article VII	c
Temporary office units in accordance with Article II	x
Mobile and modular office units in accordance with Article II	x
Outlet stores for industrial establishments in this district shall be considered as accessory uses, provided that such stores shall be limited to ten (10) percent of the gross floor area of the buildings containing the industrial establishment or 2500 square feet, whichever is less	x
Child day care establishments	s
Temporary uses as defined in section 1003	x
Studio for performing arts	s

Lumberton City Council

Lumberton, North Carolina



REQUEST FOR CC ACTION

Meeting Date: August 12, 2013

Originated By: City Manager

Submission Date: August 9, 2013

Subject: Ratification of a Telephonic Poll

Summary/Background of Subject Matter -

Chancel Builders, Inc. Requested Change Order No. 4 to the USDA contract for the Lumberton Police Department in the amount of \$8,050.00 be approved. On June 19, 2013, a telephonic poll was conducted and the vote was unanimous.

Recommendation for CC Consideration:

That City Council ratify the unanimous vote to increase the USDA contract for the Lumberton Police Department by \$8,050.00.

Signature: *Wayne Horne*

Department: City Manager

City Manager's Comments:

<< FOR CITY MANAGER ONLY >>

Signature: *Wayne Horne*

Department: City Management

Lumberton City Council

Lumberton, North Carolina



REQUEST FOR CC ACTION

Meeting Date: August 7, 2013

Originated By: Planning / Inspections

Submission Date: July 25, 2013

Subject: Unsafe house 2901 Olive Drive

Summary/Background of Subject Matter -

The house located at 2901 Olive Drive (Parcel# 3218-02-011) 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 May 21, 2013. An order to demolish the structure was issued. The time in which the owners had to demolish the structure has expired.

Recommendation for CC Consideration:

Staff recommends City Council Adopt an Ordinance Directing the Building Inspector to demolish and remove the structure located at 2901 Olive Drive.

Signature: *Ben Andrews*

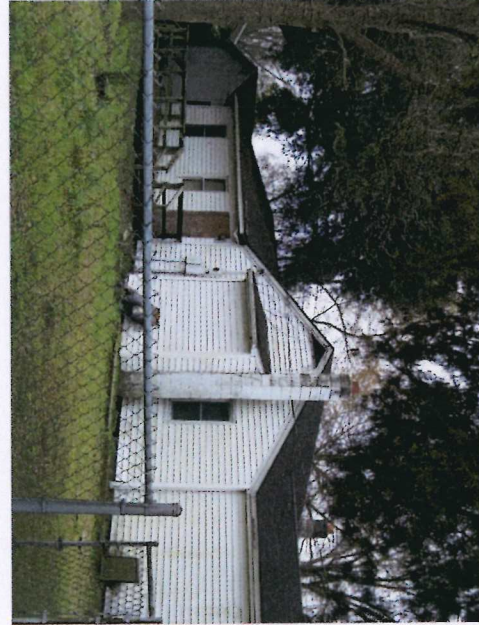
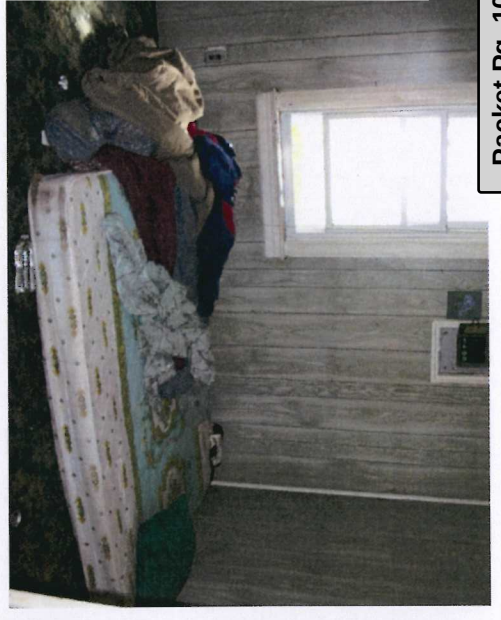
Department: Planning / Inspections

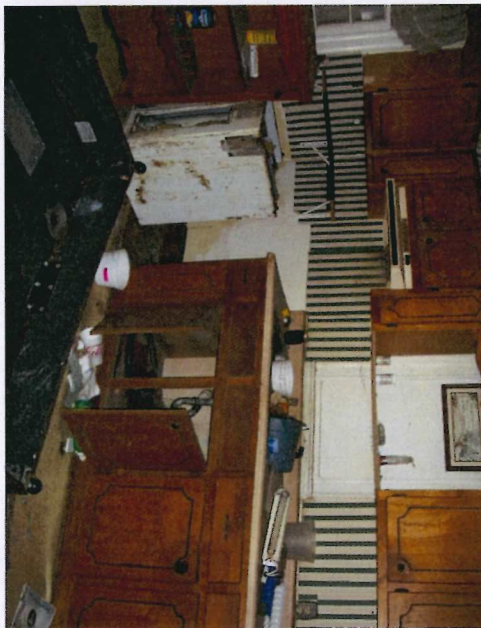
City Manager's Comments:

<< FOR CITY MANAGER ONLY >>

Signature: *Wayne Horne*

Department: City Management







ORDINANCE DIRECTING THE BUILDING INSPECTOR TO REMOVE AND
DEMOLISH PROPERTY AS UNFIT FOR HUMAN HABITATION AND
DIRECTING THAT A NOTICE BE PLACED THEREON THAT THE
SAME MAY NOT BE OCCUPIED:
2901 Olive Drive - LUMBERTON, NORTH CAROLINA

WHEREAS, the City Council of the City of Lumberton finds that the dwelling described herein is unfit for human habitation under the provisions of the Building and Housing Codes, and that all of the procedures of the Code of the City of Lumberton, North Carolina, have been complied with;

WHEREAS, the dwelling should be removed or demolished, as directed by the Building Inspector, and should be placarded by placing thereon a notice prohibiting the use for human habitation;

WHEREAS, the owner of the dwelling has been given a reasonable opportunity to bring the dwelling up to the standards of the Building and Housing Code pursuant to an Order issued by the Building Inspector and the owner has failed to comply with the lawful Order of the Building Inspector to repair or demolish the property within the time therein described; and

WHEREAS, G.S. 160A-389 and 160A-426 through 160A-432, inclusive, and Sections 8-124 and 8-225 of the Code of the City of Lumberton, North Carolina, empowers the City of Lumberton to have its inspector to remove or demolish a dwelling when an Order of the Building Inspector has not been complied with;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lumberton that:

Section 1. The Building Inspector is hereby authorized and directed to place a placard containing the legend:

"This building is unfit for human habitation; the
use or occupation of this building for human
habitation is prohibited and unlawful."

on the building located at 2901 Olive Drive, in the City of Lumberton, North Carolina.

Section 2. The Building Inspector is hereby authorized and directed to proceed to vacate the dwelling of all occupants and to remove or demolish the dwelling, said dwellings being located at 2901 Olive Drive, in the City of Lumberton, North Carolina, owned by Windell Canady & Junie Jacobs, in accordance with the Order of the Building Inspector issued pursuant to the Unsafe Buildings Ordinance contained in Article VII of Chapter 8 of the Code of the City of Lumberton, North Carolina.

Section 3. (a) The cost of removal or demolition shall constitute a lien against the real

property upon which the cost was incurred. The lien shall be filed in the office of the City Tax Collector, and shall have the same priority and be collected in the same manner as the lien for special assessments in Article 10 of G.S. Chapter 160A.

(b) Upon completion of the required removal or demolition, the Building Inspector shall sell the materials of the dwelling and credit the proceeds against the cost of removal or demolition. The Building Inspector shall certify the remaining balance to the Tax Collector. If a surplus remains after sale of the materials and satisfaction of the cost of removal or demolition, the Building Inspector shall deposit the surplus in the Superior Court where it shall be secured and disbursed in the manner provided by G.S. 160A-443(6).

Section 4. It shall be unlawful for any person to remove or cause to be removed the placard from any building to which it is affixed. It shall likewise be unlawful for any person to occupy or to permit the occupancy of any building therein declared to be unfit for human habitation.

Section 5. This Ordinance shall become effective upon its adoption.

On motion of Councilman _____, seconded by Councilman _____, the foregoing amendment was adopted the 12th day of August, 2013.

Raymond B. Pennington, Mayor

ATTEST:

Laney Mitchell-McIntosh, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Robert E. Price, Interim City Attorney

Attachment: Ordinance Directing Building Inspector - 2901 Olive Drive [Revision 1] (1123 : Unsafe house 2901 Olive Drive)

Lumberton City Council

Lumberton, North Carolina



REQUEST FOR CC ACTION

Meeting Date: August 7, 2013

Originated By: Public Services

Submission Date: June 3, 2013

Subject: Tax Releases for May 2013

Summary/Background of Subject Matter -

2011 \$66.54

2012 \$7,123.83

Recommendation for CC Consideration:

Signature: *Linda Oxendine*

Department: Public Services

City Manager's Comments:

Signature: *Wayne Horne*

Department: City Management

Lumberton City Council

Lumberton, North Carolina



AGENDA CODE: _____

REQUEST FOR COUNCIL ACTION

Meeting Date: June 5 2013

Originated By: Tax Dept.Submission Date: August 2, 2013

Subject: May 2013 Tax Releases

Summary/Background of Subject Matter - Supplementary Material Attached: NO.

Per G.S. 105-381, which authorizes the release or refund of billed and / or collected taxes when such taxes were imposed as a result of any of the following reasons:

Clerical / computational error, the tax was listed and billed in the name of the wrong taxpayer, the property did not fall within the jurisdiction of the City of Lumberton, or the tax was listed in duplicate.

The City of Lumberton Tax Office submits for approval the following tax releases which were generated primarily in response to documentation from the Robeson County Tax Assessor and/or city staff clerical errors for the years and amounts outlined below:

2011-----66.54
 2012-----7123.83

Recommendation for CPC Consideration:

Approve the tax releases for the years and amounts listed above.

Signature: s/Linda OxendineDepartment: Tax Department

City Manager's Comments:

Signature: _____

Department: _____

City Clerk's Comments From COUNCIL:

Signature: _____

Department: _____

Lumberton City Council

Lumberton, North Carolina



REQUEST FOR CC ACTION

Meeting Date: August 7, 2013

Originated By: City Council

Submission Date: July 31, 2013

Subject: Community Watch

Summary/Background of Subject Matter -

Councilman Robinson requests \$200.00 of Community Revitalization Funds for a Community Watch Program in Gavintown Housing Area.

Recommendation for CC Consideration:

Designate \$200.00 of Community Revitalization Funds for a Community Watch Program in Gavintown Housing Area.

Signature: *John Robinson*

Department: City Council

City Manager's Comments:

<< FOR CITY MANAGER ONLY >>

Signature: *Wayne Horne*

Department: City Management

Lumberton City Council

Lumberton, North Carolina



REQUEST FOR CC ACTION

Meeting Date: August 7, 2013

Originated By: City Council

Submission Date: July 31, 2013

Subject: Community Day

Summary/Background of Subject Matter -

Council Maynor requests that \$560.05 be designated to Community Watch to offset the cost for the 911 Day.

Recommendation for CC Consideration:

Designate \$560.05 to Community Watch.

Signature: *Leon Maynor*

Department: City Council

City Manager's Comments:

<< FOR CITY MANAGER ONLY >>

Signature: *Wayne Horne*

Department: City Management

Lumberton City Council

Lumberton, North Carolina



REQUEST FOR CC ACTION

Meeting Date: August 7, 2013

Originated By: City Council

Submission Date: August 6, 2013

Subject: Community Day

Summary/Background of Subject Matter -

Councilman Cantey requests \$250.00 of Community Revitalization Funds be designated to First Baptist Church for a Community Day on August 17, 2013.

Recommendation for CC Consideration:

Designate \$250.00 of Community Revitalization Funds to First Baptist Church, Lumberton.

Signature: *John Cantey Jr.*

Department: City Council

City Manager's Comments:

<< FOR CITY MANAGER ONLY >>

Signature: *Wayne Horne*

Department: City Management

Lumberton City Council

Lumberton, North Carolina



REQUEST FOR CC ACTION

Meeting Date: August 7, 2013

Originated By: City Council

Submission Date: July 31, 2013

Subject: Community Watch

Summary/Background of Subject Matter -

Councilman Taylor requests \$900.00 be designated to Community Watch in Precinct 3.

Recommendation for CC Consideration:

Designate \$406.55 to Community Watch in Precinct 3.

Signature: *Jackie Taylor*

Department: City Council

City Manager's Comments:

<< FOR CITY MANAGER ONLY >>

Signature: *Wayne Horne*

Department: City Management

Lumberton City Council

Lumberton, North Carolina



REQUEST FOR CC ACTION

Meeting Date: August 7, 2013

Originated By: City Council
Subject: Water Bill at BART

Submission Date: July 31, 2013

Summary/Background of Subject Matter -

The building located at 3143 W. 5th Street is used by BART for a storage area that has no service for water. BART has had several homeless people living in the back yard of the building and many times they have been asked to leave. Ms. Hunt, CEO for BART never knew there was a problem until she attempted to use the kitchen sink and the water had been turned off due to an extremely high water bill. Researching the problem; we found a water hose hanging in a tree apparently where vagrants were using the water to bathe or drink.

BART could not afford to pay this bill; working with Councilman Maynor, the bill was checked out for accuracy and found that there were no plumbing problems and we asked for financial assistance. Councilman Maynor is requesting \$208.82 dollars be designated to BART to pay the water bill at 3143 W. 5th Street.

Recommendation for CC Consideration:

Designate \$208.82 of CRF be made payable to the City of Lumberton from Precinct 7 on behalf of BART's water bill.

Signature: *Leon Maynor*

Department: City Council

City Manager's Comments:

<< FOR CITY MANAGER ONLY >>

Signature: *Wayne Horne*

Department: City Management

Re: Water bill @ BART 3143 W.5th St.
Lumberton, N.C

Mrs. Linda Oxendine,

This statement is to explain the situation with the extremely high water bill @ 3147 W. 5th St. address.

The 3143 building is used for BART's clothing closet and Food storage area, no water is used there to maintain the building at all, the water to the bathrooms is not even connected up and hasn't been for several years.

BART has had several Homeless People living in the back yard of the building and many times BART staff and I have asked them to leave the area. We have not had a problem with the homeless people in the past.

I did not know there was a problem with the water until I tried to use the kitchen sink for cleaning the freezer; I called Lumberton Utility and was told it had been turned off due to an extremely high water. **The customer service person informed me that already 56,000 gallons of water had been used just for May 2013 and the clerk told me there is another 24,000 gallons that will appear on BART's next electric bill.** I could not believe it, I thought it was a mistake until I went in and out- side and that is when I saw the water hose hang in the tree. The water hose did not belong to BART; we would not have left it on the outside for fear of this very situation. Apparently someone had been using for showering and just left it on, the water would have to been running for weeks to use that amount of water; I am told by Lumberton Utility and the Plummer BART needed to check for problems, we have there were NO PLUMMING PROBLEMS.

BART is requesting Our Water Bill be reduced to the basic amount. I have been in contact with City Councilman Maynor for some financial assistance with this matter, as it is very difficult for BART to incur/pay such a high bill.

Thank you for your consideration and I look forward to hearing from you.

Sincerely,

Brenda Lynn Hunt
CEO for BART

Attachment: Water bill at Bart's (1126 : Water Bill at BART)

Tran Date	17-May	Credit	Payment	17-Jun	Credit	Payment	Balance	Discretionary Money	Balance
Electric	\$ 55.23		\$ (84.84)	\$ 76.45		\$ -	\$ 46.84		\$ 46.84
Water	\$ 155.14		\$ (14.54)	\$ 68.22		\$ -	\$ 208.82	\$ (208.82)	\$ -
Sewer	\$ 226.91	\$ (212.59)	\$ (14.32)	\$ 101.95	\$ (87.63)	\$ -	\$ 14.32		\$ 14.32
Garbage	\$ 20.27		\$ (20.27)	\$ 20.27		\$ -	\$ 20.27		\$ 20.27
Security Light	\$ 10.30			\$ 10.30		\$ -	\$ 20.60		\$ 20.60
Storm Water	\$ 8.88		\$ (8.88)	\$ 8.88		\$ -	\$ 8.88		\$ 8.88
Totals	\$ 476.73	\$ (212.59)	\$ (142.85)	\$ 286.07	\$ (87.63)	\$ -	\$ 319.73	\$ (208.82)	\$ 110.91

Note: July 22, 2013 utility bill - minimal usage which indicates the vagrants are not using the water to bath/drink

Lumberton City Council

Lumberton, North Carolina



REQUEST FOR CC ACTION

Meeting Date: August 7, 2013

Originated By: City Council

Submission Date: July 31, 2013

Subject: Community Day

Summary/Background of Subject Matter -

Councilman Cantey requests \$850.00 to offset the cost of the Community Day held on July 13, 2013.

Recommendation for CC Consideration:

Designate \$850.00 of CRF to offset the cost of the Community Day.

Signature: *John Cantey Jr.*

Department: City Council

City Manager's Comments:

<< FOR CITY MANAGER ONLY >>

Signature: *Wayne Horne*

Department: City Management

Lumberton City Council

Lumberton, North Carolina



REQUEST FOR CC ACTION

Meeting Date: August 7, 2013

Originated By: City Council

Submission Date: July 31, 2013

Subject: Community Watch Program

Summary/Background of Subject Matter -

Councilman Cantey requests \$200.00 of Community Revitalization Funds in Precinct 5 for a Community Watch program at Weaver Court Housing Community.

Recommendation for CC Consideration:

Designate \$200.00 of CRF to Weaver Court Housing Community for Community Watch.

Signature: *John Cantey Jr.*

Department: City Council

City Manager's Comments:

<< FOR CITY MANAGER ONLY >>

Signature: *Wayne Horne*

Department: City Management

Lumberton City Council

Lumberton, North Carolina



REQUEST FOR CC ACTION

Meeting Date: August 7, 2013

Originated By: City Council

Submission Date: July 31, 2013

Subject: Community Watch Program

Summary/Background of Subject Matter -

Councilman Cantey requests \$250.00 of Community Revitalization Funds for a Community Watch Programs in Magnolia Housing / Rozier Homes Communities in Precinct 5.

Recommendation for CC Consideration:

Designate \$250.00 of CRF to Magnolia Housing / Rozier Homes Communities for Community Watch.

Signature: *John Cantey Jr.*

Department: City Council

City Manager's Comments:

<< FOR CITY MANAGER ONLY >>

Signature: *Wayne Horne*

Department: City Management

Lumberton City Council

Lumberton, North Carolina



REQUEST FOR CC ACTION

Meeting Date: August 7, 2013

Originated By: City Council

Submission Date: July 31, 2013

Subject: Community Day

Summary/Background of Subject Matter -

Approve the designation of CRF to Breath of Life Ministries, Inc., for a Community Day event on August 24, 2013 at Luther Britt Park as follows:

P2 - \$200.00 P3 - \$200.00 P4 - \$300.00 P5 - \$200.00 P6- \$200.00

Recommendation for CC Consideration:

Designate \$200.00 of CRF to Breath of Life Ministries, Inc.

Signature: *John Robinson*

Department: City Council

City Manager's Comments:

Signature: *Wayne Horne*

Department: City Management

Lumberton City Council

Lumberton, North Carolina



REQUEST FOR CC ACTION

Meeting Date: August 7, 2013

Originated By: City Council

Submission Date: July 31, 2013

Subject: Community Watch

Summary/Background of Subject Matter -

Councilman Robinson requests \$200.00 of Community Revitalization Funds for a Community Watch Program in Davis Heights.

Recommendation for CC Consideration:

Designate \$200.00 of CRF to Davis Heights for Community Watch.

Signature: *John Robinson*

Department: City Council

City Manager's Comments:

<< FOR CITY MANAGER ONLY >>

Signature: *Wayne Horne*

Department: City Management

Lumberton City Council

Lumberton, North Carolina



REQUEST FOR CC ACTION

Meeting Date: August 7, 2013

Originated By: City Council

Submission Date: July 31, 2013

Subject: Community Watch

Summary/Background of Subject Matter -

Councilman Robinson requests \$200.00 of Community Revitalization Funds for a Community Watch Program in Carriage Hills Housing Area.

Recommendation for CC Consideration:

Designate \$200.00 of Community Revitalization Funds for a Community Watch Program in Carriage Hills Housing Area.

Signature: *John Robinson*

Department: City Council

City Manager's Comments:

Signature: *Wayne Horne*

Department: City Management

Lumberton City Council

Lumberton, North Carolina



REQUEST FOR CC ACTION

Meeting Date: August 7, 2013

Originated By: City Council

Submission Date: July 31, 2013

Subject: Handicap Ramp

Summary/Background of Subject Matter -

Councilman Maynor requests \$100.00 of Community Revitalization Funds to be paid to the West Lumberton Kiwanis Club for a handicap ramp located at 2905 Hedge Dr.

Recommendation for CC Consideration:

Designate \$100.00 of CRF to West Lumberton Kiwanis Club for handicap ramp in Precinct 7.

Signature: *Leon Maynor*

Department: City Council

City Manager's Comments:

<< FOR CITY MANAGER ONLY >>

Signature: *Wayne Horne*

Department: City Management

Lumberton City Council

Lumberton, North Carolina



REQUEST FOR CC ACTION

Meeting Date: August 7, 2013

Originated By: City Council

Submission Date: July 31, 2013

Subject: Oakridge Association of Lumberton

Summary/Background of Subject Matter -

Request that \$500.00 of Community Revitalization Funds be given to the Oakridge Association of Lumberton Ltd. for maintenance of common areas in Precinct 1.

Recommendation for CC Consideration:

Designate \$500.00 of CRF to Oakridge Association of Lumberton Ltd for maintenance.

Signature: *Don Metzger*

Department: City Council

City Manager's Comments:

<< FOR CITY MANAGER ONLY >>

Signature: *Wayne Horne*

Department: City Management

Lumberton City Council

Lumberton, North Carolina



REQUEST FOR CC ACTION

Meeting Date: August 7, 2013

Originated By: City Council

Submission Date: July 31, 2013

Subject: Robeson County Museum

Summary/Background of Subject Matter -

Designation of \$500.00 of Community Revitalization Funds to the Robeson County Museum from Precinct 8.

Recommendation for CC Consideration:

Designate \$500.00 of CRF to the Robeson County Museum in Precinct 8.

Signature: *Erich Hackney*

Department: City Council

City Manager's Comments:

<< FOR CITY MANAGER ONLY >>

Signature: *Wayne Horne*

Department: City Management

Lumberton City Council
Lumberton, North Carolina



REQUEST FOR CC ACTION

Meeting Date: August 7, 2013

Originated By: Planning / Inspections

Submission Date: July 29, 2013

Subject: Unsafe House at 210 E 10th Street

Summary/Background of Subject Matter -

The structure located at 210 E. 10th Street has been cited by the City of Lumberton Inspections Department on multiple unsafe building code violations. The inspections department started enforcement action on this property on September 24, 2012 and has completed all required steps in the process, including the Order to Demolish. The owner John Singletary, upon receipt of the order, filed a notice of appeal. As of to date the owner has taken no action to correct or address the code violations that have been identified by the inspections department.

Recommendation for CC Consideration:

Refer the appeal to City Council for recommendation.

Signature: *Ben Andrews*

Department: Planning / Inspections

City Manager's Comments:

Signature: *Wayne Horne*

Department: City Management





The General Statutes provide that if a citizen does not like an order of the Building Inspector, the ruling may be appealed to City Council. City Council is to then hear evidence and decide whether to uphold, modify or revoke the action of the building inspector. Such hearings are very rare. The North Carolina Court of Appeals has determined that a Council hearing such an appeal has the same role as it has in hearings on conditional use permit applications, which means that Council should use the same procedures for both types of hearings. Thus, anyone who claims to have first-hand knowledge of facts relevant to the hearing should be allowed to testify after being sworn or affirmed.

The order from which appeal has been taken to Council is based upon **G.S. 160A-426. *Unsafe buildings condemned in localities*** ff. A different set of statutes dealing with Minimum Housing Standards contains a provision that the owner must be given “a reasonable opportunity to bring [the property] into conformity with the housing code”. No such provision applies in this case. That doesn’t preclude Council from allowing time to attempt compliance, but there is no legal requirement to allow any time to comply once the Building Inspector has entered his order.

The Building Inspector has determined that the building or structure is unsafe and thereby constitutes a fire or safety hazard and is dangerous to life, health, or other property. He didn’t find that it is in a condition that appears to meet the following conditions:

- a. Is likely to cause or contribute to blight, disease, vagrancy, or danger to children.
- b. Has a tendency to attract persons intent on criminal activities or other activities which would constitute a public nuisance.

Council should determine whether the Building Inspector erred in his findings or in ruling that the building or structure must be demolished. The owner shall be entitled to be heard in person or by counsel and to present arguments and evidence pertaining to the matter. Following the hearing, Council may issue an order to repair, close, vacate, or demolish the building or structure as appears appropriate, and may rule that a set amount of time will be allowed for the owner to attempt one or several types of action by a certain date with a further direction to demolish the building or structure if such actions are not completed to the satisfaction of the Building Inspector by the required date.

Lumberton City Council

Lumberton, North Carolina



REQUEST FOR CC ACTION

Meeting Date: August 7, 2013

Originated By: City Manager

Submission Date: July 30, 2013

Subject: Project Carpet Ride Incentives

Summary/Background of Subject Matter -

Staff is currently working with the Robeson County Economic Development office to help locate Project Carpet Ride to the Fox Building on W 5th Street/I-95.

This project if approved by Council qualifies for \$14,125 incentives under Lumberton Economic Development Policy. These incentives will be granted as a utility tax credit over a three year period.

Project Parameters - \$ 1.9 million investment for equipment and real property.

- Phase I.....26 jobs (1st year)
- Phase II.....15 jobs (2nd & 3rd year)
- Phase III..... 9 jobs (5th year)

Total.....50 jobs

Recommendation for CC Consideration:

That City Council hold the Public Hearing to consider economic development incentives for Project Carpet Ride.

Signature: *Wayne Horne*

Department: City Manager

City Manager's Comments:

<< FOR CITY MANAGER ONLY >>

Signature: *Wayne Horne*

Department: City Management

Lumberton City Council

Lumberton, North Carolina



REQUEST FOR CC ACTION

Meeting Date: June 5, 2013

Originated By: City Manager

Submission Date: May 30, 2013

Subject: Commercial Solid Waste Franchise

Summary/Background of Subject Matter -

The City has received requests from Waste Management of Carolinas; Waste Industries, and Pembroke Waste Collection to renew their franchise for Commercial Solid Waste. The existing franchise agreements expire on May 31, 2013. The existing franchise agreements were for five (5) years. Within the present agreement, Council approved in section (9) that an Annual CPI increase shall be based on the Bureau of Labor Index South Urban and shall not exceed 5% annually.

Recommendation for CC Consideration:

That the City Council approve granting the new franchise agreements for five years beginning June 1, 2013, and ending on May 31, 2018, and may be renewed for an additional five (5) year period as written in section three (3) page three (3) of the franchise agreement. All franchise agreements must have two (2) readings. Recommend accepting this as the second reading.

Signature: *Wayne Horne*

Department: City Manager

City Manager's Comments:

<< FOR CITY MANAGER ONLY >>

Signature: *Wayne Horne*

Department: City Management

ORDINANCE GRANTING FRANCHISE AGREEMENT EXTENSIONS FOR SOLID
WASTE COLLECTION FOR COMMERCIAL AND INDUSTRIAL CONTAINERS TO
WASTE MANAGEMENT OF CAROLINAS, INC.

WHEREAS, G.S. 160A-319 empowers the City of Lumberton to grant a franchise for solid waste collection and disposal systems and facilities;

WHEREAS, in order to promote the general welfare of the citizens of the City of Lumberton and the sanitation of the City in the most economical fashion, a nonexclusive franchise for the provision of standardized bulk containers and pick-up of commercial and industrial bulk containers by emptying said containers and hauling the contents to landfills for dumping should be granted;

NOW, THEREFORE, BE IT ORDAINED BY THE City Council of the City of Lumberton that, Waste Management of Carolinas Inc., hereinafter referred to as the COMPANY, is hereby granted by the City of Lumberton, hereinafter referred to as the CITY, an extension to the nonexclusive franchise, hereinafter sometimes referred to as the Agreement, for the sale and rental of commercial and industrial bulk containers within the CITY and upon CITY owned property, and for solid waste collection for commercial and industrial bulk containers within the CITY and upon CITY owned property, subject to the following terms and conditions:

1. That for the purpose of this Agreement, the following words and phrases shall have the following meanings:

Bulk Containers - A metal container of not less than two (2) cubic yards nor more than sixty (60) cubic yards, designed to hold solid waste, to be watertight, and to be of all steel construction with the exception of the lids, which may be of plastic construction. Containers must display, in a highly visible area, the COMPANY'S name and local telephone number. Bulk containers includes those to be serviced by the use of roll-offs or compactors or any other service method.

Garbage - Organic waste matter, both animal and vegetable, from houses, kitchens, restaurants, hotels, hospitals, etc., comprised chiefly of waste food. Such term does not include moisture that may be drained in the sewer.

Refuse - Ashes, tin cans, dirty rags, trash, house sweepings, shavings, bottles, and other rubbish.

Sanitary Landfill - An EPA-approved Subtitle D sanitary landfill where solid waste is disposed of in a sanitary manner without creating nuisances or hazards to public health or safety by utilizing the principals of engineering to confine the solid wastes to the smallest practical area, to reduce it to the smallest practical volume, and to cover it with a layer of compacted earth at the conclusion of each day's operation or at such more frequent intervals as may be necessary.

Solid Waste - Garbage and refuse.

Solid Waste Collector - Any person who collects or

transports solid waste.

2. That the territory covered by this Agreement shall be the territory which is presently, or by annexation will be, within the corporate limits of the City of Lumberton, together with any municipally owned or occupied property outside the corporate limits of the City of Lumberton.

3. That this franchise shall continue for a period of time commencing on the 1st day of June, 2008 and ending on the 31st day of May, 2018, and may renewed for an additional five (5)year period on the terms stated herein.

4. That the COMPANY shall file with the CITY a schedule which describes the rates and charges for the sale or rental of bulk containers to commercial and industrial establishments. The rates and charges shall be uniform to those establishments which choose to purchase or rent a bulk container from the COMPANY and specifically shall not be decreased or increased based upon the utilization or non-utilization of any other services offered by the COMPANY. The City Council of the City of Lumberton reserves the right and authority to comment, whether publicly or in private, regarding the COMPANY'S schedule of rates and charges.

5. That the COMPANY shall clean, repair or replace a container rented or leased from it within twenty-four (24) hours from the receipt of notice from the CITY of the need for such action. If the COMPANY fails to do so, the City shall revoke the franchise. The COMPANY may recover from any person, firm or

corporation which rents or leases a container from said an amount which represents the cost to the COMPANY for cleaning, repairing or replacing said container.

6. The owner of the containers will be responsible for the maintenance and repair of the containers. Maintenance and repair is defined as being washed out and cleaned and periodically repainted, repaired with new lids and doors as necessary and replaced with containers of same size and type when necessary to ensure public health and welfare of the customers.

7. That the COMPANY shall provide solid waste collection services for all commercial and industrial bulk containers within the territory covered by this Agreement, said services to include the furnishing of all necessary labor, vehicles, and equipment, in order to collect the garbage and refuse at the sites of the bulk containers and removal of said garbage and refuse to landfills. The COMPANY shall have the right to terminate service to any establishment for non-payment of charges. The COMPANY shall file with the CITY monthly a list of all establishments to which services have been terminated.

8. That the COMPANY shall provide containers and solid waste collection services to all CITY owned or CITY occupied properties, including the Lumberton Municipal Airport, at no cost to the CITY. Since this franchise is nonexclusive, the CITY will designate which of the franchisees, if there is more than one, will provide this service for which properties as

equitably as possible. Such designation will be binding on the COMPANY. It is contemplated that each franchisee will bear, as equitably as possible, the obligation for the provision of this service. Additionally, the COMPANY shall provide four (4), eight (8) cubic yard containers, either cardboard recycling or regular solid waste as determined by the CITY and solid waste collection services to locations designated by the CITY, at no cost to the CITY.

9. That the COMPANY shall charge to each commercial and industrial establishment utilizing COMPANY'S services no more than the following schedule of rates based upon the size of the bulk containers and the number of service stops during the first year of the franchise. An increase not to exceed 5% or the percentage annual increase from June 1 until May 31 of each year in the Consumer Price Index, South Urban, 1984 = 100, as published by the U.S. Department of Labor, Bureau of Labor Statistics shall be permitted on each anniversary date of the franchise.

<u>Container size</u>	<u>Rate Per Cubic Yard</u>
2 yd.	\$1.96
4 yd.	\$1.56
6 yd.	\$1.44
8 yd. or larger	\$1.30

The rates and charges shall be uniform to those establishments which choose to receive collection services from the COMPANY and specifically shall not be decreased or increased based upon the utilization or non-utilization of any other

services offered by the COMPANY.

10. That the COMPANY shall provide the CITY with schedules of collection routes and locations of all containers placed by the COMPANY for rent, lease, or sale no later than the 10th day of May of each year of the franchise and shall keep such information current. In the event of changes in routes or schedules that will alter the day of pick-up, the COMPANY will be responsible for notifying and obtaining approval of the Public Works Director of the CITY.

11. That the COMPANY shall, at its sole cost and expense, fully indemnify, defend and save harmless the CITY, its officers and employees against any and all actions, liability, judgments, executions, claims or demands; for any loss, cost, expense, and damages, including reasonable attorney's fees, arising out of the COMPANY'S exercise or enjoyment of this franchise, irrespective of the amount of the comprehensive liability policy required hereunder. During the period of this franchise, the COMPANY, at its sole cost and expense, will carry a general comprehensive insurance policy, with minimum limits of Two Million Dollars (\$2,000,000.00) in general aggregate coverage, Ten Million Dollars (\$10,000,000.00) in excess umbrella liability coverage, One Million Dollars (\$1,000,000.00) in auto liability coverage for one occurrence, and Five Million Dollars (\$5,000,000.00) in environmental impairment coverage. The COMPANY will furnish to the CITY proof that such insurance has been obtained by filing with the City Clerk certificates of such

insurance prior to the effective date of this franchise and filing any renewal certificates immediately upon lapse of the previous certificate of insurance. The COMPANY shall file with the City Clerk a written notice of any material alteration or cancellation of any insurance coverage at least thirty (30) days prior to the effective date of such alteration or cancellation.

12. That the establishments required by Chapter 19 of the Code of the City of Lumberton, North Carolina, shall be required to obtain their waste collection services and bulk containers from the COMPANY or any other person, firm or corporation granted a similar franchise by the CITY.

13. That the COMPANY shall, during the periods of this franchise, provide a local telephone access available to the public for a minimum of forty (40) hours per week during regular business hours to answer questions and receive complaints; and that the COMPANY will handle all complaints within twenty-four (24) hours from time of notification; and that COMPANY will provide the CITY with a telephone number whereby the COMPANY can be reached at all times; and that COMPANY shall maintain a daily log on all incoming telephone calls and complaints otherwise communicated and the disposition of each; and that the daily log will be available for inspection at any time by the CITY or its duly authorized representatives.

14. That the placement of containers on the property of establishments in the CITY will be approved by the Public Works Director of the CITY and all containers sold, rented, or leased

by the COMPANY must be approved by the Public Works Director as to design, quality and capacity, to the end that users will be furnished with containers adequate to the garbage and refuse produced by such user. It is distinctly understood and agreed upon that all containers sold, leased, or rented by the COMPANY which are equipped with a side door shall have sliding doors with a stop.

15. That the COMPANY shall guarantee its performance under this Agreement by either furnishing to the CITY a performance bond with a corporate surety licensed to do a bonding business in the State of North Carolina, or depositing or placing in escrow cash, municipal bonds of not less than an "A" rating as rated by a recognized rating bureau, a Certificate of Deposit, or a letter of credit payable to the CITY in the amount of One million, five hundred thousand and no/100th dollars (\$1,500,000.00) if the COMPANY is the only franchisee granted this non-exclusive franchise, seven hundred fifty thousand and no/100th dollars (\$750,000.00) if the COMPANY is one of two (2) franchisees granted this non-exclusive franchise, or five hundred thousand and no/100th dollars (\$500,000.00) if the COMPANY is one of three (3) or more franchisees granted this non-exclusive franchise, said bond or deposit shall be in favor of the CITY guaranteeing COMPANY'S performance of all the terms and conditions of this franchise as set forth under this Agreement for the term thereof, and upon COMPANY'S payment of all laborers and other valid claims for services or materials

furnished by others in connection with the performance of this Agreement. This Agreement shall not become effective or continue in effect, as the case may be, until such a bond or deposit has been delivered to the CITY and approved by the City Attorney.

16. That the CITY agrees that insofar as the fulfillment of this Agreement is concerned, COMPANY shall have all of the rights, and privileges and access to property and garbage storage areas as the CITY has under the General Statutes of North Carolina, and the Code of the City of Lumberton, North Carolina, whether said storage areas are on public or private premises.

17. That the COMPANY shall furnish collection services to all establishments covered by the terms of this Agreement, a minimum of one (1) time per week, unless a greater frequency is requested either by the establishment receiving the service or the Public Works Director.

18. That the COMPANY shall maintain with the CITY a current list showing the size, age, make, serial number and identification number of all vehicles which will be or are being used to perform COMPANY'S services under this Agreement, and to make those vehicles available for inspection by the City.

19. That the COMPANY shall promptly settle any and all disputes between the COMPANY and its customers or the furnisher of the bulk containers. In the event of an irreconcilable dispute, the COMPANY shall submit the dispute to the Public

Works Director of the City of Lumberton for determination of the dispute. His determination shall be binding on the COMPANY unless either party appeal his decision to the City Council. Written notice of an appeal must be submitted to the City Clerk within three (3) days after the parties are notified of the Public Works Director's decision. In the event of an appeal to the City Council, the City Council's decision shall be binding on the COMPANY. In any event, the City Council of the City of Lumberton has sole authority to terminate this contract on behalf of the CITY.

20. It is understood and agreed that the nature of the performance under this Agreement is such that time is of the essence and events of default and/or major breach of this Agreement by the COMPANY in performance resulting in immediate termination of this contract are:

A) Substantial failure to perform for a period of one week when the failure to perform the scheduled service to the city customer is not caused by an act beyond the control of the COMPANY, such acts of God, war, public enemy, civil commotion, riot, insurrection, or any similar act beyond the control of the COMPANY which renders impossible the performance of this Agreement.

B) The filing by the COMPANY of a voluntary petition in bankruptcy or the failure of the COMPANY promptly to lift or suspend any execution, garnishment or attachment of such consequence as will impair the ability of the COMPANY to

perform under the Agreement, or the commission by the COMPANY of any act of bankruptcy or the adjudication of the COMPANY for the benefit of his creditors under the provisions of the Federal Bankruptcy Act, as amended or under any similar act which may be hereinafter enacted.

In the event of any lesser breach of this Agreement or unsatisfactory performance on the part of the COMPANY, the CITY may give the COMPANY written notice of the nature of the breach or unsatisfactory performance and demand its correction and if the COMPANY does not within forty-eight (48) hours of receipt of such notice correct the condition causing the breach, the CITY may terminate this contract by giving written notice to COMPANY on or prior to the 15th day of said month after the City Council has approved its termination.

That in the event of termination of this Agreement for any of the above, the bond or deposit provided under Paragraph 15 herein shall indemnify the CITY against any loss resulting from any breach or failure of performance by the COMPANY.

21. That the COMPANY shall conduct operations in compliance with all applicable laws.

22. That the COMPANY shall provide to CITY upon request, financial records which relate to its operations conducted under the terms of this Agreement, said records to include, but not be limited to a Profit and Loss Statement.

23. That the COMPANY shall not, in the performance of this Agreement, discriminate against any employee or applicant for employment because of race, color, creed, national origin or ancestry and shall provide the City with a copy of the COMPANY'S Non-Discrimination Policy prior to the activation of this franchise.

24. That should any provision in this Agreement be held invalid by any court of competent jurisdiction, such invalidity shall not affect any other provisions hereof.

25. That this Agreement shall be binding on the parties, their successors and assigns. This Agreement, however, as to the COMPANY, may not be sold, assigned or transferred in any manner whatsoever, voluntary or involuntary, or by operation of law, without the prior written consent of the CITY. The COMPANY shall provide to the CITY any requested information necessary to show that a proposed assignee has the equipment, expertise and financial resources to be able to complete all of the terms of this Agreement.

26. That the rights of the COMPANY for the period of this franchise shall not be exclusive and during such period the CITY may grant a similar franchise. This franchise is adopted by the parties in good faith and in the event it should be determined by any court of competent jurisdiction that this franchise is an ultra vires act by the CITY, the COMPANY agrees that no action shall be taken against the CITY for damages.

27. It is agreed and understood by both parties that the

COMPANY will utilize an EPA-approved Subtitle D Landfill facility for disposal and the CITY will not furnish a landfill site. In the event that the COMPANY does not utilize the Robeson County Landfill, the COMPANY is required to report the amount of waste collected to the Robeson County Solid Waste Director.

28. That, in addition to the rates and charges permissible under Paragraph 9 hereof, the COMPANY may charge to each commercial and industrial establishment utilizing COMPANY'S services, an amount which represents that customer's proportionate share of the charge to the COMPANY levied by the EPA-approved Subtitle D landfill in connection with removing garbage and refuse to said landfill under the provisions of this franchise. It is understood and agreed by both parties that each customer's proportionate share cannot be determined with exactitude, but the shall charge each customer, as equitably as possible, based upon the size of the bulk containers and the number of service stops. The method utilized by the COMPANY of ascertaining the charge to each customer shall first be approved by the Public Works Director of the CITY, said approval cannot unreasonably be withheld. Said method shall be reviewed by the COMPANY and approved by the CITY. In the event the approved method results in either an over-compensation or under-compensation to the COMPANY, then the surplus or deficit shall be charged or credited to the customer.

29. That the COMPANY shall not bill any establishment for more than one (1) month in advance for services to be rendered

under the provisions of this franchise. The COMPANY'S bill shall demonstrate separately the applicable charge for rental of a container, if any, for collection services, as allowed by Paragraph 9 hereof, and for the costs of utilizing a landfill, as allowed by Paragraph 28 hereof.

30. That the COMPANY shall not enter into a contract during the term of this franchise for a period longer than one (1) year with any establishment for services to be rendered under the provisions of this franchise. However, a contract may provide for automatic renewals or extensions of additional one (1) year periods only if such renewal or extension is contingent upon the COMPANY providing the establishment with written notice by certified mail at least sixty (60) days in advance prior to the expiration of the contract of the option of the establishment to either (a) allow the automatic renewal or extension to take effect or (b) not to renew or extend the contract by advising the COMPANY in writing of the election to not renew or extend within thirty (30) days of the receipt by the establishment of the notice from the COMPANY.

BE IT FURTHER ORDAINED that the Mayor and City Clerk of the City of Lumberton be and are hereby authorized to execute a Franchise Agreement in accordance with the aforementioned terms and conditions for and on behalf and as the official act of the City of Lumberton upon adoption of this Ordinance.

Upon motion by Councilman _____, seconded by Councilman _____, the foregoing Ordinance was adopted by the City Council of the

City of Lumberton on the ____ day of April, 2008; and upon motion by Councilman _____, seconded by Councilman _____, the foregoing Ordinance was finally adopted by the City Council of the City of Lumberton on the __ day of April, 2008.

Raymond B. Pennington, Mayor

ATTEST:

Laney Mitchell-McIntosh, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Robert E. Price, City Attorney

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Lumberton City Council

Lumberton, North Carolina



REQUEST FOR CC ACTION

Meeting Date: August 12, 2013

Originated By: Planning / Inspections

Submission Date: August 8, 2013

Subject: Public Hearing FY2013 CDBG Program

Summary/Background of Subject Matter -

Tonight's public hearing is the first of two required public hearings required prior to the City submitting an application to the State for CDBG funds. This is an informational public hearing which is held during the planning stages of the CDBG application process.

The State budget deleted the CDBG housing grant funds. The CDBG funds were redirected to economic development and infrastructure.

Staff will begin working to conduct door-to-door surveys in two (2) areas which need sewer replacement to determine if the areas are low to moderate income. The CDBG infrastructure grant submission is a two part process. Based upon the door-to-door survey information, the City will be required to submit a letter of interest to the State along with the preliminary engineering report and proof that the first public hearing was held. The State will schedule a meeting with City staff to review and discuss the proposed project. The State will either send the City a letter inviting them to conduct a second public hearing and submit the CDBG application, or send the City a letter declining the proposed project. The maximum CDBG infrastructure grant amount is \$850,000.

Recommendation for CC Consideration:

Recommend City Council conduct the public hearing and authorize staff to proceed with the CDBG infrastructure preliminary application process.

Signature: *Brandon Love*

Department: Planning / Inspections

City Manager's Comments:

<< FOR CITY MANAGER ONLY >>

Signature: *Wayne Horne*

Department: City Management

Lumberton City Council

Lumberton, North Carolina



REQUEST FOR CC ACTION

Meeting Date: August 7, 2013

Originated By: City Attorney

Submission Date: July 31, 2013

Subject: CUP Application of Nataniel Stubbs

Summary/Background of Subject Matter -

A hearing on the application for a CUP by Nathaniel Stubbs was held at the Council Meeting of June 10, 2013. No action was taken on the application. The Planning Board had voted on May 21, 2013, to approve the application.

Recommendation for CC Consideration:

Council should act on the application. Should Council decide to deny the permit, it should state the standard of review on which the denial is based and the evidentiary basis for the determination that the application doesn't satisfy the standard. For guidance on these issues, see the attached memo, which restates a memo of June 21, 2013.

Signature: *Rob Price*

Department: City Attorney

City Manager's Comments:

Signature: *Wayne Horne*

Department: City Management

Lumberton City Council

Lumberton, North Carolina



AGENDA CODE: _____

REQUEST FOR COUNCIL ACTION

Meeting Date: August 12, 2013

Originated By: Council Policy Committee

Subject: Conditional Use Permit Application of Nathaniel Stubbs

Summary/Background of Subject Matter - Supplementary Material Attached: No

A hearing was conducted at the last regular meeting of City Council on a conditional use permit application by Nathaniel Stubbs for property located in South Lumberton, and a decision must be made on the application.

Recommendation for Council Policy Committee Consideration:

CPC recommends that Council adopt the following ruling:

The request is denied based upon the following:

1. The proposed use will endanger the public health or safety; and,
2. it will not be in harmony with the area in which it is to be located.

These legal conclusions are based upon findings that the applicant didn't appear, requested information was not timely provided, not enough information was provided to assure that the standards would be met, the information provided wasn't thorough, it appears that the actual use of the facility will not be in keeping with the application, and the applicant did not commit to refusing felons access to the premises, which was proposed as a youth center.

Signature: Robert E. Price Department: Legal

Attachment: CAF - Ruling on Stubbs Application (1145 : CUP Application of Nathaniel Stubbs)

Lumberton City Council

Lumberton, North Carolina



REQUEST FOR CC ACTION

Meeting Date: August 7, 2013

Originated By: City Attorney

Submission Date: August 2, 2013

Subject: LPD/LHA Agreement

Summary/Background of Subject Matter -

The City has an agreement with the Lumberton Housing Authority to provide LHA beat officers. The contract is pursuant to the Drug Elimination Program, a HUD funded program of the LHA. This agreement is typically renewed annually. Earlier in the year Council approved an agreement which had been approved by the LHA executive director and called for higher payment amounts. LHA is now requiring revisions to that agreement.

The revisions include a shortened term (from one year to 6 months), a modified start date, a mutual indemnification clause and a requirement that the City provide time or activity sheets.

Recommendation for CC Consideration:

Approve the attached agreement with Lumberton Housing Authority.

Signature: *Rob Price*

Department: City Attorney

City Manager's Comments:

<< FOR CITY MANAGER ONLY >>

Signature: *Wayne Horne*

Department: City Management

NORTH CAROLINA**ROBESON COUNTY****AGREEMENT**

THIS AGREEMENT made and entered into this ~~1st~~ day of ~~January~~^{May}~~September~~, 2013, in duplicate originals, by and between the City of Lumberton, a municipal corporation organized under the laws of the State of North Carolina, (hereinafter referred to as the "CITY"), and the Housing Authority of the City of Lumberton, a body corporate and politic organized under the laws of the State of North Carolina (hereinafter referred to as the "AUTHORITY");

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W I T N E S S E T H:

WHEREAS, the AUTHORITY and the CITY have previously contracted for the purpose of effecting a Public Housing Drug Elimination Program which involves the utilization of United States Department of Housing and Urban Development grant funds and other funds of the AUTHORITY for the purpose of manning and equipping a police beat for certain targeted housing communities of the AUTHORITY;

WHEREAS, the AUTHORITY desires to further supplement this successful program in order to provide police officer(s) and will utilize grant funds from the United States Department of Housing and Urban Development for the purpose of performing the Drug Elimination Program of the Housing Authority of the City of Lumberton;

WHEREAS, the CITY is willing to provide this additional service to the AUTHORITY since its provision promotes the health, safety and welfare of its citizens; and;

WHEREAS, N.C.G.S. §157-42 empowers the AUTHORITY and the CITY to enter into this Agreement;

NOW, THEREFORE, for and in consideration of the mutual covenants and promises made herein, the parties agree that:

1) The CITY shall institute and maintain throughout the term of this Agreement an additional beat within its police department to patrol the housing communities of the AUTHORITY within the corporate limits of the City of Lumberton, said beat being hereinafter referred to as the Housing Authority Beat.

2) The police officers assigned to the Housing Authority Beat are employees of the CITY and not of the AUTHORITY. The police officers shall be employed by the CITY as Drug Enforcement Officers under the Drug Task Force division within the police department of the CITY. It is understood and agreed that the funds provided by the AUTHORITY pursuant to this Agreement shall be utilized to fund the employment of police officers for the Housing Authority Beat at a schedule to be determined and mutually acceptable to the Police Chief of the City of Lumberton and the Executive Director of the Housing Authority.

3) The police officers assigned to the Housing Authority Beat shall exclusively patrol the housing projects which comprise said beat unless requested to assist another police officer or to respond to a complaint at areas not within the area comprising the Housing Authority Beat, in accordance with standard CITY police procedures. Similarly, police officers not assigned to the Housing Authority Beat shall assist another police officer or respond to a complaint at the housing projects which comprise said beat when requested, in accordance with standard CITY police procedures.

In addition to patrolling, the police officers assigned to the Housing Authority Beat shall otherwise perform community policing activities within the housing communities which comprise said beat. Such activities include, but are not limited to:

- (a) Walking throughout each community for the purpose of attaining a high profile of visibility in order to deter criminal activity and to reassure the residents of their security and ability to pursue lawful activities.
- (b) Targeting unlawful drug activity and enforcing all other laws.
- (c) Assist with Community Watch organizations in each community.
- (d) Attend Community Watch meetings.
- (e) Visiting residents periodically to determine the residents' concerns in regard to crime prevention needs and priorities.
- (f) Reporting quality of life concerns to the local Community Housing Manager in writing. (Quality of life concerns include, but are not limited to, litter, vandalism, disrepair of units, and lawns overgrown with vegetation).
- (g) Reporting in writing the identity of any resident, guest, invitee or licensee involved in illegal activities or the creation of a nuisance to the local Community Housing Manager.

4) The duties and responsibilities of the CITY include, but are not limited to providing two Community Police Officer(s), with at least forty-two (42) hours each per week being devoted to the Housing Authority Beat. Time spent on the Housing Authority Beat shall also include all time spent away from AUTHORITY property for mandatory training, short term sick leave, vacation, mandatory staff meetings and related activities required of any other CITY police officer in order to remain a fully qualified and trained sworn law enforcement officer.

5) The institution and maintenance of a Housing Authority Beat is in addition to and in excess of the normal police protection afforded areas within the jurisdiction of the CITY. But for the payments made by the AUTHORITY to the CITY pursuant to this Agreement, the CITY would not be able to provide the level and frequency of police protection as obligated by this Agreement.

6) The AUTHORITY shall pay the CITY for providing and maintaining police officer(s) for the Housing Authority Beat the sum of TEN THOUSAND TWO HUNDRED NINETY THREE AND 92/100THS DOLLARS (\$10,293.92) per month during the term of this Agreement, said sum being applied to the actual cost to the CITY for providing and maintaining police officer(s) for the Housing Authority Beat, said sum being hereinafter referred to as the Contract Sum.

7) The Contract Sum shall be paid by the AUTHORITY to the CITY in equal monthly installments of TEN THOUSAND TWO HUNDRED NINETY THREE AND 92/100THS DOLLARS (\$10,293.92) ~~shall be paid~~ no later than the tenth day of each month during the term of this Agreement, commencing ~~February 1, May~~ September 1, 2013. The City shall furnish the Authority copies of the time and/or activity sheets of the Community Police Officers assigned to the Housing Authority Beat when submitting the monthly invoices to the Authority for payment. If the time and/or activity sheets are unavailable, the Authority shall accept other reasonably acceptable verification of services rendered, subject to approval by the office of Housing and Urban Development.

8) That the CITY shall keep and maintain invoices, records and other documents relating directly to the receipt and disbursement of any funds received from the AUTHORITY pursuant to this Agreement and shall allow any duly authorized representative of the AUTHORITY, the Department of Housing and Urban Development and the General Accounting Office to have access to and the right to inspect, copy, audit and examine all such invoices, records and other documents of the CITY until the completion of all close-out procedures

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Attachment: 1104-LHA (1082 : LPD/LHA Agreement)

respecting the agreement for the Drug Elimination Program and the final settlement and conclusion of all issues arising out of the agreement, at all reasonable times. The CITY shall periodically provide the AUTHORITY with reports of activities being conducted due to the implementation of the Housing Authority Beat.

9) That the CITY does hereby certify as follows:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the CITY, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative Agreement, the CITY shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

10) That the CITY acknowledges that nothing contained in this Agreement nor any act of the AUTHORITY, or any of the parties, shall be deemed or construed by any of the parties, or by third persons, to create any relationship of third-party beneficiary principal and agent, limited or general partnership, or joint venture, or any association or relationship involving the AUTHORITY.

11) This agreement shall be construed in accordance with, and is subject to, applicable law. To the extent allowable under the law, each Party shall, at its sole cost and expense, fully indemnify, defend and save harmless the Other Party, its officers and employees against any and all actions, liability, judgments, executions, claims, or demands for any loss, cost, expense, and damages, arising out of this Agreement for which it is shown that the party suffering loss had no responsibility. Enforcement of this clause shall necessitate a determination by a court of law with proper jurisdiction over the parties as to whether such an indemnification contradicts the provisions set out in Article V, Section 4(5) of the North Carolina Constitution. If this provision shall to any extent be held to be illegal or invalid, then such provision shall be stricken from this

Contract. The remainder of this Contract and all other provisions of this Contract shall remain valid and enforced to the fullest extent permitted by law.

124) That the term of this Agreement shall commence as of ~~February 1, May~~September 1, 2013, and terminate as of ~~January 31, 2014. October 31, 2013~~February 28, 2014. ~~and shall be considered by the Authority and the City for renewal at the end of the contract term.~~ Notwithstanding the foregoing, this Agreement may be terminated by either the Authority or the City, with or without cause, upon the giving of thirty (30) days written notice prior to the end of the contract term.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first above written.

HOUSING AUTHORITY OF THE CITY OF
LUMBERTON

BY: _____,
Chairperson

(CORPORATE SEAL)

ATTEST:

Secretary

CITY OF LUMBERTON

BY: _____
Raymond B. Pennington, Mayor

ATTEST:

Laney Mitchell-McIntosh, City Clerk

PRE-AUDIT CERTIFICATION

This instrument has been preaudited as required by the
Local Government Budget and Fiscal Control Act.

Alisha Thompson, Finance Director

Attachment: 1104-LHA (1082 : LPD/LHA Agreement)

Lumberton City Council

Lumberton, North Carolina



REQUEST FOR CC ACTION

Meeting Date: August 7, 2013

Originated By: Public Works

Submission Date: July 26, 2013

Subject: Tanglewood Change Order #3

Summary/Background of Subject Matter -

Attached is a detailed summary of Change Order #3 and progress map for the Tanglewood Sanitary Sewer Rehabilitation Project. Public Works will discuss the changes in detail. As an overview, the change order is a series of additions and deductions that are required to correspond with the actual field conditions encountered during the construction. The actual overall contract price has decreased \$1,820.99.

Recommendation for CC Consideration:

Publics Works is requesting approval of Change Order #3 for the Tanglewood Sanitary Sewer Rehabilitation Project.

Signature: *Rob Armstrong*

Department: Public Works

City Manager's Comments:

<< FOR CITY MANAGER ONLY >>

Signature: *Wayne Horne*

Department: City Management

Change Order**No. 3**

Date of Issuance: 7/25/13

Effective Date: 7/25/13

Project: Sewer Rehab – Tanglewood	Owner: City of Lumberton	Owner's Contract No.: CS370455-02
Contract: Sewer Rehab – Tanglewood	Date of Contract:	
Contractor: Step Construction, Inc.	Engineer's Project No.: 2799-AY	

The Contract Documents are modified as follows upon execution of this Change Order:

Description:

1. Add replacement of 8-inch Sanitary Sewer; 20 th Street – MH 7605 – 7634, 21 st Street – MH 8831 – 7637 & 23 rd Street MH 8848 – 7647A	\$170,383.00
2. Decrease Bid Item 16 by 1,418 LF due to needed replacement along 20 th , 21 st , & 23 rd Streets	(\$39,704.00)
3. Decrease Bid Item 36 by 8 VF due to MH 7647, located on 23 rd Street, being replaced.	(\$2,400.00)
4. Decrease Bid Items 14 & 20 by 666 LF due to MH 309 – 7445, along Kenan Avenue, pipe diameter being 18-inch instead of 24-inch	(\$78,921.00)
5. Increase Bid Item 13 by 668 LF due to MH 309 – 7445, along Kenan Avenue, pipe diameter being 18-inch instead of 24-inch	\$2,338.00
6. Decrease Bid Item 20 by 762 LF due to MH 7595 – 7590, along McMillan Avenue, & MH 7626 – 7595, along 18 th Street, being found in acceptable condition.	(\$87,630.00)
7. Increase Bid Item 14 by 4 LF to reflect inspected quantity.	\$14.00
8. Decrease Bid Item 26 by 1 EA due to MH 7687 confirmed not to be contiguous with 24-inch.	(\$895.00)
9. Deduct quantities associated with 10-inch sanitary sewer between Elm and Walnut Streets due to failure prior to beginning construction.	(\$36,200.00)
10. Decrease Bid Item 21 by 1 EA due to additional work associated with MH built over existing 8-inch service from hospital.	(\$2,400.00)
11. Add MH built over existing 8-inch service from hospital approximately 180' west of MH 7946. MH required to facilitate bypass pumping needed during lining of 12-inch sanitary sewer, MH 7946 to MH 7937, along 29 th Street.	\$5,247.45
12. Decrease Bid Item 16 by 298 LF due to MH 7744 – 7741, along Barker Street, being found in acceptable condition.	(\$8,344.00)
13. Decrease Bid Item 18 by 433 LF due to MH 7500 – 7500A, along Rowland Avenue, being found in acceptable condition.	(\$18,186.00)
14. Decrease Bid Item 19 by 270 LF due to MH 8848 – 8843, along McMillan Avenue, being found in acceptable condition.	(\$23,760.00)
15. Add Alternate 3, Velcord Drive Sanitary Sewer Replacement	\$67,856.40
16. Add quantities associated with rehabilitation of 8-inch sanitary sewer along 23 rd Street, MH 7647A east to MH 7647D	\$62,511.00
17. Add quantities associated with internally opening laterals to 100% in lieu of cutting streets	\$21,147.00
18. Decrease Bid Item 45 by 66 EA due to decision to open laterals internally	(\$66,000.00)
19. Add cost associated with the use of 12-inch ductile iron storm drain in lieu of 15-inch RCP due to water main clearance.	\$1,336.00

20. Add cost associated with the removal of 18-inch pipe required to complete construction of Alternate #2. \$6,750.00
21. Adjust Contract Time to account for weather delays, additional work and deducted work.

Attachments (list documents supporting change):

1. Inspection report plots of pipe: 20th Street – MH 7634-7605, 21st Street – MH 8831-7637 & 23rd Street – MH 8848-7647A (10 pages), Quantity Summary, Additional Work for Replacements: 20th Street – MH 7605-7634, 21st Street – MH 8831-7637 & 23rd Street – MH 8848-7647A, dated 7/2/2013 & Contractor's Proposals for Work dated 6/10/2013 & 6/19/2013. (Items 1-3 above)
3. Inspection report plots of pipe: Kenan Avenue MH 309 – 7445 (3 pages). (Items 4 & 5 above)
4. Inspection report plots of pipe: McMillan Avenue MH 7595 – 7590 & 18th Street MH 7626-7595 (3 pages). (Items 6-8 above)
5. Quantity Summary, Deduct Work, 10-inch Sewer Between Elm and Walnut Street MH 449 to 444. (Item 9 above)
6. Contractor's Proposal for Work dated 6/4/2013. (Items 10 & 11 above)
7. Inspection report plot of pipe: Barker Street MH 7744 – 7741 (2 pages). (Item 12 above)
8. Inspection report plot of pipe: Rowland Avenue MH 7500 – 7500A (2 pages). (Item 13 above)
9. Inspection report plot of pipe: McMillan Avenue MH 8848 – 8843 (1 page). (Item 14 above)
10. Quantity Summary, Alternate 3, Velcord Drive Sanitary Sewer Replacement. (Item 15 above)
11. Quantity Summary, Additional Work, 23rd Street MH 7647A to 7647D. (Item 16 above)
12. Contractor's Proposal for Work dated 6/25/13, Subcontractor's proposal for work dated 6/24/13, Subcontractor's email dated 6/28/13 with breakdown of labor and equipment necessary to complete the work and Engineers Construction Cost Evaluation. (Items 17 & 18 above)
13. Engineer's Construction Cost Opinion, Oldecastle Precast invoice and Ferguson Waterworks invoice. (Item 19 above)
14. Step Construction email dated July 12, 2013 and TWC email dated July 12, 2013. (Item 20 above)
15. Contractor's email correspondence dated 7/1/2013 with supporting documentation and Engineer's letter, dated 7/2/2013 regarding weather delays for the month of June.

Attachment: Change Order #3 (1136 : Tanglewood Change Order #3)

CHANGE IN CONTRACT PRICE:**CHANGE IN CONTRACT TIMES:**

Original Contract Price:

\$1,936,455.11

[Increase] [~~Decrease~~] from previously approved
Change Orders No. 1 to No. 2:

\$25,036.16

Contract Price prior to this Change Order:

\$1,961,491.27

[~~Increase~~] [Decrease] of this Change Order:

\$26,857.15

Contract Price incorporating this Change Order:

\$1,934,634.12

Original Contract Times: ☐ Working days ☒ Calendar daysSubstantial completion (days or date): 210 days, 9/2/13Ready for final payment (days or date): 250 days, 10/2/13[Increase] [~~Decrease~~] from previously approved Change Orders
No. 1 to No. 2:Substantial completion (days): 14Ready for final payment (days): 14

Contract Times prior to this Change Order:

Substantial completion (days or date): 224 days, 9/16/13Ready for final payment (days or date): 264 days, 10/16/13[Increase] [~~Decrease~~] of this Change Order:Substantial completion (days or date): 4Ready for final payment (days or date): 4

Contract Times with all approved Change Orders:

Substantial completion (days or date): 228 days, 9/20/13Ready for final payment (days or date): 268 days, 10/20/13**RECOMMENDED:**

By: _____

Engineer (Chad D. Easter, PE)

Date: _____

ACCEPTED:

By: _____

Owner (Raymond B. Pennington)

Date: _____

ACCEPTED:

By: _____

Contractor (Kevin Lanier)

Date: _____

Attachment: Change Order #3 (1136 : Tanglewood Change Order #3)

Project: City of Lumberton Sewer Rehab- Tanglewood Area

Date: 2/13/2013 2:52:00 PM

Street: 20TH STREET

Length Surveyed: 169.6

Pacp Quick Overall Rating: 524A

Height (Diameter): 8

Street: 20TH STREET

Pipe Segment Reference:

Upstream MH: 7634

Downstream MH: 7605

Direction of Survey: Upstream

Material: Concrete Pipe (non-reinforced)

Severity

Light

Moderate

Average

Heavy

Severe

ID Number: 7605

(0.0) AMH - Manhole Remark: 7605

(0.0) MWL - Water Level

(3.0) HSV - Hole Soil Visible - Position: 5
To 7

(13.7) MWLS - Water Level Sag

(26.5) MWLS - Water Level Sag

(51.7) MWLS - Water Level Sag

(83.8) TB - Tap Break-in - Position: 11
Remark: CLAY(113.3) FM - Fracture Multiple - Position:
5 To 8 - Cont Def: S01(113.6) TB - Tap Break-in - Position: 11
Remark: IRON

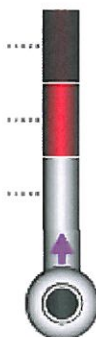
(123.5) MWLS - Water Level Sag

(163.1) TB - Tap Break-in - Position: 12
Remark: IRON

Attachment: Change Order #3 (1136 : Tanglewood Change Order #3)

(165.0) HVV - Hole Void Visible -
Position: 3 To 4
(169.3) FM - Fracture Multiple - Position:
5 To 8 - Cont Def: F01
(169.6) MSA - Abandoned Survey
Remark: HOLE IN PIPE

Total Distance: 169.6



ID Number: 7634

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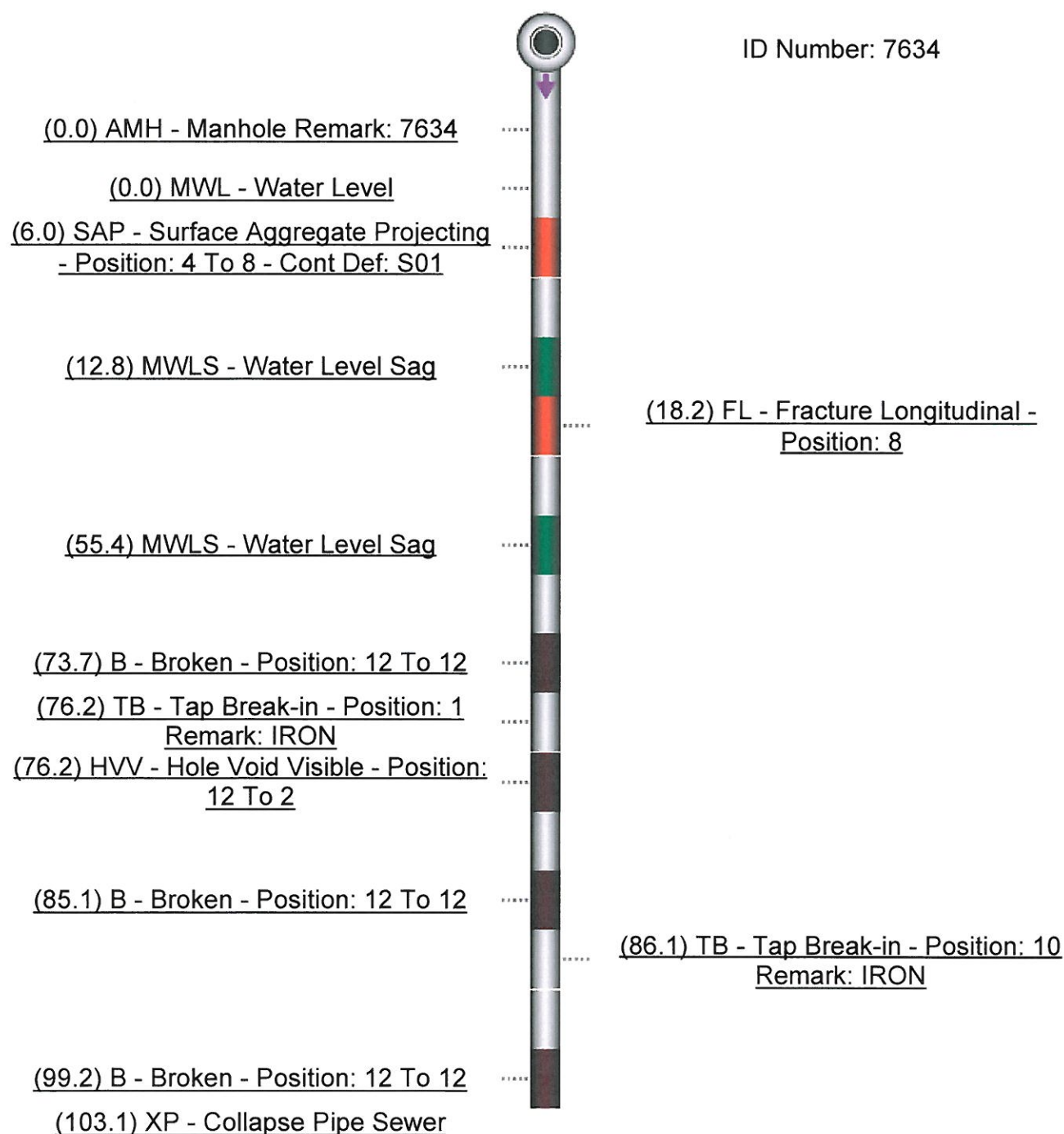
Attachment: Change Order #3 (1136 : Tanglewood Change Order #3)

Project: City of Lumberton Sewer Rehab- Tanglewood Area

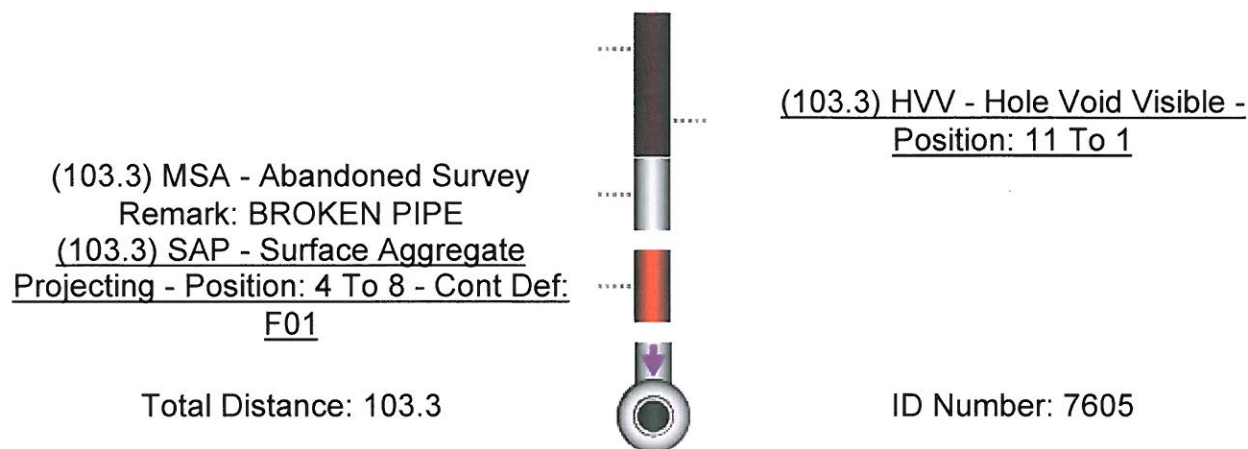
Date: 2/13/2013 2:32:00 PM
Street: 20TH STREET
Length Surveyed: 103.3
Pacp Quick Overall Rating: 563C
Height (Diameter): 8
Street: 20TH STREET

Pipe Segment Reference:
Upstream MH: 7634
Downstream MH: 7605
Direction of Survey: Downstream
Material: Concrete Pipe (non-reinforced)

Severity
Light
Moderate
Average
Heavy
Severe



Attachment: Change Order #3 (1136 : Tanglewood Change Order #3)



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Attachment: Change Order #3 (1136 : Tanglewood Change Order #3)

Project: City of Lumberton Sewer Rehab- Tanglewood Area

Date: 2/13/2013 11:51:00 AM

Street: 21ST STREET

Length Surveyed: 13.6

Pacp Quick Overall Rating: 5100

Height (Diameter): 8

Street: 21ST STREET

Pipe Segment Reference:

Upstream MH: 7637

Downstream MH: 8831

Direction of Survey: Upstream

Material: Concrete Pipe (non-reinforced)

Severity

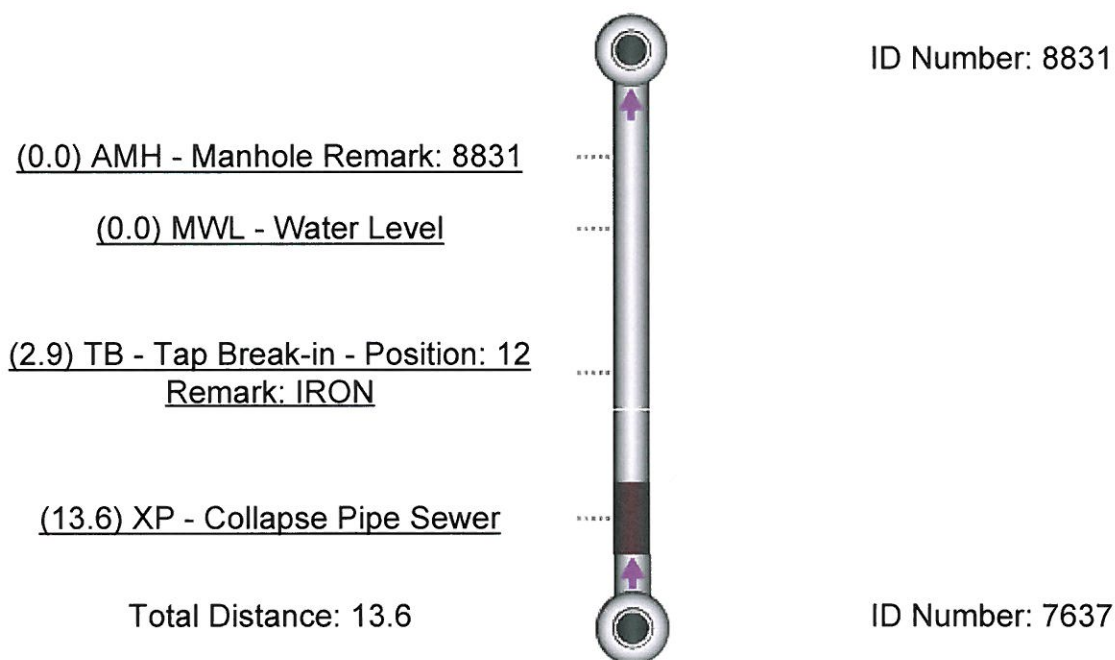
Light

Moderate

Average

Heavy

Severe



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Attachment: Change Order #3 (1136 : Tanglewood Change Order #3)

Project: City of Lumberton Sewer Rehab- Tanglewood Area

Date: 2/12/2013 3:23:00 PM

Street: 23RD STREET

Length Surveyed: 3

Pacp Quick Overall Rating: 3100

Height (Diameter): 8

Street: 23RD STREET

Pipe Segment Reference:

Upstream MH: 7647

Downstream MH: 8848

Direction of Survey: Downstream

Material: Concrete Pipe (non-reinforced)

Severity

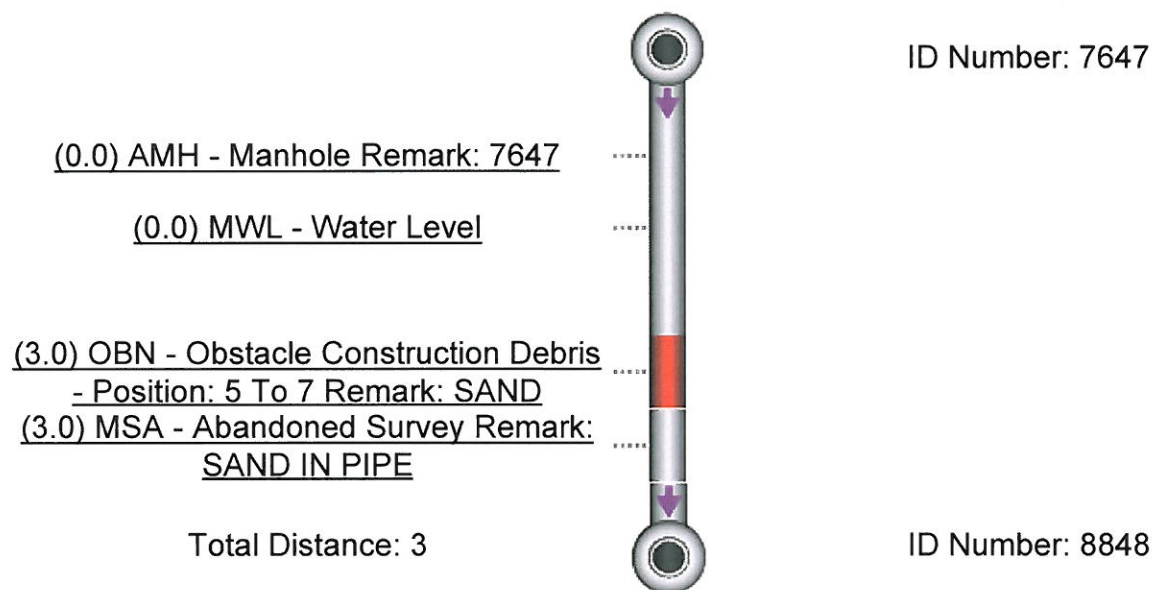
Light

Moderate

Average

Heavy

Severe



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Attachment: Change Order #3 (1136 : Tanglewood Change Order #3)

Project: City of Lumberton Sewer Rehab- Tanglewood Area

Date: 2/12/2013 3:30:00 PM

Street: 23RD STREET

Length Surveyed: 29.8

Pacp Quick Overall Rating: 5221

Height (Diameter): 8

Street: 23RD STREET

Pipe Segment Reference:

Upstream MH: 7647

Downstream MH: 8848

Direction of Survey: Upstream

Material: Concrete Pipe (non-reinforced)

Severity

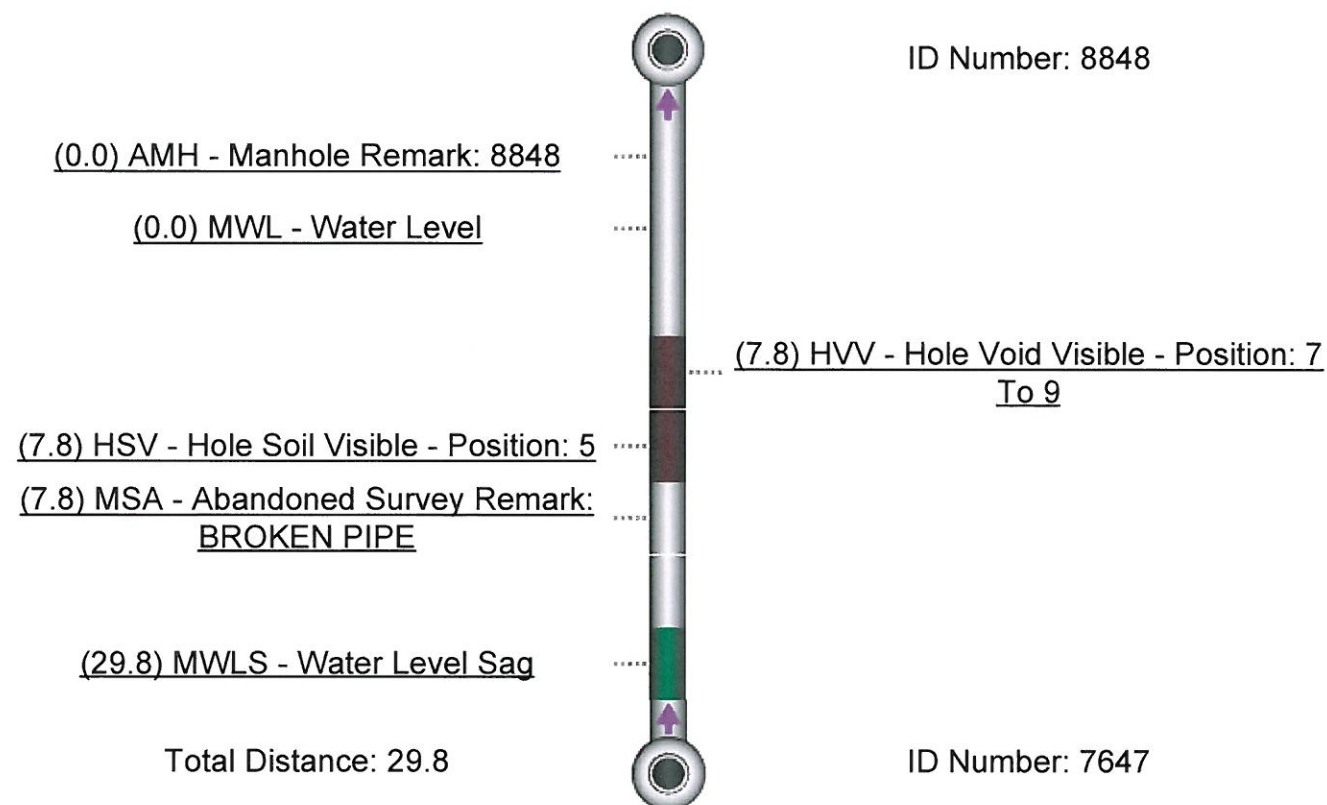
Light

Moderate

Average

Heavy

Severe



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Attachment: Change Order #3 (1136 : Tanglewood Change Order #3)

Project: City of Lumberton Sewer Rehab- Tanglewood Area

Date: 2/8/2013 10:14:00 AM

Street: 23RD STREET

Length Surveyed: 421.8

Pacp Quick Overall Rating: 5941

Height (Diameter): 8

Street: 23RD STREET

Pipe Segment Reference:

Upstream MH: 7647A

Downstream MH: 7647

Direction of Survey: Downstream

Material: Concrete Pipe (non-reinforced)

Severity

Light

Moderate

Average

Heavy

Severe

(0.0) AMH - Manhole Remark: 7647A

(0.0) MWL - Water Level

(1.0) HVV - Hole Void Visible - Position: 9

(93.2) TB - Tap Break-in - Position: 2
Remark: IRON

(103.1) TBI - Tap Break-in Intruding -
Position: 10 Remark: PVC

(136.3) MWLS - Water Level Sag

(158.7) MWLS - Water Level Sag

(168.9) TB - Tap Break-in - Position: 10
Remark: IRON

(180.8) FM - Fracture Multiple - Position:
11 To 6

(187.5) HVV - Hole Void Visible -
Position: 5

(197.0) TB - Tap Break-in - Position: 2
Remark: IRON

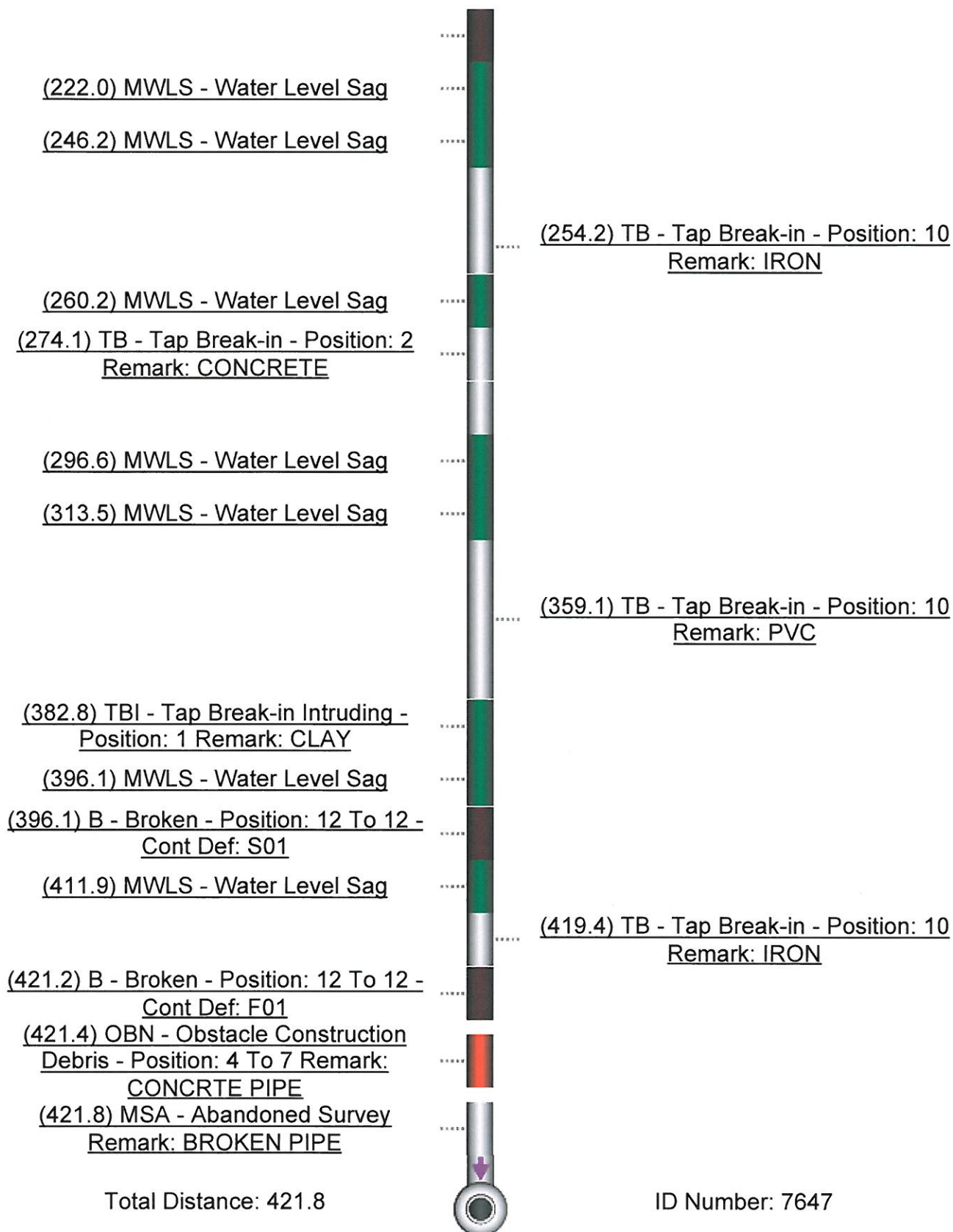
(198.8) B - Broken - Position: 12 To 12

(213.5) MWLS - Water Level Sag

(213.7) B - Broken - Position: 4 To 8

ID Number: 7647A

Attachment: Change Order #3 (1136 : Tanglewood Change Order #3)



Attachment: Change Order #3 (1136 : Tanglewood Change Order #3)

Project: City of Lumberton Sewer Rehab- Tanglewood Area

Date: 2/8/2013 10:53:00 AM

Street: 23RD STREET

Length Surveyed: 71.8

Pacp Quick Overall Rating: 3111

Height (Diameter): 8

Street: 23RD STREET

Pipe Segment Reference:

Upstream MH: 7647A

Downstream MH: 7647

Direction of Survey: Upstream

Material: Concrete Pipe (non-reinforced)

Severity

Light

Moderate

Average

Heavy

Severe

(0.0) AMH - Manhole Remark: 7647

(0.0) MWL - Water Level

(61.4) LR - Alignment Right

(62.1) FL - Fracture Longitudinal -
Position: 4

(71.8) MSA - Abandoned Survey
Remark: RUN COMPLETE

Total Distance: 71.8

ID Number: 7647



ID Number: 7647A

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Attachment: Change Order #3 (1136 : Tanglewood Change Order #3)

Quantity Summary
Sewer Rehabilitation Tanglewood Area
Additional Work for Replacements:

20th Street - MH 7605-7634, 21st Street - MH 8831-7637 & 23rd Street - MH 8848-7647A

THE WOOTEN COMPANY

7/2/2013

DESCRIPTION	UNITS	TOTAL QUANTITY	UNIT COST	EXTENDED COST
1 Mobilization	LS	1	\$4,500.00	\$4,500.00
2 8-inch Sanitary Sewer 0-6 ft Depth	LF	140	\$58.00	\$8,120.00
3 8-inch Sanitary Sewer 6-8 ft Depth	LF	741	\$65.00	\$48,165.00
4 8-inch Sanitary Sewer 8-10 ft Depth	LF	804	\$72.00	\$57,888.00
5 Remove Ex 8-inch Sanitary Sewer	LF	1,685	\$10.00	\$16,850.00
6 Connect New 8" SS to Existing MH	EA	5	\$1,000.00	\$5,000.00
7 6-8 ft 4' Dia Manhole	EA	1	\$3,200.00	\$3,200.00
8 Remove Ex Manhole	EA	1	\$1,200.00	\$1,200.00
9 Drop Manhole Connection	VF	4	\$127.00	\$508.00
Temporary Pavement Repair w/ ABC Stone, 8"				
10 Depth	SY	1746	\$12.00	\$20,952.00
11 Curb Inlet Protection	EA	8	\$500.00	\$4,000.00
Total				\$170,383.00

Notes:

- 1 - Asphalt surface repair to be completed by the Owner.
- 2 - Bypass pumping to be provided by the Owner.
- 3 - Unit price payments shall be in accordance with section 001270 - Unit Prices, of the Project Manual.

Attachment: Change Order #3 (1136 : Tanglewood Change Order #3)

S
T
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P
CONSTRUCTION, INC.

3423 Brothers Road
LaGrange, NC 28551

Telephone: 252-566-2182
Facsimile: 252-566-2239

Email: stepcons@yahoo.com

Proposal for Work

Date: June 10, 2013
 Proposal: 20th street MH 7605-7634
 Time Extension: to be agreed upon at a later date
 Contractor Project No: 12-055
 Engineer Project No: 2977-Ay
 Name of Project: Sanitary sewer Rehab, Tanglewood Area
 Lumberton, NC
 Signature, Title: Kevin Lanier, President

Description of Items:	Unit	Quantity	Price Per Unit	Total Price
Mobilization	LS	1	1,500.00	1,500.00
8' SS 6-8' depth	LF	140	65.00	9,100.00
8' SS 8-10' depth	LF	350	72.00	25,200.00
Remove exiting 8" SS	LF	490	10.00	4,900.00
Connect 8" SS to Exiting MH	EA	2	1,000.00	2,000.00
PVC, inside drop	VF	12	127.00	1,524.00
Items w/ contract prices				
connect exiting sewer services to				
new sewer main	EA	10	1000.00	10,000.00
BY Passing	by others			
Asphalt	by others			
Total				54,224.00

Attachment: Change Order #3 (1136 : Tanglewood Change Order #3)

S
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CONSTRUCTION, INC.

3423 Brothers Road
LaGrange, NC 28551

Telephone: 252-566-2182
Facsimile: 252-566-2239

Email: stepcons@yahoo.com

Proposal for Work

Date: June 10, 2013
 Proposal: 21st. Street MH 8831-7647 7637
 Time Extension: to be agreed upon at a later date
 Contractor Project No: 12-055
 Engineer Project No: 2977-AY
 Name of Project: Sanitary Sewer Rehab, Tanglewood Area
 Lumberton, NC.
 Signature, Title: Kevin Lanier, President

Description of Items:	Unit	Quantity	Price Per Unit	Total Price
Mobilization	LS	1	1,500.00	1,500.00
8" Sewer 6-8' Depth	LF	224	65.00	14,560.00
Remove Existing 8" sewer	LF	224	10.00	2,240.00
Connect New SS to Existing MH	EA	2	1,000.00	2,000.00
Curb inlet Protection	EA	4	500.00	2,000.00
By pass Pumping	BY others			
Items w/ contract prices				
Connect existing sewer services to SS	EA	4	1,000.00	4,000.00
Asphalt pavement patching		By Others		
Total				26,300.00

Attachment: Change Order #3 (1136 : Tanglewood Change Order #3)

S
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CONSTRUCTION, INC.

3423 Brothers Road
LaGrange, NC 28551

Telephone: 252-566-2182
Facsimile: 252-566-2239

Email: stepcons@yahoo.com

Proposal for Work

Date: June 10, 2013
 Proposal: 23rd street MH 8848-7647A
 Time Extension: To be agreed upon at a later date
 Contractor Project No: 12-055
 Engineer Project No: CS370455=02
 Name of Project: Tanglewood
 Signature, Title: Kevin Lanier, President

Description of Items:	Unit	Quantity	Price Per Unit	Total Price
Mobilization	LS	1	1,500.00	1,500.00
8" sewer 0-6' depth	LF	140	58.00	8,120.00
8" sewer 6-8' depth	LF	377	65.00	24,505.00
8" sewer 8-10' depth	LF	454	72.00	32,688.00
Remove Exiting 8" sewer	LF	971	10.00	9,710.00
6-8ft 4'dia MH	EA	1	3,200.00	3,200.00
connect new 8" SS to exiting MH	EA	1	1,000.00	1,000.00
Curb inlet Protection	EA	4	500.00	2,000.00
Bypass pumping	By others			
Items w/ contract price				
Remove Exiting MH	EA	1	1,200.00	1,200.00
connect sewer services to new SS	EA	16	1,000.00	16,000.00
Asphalt pavement patching	By others			
Total				99,923.00

Attachment: Change Order #3 (1136 : Tanglewood Change Order #3)

Proposal for Work

Date:	6/19 13
Proposal:	Additional stones were asphalt by others apply
Time Extension	To be agreed upon later
Contractor Project No:	12-055
Engineer Project No:	2977-AY
Name of Project:	Sanitary sewer Rehab, Tanglewood area Lumberton, NC
Signature, Title	Kevin Lanier, President

Description of Items:	Unit	Quantity	Price Per Unit	Total Price
Contractor will place 8" of compacted				
ABC stones in Asphalt cut where				
Pipe is to be installed per proposals				
For Oakwood, 20th,21st,and 23rd st.	SY	xxx	12.00	xxxx
Total				

Project: 21243 LUMBERTON**Date:** 5/29/2013 9:54:00 AM**Street:** KENAN AVE**Length Surveyed:** 127.1**Pacp Quick Overall Rating:** 0000**Height (Diameter):** 18**Street:** KENAN AVE**Pipe Segment Reference:****Upstream MH:** 7455**Downstream MH:** 309**Direction of Survey:** Downstream**Material:** Vitrified Clay Pipe**Severity**

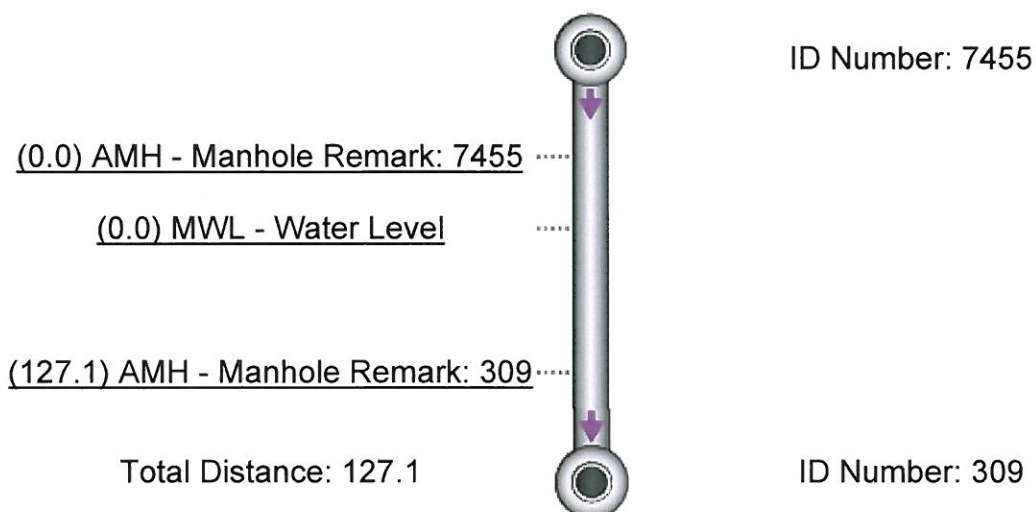
Light

Moderate

Average

Heavy

Severe

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Attachment: Change Order #3 (1136 : Tanglewood Change Order #3)

Project: 21243 LUMBERTON**Date:** 5/29/2013 3:08:00 PM**Street:** KENAN AVE**Length Surveyed:** 269.7**Pacp Quick Overall Rating:** 0000**Height (Diameter):** 18**Street:** KENAN AVE**Pipe Segment Reference:****Upstream MH:** 7451**Downstream MH:** 7455**Direction of Survey:** Downstream**Material:** Vitrified Clay Pipe**Severity**

Light

Moderate

Average

Heavy

Severe

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Attachment: Change Order #3 (1136 : Tanglewood Change Order #3)

Project: 21243 LUMBERTON

Date: 5/30/2013 7:52:00 AM

Street: ~~23RD ST~~ KENAW AVE

Length Surveyed: 271.5

Pacp Quick Overall Rating: 0000

Height (Diameter): 18

Street: 23RD ST

Pipe Segment Reference:

Upstream MH: 7445

Downstream MH: 7451

Direction of Survey: Downstream

Material: Concrete Pipe (non-reinforced)

Severity

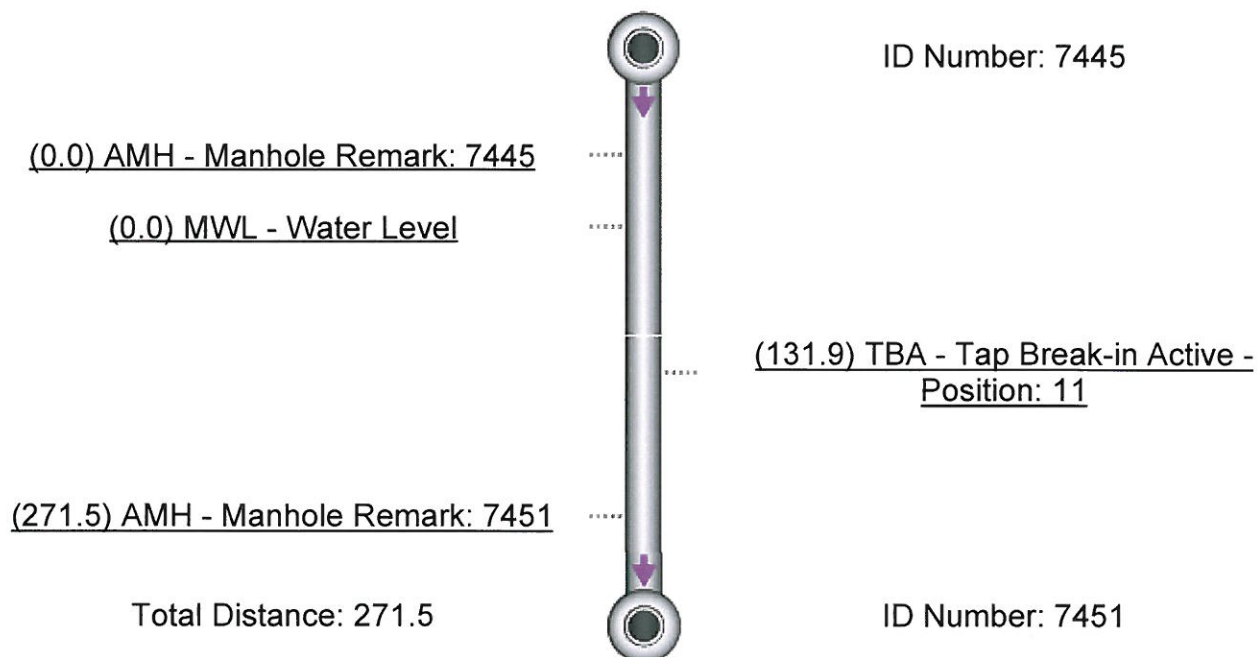
Light

Moderate

Average

Heavy

Severe



Created with the PDSM report generator

Attachment: Change Order #3 (1136 : Tanglewood Change Order #3)

Project: 21243 LUMBERTON**Date:** 5/29/2013 8:38:00 AM**Street:** ~~18TH ST~~ MC MILLAN AVE**Length Surveyed:** 277**Pacp Quick Overall Rating:** 0000**Height (Diameter):** 24**Street:** 18TH ST**Pipe Segment Reference:****Upstream MH:** 7595**Downstream MH:** 7590**Direction of Survey:** Downstream**Material:** Vitrified Clay Pipe**Severity**

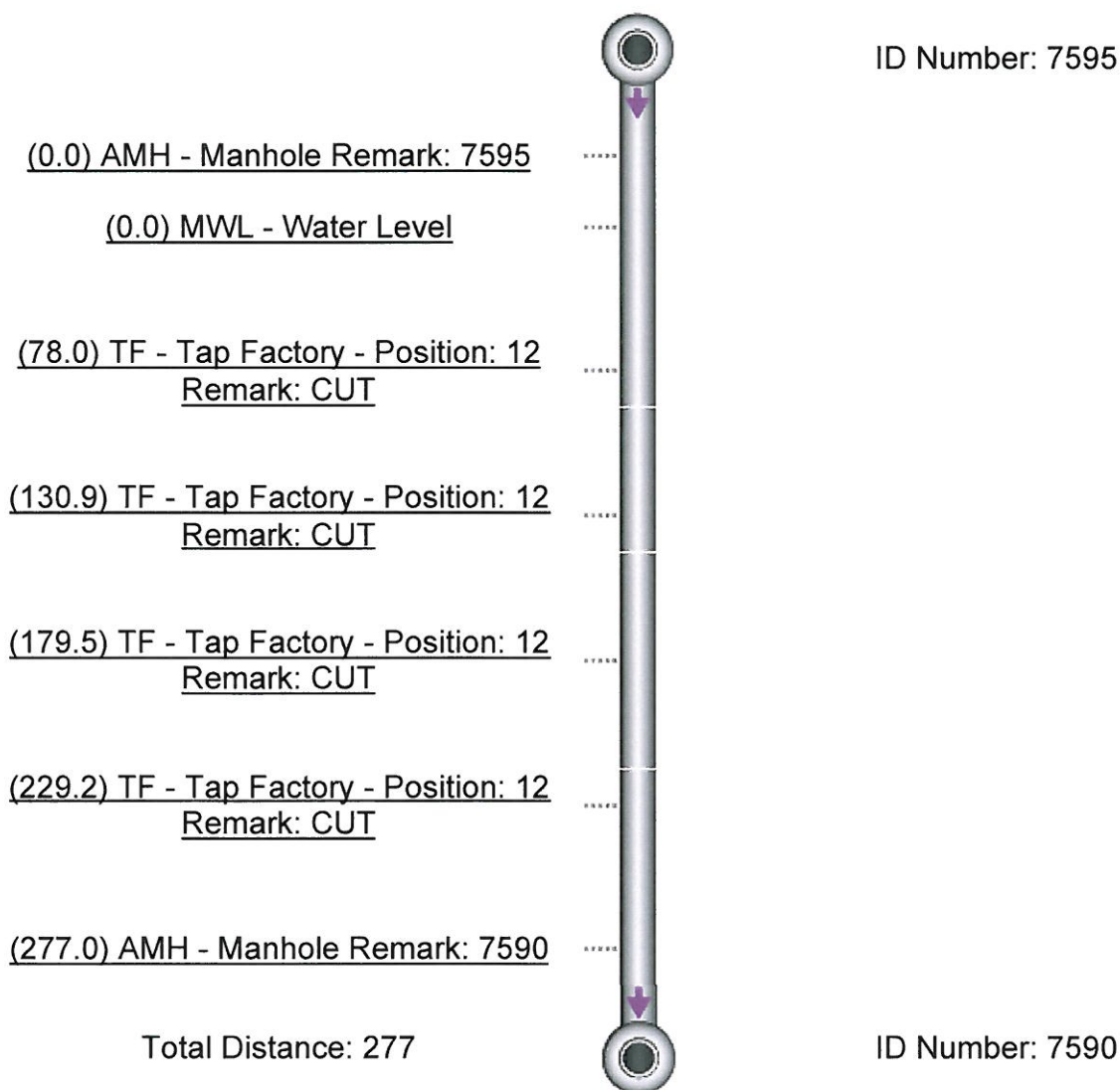
Light

Moderate

Average

Heavy

Severe

Created with the  **PDSM** report generator

Attachment: Change Order #3 (1136 : Tanglewood Change Order #3)

Project: 21243 LUMBERTON**Date:** 5/29/2013 7:20:00 AM**Street:** 18TH ST**Length Surveyed:** 488.5**Pacp Quick Overall Rating:** 0000**Height (Diameter):** 22**Street:** 18TH ST**Pipe Segment Reference:****Upstream MH:** 7626**Downstream MH:** 7595**Direction of Survey:** Downstream**Material:** Vitrified Clay Pipe**Severity**

Light

Moderate

Average

Heavy

Severe

ID Number: 7626

(0.0) AMH - Manhole Remark: 7626(0.0) MWL - Water Level(66.2) TF - Tap Factory - Position: 12
Remark: CUT(115.1) TF - Tap Factory - Position: 12
Remark: CUT(147.4) TF - Tap Factory - Position: 12
Remark: CUT(167.1) TF - Tap Factory - Position: 12
Remark: CUT(216.3) TF - Tap Factory - Position: 12
Remark: CUT(265.3) TF - Tap Factory - Position: 12
Remark: CUT(317.3) TF - Tap Factory - Position: 12
Remark: CUT(365.9) TF - Tap Factory - Position: 12
Remark: CUT

Attachment: Change Order #3 (1136 : Tanglewood Change Order #3)

(414.5) TF - Tap Factory - Position: 12
Remark: CUT

(488.5) AMH - Manhole Remark: 7595

Total Distance: 488.5



ID Number: 7595

Created with the  POSM report generator

Attachment: Change Order #3 (1136 : Tanglewood Change Order #3)

Quantity Summary
City of Lumberton
Sewer Rehabilitation Tanglewood Area
Deduct Work, 10-inch Gravity Sewer Between Elm and Walnut Streets MH 449 to 444

THE WOOTEN COMPANY

7/3/2013

BID ITEM NO.	DESCRIPTION	UNITS	TOTAL QUANTITY	UNIT COST	EXTENDED COST
11	Clean & TV 10-inch Sanitary Sewer	LF	-840	\$3.50	(\$2,940.00)
17	10-inch Sanitary Sewer Liner	LF	-840	\$29.00	(\$24,360.00)
23	8-10 ft 4' Dia Manhole	EA	-1	\$3,200.00	(\$3,200.00)
29	10-12 ft 4' Dia Manhole Rehabilitation	EA	-1	\$2,000.00	(\$2,000.00)
38	Connect Ex 8-inch Sanitary Sewer to New Manhole	EA	-1	\$1,000.00	(\$1,000.00)
39	Connect Ex 10-inch Sanitary Sewer to New Manhole	EA	-1	\$1,500.00	(\$1,500.00)
44	Remove Ex Manhole	EA	-1	\$1,200.00	(\$1,200.00)
				Subtotal:	(\$36,200.00)

Attachment: Change Order #3 (1136 : Tanglewood Change Order #3)

S
T
E
P
CONSTRUCTION, INC.

3423 Brothers Road
LaGrange, NC 28551

Telephone: 252-566-2182
Facsimile: 252-566-2239

Email: stepcons@yahoo.com

Proposal for Work

Date: June 4, 2013
 Proposal: Doghouse Manhole
 Time Extension: 3 Days
 Contractor Project No: 12-055
 Engineer Project No: CS370455=02
 Name of Project: Tanglewood
 Signature, Title: Kevin Lanier, President

Description of Items:	Unit	Quantity	Price Per Unit	Total Price
Doghouse M.H.	EA	1.00	700.00	700.00
W/T ring& cover	EA	1.00	300.00	300.00
Stones & concrete	LS	1.00	400.00	400.00
Vac. Pump	LS	1.00	33.00	33.00
Curb& Gutter	LF	10.00	38.00	380.00
Excavator	LS	1.00	380.00	380.00
Dump truck	LS	1.00	220.00	220.00
back hoe	LS	1.00	160.00	160.00
P/U Truck	LS	1.00	160.00	160.00
saw/pump	LS	1.00	100.00	100.00
Superintendent	EA	1.00	200.00	200.00
Operator	EA	2.00	180.00	360.00
Pipelayer	EA	2.00	140.00	280.00
Labor	EA	2.00	130.00	260.00
Truck Driver	EA	1.00	140.00	140.00
Expenses	EA	7.00	70.00	490.00
Total				4,563.00
Profit	LS	1.00	15%	684.45
Total				5,247.45

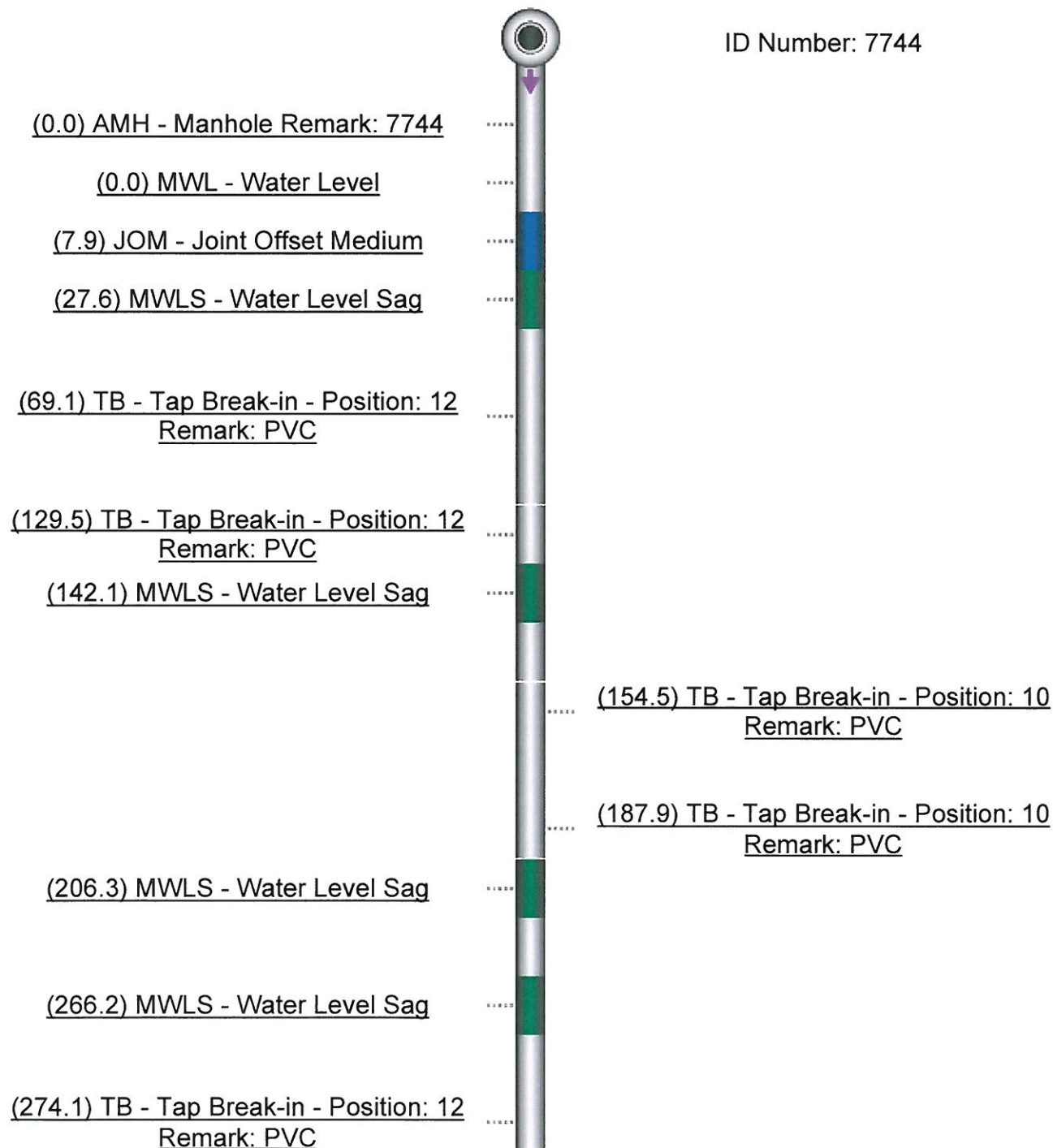
Attachment: Change Order #3 (1136 : Tanglewood Change Order #3)

Project: City of Lumberton Sewer Rehab- Tanglewood Area

Date: 2/14/2013 5:48:00 PM
 Street: N BAKER STREET
 Length Surveyed: 299.7
 Pacp Quick Overall Rating: 2511
 Height (Diameter): 8
 Street: N BAKER STREET

Pipe Segment Reference:
 Upstream MH: 7744
 Downstream MH: 7741
 Direction of Survey: Downstream
 Material: Polyvinyl Chloride

Severity
Light
Moderate
Average
Heavy
Severe



Attachment: Change Order #3 (1136 : Tanglewood Change Order #3)

(288.5) MWLS - Water Level Sag
(296.5) MMC - Material Change Remark:
IRON
(299.7) AMH - Manhole Remark: 7741

Total Distance: 299.7



ID Number: 7741

Created with the  **POSM** report generator

Attachment: Change Order #3 (1136 : Tanglewood Change Order #3)

Project: City of Lumberton Sewer Rehab- Tanglewood Area

Date: 2/20/2013 3:57:00 PM

Street: N ROWLAND AVE

Length Surveyed: 377.3

Pacp Quick Overall Rating: 332A

Height (Diameter): 8

Pipe Segment Reference:

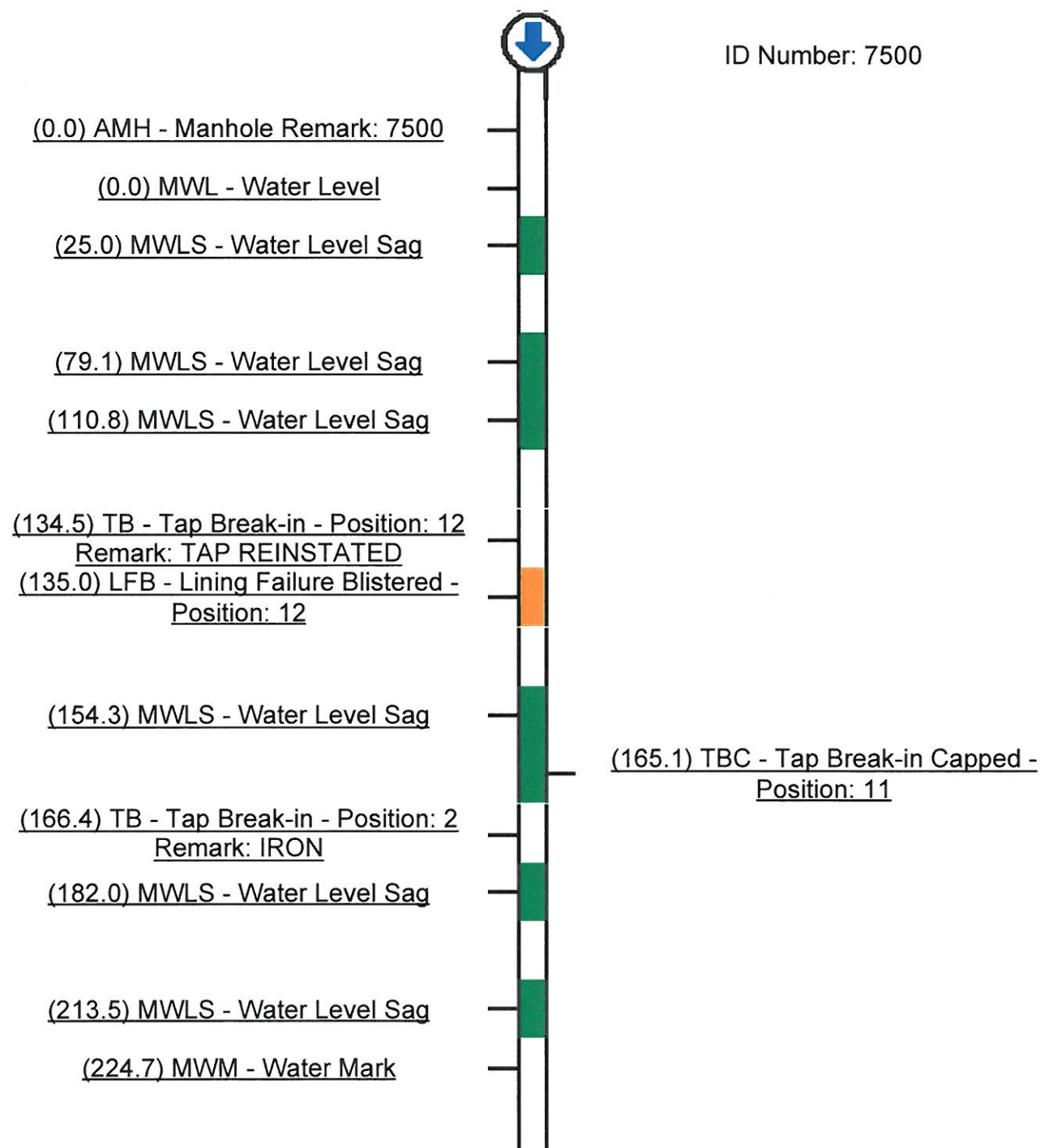
Upstream MH: 7500

Downstream MH: 7500A

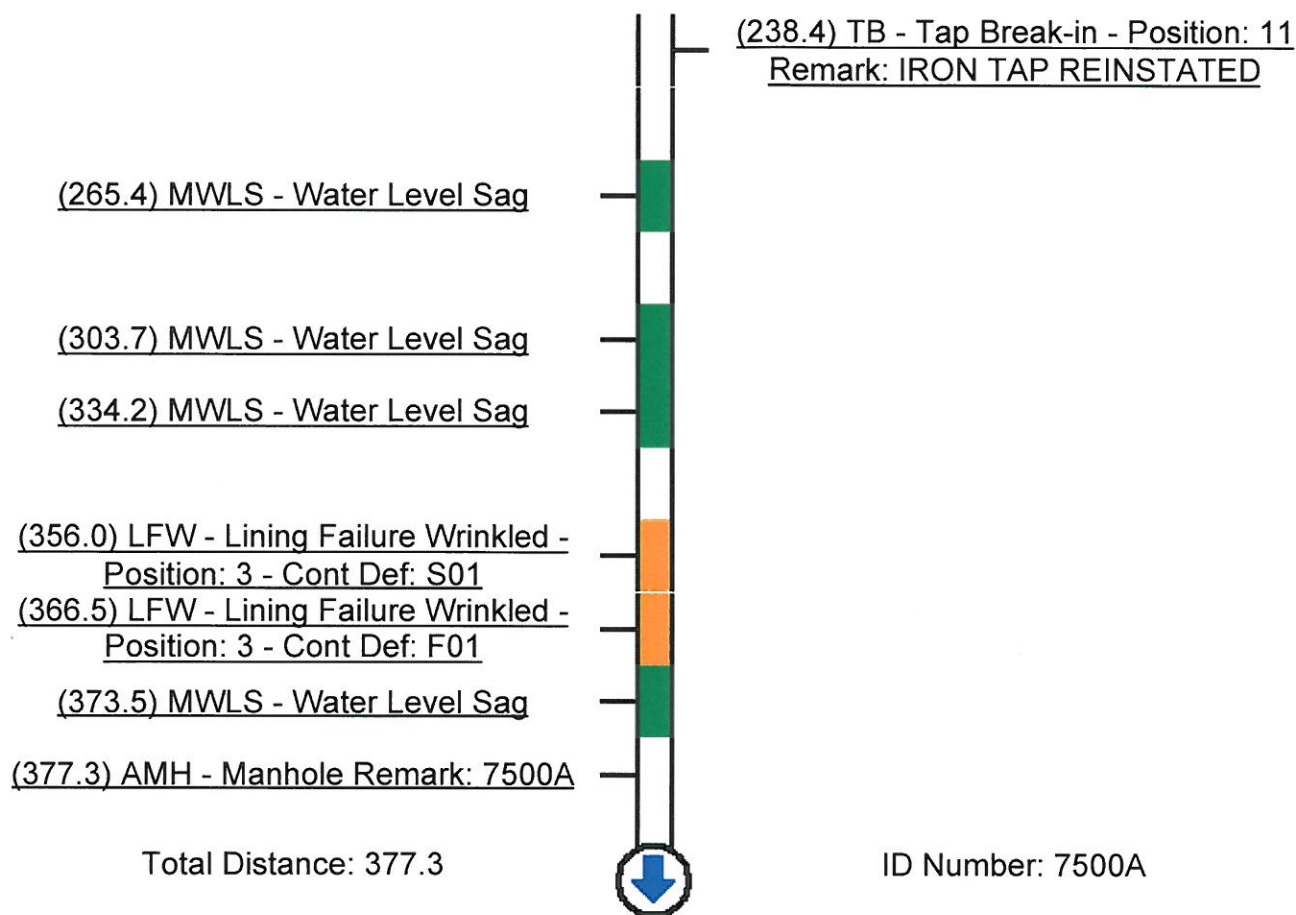
Direction of Survey: Downstream

Material: Other

Severity
Light
Moderate
Average
Heavy
Severe



Attachment: Change Order #3 (1136 : Tanglewood Change Order #3)



Created with the  **POSM** report generator

Attachment: Change Order #3 (1136 : Tanglewood Change Order #3)

Project: City of Lumberton Sewer Rehab- Tanglewood Area

Date: 2/19/2013 3:06:00 PM

Street: MCMILLAN AVE

Length Surveyed: 272

Pacp Quick Overall Rating: 2200

Height (Diameter): 18

Pipe Segment Reference:

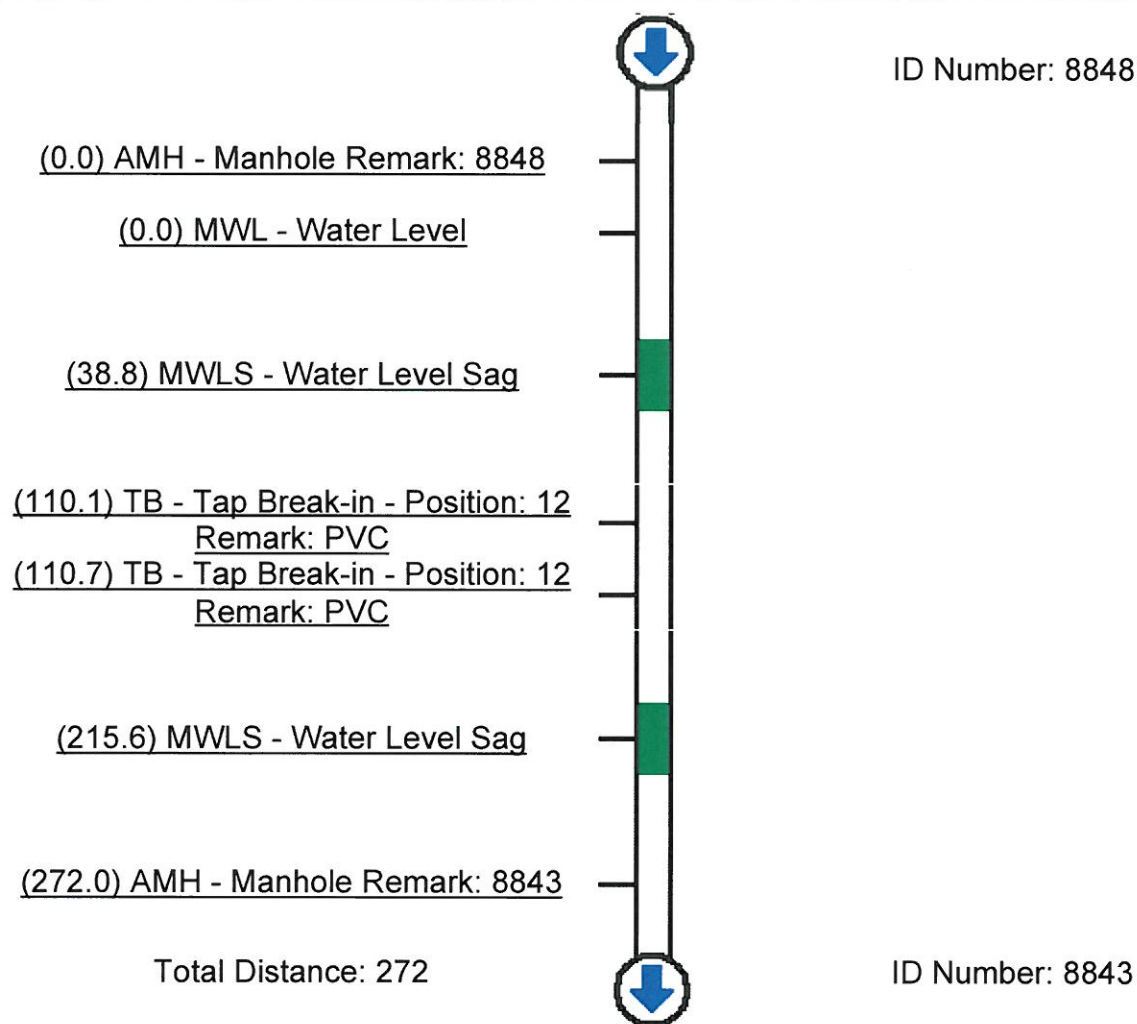
Upstream MH: 8848

Downstream MH: 8843

Direction of Survey: Downstream

Material: Polyvinyl Chloride

Severity
Light
Moderate
Average
Heavy
Severe



Created with the  PDSM report generator

Attachment: Change Order #3 (1136 : Tanglewood Change Order #3)

SUMMARY BID TAB
Sewer Rehabilitation Tanglewood Area
City of Lumberton, NC

THE WOOTEN COMPANY

11/15/2012

LOW/BIDDER

11/15/2012				Step Construction Inc.		Pipeline Utilities, Inc.		Southeast Pipe Survey, Inc.	
Item	DESCRIPTION	UNITS	TOTAL QUAN.	UNIT COST	EXTENDED COST	UNIT COST	EXTENDED COST	UNIT COST	EXTENDED COST
Alternate 1 – E. 10th Street & N. Elm Street Sanitary Sewer Replacement (Sheet 4)									
1	Mobilization	LS	1	\$6,840.30	\$6,840.30	\$12,000.00	\$12,000.00	\$3,905.71	\$3,905.71
4	8-10 ft 18-inch Sanitary Sewer	LF	22	\$120.00	\$2,640.00	\$98.00	\$2,156.00	\$273.04	\$6,006.88
5	10-12 ft 18-inch Sanitary Sewer	LF	440	\$120.00	\$52,800.00	\$102.00	\$44,880.00	\$136.52	\$60,068.80
6	12-14 ft 18-inch Sanitary Sewer	LF	500	\$120.00	\$60,000.00	\$113.00	\$56,500.00	\$341.30	\$170,650.00
7	Remove Ex 8-inch Sanitary Sewer	LF	689	\$10.00	\$6,890.00	\$55.00	\$37,895.00	\$26.23	\$18,072.47
8	Remove Ex 15-inch Sanitary Sewer	LF	273	\$10.00	\$2,730.00	\$55.00	\$15,015.00	\$36.23	\$9,890.79
23	8-10 ft 4' Dia Manhole	EA	1	\$3,400.00	\$3,400.00	\$4,816.00	\$4,816.00	\$8,437.06	\$8,437.06
24	10-12 ft 4' Dia Manhole	EA	2	\$3,600.00	\$7,200.00	\$5,872.00	\$11,744.00	\$10,043.90	\$20,087.80
25	12-14 ft 4' Dia Manhole	EA	2	\$4,200.00	\$8,400.00	\$6,443.00	\$12,886.00	\$13,720.34	\$27,440.68
38	Connect Ex 8-inch Sanitary Sewer to New Manhole	EA	1	\$1,000.00	\$1,000.00	\$520.00	\$520.00	\$4,778.18	\$4,778.18
39	Connect Ex 10-inch Sanitary Sewer to New Manhole	EA	1	\$1,100.00	\$1,100.00	\$587.00	\$587.00	\$5,460.78	\$5,460.78
41	Connect Ex 15-inch Sanitary Sewer to New Manhole	EA	2	\$1,500.00	\$3,000.00	\$655.00	\$1,310.00	\$8,191.17	\$16,382.34
42	Connect Ex 18-inch Sanitary Sewer to New Manhole	EA	2	\$1,500.00	\$3,000.00	\$993.00	\$1,986.00	\$10,921.55	\$21,843.10
44	Remove Ex Manhole	EA	4	\$1,200.00	\$4,800.00	\$1,174.00	\$4,696.00	\$2,627.36	\$10,509.44
45	Connect Ex Sewer Service Line to New/Lined Sewer Main	EA	16	\$1,000.00	\$16,000.00	\$3,006.00	\$48,096.00	\$2,730.39	\$43,686.24
53	Asphalt Pavement Patching	SY	975	\$38.00	\$37,050.00	\$121.00	\$117,975.00	\$81.91	\$79,862.25
57	Grout Fill for Abandonment of Gravity Sewer Main	CY	45	\$400.00	\$18,000.00	\$569.00	\$25,605.00	\$218.14	\$9,816.30
TOTAL ALTERNATE 1 PRICE					\$234,850.30		\$398,667.00		\$516,898.82
Alternate 2 – Glenn Street, Carriage Road & 15th Street Sanitary Sewer Replacement (Sheet 5)									
1	Mobilization	LS	1	\$4,161.00	\$4,161.00	\$7,675.00	\$7,675.00	\$3,905.71	\$3,905.71
5	10-12 ft 18-inch Sanitary Sewer	LF	436	\$120.00	\$52,320.00	\$121.00	\$52,756.00	\$300.34	\$130,948.24
6	12-14 ft 18-inch Sanitary Sewer	LF	180	\$120.00	\$21,600.00	\$135.00	\$24,300.00	\$341.30	\$61,434.00
24	10-12 ft 4' Dia Manhole	EA	2	\$3,600.00	\$7,200.00	\$6,564.00	\$13,128.00	\$8,437.06	\$16,874.12
25	12-14 ft 4' Dia Manhole	EA	3	\$4,200.00	\$12,600.00	\$7,248.00	\$21,744.00	\$13,771.19	\$41,313.57
42	Connect Ex 18-inch Sanitary Sewer to New Manhole	EA	2	\$1,500.00	\$3,000.00	\$460.00	\$920.00	\$10,921.55	\$21,843.10
44	Remove Ex Manhole	EA	3	\$1,200.00	\$3,600.00	\$1,405.00	\$4,215.00	\$2,884.35	\$8,653.05
45	Connect Ex Sewer Service Line to New/Lined Sewer Main	EA	8	\$1,000.00	\$8,000.00	\$3,547.00	\$28,376.00	\$2,730.39	\$21,843.12
53	Asphalt Pavement Patching	SY	615	\$38.00	\$23,370.00	\$145.00	\$89,175.00	\$81.91	\$50,374.65
54	Concrete Pavement Patching	SY	5	\$50.00	\$250.00	\$392.00	\$1,960.00	\$211.81	\$1,059.05
55	Concrete Curb & Gutter	LF	20	\$38.00	\$760.00	\$72.00	\$1,440.00	\$68.26	\$1,365.20
57	Grout Fill for Abandonment of Gravity Sewer Main	CY	12	\$500.00	\$6,000.00	\$681.00	\$8,172.00	\$318.86	\$3,826.32
TOTAL ALTERNATE 2 PRICE					\$142,861.00		\$253,861.00		\$363,440.13
Alternate 3 – Velcord Drive Sanitary Sewer Replacement (Sheet 5)									
1	Mobilization	LS	1	\$1,976.40	\$1,976.40	\$4,025.00	\$4,025.00	\$3,905.71	\$3,905.71
2	0-6 ft 8" Sanitary Sewer	LF	19	\$120.00	\$2,280.00	\$91.00	\$1,729.00	\$144.81	\$2,751.39
3	6-8 ft 8" Sanitary Sewer	LF	402	\$120.00	\$48,240.00	\$111.00	\$44,622.00	\$163.05	\$65,546.10
4	8-8 ft 4' Dia Manhole	EA	1	\$3,200.00	\$3,200.00	\$10,518.00	\$10,518.00	\$7,560.61	\$7,560.61
5	Connect 8" Sanitary Sewer to Existing Manhole	EA	2	\$1,000.00	\$2,000.00	\$953.00	\$1,906.00	\$4,778.18	\$9,556.36
6	Connect Ex Sewer Service Line to New/Lined Sewer Main	EA	2	\$1,000.00	\$2,000.00	\$5,553.00	\$11,106.00	\$2,885.04	\$5,770.08
7	Asphalt Pavement Patching	SY	120	\$38.00	\$4,560.00	\$301.00	\$36,120.00	\$81.91	\$9,829.20
8	ABC Stone for Ground Surface Repair	SY	110	\$10.00	\$1,100.00	\$149.00	\$16,390.00	\$49.91	\$5,490.10
9	Grout Fill for Abandonment of Gravity Sewer Main	CY	5	\$500.00	\$2,500.00	\$1,411.00	\$7,055.00	\$272.77	\$1,363.85

Attachment: Change Order #3 (1136 : Tanglewood Change Order #3)

Quantity Summary
City of Lumberton
Sewer Rehabilitation Tanglewood Area
Additional Work, 23rd Street MH 7647A to 7647D

THE WOOTEN COMPANY

7/3/2013

BID ITEM NO.	DESCRIPTION	UNITS	TOTAL QUANTITY	UNIT COST	EXTENDED COST
10	Clean & TV 8-inch Sanitary Sewer	LF	934	\$3.50	\$3,269.00
16	8-inch Sanitary Sewer Liner	LF	934	\$28.00	\$26,152.00
21	0-6 ft 4' Dia Manhole	EA	1	\$2,400.00	\$2,400.00
23	8-10 ft 4' Dia Manhole	EA	1	\$3,200.00	\$3,200.00
26	0-6 ft 4' Dia Manhole Rehabilitation	EA	2	\$895.00	\$1,790.00
27	6-8 ft 4' Dia Manhole Rehabilitation	EA	1	\$1,400.00	\$1,400.00
28	8-10 ft 4' Dia Manhole Rehabilitation	EA	1	\$1,500.00	\$1,500.00
38	Connect Ex 8-inch Sanitary Sewer to New Manhole	EA	3	\$1,000.00	\$3,000.00
44	Remove Ex Manhole Connect Ex Sewer Service Line to New/Lined	EA	1	\$1,200.00	\$1,200.00
45	Sewer Main	EA	13	\$1,000.00	\$13,000.00
53	Asphalt Pavement Patching	SY	140	\$40.00	\$5,600.00
Subtotal:					\$62,511.00

Attachment: Change Order #3 (1136 : Tanglewood Change Order #3)

S
T
E
P
CONSTRUCTION, INC.

3423 Brothers Road
LaGrange, NC 28551

Telephone: 252-566-2182
Facsimile: 252-566-2239

Email: stepcons@yahoo.com

Proposal for Work

Date: ^/25/13
 Proposal: Open lateral 100% and brush
 Time Extension: To be agreed upon later
 Contractor Project No: 12-055
 Engineer Project No: 2977-AY
 Name of Project: Sanitary sewer Rehab, Tanglewood area
 Lumberton, NC
 Signature, Title: *Kevin Lanier*, President

Description of Items:	Unit	Quantity	Price Per Unit	Total Price
Provide labor, eqp., materials, to internally				
open 100% & brush laterals on 8" dia.				
pipe that have already been lined	EA	1.00	367.50	367.50
open 100% & brush 12 dia. Pipe that				
have already been lined	EA	1.00	472.50	472.50
Open 100% & brush laterals on 8"&12"				
dia. Pipe that have not been lined	EA	1.00	194.25	194.25
Open 100% & brush laterals on 15" &				
18" pipe that have not been lined	EA	1.00	367.50	367.50
Total				

Attachment: Change Order #3 (1136 : Tanglewood Change Order #3)



Cured in Place, Fold and Form, Grouting
Utility Rehabilitation Specialists™
2111 Smith Avenue, Chesapeake, VA 23320
Phone 757-366-9505 Fax 757-366-5150

06/24/2013

TO : Step Construction, LLC.
3423 Brothers Road
La Grange, NC 28551

SWAM Certification # 681054

Re. Sanitary Sewer Rehab, Lumberton, NC - Tanglewood Area - Open Lateral 100% & Brush Pri

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	Provide labor, equipment & materials to internally open 100% & brush laterals on 8" diameter pipe that have already been lined	1	EA	\$350.00	\$350.00
2	Provide labor, equipment & materials to internally open 100% & brush laterals on 12" diameter pipe that have already been lined	1	EA	\$450.00	\$450.00
3	Provide labor, equipment & materials to internally open 100% & brush laterals on 8" & 12" diameter pipe that have not been lined to date	1	EA	\$185.00	\$185.00
4	Provide labor, equipment & materials to internally open 100% & brush laterals on 15" & 18" diameter pipe that have not been lined to date	1	EA	\$350.00	\$350.00

General Notes:

- Bypass pumping related to opening laterals 100% & brushing is included.
- Traffic control related to opening laterals 100% & brushing is included.

This quote is valid for 30 days.

For Tri-State Utilities

Jonathan Thomas, Project Manager

Date 6-24-13

Attachment: Change Order #3 (1136 : Tanglewood Change Order #3)

Lateral Reinstatement List												
Upstream MH	Downstream MH	Diameter	Pipe	# of	Upstream MH	Downstream	Date CCTV	Date CIPP	Street	Pipe Material	Comments	
			Segment			Depth (FT)						MH Depth
7195	7509	36"	37.50	1	5.5	8.3	7/5/2013	5/15/2013	N ROWLAND AVE	Concrete	CIPP complete - removing clean TV & cut/brush laterals 100%	
7594	7501	36"	34.00	1	5.5	6	7/20/2013	5/10/2013	N ROWLAND AVE	Concrete	CIPP complete - removing clean TV & cut/brush laterals 100%	
7785	7746	36"	41.00	1	4.7	8.8	7/17/2013	6/28/2013	N BAKER STREET	Concrete	CIPP complete - removing clean TV & cut/brush laterals 100%	
7673	7479	36"	37.00	1	8.0	10	7/5/2013	4/16/2013	28TH STREET	Concrete	CIPP complete - removing clean TV & cut/brush laterals 100%	
7513A	7513	36"	35.00	1	4.0	0.0	7/11/2013	5/2/2013	33RD STREET	Concrete	CIPP complete - removing clean TV & cut/brush laterals 100%	

Subtotal - 8^N already lined: 27

7541	7545	2	116.0	8.2	6.2	5/1/2013	5/7/2013	5TH STREET	concrete	CIP complete, remove mobilization, set up bypass, clean up & cut/grub lateral 100%
7550	7458	2	487.0	8	3.6	2/20/2011	5/1/2013	W 35TH STREET	concrete	CIP complete, remove mobilization, set up bypass, clean up & grub lateral 100%

Subtotal - 12" already lined - need bypass: 10

7553	7618	12	188.0	7	6.3	8.10	3/7/2013	25TH STREET	Concrete	cut/bush laterals 100% after CIPP
7576	7616	12	269.0	8	6.3	8.10	7/19/2013	MCMILLAN AVE	Concrete	cut/bush laterals 100% after CIPP, flow will need to be bypassed
7946	7937	13	487	3	6.4	6.2	1/18/2013	W 25TH STREET	concrete	cut/bush laterals 100% after CIPP, flow will need to be bypassed. 2 laterals are 8" in diameter
7613	7608	12	270.0	4	8.5	8.3	8/7/2013	MCMILLAN AVE	Concrete	cut/bush laterals 100% after CIPP, flow will need to be bypassed
7618	7613	12	267.0	4	8.10	8.5	7/19/2013	MCMILLAN AVE	concrete	cut/bush laterals 100% after CIPP, flow will need to be bypassed
7932	7556	13	484.0	4	6.2	8.0	2/20/2013	W 25TH STREET	concrete	cut/bush laterals 100% after CIPP, flow will need to be bypassed

Subtotal - 8" & 12" not yet lined - need bypass: 24

7500	7500	13	275.0	19	112.0	15.5	5/8" 2013	McMILLAN AVE	concrete	cut/brush laterals 100% after CIPP flow will need to be bypassed.
7600	7425	18	350.0	20	15.5	20.0	2" 2013	McMILLAN AVE	concrete	cut/brush laterals 100% after CIPP flow will need to be bypassed.

Subtotal - 15" & 18" not yet lined - need bypass: 4

11-34-70	097	10.2	10.5	58/70	CM LCN AV	concrete	FIP, complete lateral was cut/brushed 100%
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Subtotal - 15" cut/brushed 100% - need bypass: 1

7977	7972	8	275.0	0'	4'9"	5'3"	2/27/2013	N WALNUT STREET	concrete-clay	no laterals to reline after CIPP
997	7605	15	271.0	0	10'5"	12'0"	2/19/2013	MCMEILAN AVE.	concrete	no laterals to reline after CIPP

7441	7442	7443	7444	7445	7446	7447	7448	7449	7450	7451	7452	7453	7454	7455	7456	7457	7458	7459	7460	7461	7462	7463	7464	7465	7466	7467	7468	7469	7470	7471	7472	7473	7474	7475	7476	7477	7478	7479	7480	7481	7482	7483	7484	7485	7486	7487	7488	7489	7490	7491	7492	7493	7494	7495	7496	7497	7498	7499	7500	7501	7502	7503	7504	7505	7506	7507	7508	7509	7510	7511	7512	7513	7514	7515	7516	7517	7518	7519	7520	7521	7522	7523	7524	7525	7526	7527	7528	7529	7530	7531	7532	7533	7534	7535	7536	7537	7538	7539	7540	7541	7542	7543	7544	7545	7546	7547	7548	7549	7550	7551	7552	7553	7554	7555	7556	7557	7558	7559	7560	7561	7562	7563	7564	7565	7566	7567	7568	7569	7570	7571	7572	7573	7574	7575	7576	7577	7578	7579	7580	7581	7582	7583	7584	7585	7586	7587	7588	7589	7590	7591	7592	7593	7594	7595	7596	7597	7598	7599	7600	7601	7602	7603	7604	7605	7606	7607	7608	7609	7610	7611	7612	7613	7614	7615	7616	7617	7618	7619	7620	7621	7622	7623	7624	7625	7626	7627	7628	7629	7630	7631	7632	7633	7634	7635	7636	7637	7638	7639	7640	7641	7642	7643	7644	7645	7646	7647	7648	7649	7650	7651	7652	7653	7654	7655	7656	7657	7658	7659	7660	7661	7662	7663	7664	7665	7666	7667	7668	7669	7670	7671	7672	7673	7674	7675	7676	7677	7678	7679	7680	7681	7682	7683	7684	7685	7686	7687	7688	7689	7690	7691	7692	7693	7694	7695	7696	7697	7698	7699	7700	7701	7702	7703	7704	7705	7706	7707	7708	7709	7710	7711	7712	7713	7714	7715	7716	7717	7718	7719	7720	7721	7722	7723	7724	7725	7726	7727	7728	7729	7730	7731	7732	7733	7734	7735	7736	7737	7738	7739	7740	7741	7742	7743	7744	7745	7746	7747	7748	7749	7750	7751	7752	7753	7754	7755	7756	7757	7758	7759	7760	7761	7762	7763	7764	7765	7766	7767	7768	7769	7770	7771	7772	7773	7774	7775	7776	7777	7778	7779	7780	7781	7782	7783	7784	7785	7786	7787	7788	7789	7790	7791	7792	7793	7794	7795	7796	7797	7798	7799	7800	7801	7802	7803	7804	7805	7806	7807	7808	7809	7810	7811	7812	7813	7814	7815	7816	7817	7818	7819	7820	7821	7822	7823	7824	7825	7826	7827	7828	7829	7830	7831	7832	7833	7834	7835	7836	7837	7838	7839	7840	7841	7842	7843	7844	7845	7846	7847	7848	7849	7850	7851	7852	7853	7854	7855	7856	7857	7858	7859	7860	7861	7862	7863	7864	7865	7866	7867	7868	7869	7870	7871	7872	7873	7874	7875	7876	7877	7878	7879	7880	7881	7882	7883	7884	7885	7886	7887	7888	7889	7890	7891	7892	7893	7894	7895	7896	7897	7898	7899	7900	7901	7902	7903	7904	7905	7906	7907	7908	7909	7910	7911	7912	7913	7914	7915	7916	7917	7918	7919	7920	7921	7922	7923	7924	7925	7926	7927	7928	7929	7930	7931	7932	7933	7934	7935	7936	7937	7938	7939	7940	7941	7942	7943	7944	7945	7946	7947	7948	7949	7950	7951	7952	7953	7954	7955	7956	7957	7958	7959	7960	7961	7962	7963	7964	7965	7966	7967	7968	7969	7970	7971	7972	7973	7974	7975	7976	7977	7978	7979	7980	7981	7982	7983	7984	7985	7986	7987	7988	7989	7990	7991	7992	7993	7994	7995	7996	7997	7998	7999	8000
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Total: 66

Chad Easter

From: Jonathan Thomas <jonathant@tristateutilities.com>
Sent: Friday, June 28, 2013 3:34 PM
To: Chad Easter
Subject: Lumberton, NC - cut & brush laterals 100%

Follow Up Flag: Follow up
Flag Status: Flagged

Chad,

As a follow up to our conversation yesterday, below is the breakdown of what is involved with cutting and brushing laterals 100%:

Lining Crew Personnel

Personnel – 6
 Typical work day – 11 hours

Lining Crew Equipment:

Vactor
 Cutter/TV Truck
 Boiler Truck
 Refrigerated Truck
 Pickup Truck with tool trailer
 Air Compressor and Winch

Typical steps involved with lateral cutting and brushing:

Establish temporary traffic control signs and cones
 Set up bypass pumping system
 Clean sanitary sewer pipe with Vactor
 String line with winch cable
 Set up motor with cutting bit
 Winch cutting bit into place to open lateral 100%
 Pull motor back and take out the cutting bit
 Set up motor with brush
 Winch brushing bit into place to brush lateral and smooth edges
 Pull motor back
 Clean sanitary sewer pipe again with Vactor
 Set up and put CCTV camera into manhole
 Post-TV inspect line segment
 Pull camera back
 Turn bypass system off
 Pack up equipment and breakdown bypass system
 Take down and pick up temporary traffic control signs & cones

Based on the above series of events, I estimate that it will take about 3 days to cut/brush all the laterals called out to be cut/brushed 100% on existing 8" lined pipe and 1.5 days on the existing 12" lined pipe.
 It typically takes an extra 30 minutes to cut/brush the laterals on 8" and 12" pipe and an extra 45 minutes on 15" and 18" pipe while we are still set up on the manholes after lining.

Hope this helps. Let me know if you have any questions.

Thank you,

Jonathan Thomas, PE
Project Manager
Cell: 757.642.3074



TRI-STATE UTILITIES, INC.

2111 Smith Avenue
Chesapeake, VA 23320
PH: 757.366.9505
FX: 757.366.5110

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Attachment: Change Order #3 (1136 : Tanglewood Change Order #3)

CONSTRUCTION COST EVALUATION
City of Lumberton
Sewer Rehabilitation Tanglewood Area
Service Upgrades on Streets Not Being Cut

THE WOOTEN COMPANY

7/24/2013

			Contractor - 6/25	
DESCRIPTION	UNITS	TOTAL QUANTITY	UNIT COST	EXTENDED COST
1 Open to 100% on 8" Dia Main, Previously Lined	EA	27	\$367.50	\$9,922.50
2 Open to 100% on 12" Dia Main, Previously Lined	LF	10	\$472.50	\$4,725.00
Subtotal				\$14,647.50
3 Open to 100% on 8" & 12" Dia Main, Not Yet Lined	EA	24	\$194.25	\$4,662.00
4 Open to 100% on 15" & 18" Dia Main, Not Yet Lined	EA	5	\$367.50	\$1,837.50
Subtotal				\$6,499.50
Total				\$21,147.00

Lining Crew Cost

DESCRIPTION	UNITS	TOTAL QUANTITY	UNIT COST	EXTENDED COST
1 Crew (from project payroll reports)	HR	11	\$120.13	\$1,321.43
2 Overhead and Profit (54%)	HR	11	\$64.87	\$713.57
3 Vactor	DAY	1	\$574.39	\$574.39
4 Cutter/TV Truck	DAY	1	\$371.20	\$371.20
5 Boiler Truck	DAY	1	\$371.20	\$371.20
6 Refrigerated Truck	DAY	1	\$371.20	\$371.20
7 Pickup Truck with tool Trailer	DAY	1	\$222.95	\$222.95
8 Air Compressor and Winch	DAY	1	\$287.85	\$287.85
Total Daily Cost				\$4,233.79
Total Hourly Cost				\$384.89

Source: Crew cost from project payroll reports; OH&P and equipment costs from RS Means Building Construction Cost Data 2013.

Considering Contractor's estimated time and the calculated lining crew cost;

DESCRIPTION	TIME	EXTENDED COST	CREW COST	DETERMINATION
1 Open to 100% on 8" Dia Main, Previously Lined	3 DAYS	\$9,922.50	\$12,701.38	Acceptable
2 Open to 100% on 12" Dia Main, Previously Lined	1.5 DAYS	\$4,725.00	\$6,350.69	Acceptable
3 Open to 100% on 8" & 12" Dia Main, Not Yet Lined	1.1 DAYS	\$4,662.00	\$4,657.17	Acceptable
4 Open to 100% on 15" & 18" Dia Main, Not Yet Lined	0.4 DAYS	\$1,837.50	\$1,693.52	Acceptable
Total		\$21,147.00	\$25,402.75	Acceptable

Attachment: Change Order #3 (1136 : Tanglewood Change Order #3)

CONSTRUCTION COST OPINION
City of Lumberton
Sewer Rehabilitation Tanglewood Area
12-inch Storm Drain Due to Water Main Clearance

THE WOOTEN COMPANY

5/9/2013

DESCRIPTION		UNITS	TOTAL QUANTITY	UNIT COST	EXTENDED COST
1	15-inch RCP (including 5.1 LF of con seal per 8 ft joint of pipe)	LF	32	\$7.78	\$248.96
2	12-inch DIP (including tax)	LF	32	\$49.53	\$1,584.96
Difference:				\$41.75	\$1,336.00

Attachment: Change Order #3 (1136 : Tanglewood Change Order #3)



Invoice copy

920 Withers Road
Raleigh, NC 27603

Telephone.: 919-772-6301
Fax.....: 919-772-1209

Remit to: Oldcastle Precast Inc.
P O Box 402721
Atlanta, GA 30384-2721

Sold To.: Step Construction
3421 BROTHERS RD
LA GRANGE, NC 28551 6741

Ship To: Lumberton Sewer Rehab
Lumberton
LUMBERTON, NC 28358 6613

Reference.: 289221
Tax exempt number:
Site: Vander

Invoice No.	Date	Customer No	Order No	Customer PO	F.O.B.	Mode of Delivery
450372367	6/26/2013	003038	S093022	P2	Plant Pickup	Plant pick up

Packing slip(s).....: SP289174,SP289221

Qty	Unit	Item	Description	Mark	Unit price	Amount
32.00	FT	0181280	18" RC3 B 8' Cul		8.45	270.40
24.00	FT	0151280	15" RC3 B 8' Cul		7.50	180.00
4.00	FT	0151140	15" RC3 A 4' Cul		7.50	30.00
1.00	Ea	6918199	1" Con Seal (116'/Box)		51.50	51.50
		Tax Code	Taxable amount	Tax Rate		
		NC	531.90	4.75		25.27
		NC-Cumberl	531.90	2.25		11.97

TOTAL AMOUNT DUE BY : 7/26/2013

US

569.14

Minimum 10% handling charge on all returned goods. No goods to be returned without consent. Give as reference our invoice number and date. Claims for damages, back charges for labor, other expenses, will not be allowed unless authorized in writing by the seller. The articles and/or services covered by this invoice were produced in compliance with the Federal Labor Standards Act of 1938, as amended.

The Customer Agrees

1. THAT THE ABOVE TOTAL IS PAST DUE IF NOT PAID WITHIN 30 DAYS OF DATE OF THIS INVOICE
2. TO PAY A FINANCE CHARGE OF 1.5% PER MONTH (18% PER ANNUM) ON ANY PAST DUE AMOUNT
3. TO PAY COLLECTION COSTS, INCLUDING REASONABLE ATTORNEY FEES, AFTER DEFAULT BY THE CUSTOMER

Attachment: Change Order #3 (1136 : Tanglewood Change Order #3)

Print

<http://us-mg4.mail.yahoo.com/neo/launch?.rand=3r7kdn7fso7t0#m>

Subject: Email Bid# B459708
 From: Marlon Smith - 1689 NORTH CAROLINA_WW (marlon.smith@ferguson.com)
 To: stepcons@yahoo.com;
 Date: Monday, July 1, 2013 1:13 PM

Price Quotation # B459708**FERGUSON WATERWORKS #1689**

1044 TAYLOR CREEK DRIVE
 GREENVILLE, NC 27835-1044

Phone : 252-321-1132
 Fax : 252-321-1945

Bid No.....: B459708
 Bid Date....: 07/01/13
 Quoted By: MSS
 Customer.: STEP CONSTRUCTION INC
 3421 BROTHERS ROAD
 LA GRANGE, NC 28551

Cust Phone: 252-566-2182
 Terms.....: NET 10TH PROX
 Ship To.....: STEP CONSTRUCTION INC
 3421 BROTHERS ROAD
 LA GRANGE, NC 28551

Cust PO#.: 12 CL51 DIP

Job Name.: LUMBERTON JOB

Item	Description	Quantity	Net Price	UM	Total
AFT51P12	12 CL51 CL DI FASTITE PIPE	40	49.530	FT	1981.20

Subtotal: \$1981.20

Inbound Freight: \$0.00

Tax: \$133.73

Order Total: \$2114.93

Quoted prices are based upon receipt of the total quantity for immediate shipment (48 hours). SHIPMENTS BEYOND 48 HOURS SHALL BE AT THE PRICE IN EFFECT AT TIME OF SHIPMENT UNLESS NOTED OTHERWISE. Seller not responsible for delays, lack of product or increase of pricing due to causes beyond our control, and/or based upon Local, State and Federal laws governing type of products that can be sold or put into commerce. This Quote is offered contingent upon the Buyer's acceptance of Seller's terms and conditions, which are incorporated by reference and found either following this document, or on the web at http://wolseleyna.com/terms_conditionsSale.html. Govt Buyers: All items quoted are open market unless noted otherwise.

Attachment: Change Order #3 (1136 : Tanglewood Change Order #3)

Chad Easter

From: Step Construction <stepcons@yahoo.com>
Sent: Friday, July 12, 2013 1:54 PM
To: Chad Easter
Cc: CLanier
Subject: 18" pipe removal

Chad,

After assessing the cost of the removal and disposal of the 18" pipe, The bid price should have been \$30.00 per ft.

After talking to Carl, we Propose \$15.00 per ft. to remove and dispose of the 18" pipe.

THANKS

M.E.TARRANT

Step Construction, Inc.

TEL: 252-566-2182

FAX: 252-566-2239

Attachment: Change Order #3 (1136 : Tanglewood Change Order #3)

Chad Easter

From: Chad Easter
Sent: Friday, July 12, 2013 3:51 PM
To: Armstrong, Robert
Cc: Tony Evans (tony.evans@ncdenr.gov); John Grey
Subject: Tanglewood Sewer Rehab, Alternate #2

Rob,

The Contractor pointed out that a pay item was not included for the approximately 450 LF of removal of the existing 18-inch pipe associated with Alternate 2. Removal of pipe was paid for separately on Alternate 1 and the pay item descriptions set up in section 01270-Unit Prices provide for payment separately.

The Contractor has proposed a unit price of \$15.00 per linear foot for this removal, or \$0.83 per linear foot per inch diameter of pipe.

Reviewing the bid tab for the project; there were five bids submitted. The unit price for 15-inch removal associated with Alternate 1 ranged from \$0.67 per linear foot per inch of pipe diameter up to \$3.67 per linear foot per inch diameter with the average of the three low bids being \$1.36 per linear feet per inch diameter. Considering the bid data, the price proposed by the Contractor appears to be reasonable.

Respectfully,

Chad Easter, PE, LEED AP

Project Engineer
The Wooten Company
350 North Cox Street, Suite 26
Asheboro, NC 27203
336.626.5322
Fax 336.626.5722
www.thewootencompany.com



Attachment: Change Order #3 (1136 : Tanglewood Change Order #3)

Chad Easter

From: Step Construction <stepcons@yahoo.com>
Sent: Monday, July 01, 2013 8:39 AM
To: Chad Easter
Subject: Weather delays
Attachments: 3597_0001.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Chad,

Please see attached weather report for for Lumberton, NC. From KBLT weather station in Lumberton; Daily precipitation chart

indicates (13) Thirteen rain days greater than 0.10 inch for the month of June. NOAA report # 20 for the month of June, Mean number of days are 6.8. Step Construction is requesting Time Extension of (6) Days for rain delays.

THANKS

M.E.TARRANT

Step Construction, Inc.

TEL: 252-566-2182

FAX: 252-566-2239

Attachment: Change Order #3 (1136 : Tanglewood Change Order #3)

Weather History for Lumberton, NC

Month of June, 2013

Month of June, 2013

« Previous Month

June 1 2013 View

Next Month »

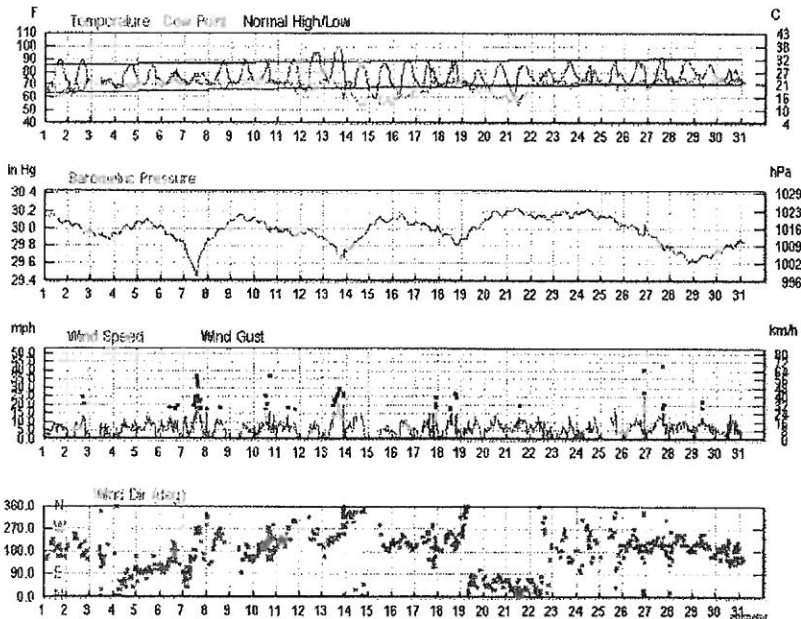
Daily

Weekly

Monthly

Custom

	Max	Avg	Min	Sum
Temperature				
Max Temperature	100 °F	89 °F	75 °F	
Mean Temperature	86 °F	79 °F	72 °F	
Min Temperature	76 °F	68 °F	59 °F	
Degree Days				
Heating Degree Days (base 65)	0	0	0	0
Cooling Degree Days (base 65)	21	14	7	408
Growing Degree Days (base 50)	36	28	22	841
Dew Point				
Dew Point	76 °F	69 °F	54 °F	
Precipitation				
Precipitation	2.56 in	0.37 in	0.00 in	10.71 in
Snowdepth	-	-	-	
Wind				
Wind	31 mph	8 mph	0 mph	
Gust Wind	63 mph	22 mph	16 mph	
Sea Level Pressure				
Sea Level Pressure	30.23 in	29.98 in	29.45 in	



Certify This Report

Monthly Calendar Weather History Overview

Precipitation: Actual month total 10.71 Normal month total 4.34

Print This Weather Calendar

« Previous Month

« 2012

June 2013

2014 »

Next Month »

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

1

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						Actual: 92 63 Precip: 0.00 Average: 86 63 Precip: 0.16
2	3	4	5	6	7	8
Actual: 92 62 Precip: 0.04 Average: 88 64 Precip: 0.17	Actual: 75 69 Precip: 1.86 Average: 86 64 Precip: 0.18	Actual: 87 66 Precip: 0.00 Average: 86 64 Precip: 0.17	Actual: 86 69 Precip: 0.06 Average: 87 65 Precip: 0.17	Actual: 85 70 Precip: 0.51 Average: 87 65 Precip: 0.17	Actual: 82 70 Precip: 1.19 Average: 87 65 Precip: 0.15	Actual: 90 69 Precip: 0.04 Average: 87 66 Precip: 0.15
9	10	11	12	13	14	15
Actual: 90 69 Precip: 0.05 Average: 87 66 Precip: 0.16	Actual: 90 71 Precip: 2.56 Average: 88 66 Precip: 0.15	Actual: 92 67 Precip: 0.00 Average: 88 67 Precip: 0.16	Actual: 96 64 Precip: 0.00 Average: 88 67 Precip: 0.16	Actual: 100 71 Precip: 0.59 Average: 88 67 Precip: 0.14	Actual: 87 63 Precip: 0.00 Average: 88 67 Precip: 0.14	Actual: 89 59 Precip: 0.00 Average: 89 68 Precip: 0.14
16	17	18	19	20	21	22
Actual: 90 61 Precip: 0.00 Average: 89 68 Precip: 0.12	Actual: 91 67 Precip: 0.92 Average: 89 68 Precip: 0.13	Actual: 91 70 Precip: 0.12 Average: 89 68 Precip: 0.15	Actual: 83 69 Precip: 0.22 Average: 89 69 Precip: 0.13	Actual: 87 65 Precip: 0.00 Average: 89 69 Precip: 0.14	Actual: 87 61 Precip: 0.00 Average: 90 69 Precip: 0.14	Actual: 84 71 Precip: 0.18 Average: 90 69 Precip: 0.13
23	24	25	26	27	28	29
Actual: 91 73 Precip: T Average: 90 69 Precip: 0.14	Actual: 87 70 Precip: 0.39 Average: 90 70 Precip: 0.12	Actual: 91 69 Precip: 0.01 Average: 90 70 Precip: 0.11	Actual: 91 69 Precip: 1.05 Average: 90 70 Precip: 0.13	Actual: 94 69 Precip: 0.51 Average: 91 70 Precip: 0.13	Actual: 92 73 Precip: 0.04 Average: 91 70 Precip: 0.13	Actual: 87 76 Precip: 0.00 Average: 91 70 Precip: 0.13
30						
Actual: 83 73 Precip: 0.37 Average: 91 70 Precip: 0.14						

Calendar Legend

Sunny Clear	Mostly Cloudy Partly Sunny	Partly Cloudy Mostly Sunny	Cloudy	Rain	Snow
Hail Flurries	Thunderstorms	Hazy Fog	Sleet	* denotes chance of	Unknown

Actual:	90 58	Data Category
Precip:	0.00	Condition
Average:	71 53	High Temp.
Precip:	0.03	Lo Temp.
		Precip. (in inches)
		Daily Avg. Temp.
		Temps in °F
		-60 -30 0 30 60 90 120

GME Trench Shields

www.gme-shields.com

Trench Shield Protection Products. Durable & Dependable Shoring.

Daily Weather History & Observations

2013	Temp. (°F)			Dew Point (°F)			Humidity (%)			Sea Level Press. (in)			Visibility (mi)			Wind (mph)		Precip. (in)	Events
Jun	high	avg	low	high	avg	low	high	avg	low	high	avg	low	high	avg	low	high	avg	sum	
1	92	78	63	70	66	62	100	71	41	30.17	30.12	30.05	10	6	0	12	5	0.00	Fog
2	92	77	62	73	68	63	100	72	44	30.09	30.01	29.93	10	6	0	16	6	0.04	Fog, Rain
3	75	72	69	74	71	68	100	94	87	29.97	29.91	29.86	10	7	1	8	3	1.86	Rain, Thunderstorm
4	87	77	66	72	68	66	100	76	51	30.08	29.98	29.83	10	6	0	13	5	0.00	Fog
5	86	78	69	72	68	64	90	71	51	30.10	30.05	30.00	10	8	1	14	7	0.06	Rain
6	85	78	70	75	71	68	100	91	82	30.01	29.91	29.83	10	7	2	16	6	0.51	Rain, Thunderstorm

Comma Delimited File

History for Lumberton, NC | Weather Underground

<http://www.wunderground.com/history/airport/KLBT/2013/6/1/Mont...>

2013	Temp. (°F)			Dew Point (°F)				Humidity (%)			Sea Level Press. (in)			Visibility (mi)			Wind (mph)			Precip. (in)	Events
7	82	76	70	73	71	69	100	87	74	29.86	29.64	29.45	10	5	1	25	7	37	1.19	Rain	
8	90	80	69	73	70	67	100	74	47	30.09	29.93	29.85	10	7	1	16	4	18	0.04	Rain , Thunderstorm	
9	90	80	69	75	72	69	100	78	55	30.16	30.12	30.07	10	5	0	8	4	-	0.05	Fog , Rain	
10	90	81	71	75	72	70	100	80	59	30.12	30.03	29.96	10	8	0	24	7	37	2.56	Fog , Rain , Thunderstorm	
11	92	80	67	72	69	63	100	72	44	29.99	29.96	29.91	10	9	6	15	6	45	0.00	Rain	
12	96	80	64	74	68	64	100	70	39	29.99	29.94	29.88	10	8	2	23	3	63	0.00		
13	100	86	71	74	69	58	94	85	35	29.87	29.75	29.65	10	7	1	23	9	31	0.59	Rain , Thunderstorm	
14	87	75	63	70	59	54	93	63	32	30.01	29.87	29.73	10	9	2	20	6	23	0.00		
15	89	74	59	63	57	54	100	67	34	30.13	30.08	30.04	10	9	5	10	3	16	0.00		
16	90	76	61	65	61	58	93	66	38	30.17	30.10	30.04	10	10	10	14	5	22	0.00		
17	91	79	67	74	70	64	100	73	46	30.07	30.01	29.96	10	6	1	20	6	26	0.92	Rain , Thunderstorm	
18	91	81	70	75	72	69	100	78	56	29.98	29.89	29.80	10	7	2	23	5	33	0.12	Rain , Thunderstorm	
19	83	76	69	72	69	64	93	74	55	30.09	29.94	29.87	10	8	1	14	6	18	0.22	Rain	
20	87	76	65	68	62	59	93	66	39	30.21	30.15	30.10	10	10	8	16	8	22	0.00		
21	87	74	61	67	60	54	90	64	37	30.23	30.20	30.15	10	7	0	13	8	20	0.00		
22	84	78	71	73	71	69	93	79	65	30.16	30.14	30.10	10	8	1	13	5	17	0.18	Rain	
23	91	82	73	73	71	67	100	74	47	30.21	30.17	30.12	10	8	4	15	4	20	T	Rain , Thunderstorm	
24	87	79	70	75	73	70	100	81	61	30.22	30.19	30.11	10	7	0	21	4	31	0.39	Fog , Rain , Thunderstorm	
25	91	80	69	74	70	66	100	76	52	30.15	30.10	30.03	10	9	4	23	6	30	0.01	Rain , Thunderstorm	
26	91	80	69	75	70	66	93	75	56	30.04	30.00	29.92	10	8	1	29	7	40	1.05	Rain , Thunderstorm	
27	94	82	69	75	72	68	100	78	56	29.95	29.85	29.75	10	8	2	31	8	43	0.51	Rain , Thunderstorm	
28	92	83	73	76	73	70	94	73	52	29.80	29.72	29.62	10	7	2	15	8	18	0.04	Rain , Thunderstorm	
29	87	82	76	76	72	70	94	75	55	29.75	29.68	29.62	10	9	7	16	7	22	0.00		
30	83	78	73	75	73	71	100	85	69	29.87	29.81	29.73	10	7	1	15	5	18	0.37	Rain , Thunderstorm	

Comma Delimited File

Attachment: Change Order #3 (1136 : Tanglewood Change Order #3)



July 2, 2013

Mr. Michael Tarrant, Project Manager
Step Construction, Inc.
3123 Brothers Road
LaGrange NC 28551

Re: June Weather Delays
City of Lumberton
Sewer Rehab – Tanglewood Area
TWC No.: 2799-AY

Dear Mr. Tarrant:

Your request for a time extension of six days due to rainfall experienced in the month of June has been reviewed. The documentation submitted along with your request on July 1, 2013 supports this request as outlined in the Project Manual. This extension will be included in the next change order.

Respectfully,

THE WOOTEN COMPANY

Chad D. Easter, PE
Project Engineer

CDE/

c: Rob Armstrong, Lumberton

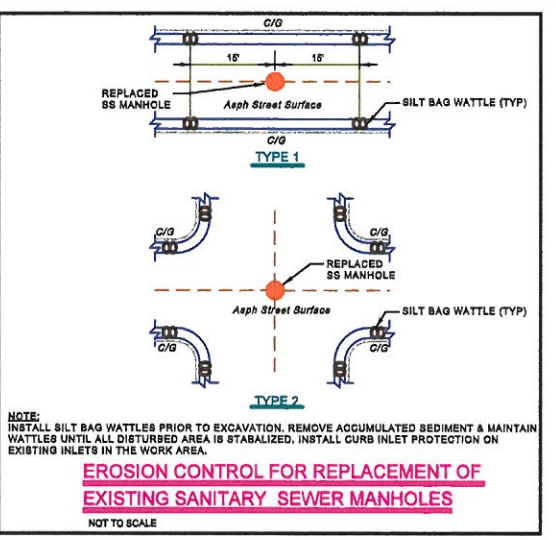
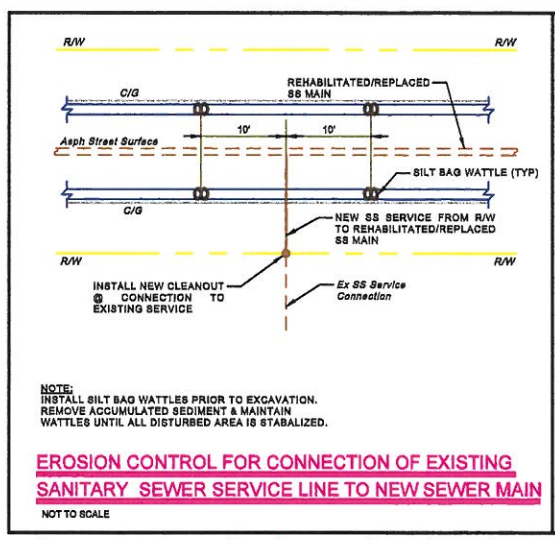
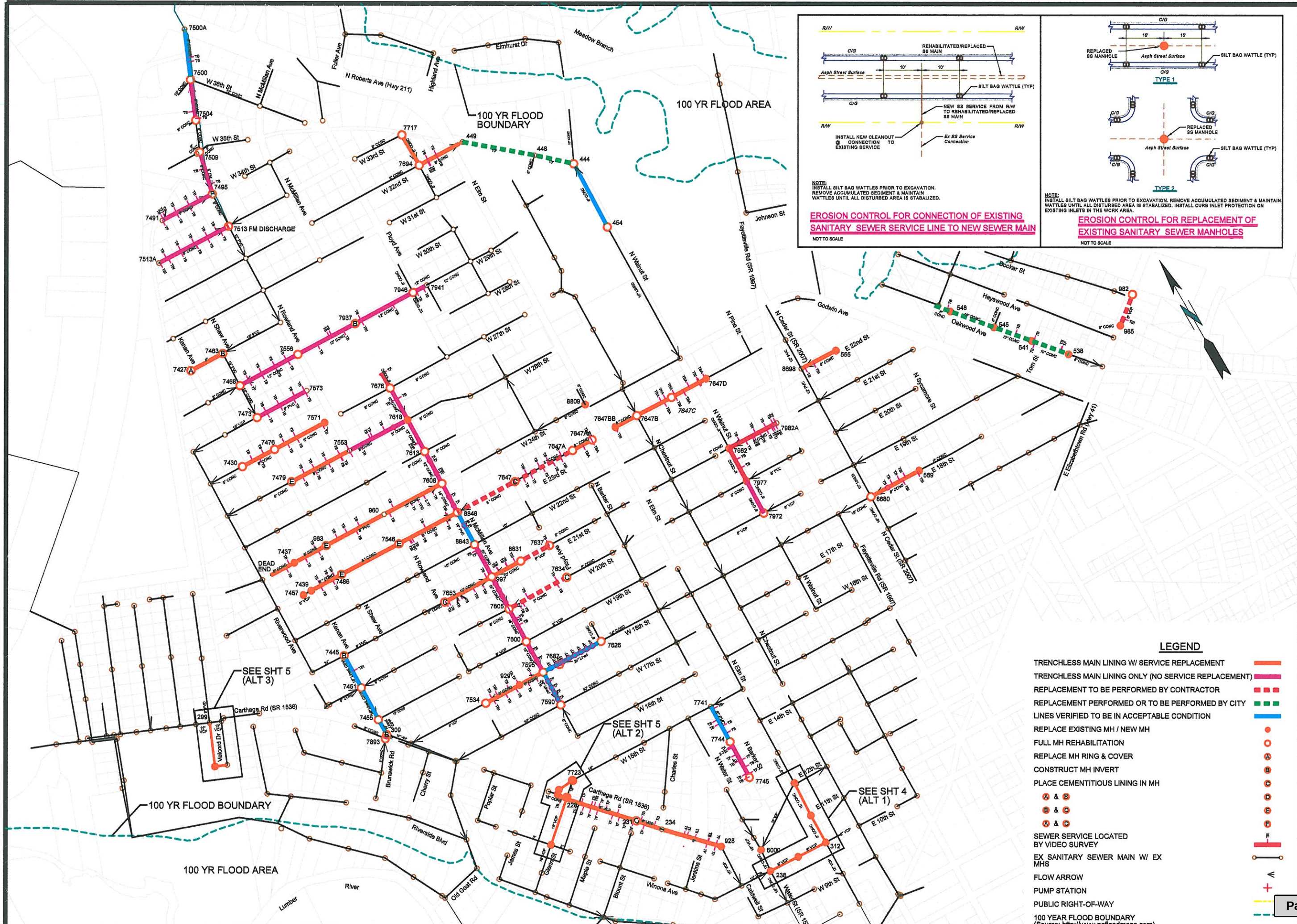
350 North Cox Street Suite 26
Asheboro NC 27203

336.626.5322
fax 336.626.5722

Attachment: Change Order #3 (1136 : Tanglewood Change Order #3)

HP ColorPlot
636.2738" x 1 in.
7/25/2013 9:13:39 AM
T:\Projects\Lumberton-2\99AY_Sewer Rehab Tanglewood\ScopeOfWork_ProjectMap.DGN

Default



LEGEND

- TRENCHLESS MAIN LINING W/ SERVICE REPLACEMENT
- TRENCHLESS MAIN LINING ONLY (NO SERVICE REPLACEMENT)
- REPLACEMENT TO BE PERFORMED BY CONTRACTOR
- REPLACEMENT PERFORMED OR TO BE PERFORMED BY CITY
- LINE VERIFIED TO BE IN ACCEPTABLE CONDITION
- REPLACE EXISTING MH / NEW MH
- FULL MH REHABILITATION
- REPLACE MH RING & COVER
- CONSTRUCT MH INVERT
- PLACE CEMENTITIOUS LINING IN MH
- SEWER SERVICE LOCATED BY VIDEO SURVEY
- EX SANITARY SEWER MAIN W/ EX MHS
- FLOW ARROW
- PUMP STATION
- PUBLIC RIGHT-OF-WAY
- 100 YEAR FLOOD BOUNDARY (Source: <http://www.ncfloodmaps.com>)

DESIGNED BY: _____
DRAWN BY: _____
CHECKED BY: _____
PROJECT NO. 271
DATE: APR
SCALE: _____

SHEET 3 OF 6

7.2.b

REVISIONS

NO.	DESCRIPTION	DATE
1	REVISED PER NCDCR DMO REVIEW COMMENTS.	
2	FINAL DRAWINGS - ISSUED FOR CONSTRUCTION 10/7/12.	

THE WOOTEN COMPANY
ENGINEERING | PLANNING | ARCHITECTURE

RODESON COUNTY NORTH CAROLINA
CITY OF LUMBERTON
SEWER REHABILITATION TANGLEWOOD AREA

PROJECT MAP

Attachment: Construction Progress Map 7-25-13 (1136 : Tanglewood Change Order #3)

Packet Pg. 210

Lumberton City Council

Lumberton, North Carolina



REQUEST FOR CC ACTION

Meeting Date: August 7, 2013

Originated By: Police

Submission Date: July 31, 2013

Subject: Cops Grant

Summary/Background of Subject Matter -

We are asking to apply for the COPS Hiring Recovery Program (CHRP) Grant which is a competitive grant program that provides funding directly to law enforcement's agencies having primary law enforcement authority to create and preserve jobs and to increase their community policing capacity and crime-prevention efforts. Funding will be available for hiring additional officers and will provide 75 percent funding for approved entry-level salaries and benefits for 3 years (36 months) for the newly-hired officers.

Computation to include projected salary and benefit increases, is as follows:

See attachment

Recommendation for CC Consideration:

It is requested that the Lumberton Police Department be granted permission to apply for the COPS Hiring Grant in the amount of \$303,632.00.

Signature: *Michael McNeill*

Department: Police

City Manager's Comments:

<< FOR CITY MANAGER ONLY >>

Signature: *Wayne Horne*

Department: City Management

2013 COPS GRANT BREAKDOWN

<u>Salary</u>			<u>Year One</u>		<u>Year Two</u>		<u>Year Three</u>
			\$33,450.00		34,114.00		\$34,792.00
<u>Fringe benefits</u>							
Social Security		0.062	\$2,073.90		\$2,115.07		\$2,157.10
Medicare		0.0145	\$485.03		\$494.65		\$504.48
Health Insurance		\$548/mth	\$6,576.00		\$6,576.00		\$6,576.00
Life Insurance		\$10/mth	\$120.00		\$120.00		\$120.00
Vacation		\$15.31/hr	\$1,469.76	\$15.62/hr	\$1,499.52	\$15.93/hr	\$1,529.28
Sick Leave		\$15.31/hr	\$1,469.76		\$1,499.52		\$1,529.28
Retirement		0.073	\$2,444.38		\$2,490.32		\$2,539.82
Worker's Comp		0.02	\$669.00		\$682.28		\$695.84
Unemployment		0.02	\$669.00		\$682.28		\$695.84
Dental Insurance		\$19.98/mth	\$239.40		\$239.40		\$239.40
Vision Insurance		\$7.00/mth	\$84.00		\$84.00		\$84.00
			\$49,750.23		\$50,597.04		\$51,463.04
			Total	# of Officers Requested			Grant Total
			\$151,810.31	2			\$303,620.62
		0.75	\$227,715.47	Federal Funds/COPS Grant			
		0.25	\$75,905.16	City Pays			
* 2% increase each year							

Lumberton City Council

Lumberton, North Carolina



REQUEST FOR CC ACTION

Meeting Date: August 7, 2013

Originated By: Public Works

Submission Date: July 30, 2013

Subject: Well Number 2 Repair

Summary/Background of Subject Matter -

Public Works has \$11,000 allocated from capital Reserves to clean well #2 this FY (Capital Project 60-00-8220-5860). Pearson Pump started the cleaning process in July and discovered a hole in the well casing & screen that is allowing sediment to clog the well. Public Works recommendation is to rebuild the well. The total cost of rebuilding the well is \$23,765.27. We have spent \$4,200 of the original \$11,000 doing the inspection work to date. We will need to allocate an additional \$17,000 from the capital reserve fund to complete this project.

Recommendation for CC Consideration:

CPC recommends that City Council authorize Public Works the allocation of \$17,000 from the capital reserve fund to complete the repair of Well Number 2 for a total cost of \$23,765.27.

Signature: *Rob Armstrong*

Department: Public Works

City Manager's Comments:

<< FOR CITY MANAGER ONLY >>

Signature: *Wayne Horne*

Department: City Management

TO: Wayne Horne, City Manager

FROM: Rob Armstrong, P.E.
Public Works Director

DATE: August 6, 2013

RE: **Well Number 2 Repair**

*Metzger
Conlay*

Wayne:

I wanted to update you on the maintenance issues for Well #2. Public Works has \$11,000 allocated from Capital reserves to clean well #2 this FY (Capital Project 60-00-8220-5860). Pearson Pump started the cleaning process in July and discovered a hole in the well casing & screen that is allowing sediment to clog the well. Our recommendation is to rebuild the well. The total cost of rebuilding the well is \$23,765.27. We have spent \$4,200 of the original \$11,000 doing the inspection work to date. We will need to allocate an additional \$17,000 from the capital reserve fund to complete this project. I apologize for this late disclosure but we are just getting the quote yesterday.

Transfer \$17,000

Thanks,

Rob

Attachment: Well Number 2 Repair (1143 : Well Number 2 Repair)

**CITY OF LUMBERTON
REQUISITION**

7.4.a

Assigned PO Number: _____

Vendor: Pearson Pump Sales & Services Inc.
2400 N William St. Goldsboro NC
27530 (919) 734-4267

Ship To: City of Lumberton Water Plant
1451 Lowery St. Lumberton NC
28358

FOB	SHIP VIA	REQUESTING DEPARTMENT	TERMS	DATE 8/5/2013
DEST.		Purchasing		
QTY.	UNIT		UNIT PRICE	EXTENDED PRICE
1	1	Labor and Material to rebuild NO. 2 Well	\$22,210.53	\$22,210.53
			SUBTOTAL	\$22,210.53
			TAX	\$1,554.74
			TOTAL	\$23,765.27
Quotation # 22970106.02				

Funds are available for the above item(s).

Finance Director

[Signature] 8-5-13
Requisitioner Date

Purchasing Agent

Department Head Date

City Manager Date

Attachment: Well Number 2 Repair (1143 : Well Number 2 Repair)



Pearson Pump Sales & Service, Inc.

PO Box 1254
 2400 N William St
 Goldsboro, NC 27530
 Office (919) 734-4261
 Fax (919) 734-1002
 Jerri-Rae@PearsonPump.com

To: City of Lumberton	RE: Well #2 - Well Reline and Pump Installation
Attn: Paul	Pages: 2 of 2
Phone: 910-671-3857	Date: August 5, 2013
Fax: 910-671-3989	From: Jerri-Rae Pearson Phillips

Well Reline And Pump Installation

- Remove Remaining Fill In The Bottom Of The Well
- Weld Patch On Existing Screen And Reuse
- Install The Following Material:
 - (65') 8" 304 SS Sch10 Casing
 - 8" 9 Stage Bowl
 - SS Top Shaft
 - Stuffing Box Bearing
 - Set Packing
 - (90') 6" Sch40 Column
 - Group Gravel Pack
 - Spider Inserts
 - Group Welding Supplies
 - Chlorine
- Clean And Straighten Lineshaft
- Chlorinate Well

Total Estimate \$ 22,210.53

Total Includes: Material, Freight, Tax, Labor, Crane and Mileage

Thank you for allowing Pearson Pump Sales & Service, Inc. the opportunity to provide you with our quote.

NOTE: DUE TO RAW MATERIAL PRICE CHANGES, QUOTATIONS ARE VALID FOR 30 DAYS ONLY

NC General Contractor PU License No. 27330
 NC Well Contractors Certification No. 2948
 NC Pump Installation Contractor No. 389

Attachment: Well Number 2 Repair (1143 : Well Number 2 Repair)

Lumberton City Council
Lumberton, North Carolina



REQUEST FOR CC ACTION

Meeting Date: August 7, 2013

Originated By: City Council

Submission Date: July 31, 2013

Subject: Proposed Days off for City Employees

Summary/Background of Subject Matter -

In light of the fact that the City was unable to provide an annual cost of living increase for City employees due to budget restraints, the following additional day off with pay is proposed for Council consideration.

December 27th - Christmas holiday.

Recommendation for CC Consideration:

Recommend that Council consider and approve the additional day (December 27) off for our City employees.

Signature: *Erich Hackney*

Department: City Council

City Manager's Comments:

Signature: *Wayne Horne*

Department: City Management