

## REGULAR MEETING - FEBRUARY 1, 2018

The Mayor and City Council met in regular session on Thursday, February 1, 2018 at 7:00 p.m. in the Council Chamber of Lincolnton City Hall, located at 114 West Sycamore Street, Lincolnton, NC.

Mayor Hatley called the meeting to order and led the Pledge of Allegiance. The following Council members were in attendance:

**SMITH    BLACK    EADDY    JETTON**

Councilman Eaddy made the motion unanimously approved to adopt the REGULAR AGENDA as presented, removing item number six from the Consent Agenda to the Regular Agenda.

Councilman Eaddy made the motion unanimously approved the CONSENT AGENDA as follows (\*adding a call to hearing that was not originally submitted prior to the agenda going out):

Approved minutes from January 11<sup>th</sup> regular meeting.

Approved the following Calls to Public Hearing for the March 1<sup>st</sup> City Council meeting:

\*CUP-1-2018 – Request for a Conditional Use Permit from 3PM Brewing Company (John Brinsfield) to operate a 12,000 square ft brewery (3PM Brewing Company) in the Central Business (CB District). The subject property has frontage on West Water Street and is located at 414 West Water Street (Parcel ID 00488).

\*CUP-2-2018 – Request for a Conditional Use Permit from Teramore Development, LLC requesting a change in conditions of CUP-9-2017. The subject property has frontage on both Highway 27 and W NC Highway 150 and is approximately 300 feet west of the intersection of these two roads (Parcel ID 21439)

\*ZTA-1-2018 – Request from the Lincolnton Planning Department for a Zoning Text Amendment for changes to the Planned Business (PB District). Changes would remove the maximum gross floor area limitations, the one principal building restriction and the one principal use per building restriction.

RLF-1-2018 – Application from Jane and Brian Rollins for Downtown Redevelopment Revolving Loan for building renovations for new pizzeria and bakery at 209 N. Aspen Street

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### Consent Agenda Continued:

Approved Resolution (R-01-2018) to surplus the handgun and badge for Lincolnton Police Officer Willie Vaughn - "Glock" - Model 19, Gen 4, Serial Number YCZ914 - which would be presented to him upon his retirement

### **REQUEST TO PRESENT THE MEDAL OF VALOR (MARCH 1<sup>ST</sup> CITY COUNCIL MEETING) TO LINCOLNTON POLICE OFFICER THOMAS HALL FOR HIS HEROIC EFFORTS ON FEBRUARY 4<sup>TH</sup>, 2017:**

Mayor Hatley called on Chief Jordan to provide clarification of the Medal of Valor. Chief Jordan told Council that there are currently three medals in the handbook at the Police Department that require City Council approval, the Medal of Valor is one of the three. He said, "Officer Thomas Hall was on routine patrol when he noticed a military style Humvee traveling at a high rate of speed and no headlights on East Main Street. Officer Hall believing this could be anything from an intoxicated driver to a stolen vehicle or even worse a possible terrorist threat began chase with the vehicle. Officer Lafone was waiting at the intersection of Salem Church Road and east Main to assist. The vehicle made an abrupt turn and forcefully collided into the driver side of Officer Lafone's vehicle. After the collision the Humvee continued to push in the driver's door of Officer Lafone's Patrol Car and pushing it into another civilian's vehicle. Officer Hall not knowing whether Officer Lafone was badly injured or possibly dead, exited his vehicle and began firing into the driver's side window of the Humvee. The driver then backed toward Officer Hall and his vehicle rammed into it as well. Officer Hall fired several more rounds as the vehicle began to speed away. Luckily, no officers or suspects were killed during this incident. In reviewing this case, the Command Staff of the department feels it would be appropriate to award the "Medal of Valor" to Officer Hall for his service on that day of February 4<sup>th</sup>, 2017. We ask that Council consider the facts of this case and allow us to award the Medal of Valor at the March 1, 2018 City Council meeting, to Officer Hall."

Councilman Eaddy made the motion unanimously approved to allow the Police Department to present Officer Hall the Medal of Valor at the March 1<sup>st</sup> meeting.

### **RESOLUTION OF INTENT - AFG FEMA GRANT - TO SECURE MATCHING FUNDS FOR A POTENTIAL GRANT FEMA - ASSISTANCE TO FIREFIGHTERS GRANT (AFG) TO THE LINCOLNTON FIRE DEPARTMENT (NOTE: THE CITY'S PORTION OF THE GRANT WOULD BE A 5% OR \$ 7,714.00 OF THE TOTAL \$ 154,286.00 GRANT AMOUNT):**

**(R-02-18)**

Brent Smith, Assistant Fire Chief, requested that the Council approve that the Fire Department submit a grant application for funding for twenty (20) Scott X3 Pro-Self contained Breathing Apparatus. He said the FEMA (AFG) Assistance to

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Firefighters Grant is available, and this is an opportunity for us to potentially save the City \$ 154,286.00 (or 95% of the purchase) through this Federal Government contribution, should the grant be received.

He said, "The life span of air packs are around fifteen years, we have two years left on the current air packs and we are trying to be proactive, and get ahead of the game applying for funds to replace twenty of these air packs."

Councilman Jetton made the motion unanimously approved to submit the grant request, obligating the City to expend \$ 7,714.00 if the grant is awarded to the City. Councilman Eaddy noted these funds were included, and would come from this fiscal year's budget.

**CONSIDERATION OF CONTRACT BETWEEN THE CITY AND EAST COAST PYROTECHNICS FOR FIREWORKS DISPLAY FOR THE 2018 JULY 4<sup>TH</sup> CELEBRATION - \$ 11,000 (15 TO 18 MINUTE DISPLAY):**  
**(C-02-18)**

City Manager Steve Zickefoose, in the absence of City Clerk Donna Flowers, requested Council approve that the City enter into a contract with East Coast Pyrotechnics in the amount of \$ 11,000 for the 2018 Fireworks Display. Steve said this year's request includes a \$ 1,000 increase. This is the first increase in over seven years and was due to the increase in production of fireworks costs. Steve noted that the City has been very satisfied with this company, and has worked with them for a number of years. They provide great service and the maximum liability insurance coverage as required.

Councilman Black made the motion unanimously approved to enter into the contract as requested.

**REQUEST THAT COUNCIL ENDORSE A REFERENDUM TO BE ON THE NOVEMBER 2018 ELECTION BALLOT - TO PERMIT "ON PREMISE" AND OFF PREMISE"SALE OF UNFORTIFIED WINES. DRAFT RESOLUTION (R-03-2018)ATTACHED**

Tommy Husky, representing the Downtown Development Association, withdrew his request saying that he had spoken with the ALE Raleigh Office and they noted that the City has all viable permits through the Alcoholic Beverage Control Board, therefore there will not be a need for a referendum.

Mayor and Council thanked Mr. Huskey for his information and work toward assisting the downtown businesses.

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### **UPDATE ON RAIL TRAIL CROSSINGS:**

Richard Haynes, Assistant City Manager, said two streets that the Safety Committee were concerned about were Sycamore Street and Pine Street. He said Chief Heavner expressed concerns about the Fire Department Ladder Truck going across a speed table at both of these crossings. Mr. Haynes said something has to be done and an engineer has been consulted to take a look at these areas. Speed is a major factor and the Parking Committee will also take a look at others factors on these streets at a future meeting. He feels the engineer recommendations may be simple signage or alerting citizens of the pedestrian crossing well before they get to the crossing. Mayor Hatley asked about Dixon Street. Ritchie said, "the recommendation for Dixon Street was a speed table."

Councilman Eaddy commended Mr. Haynes for moving forward and hopefully getting something done before warm weather, when the trail will be in full use.

### **UPDATE ON THE CREATION OF A CITY INSPECTIONS DEPARTMENT:**

Steve Zickefoose, City Manager, gave an update on creating a City Inspections Department. Steve noted that original conversations began in the 2016-17 budget and at that time we felt it was best to gather information and see what the financial ramifications would be. Steve said Mr. Wayne Godfrey has helped the City with being a part time consultant, and has assisted with his knowledge base and with the amount of growth he agrees it could be beneficial to the City. Steve referenced surrounding cities such as Kings Mountain, Shelby, Belmont and Davidson these type cities were also textile based and got through the losses but have been going through a revitalization process and having their own Inspections Department has proved beneficial.

Steve said, "It helps us to look at buildings when we are looking to repurpose them, that are already here and we will be able to look at our inspections turn-around time for inspections which will assist our customer base. Currently it takes some time to get permits approved and we feel that having a department, including the Extraterritorial Jurisdiction (ETJ), we are hoping to get a faster response." He said, "Laura and Wayne have put together some information from permits issued during the 2016-2017 fiscal year, and feel we could generate somewhere in the \$ 65,000 to \$ 70,000 range, which is what it may take to hire a full time staff member. Steve said a fulltime position would be necessary for insurance purposes to provide the position. He plans to bring this item back if City Council feels this is the direction we need to go. Steve concluded saying thus far he has received very positive comments on moving forward in this direction. He noted he also talked with Lincoln County and should the City move forward

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this would help an already heavy workload, and the County would not lose monies. Steve said, "They even offered to potentially allow us to use their software, so it has been positively received."

Councilman Eaddy said, "I am very interested in pursuing this, and I think it is a plus that it could be done revenue neutral." It was the consensus for the City Manager to bring his proposal to City Council at their March 1<sup>st</sup> meeting.

### MONTHLY FINANCIAL/ OVERTIME REPORT:

Steve Zickefoose, City Manager, reviewed the following financial report: (He noted that this report reflects the closing of South Fork Industries)

February 2018 Council Meeting  
Executive Summary  
December 2017 Year-To-Date

General Fund		Budget 17-18	Actual 17-18	% of Budget	Budget 16-17	Actual 16-17	Difference
Fund 10	Revenues	10,252,739	5,441,734	49%	10,662,262	5,570,011	(128,277)
	Fund Balance	785,301	-		1,366,107	-	-
		11,038,040	5,441,734		12,028,369	5,570,011	(128,277)
	City Manager/Clerk	333,365	101,057		309,730	32,558	68,499
	Human Resources	235,030	84,977		215,848	65,495	19,482
	Finance	279,012	(114,855)		273,609	(129,134)	14,279
	General Expense	809,520	470,376		878,154	294,460	175,916
	General Debt Service	463,524	27,910		425,535	31,396	(3,486)
	Police	3,344,770	1,708,204		3,153,942	1,571,867	136,337
	Fire	2,030,690	1,054,400		2,206,450	993,680	60,720
	Public Works	181,356	(29,926)		246,538	(42,044)	12,117
	Street	1,229,141	223,471		1,534,891	406,669	(183,198)
	Equipment Services	132,120	38,139		157,819	62,727	(24,589)
	Solid Waste	718,328	279,813		820,485	360,631	(80,818)
	General Services	-	-		212,559	105,410	(105,410)
	Plannin/Zoning	277,060	124,762		276,258	101,898	22,864
	Bus & Comm. Dev	132,454	40,841		160,693	64,025	(23,183)
	Recreation	871,670	518,211		1,155,858	357,454	160,757
	Expenses	11,038,040	4,527,380	41%	12,028,369	4,277,092	250,288
	Difference		914,354			1,292,919	(378,565)

Water & Sewer Fund		Budget 17-18	Actual 17-18	% of Budget	Budget 16-17	Actual 16-17	Difference
Fund 61	Revenues	7,449,995	4,134,213	53%	7,867,135	4,300,891	(166,678)
	Fund Balance	390,000	-		1,265,399	-	-
		7,839,995	4,134,213		9,132,534	4,300,891	(166,678)
	Water Treatment	1,501,500	580,670		1,476,528	564,125	16,545
	Dist & Collection	1,356,250	668,409		2,390,175	1,233,911	(565,502)
	Wastewater	1,537,900	470,679		1,648,076	470,014	664
	W & S Intangibles	3,444,345	984,798		3,617,755	1,017,695	(32,898)
	Expenses	7,839,995	2,704,555	34%	9,132,534	3,285,745	(581,190)
	Difference		1,429,657			1,015,145	414,512

Electric Fund		Budget 17-18	Actual 17-18	% of Budget	Budget 16-17	Actual 16-17	Difference
Fund 63	Revenues	7,791,714	3,831,055	49%	8,000,000	4,051,230	(220,176)
	Fund Balance	-	-		79,000	-	-
		7,791,714	3,831,055		8,079,000	4,051,230	(220,176)
	Electric Dept.	7,791,714	3,846,087		8,079,000	3,691,702	154,384
	Expenses	7,791,714	3,846,087	49%	8,079,000	3,691,702	154,384
	Difference		(15,032)			359,528	(374,560)

Overtime 80+ hours		156,891			162,207		(5,316)
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**PUBLIC COMMENT:**

No one spoke under the Public Comment portion of the meeting.

**NEWS MEDIA:**

There were no questions from the News Media.

**ADJOURNMENT:**

Councilman Jetton made the motion unanimously approved to ADJOURN the meeting.

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**DONNA C. FLOWERS, MMC  
CITY CLERK**

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**ED HATLEY  
MAYOR**