

REGULAR MEETING - MAY 4, 2017

The Mayor and City Council met in regular session on Thursday, May 4, 2017 at 7:00 p.m. in the Council Chambers of City Hall, located at 114 West Sycamore Street.

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

SMITH BLACK EADDY JETTON

Councilman Eaddy made the motion unanimously approved the REGULAR AGENDA adding a Closed Session at the conclusion of the meeting to discuss property and personnel.

Councilman Jetton made them motion unanimously approved the CONSENT AGENDA as follows:

- Approved the Minutes of the April 6th Regular Meeting
- Approved the following Calls to Public Hearing for the June 1st regular meeting:
 - ZTA-3-2017 Application from the Lincolnton Planning Department requesting that Section 153.116 (C) of the Unified Development Ordinance, Planned Business (PB) District yard requirements, be amended to modify lot size, lot width, and setback standards.
 - ZTA-4-2017 Application from New Vision requesting an amendment to Section 153 of the Unified Development Ordinance in regards to signs. The proposed amendment would allow for the use of color LED signs in all zoning districts except CB and CBT.
 - CUP-2-2017- Application from James Huss requesting a conditional use permit to operate a paintball facility in the Planned Business (PB) District. The subject property is located at 1408 East Main Street (Parcel ID 22475).

REGULAR AGENDA:

APPLICATION FROM PIEDMONT COMPANIES REQUESTING THE CONDITIONAL USE REZONING OF 0.93 ACRES OF LAND FROM RESIDENTIAL-OFFICE (R-O) TO CONDITIONAL USE-CENTRAL BUSINESS (CU-CB) DISTRICT. THE CONDITIONAL USE PERMIT WOULD ALLOW FOR THE CONSTRUCTION OF A 13 UNIT TOWNHOME (MULTI-FAMILY DWELLING) COMPLEX. THE

REGULAR MEETING - MAY 4, 2017

SUBJECT PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF NORTH ASPEN STREET AND WEST PINE STREET. (PARCEL ID 21017).

CU-ZMA-2-2017

Mayor Hatley opened the Public Hearing. Laura Elam, Planning Director, reviewed the request from Piedmont Companies for a conditional use rezoning as stated above. Property surrounding the site is zoned R-O to the north and west, R-O and CB to the east and CB to the south. Land uses in the area are townhomes to the south, a mixture of residential and commercial to the east, governmental and commercial to the south and single family residential to the west.

Laura said the site plan proposed a 13 townhome complex with 29 parking spaces. The buildings will be two-story brick veneer. Access is provided by one driveway on North Aspen Street and one driveway on West Pine Street. New sidewalk is provided along North Aspen Street. A new opaque screen fence of 8 feet in height will be provided along the northern and western property edges. She said the site is less than one acre in size so the Water Supply Watershed standards do not apply.

The use that is proposed in the conditional use permit portion of the process must be the use developed on the property after it is rezoned. Unlike a standard rezoning in which all uses permitted in the district are potentially allowed in the rezoned area, a conditional use rezoning limits the potential use of the property. She said in this case, the applicant wishes to limit the use of the property to a 13 unit townhome development. She continued reviewing the seven (7) staff review committee comments regarding the project. *(A copy of those comments are on file in the Planning Department for public reference)*

Laura then reviewed the five findings of fact, the applicants land use compliance and concluded recommending on behalf of Planning Board and staff approval of the conditional use rezoning as requested by the applicant.

Both Dennis Williams, the Architect for the project and Craig Upshaw the Project Manager for Piedmont Companies spoke to Council in favor of the request and offered to answer any questions.

Councilman Eaddy ask Mr. Williams when he estimates the project would begin. Mr. Williams said mid July. He said a meeting with the neighbors was held on April 12th and all were supportive of the project.

Mayor Hatley said, "The City is very excited about the partnership and I am looking forward to seeing the progress."

REGULAR MEETING - MAY 4, 2017

Councilman Black made the motion unanimously approved to close the Public Hearing.

Councilman Eaddy made the motion unanimously approved to consider the conditional use rezoning.

Findings of Fact:

- (1) Councilman Eaddy made the motion unanimously approved that the use will not materially endanger the public health or safety if located where proposed and developed according to plan.
- (2) Councilman Black made the motion unanimously approved that the use meets all required conditions and specifications.
- (3) Councilman Jetton made the motion unanimously approved that the use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity.
- (4) Councilman Eaddy made the motion unanimously approved that the location and character of the use, if developed according to plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the Lincolnton Land Use Plan and other plans for the physical development of the City.
- (5) Councilman Jetton made the motion that the proposed ingress and egress points will not result in a substantial amount of vehicular traffic to be channeled onto adjacent local streets.

Councilman Black made the motion unanimously approved to grant the conditional use rezoning as recommended.

APPLICATION FROM BOBBY G. HUMPHREY REQUESTING THE REZONING OF APPROXIMATELY 2.91 ACRES OF LAND FROM RESIDENTIAL-15 AND 25 (R-15 & R-25) TO THE RESIDENTIAL-8 (R-8) DISTRICT. THE SUBJECT PROPERTIES ARE LOCATED ON THE NORTH SIDE OF HIGHLAND DRIVE APPROXIMATELY 150 FEET WEST OF THE INTERSECTION OF HIGHLAND DRIVE AND PERIWINKLE STREET. THE ADDRESS IS 330 HIGHLAND DRIVE (PARCEL ID 22598 AND 72742).

ZMA-1-2017

Mayor Hatley opened the Public Hearing. Laura Elam, Planning Director, reviewed the above stated request. She said the applicant is requesting the rezoning of approximately 2.91 acres from Residential-25 (R-25) and Residential-15 (R-15) to the Residential-8 (R-8) District. The properties are located on the north side of Highland Drive as described above. The site is currently occupied by one single family dwelling. The remaining land is vacant. The majority of the land is located in the city limits and is zoned R-15. Zoning surrounding the site is all R-15 or R-25. Land uses in the area are primarily single family dwellings.

REGULAR MEETING - MAY 4, 2017

Laura said staff views the requested rezoning to R-8 as inconsistent with the established land use pattern in the area and not in conformance with the land use plan. An alternative would be to rezone the property to R-10, a more restrictive zoning district, for smaller lot sizes while still maintaining the single family character of the community. She concluded noting that Planning Board and staff concur, as does the applicant, that the property be rezoned to R-10 district.

Mr. Edward Zarsowski, a resident on Highland Drive near the hospital, expressed his concerns with traffic and school buses in this area. He said, "There is no traffic signal at either end of Highland Drive and this is dangerous especially if apartment complexes are involved." He suggested a traffic count or contact with NCDOT be made to request consideration of a traffic light.

Councilman Black made the motion unanimously approved to close the public hearing.

Councilman Black made the motion unanimously approved to rezone the property to R-10, rather than R-8, as recommended by the Planning Board and staff.

THE CITY WILL HOLD A PUBLIC HEARING TO RECEIVE PUBLIC INPUT ON THE PROPOSED HOUSE BILL 504 – AN ACT, WHERE IF APPROVED WOULD ALSO AMEND THE CITY CHARTER, TO PROVIDE THAT REGULAR MUNICIPAL ELECTIONS IN THE CITY OF LINCOLNTON BE HELD IN EVEN-NUMBERED YEARS AND WOULD ALSO EXTEND THE MAYOR’S TERM FROM TWO TO FOUR YEAR TERMS.

Mayor Ed Hatley opened the Public Hearing and explained that a bill (HB 504) to allow municipal elections to be held in even numbered years, also moving the Mayoral term from a two year term to a four year term is currently being considered by the NC General Assembly for Lincolnton. He said this bill was introduced by Representative Jason Saine to go hand in hand with HB 64, which would move all municipal elections across the state to even numbered years. He said if this bill passes this would amend the City’s Charter and move the election cycle and term as stated.

Mr. Dale Punch and Mr. Gene Poinsette, spoke in favor of the proposed HB 504 noting it would save the City money on the cost of municipal elections.

After some discussion, Councilman Black made the motion unanimously approved to close the Public Hearing. Councilman Smith made the motion to endorse HB 504. The notion passed by a three to one vote, Councilmen Smith, Black and Jetton voted in favor and Councilman Eaddy voted no.

REGULAR MEETING - MAY 4, 2017

RESOLUTION HONORING DAPHNE INGRAM ON HER UPCOMING RETIREMENT – JUNE 1, 2017:

(R-4-2017)

Councilman Black made the motion unanimously approved the retirement resolution. Mayor Ed Hatley read aloud and presented a framed copy of the resolution as follows:

WHEREAS, the City of Lincolnton does desire to recognize and honor employees for their dedicated and distinguished contributions to our City and its citizens; and

WHEREAS, Daphne A. Ingram, began employment with the City in January 1992 as the Switchboard Operator/Receptionist in the City Manager’s Office, answering calls for all City Departments and serving as a City dispatcher to Utilities Departments;

WHEREAS, Daphne A. Ingram, in 1997 was promoted to a Personnel Technician, where she assisted the Human Resources Department through 2001; She then moved back to the City Manager/Clerks Office as an Administrative Support Specialist in 2003; and

WHEREAS, Daphne A. Ingram, has served as a member of the City’s Wellness Committee; assisted with several United Way Fundraiser Events; assisted in organizing the March of Dimes Walk America event sponsored by the City in 2006; assisted the City Clerk with many of the Employee Luncheons and Boards and Commissions Banquets working behind the scenes to ensure the events were a success. She is currently serving as the Secretary to the Lincolnton Steering Committee; and

NOW THEREFORE BE IT RESOLVED, that the governing body of the City of Lincolnton wishes to officially commend Daphne A. Ingram for her valuable and outstanding service rendered to the City, both during full time and part time employment, and would like to congratulate and extend best wishes to her as she begins the next chapter in her life.

BE IT FURTHER RESOLVED that this resolution be made a part of the official minutes becoming a permanent record of the City of Lincolnton, and that a copy of this resolution be presented to Daphne A. Ingram.

Adopted and presented this the 4th day of May 2017.

PRESENTATION TO SAGE SURRATT – SENIOR AT LINCOLNTON HIGH SCHOOL RECIPIENT OF THE AP PLAYER OF THE YEAR FOR BOTH BASKETBALL AND FOOTBALL IN 2017:

Mayor Ed Hatley called Lincolnton High School Senior Sage Surratt forward to present him a embellished plaque of a “Key to the City” one of the highest honors awarded, for being names AP player of the Year in both football and basketball and also being named All State.

REGULAR MEETING - MAY 4, 2017

**PRESENTATION TO BERT HONEYCUTT, LINCOLNTON ABC STORE
MANAGER FOR 35 YEARS OF SERVICE:**

Mike Owen, Chair Lincolnton ABC Board, came forward and presented a plaque to Mr. Bert Honeycutt for his thirty-five years of service to the Lincolnton ABC Store.

Both present and former ABC Board members were in attendance to congratulate Mr. Honeycutt on his retirement and his years of service. Mayor and Council also thanked him for his dedication to the City for thirty-five years.

**CONSIDERATION OF AWARDING CHEMICAL BIDS FOR THE
WATER AND WASTEWATER TREATMENT PLANT:**

(C-07-17)

Robert Pearson, Water Resources Director, told Council that a bid opening was held for chemicals for both the Water and Waste water Treatment Plants on Tuesday, April 18th at 2:00 p.m. Of the bids received the following were the low bids which he recommended Council approve entering into a one year contract with each as follows, for said chemicals:

UNIVAR USA, INC - Caustic Soda 50% - 1.79 per liquid gallon
Orthophosphate 33% - 2.4544 “ “ “
EarthTec Algicide/Bactericide –
916.92 per drum
Liquid Sodium Hypochlorie 10% -
0.5538 liquid gallon

BRENNTAG MID-SOUTH, INC - Liquid Sodium Bisulfite – 125.00 per drum
Activated Carbon (50 lb bag) 31.50
Liquid Sodium Bisulfite 38% - 1.55 liquid gallon

JCI JONES CHEMICALS, INC - Chlorine - 500.00 per cylinder

CHEMTRADE CHEMICALS US - Liquid Alum 8.23% avg - 1.79 per liquid gallon

Councilman Eaddy made the motion unanimously approved to award the above said contracts for chemical bids for one year as recommended.

**CONSIDERATION OF ENTERING INTO A LEASE AGREEMENT FOR
CITY VEHICLES – ENTERPRISE FLEET MASTER LEASE
AGREEMENT:**

(C-08-17)

Steve Zickefoose, City Manager, recommended that the Council approve a master lease agreement between the City and Enterprise Fleet to begin a lease for City vehicle, 13 vehicles would be leased the first year, and numbers would change

REGULAR MEETING - MAY 4, 2017

each year there after. Steve said this item was discussed at this years budget retreat and it would reflect a cost savings to the City as well as continue to update our fleet of vehicles.

He said, "It is necessary now to enter into this agreement now in order for the process to identify and procure vehicles to be available for the new budget year. This lease will also include GPS tracking systems for all vehicles which will increase productivity, assist with route management and serve as a safety feature to the City and its employees.

Councilman Jetton made the motion unanimously approved to enter into the contract as recommended.

QUARTERLY REPORT FROM THE LINCOLNTON STEERING COMMITTEE:

Fred Jarrett, Chair of the Lincolnton Steering Committee, reviewed the following report from the Steering Committee with Council:

1. At the first update in January I reported that we had finalized the Steering Committee Charter and that we had created short-term goals and long terms goals.
2. Short-term goals were:
 - improve communications,
 - remove duplicated efforts,
 - align various organization with the City of Lincolnton's Strategic Plan, and
 - report on two improvement items that each organization is working on to accomplish the unified goal of a prosperous downtown Lincolnton.

We are still reporting on items by the allied support organizations (ASO) to improve communications, and remove duplicated efforts to keep each ASO current.

3. First update reported that we had ASO members meeting from:
 - **CITY OF LINCOLNTON**
 - **LINCOLNTON-LINCOLN COUNTY CHAMBER OF COMMERCE (LLCCOFC)**
 - **DOWNTOWN DEVELOPMENT ASSOCIATION (DDA)**
 - **LINCOLNTON TOURISM BOARD (LTB)**
 - **LINCOLN ECONOMIC DEVELOPMENT ASSOCIATION (LEDA)**

Seeking members from:

- **LINCOLN CURTURAL ARTS CENTER (LCAC)**
- **LINCOLN COUNTY HISTORICAL ASSOCIATION (LCHA)**
- **LINCOLN COUNTY HOME BUILDERS ASSOCIATION**

• **REGULAR MEETING - MAY 4, 2017**

• **LINCOLN COUNTY BORAD OF REALTORS**

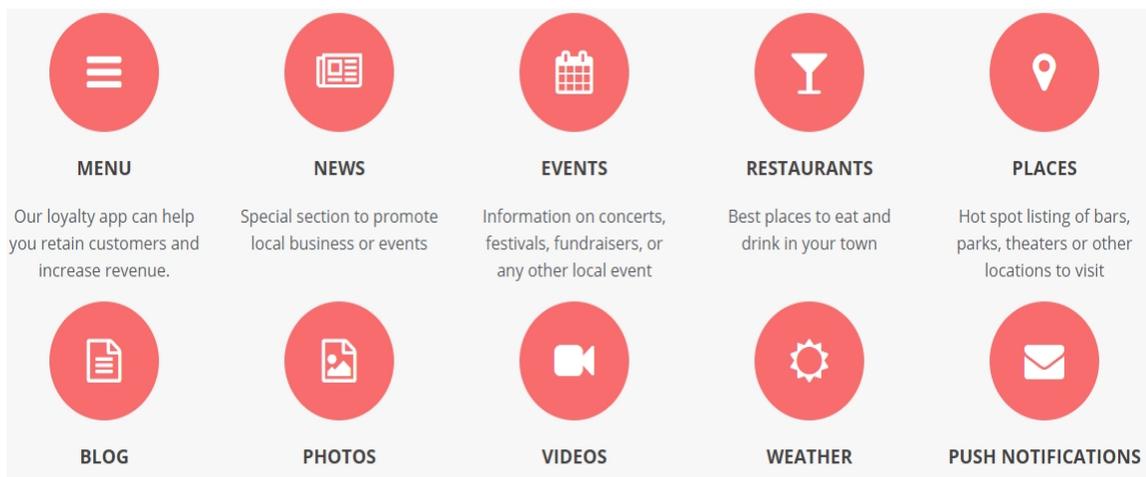
And have added another ASO member:

• **LINCOLN COUNTY ARTS COUNCIL.**

ASO membership of 10, and still looking.

4. We are tracking action items to completion.

- In 2016 we established 19 action items and all but one has been completed.
- Open item is **additional murals** on building walls. Several organizations have been working together to accomplish. Funds are available and efforts are underway to take advantage of the funds to have additional murals on building walls.
- So far in 2017 we have established 8 action items and all but 2 are closed.
 - ❖ Lou Ann Cain is chairing a subcommittee to evaluate “**Mobile Town Guide**” app.



❖ **Downtown Lincolnton Strategic Planning**

Our **charter's propose** states that the Steering Committee:

- assist City government in aligning the committees, groups, and goals to accomplish the unified goal of a prosperous Lincolnton.
- align organizations to improve communications, remove duplicated efforts and align them with the City of Lincolnton’s Strategic Plan.

REGULAR MEETING - MAY 4, 2017

Past several meetings we have been focusing on the **City's Strategic Plan Goal 3 - Downtown Development** and determining how the Committee can support and 'get it done.'

We've been looking at:

- other cities' downtown revitalization plans,
- becoming familiar with Strategic Planning,
- looking for resources to support our effort, and
- **arrived at the need to develop a 'Comprehensive Downtown Strategic Plan' to support and meet Goal 3 of the City's strategic plan.**

An organization that possesses the experience in a comprehensive approach to downtown revitalization - **N.C. Main Street Center**, a branch of N.C. Dept of Commerce, has been contacted and they have committed to help us develop the plan.

The best part - the **service is a free.**

In short, the N.C. Main Street Center works to stimulate economic development within the context of historic preservation, using a comprehensive approach to downtown revitalization developed by the **National Trust for Historic Preservation** and utilized by the **National Main Street Center** to assist communities across the country.

Currently we are in the process of scheduling a Central Business District (CBD) Strategic Economic Planning Coalition meeting.

- The purpose of the ad-hoc meeting is to bring together stakeholders interested in the economic, social and physical growth of the City of Lincoln's downtown district and begin the formal process of developing a Strategic Plan for the CBD.
- Determine interest of stakeholders in supporting and participating in establishing a Strategic Plan.
- The meeting will take place at the Lincoln Cultural Center in the Timken Performance Hall on May 24, 2017 from 10:00 AM to 12:00 PM. There will be a brief introduction, a Strategic Economic Development planning presentation provided by Main Street America and ending with a question and answer period.

This concludes the quarterly update for the major activities of the Steering Committee.

Mayor and Council thanked Mr. Jarrett for his hard work and for chairing this committee as a volunteer. They assured him that his time and talents were definitely reflected in the work of this committee.

REGULAR MEETING - MAY 4, 2017

UPDATE ON INTERSECTION PROJECT AT EAST MAIN AND GENERALS BLVD.:

Laura Elam, Planning Director, told Council that while initial conversations led the City to believe that the NCDOT may be revisiting some of the possible changes in the contract for the intersection project, it now seems we have stalled with some of the additions still being required, she said.

The City along with Leonard Fletcher, the City's engineer for this project, are discussing more options. Steve said potential miscommunications; prices added that may not be necessary; as well as discussions taking place that the City was not involved in would hopefully be revisited.

TGS Engineers are working on the least possible changes to the original plans submitted to NCDOT, several years back, for re-submittal to NCDOT in the near future. Steve said he hopes this can be a two month discussion not a two year discussion. With the City being involved in all conversations between the engineer and the NCDOT hopefully things will progress.

Steve said he will keep Council updated on progress as it happens.

APPLICATION FROM MARK INGLE FOR BUSINESS INCENTIVE GRANT FOR BUILDING RENOVATIONS FOR NEW MEAT MARKET AT 114 EAST MAIN STREET:

BIG-06-2017

Laura Elam, Planning Director, recommended Council approve a business incentive grant to Mark Ingle, for his property at 114 East Main Street, in the amount of \$ 15,000. She said the total project cost estimate was submitted at \$ 66,000 with a projected start date of may 2017. The completion date was estimated at October 2017.

Councilman Black made the motion unanimously approved to award the grant as recommended.

OFFICIAL PRESENTATION OF THE 2017-18 BUDGET – PROPOSED FEE SCHEDULE – BUDGET MESSAGE – (NOTE: THE PUBLIC HEARING WILL BE HELD AT OUR JUNE 1ST MEETING WHERE COUNCIL COULD CONSIDER ADOPTION OF THE PROPOSED BUDGET):

Steve Zickefoose, City Manager, presented Council with a draft of the proposed 2017-18 fiscal year budget, serving as the official budget presentation. He said the total projected budget for FY 17-18 is \$ 26,981,049.00. Steve reviewed the four major funds, noting this has been a very challenging budget due to the impacts of losing our largest water/sewer customer. He told Council, "We have all agreed that stabilizing the utility rates is vital in stimulating economic growth

REGULAR MEETING - MAY 4, 2017

and as a result, the approach of sharing the review loss impact across all funds has been used.”

He said, “This budget does not reflect a property tax increase nor does it include an increase in the water, sewer or electric rates.” Mayor and Council were pleased with his hard work on presenting a budget with no increase in rates.

Steve thanked the department heads and staff for their assistance and understanding throughout the budget process. He said, “We all understand we are to do more with less, with our focus remaining on service. A zero based budget approach is the philosophy I took when preparing this budget.”

Steve was pleased that this budget included several items discussed at retreat; yearly service supplements; combining General Services with parks and Recreation; continued Business Incentive Grant funding etc as items included in the proposed budget.

Councilman Jetton questioned the monies for the vehicle tax implemented July 1st of 2017. Steve said the City has received around \$ 40,000 in revenue to be spent on paving roads thus far. The estimate for a full year of collecting the tax was around \$ 80,000. Steve reiterated that he will only spend on paving roads what monies have been brought in from this tax, not the amount anticipated this year. Several streets are scheduled to be resurfaced in the near future as a result of the City receiving this additional revenue.

Steve encouraged Council to contact him with any questions they may have upon review of the proposed budget.

CONSIDERATION OF A MOTION TO APPROVE HOLDING A BUDGET WORK SESSION MONDAY, MAY 15TH – 5:30 PM – COUNCIL CHAMBERS OF CITY HALL

Steve Zickefoose, City Manager, told Council that he would like to hold a work shop for Council to discuss several items and address any questions regarding the proposed budget. He suggested Monday, may 15th at 5:30 pm here at City Hall.

Councilman Black made the motion unanimously approved to advertise a budget work session for the above said date and time.

Councilman Black requested that food be provided and Councilman Jetton suggested casual attire.

REGULAR MEETING - MAY 4, 2017

MONTHLY FINANCIAL REPORT & OVERTIME REPORT:

Steve Zickefoose, City Manager, reviewed the following monthly financial report:

REGULAR MEETING - MAY 4, 2017

PUBLIC COMMENT:

Dale Punch told Council, "I am proud to be from Lincolnnton again." He thanked the City for re-instating the July 4th program last year and told them of plans for the celebration this year.

Christine Poinsette told them of the upcoming production of Thunder Over Carolina by the Lincoln Arts Council and she distributed invitations to all of Council inviting them to attend.

NEWS MEDIA:

Wayne Howard of the Lincoln Herald had several questions or clarifications for Steve of the terminology used when referencing the budget. Steve was to meet with Wayne to discuss these various items as discussed regarding balancing the budget/using fund balance.

CLOSED SESSION:

Councilman Jetton made the motion unanimously approved to enter in to Closed Session in accordance with NCGS 143-318.11(a)(1)(5)(6) to discuss property and personnel.

Councilman Jetton made the motion unanimously approved to return to Regular Session.

ADJOURNMENT:

Councilman Black made the motion unanimously approved to adjourn the meeting.

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

**ED HATLEY
MAYOR**