

**REGULAR MEETING - APRIL 6, 2017**

The Mayor and City Council met in regular session on Thursday, April 6, 2017 at 7:00 p.m. in the Council Chambers of Lincolnton City Hall, located at 114 West Sycamore Street.

Mayor Hatley called the meeting to order. The following Council members were in attendance:

**SMITH    BLACK    EADDY    JETTON**

Members of First United Methodist Church Boy Scout Troop 75, Jake Bower and Jayden Rhyne led the Pledge of Allegiance.

Councilman Eaddy made the motion unanimously approved the *REGULAR AGENDA*, moving the presentation to the Lincolnton Student Advisory Council to the first item of business.

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

- Approved the following minutes:
  - March 2, 2017 - Regular Meeting
  - March 22, 2017 - Special Meeting
- Approved Revisions to City’s Personnel Policy – Article V – Section 12 – Use of City Owned Equipment
- Approved the following Revisions to the List of Budgeted Positions –
  - a. Elimination of Public Works Superintendent position
  - b. Reclassification of Public Utilities Director to Public Works & Electric Utilities Director
  - c. Reclassification of Water Treatment Plant Superintendent to Water Resources Director
- Recommendation to Piggy Back with Lincoln County – Approved On Call Engineering Services – Water and Wastewater
- Approved the following PROCLAMATIONS:
  - Small Business Week – April 30 – May 6, 2017
  - Older Americans Month – May 2017

Approved the following Calls to Public Hearing for the May 4<sup>th</sup> City Council meeting:

- CU-ZMA-2-2017- 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 subject property is located at the northwest corner of North Aspen Street and West Pine Street. (Parcel ID 21017).

## **REGULAR MEETING - APRIL 6, 2017**

- ZMA-1-2017- 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).

### **REGULAR AGENDA:**

***(NOTE: Agenda Item # 14 was moved to the front of the agenda; motion by Councilman Eaddy)***

### **RECOGNITION OF THE 2016-17 LINCOLNTON STUDENT ADVISORY COUNCIL:**

Jill S. Eaddy, Advisor, said “Twenty-five years ago former City Manager David Lowe came to me with the idea of a Lincoln Student Advisory Council and he ask me if I would be the advisor, and I quickly said yes but I didn’t know it was going to be a life-long thing, but here I am.” Jill thanked the current elected officials for their continued support of this Advisory Council. The Student Advisory Council is comprised of five students from each of the four High School and two members of the Lincoln Charter School. Mayor and Council have three seats to which they also can make nominations, for a total of twenty-five members.

Mrs. Eaddy said, as always, we have an outstanding group of students this year. They are leaders in their churches, schools and the community. They come up with some very thoughtful and mature ideas and they show true concern for their community. They bring ideas to City Council and other government officials as well. They are learning how the government operates. They develop an understanding of what entity does what and they gather an understanding of what process is necessary to get things done. Jill reviewed past accomplishments of SAC members, naming Taco Bell, Welcome Signs at all four entrances of the City limits, the Student Memorial Project, distributed Valentine cards to area nursing homes just to name a few.

Westley Hunter, gave a brief update of items the Business Committee is working on, noting the continued recruitment of a Chick-fil-a. He reminded Council of the video a former SAC made and that this Council resubmitted along with a letter encouraging that Chick-fil-a to locate in Lincoln.

Charles Robinette, gave a brief update on the Communities Committee. He said they have visited area Nursing Homes on their on time to talk with residents they are working toward reseeding City Park so that the gravel from the former infield area is a softer grass area for children to play. They are assisting Arts on Main

**REGULAR MEETING - APRIL 6, 2017**

with crafts as well as working with the Rail Trail Committee researching grant opportunities for the upkeep of the garden.

Mallory Miller, SAC Chair, updated Council of projects the Schools Committee has been working on.

Elizabeth Noles, Chloe Saine, Avery Reel updated Council on the Volunteer Committee noting the current fundraising efforts of raffling off a YETI Tundra cooler, with proceeds to go to the Child Advocacy Center. Chloe Saine also gave Council an overview of all the projects proposed and completed by the Volunteer Committee, including the Angel Tree for DSS, the Valentine Cards for Nursing Centers, the GLOW Run, the Easter Egg Hunt and the CAC fundraiser project. She also told Council their final project for the year would be a Car Wash to be held on May 20<sup>th</sup> at the Board of Education Office from 9 am to 1 pm. Proceeds would go to continued efforts to purchase bricks for the Student Memorial which is located at the flag pole at the Board of Education Office.

In conclusion Mayor Hatley presented each Student Advisory Council member in attendance with a City lapel pin and thanked them for their service to the City. He and Council members also thanked Mrs. Eaddy for serving as advisor to this Council.

**APPLICATION FROM ANDERSON PROPERTIES FOR BUSINESS INCENTIVE GRANT FOR EXTERIOR BUILDING RENOVATIONS AT 1202 EAST MAIN STREET:**

**BIG-05-2017**

Mayor Hatley opened the Public Hearing. Laura Elam, Planning Director, reviewed the request from Anderson Properties for a Business Incentive Grant for exterior building renovations at 1202 East Main Street. Laura said the total amount requested was \$ 481.00 and was approved by the Planning staff and the Steering Committee.

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

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

**REGULAR MEETING - APRIL 6, 2017**

**APPLICATION FROM THE BTR COMMUNITIES GROUP, LLC REQUESTING THE CONDITIONAL USE REZONING OF APPROXIMATELY 3.5 ACRES OF LAND FROM GENERAL BUSINESS (GB) DISTRICT TO THE CONDITIONAL USE-RESIDENTIAL-OFFICE (CU-RO) DISTRICT. THE CONDITIONAL USE PERMIT WOULD ALLOW FOR THE CONSTRUCTION OF A 48 UNIT PLANNED RESIDENTIAL MULTI-FAMILY DEVELOPMENT. THE SUBJECT PROPERTY IS LOCATED ON EAST MAIN STREET (FORMERLY 2480/2490 EAST MAIN STREET) AND ROSS STREET (PARCEL ID 00448, 90927,90928, 90929):**

**CU-ZMA-1-2017**

Mayor Hatley opened the Public Hearing. Laura Elam, Planning Director, stated the applicant had withdrawn their request after the hearing was advertised, therefore opening and closing the hearing would be the only action necessary on this item.

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

**APPLICATION (ZTA-1-2017) FROM THE DOWNTOWN STEERING COMMITTEE TO REVISE THE PERMITTED USES IN THE CB DISTRICT BY ALLOWING AUTOMOBILE SERVICE STATIONS, BAIL BOND SERVICES, CHECK CASHING ESTABLISHMENTS, CHURCHES, FINANCIAL INSTITUTIONS, AND PAWN SHOPS AS CONDITIONAL USES RATHER THAN PERMITTED USES:**

**O-05-2017**

Mayor Hatley opened the Public Hearing. Laura Elam, Planning Director, reviewed the above stated request. She said the Downtown Steering Committee has been discussing potential amendments to the City's Zoning Ordinance for several months. They are requesting a change in the Downtown (Central Business District) zoning regulations in order to make changes to several permitted land uses. She said currently, the six land uses that are involved in this are; bail bonds services, check cashing establishments, gas stations, pawn shops, banks and churches are permitted uses in the CBD. The proposed amendment would change the regulations so that these uses would become conditional uses rather than permitted uses and require the approval of a conditional use permit by City Council.

Laura said the purpose of the proposed amendment is to try to maintain the charm and character of downtown Lincoln while also helping it to be better positioned to attract more retail and restaurant uses and potentially a microbrewery or tavern type of use.

She said uses like taverns and microbreweries are required by State ABC laws to be at least 50 feet from churches. It can be difficult to find locations in the

## **REGULAR MEETING - APRIL 6, 2017**

downtown area that meet the 50 foot separation due to the number of churches. As additional churches locate in the downtown area and as existing churches expand, it will become more and more challenging to find locations downtown that could potentially meet the State ABC separation requirements and be eligible for a microbrewery or tavern. The proposed amendment would allow churches in the Central Business District subject to the approval of a conditional use permit.

Laura reviewed the impact the change would have on bail bonds, check cashing and pawn shops as well as banks and gas stations should the proposed amendment be approved.

Laura concluded noting that if this amendment was approved, any existing bail bonds services, check cashing establishments, gas stations, pawn shops, banks and churches would continue to be permitted in the CBD. Any new or expanding bail bond services, check cashing establishments, gas stations, pawn shops, banks or churches would be subject to the approval of a conditional use permit. She recommended approval on behalf of Planning Board and staff.

And Lynn, of the DDA, Vice-Chair Downtown Steering Committee and also Planning Board Chair, spoke to Council about the request saying, "We have thought about the economic viability in downtown we are not trying to prevent any of these businesses from coming in to downtown we would just like to see them come before the Planning Board and come before Council to be considered. Some of the uses such as restaurants are not able to come in downtown due to the current ABC regulations. We really wanted to have these considered before having them approved.

Councilman Black questioned the exact area of the Central Business District. Laura depicted the area on the Zoning Map in the Council Chambers, noting it runs along East Main Street from Flint to Grove street along the Courthouse, five blocks of East Main Street. There was some discussion of the Central Business and Central Business Transitional Districts and churches currently in existence.

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

Councilman Eaddy made the motion to amend the Unified Development as recommended.

Councilman Eaddy thanked staff and the Steering Committee for the work they have done on this amendment. He said, "I think it is important that we look down the road as we development Lincolnton and create opportunities that our citizens say they want. They want restaurants they want places that are open at night downtown, and just about all of these uses are closed at night in downtown and I appreciate everyone's efforts on amending the UDO."

**REGULAR MEETING - APRIL 6, 2017**

After further discussion Mayor Hatley called for the vote on Councilman Eaddy's motion to approve. Councilmen Eaddy and Jetton voted in favor with Councilmen Black and Smith voting no. Mayor Hatley then broke the tie with a yes vote. The motion passed by a three to two vote.

**APPLICATION ZTA-2-2017 FROM NATALIE RIDGE AND WILL FOX REQUESTING A TEXT AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE (SECTION 153.106) THE PROPOSED TEXT AMENDMENT WOULD ALLOW FOR OPEN-AIR VENUE/OUTDOOR VENUE AS A CONDITIONAL USE IN THE R-15 AND R-10 ZONING DISTRICTS.**

**O-06-2017**

Mayor Hatley opened the Public Hearing. Laura Elam, Planning Director, reviewed the request from Natalie Ridge and Will Fox requesting a text amendment to the UDO, allowing an open-air venue/outdoor venue as a conditional use in the R-15 and R-10 Zoning Districts.

Laura provided a definition of an Open-Air Venue/Outdoor Venue as a facility which would be used for such events as weddings, rehearsal dinners, dinner parties, graduation parties, birthday parties, retirement parties, bridal showers, baby showers, luncheons and similar uses. The use shall have limited days and hours of operation and must be able to either provide parking on site or by contract with a nearby lot.

She said the R-15 district is primarily a single family residential district but does allow a limited number of private and public uses as conditional uses. The conditional use permitting process would allow the Planning Board and City Council to look at specific locations to ensure they would be compatible with the neighborhood and to place reasonable conditions on the permit to ensure that the public health and safety would be protected. Laura concluded recommending approval of behalf of the Planning Board and staff of this use in the R-15 and R-10 districts but only as a conditional use.

Alan Hoyle spoke against this request, saying there was confusion on what the downtown districts are exactly. He said, "I think if you are making a ordinance a City law there needs to be a definition exactly what we are talking about." He said, "The term open air can relate to a lot of things and I am still concerned that the constitution was not a constrictive document on the people, but was designed to be a constrictive document on the government." He concluded expressing his concerns over the government once again restricting a citizen's rights. "If it's my property and I allow someone to use it, as long as it's not endangering someone, I have the right to allow them to do it on my property."

**REGULAR MEETING - APRIL 6, 2017**

Councilman Black addressed his concerns, explaining that he felt this ordinance would not restrict but now possibly allow the above stated uses, opening it up as an R-15 use.

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

Councilman Black made the motion unanimously approved to amend the UDO, making the text amendment, as recommended by the Planning Board and staff.

**PROPOSED AMENDMENTS TO THE CITY’S CODE OF ORDINANCES – TITLE VII. TRAFFIC CODE – CHAPTER 75 – PARKING SCHEDULES. THERE ARE PROPOSED AMENDMENTS TO THE FOLLOWING SECTIONS: SCHEDULE 1 – PARKING PROHIBITED AT ALL TIMES. SCHEDULE II – PARKING PROHIBITED FROM 1 AM TO 6 PM. SCHEDULE III – PARKING LIMITED TO TWO HOURS OR AS DESIGNATED IN PARKING SCHEDULE. SCHEDULE IV – PARKING AT COURTSQUARE. SCHEDULE VI – DIAGONAL PARKING:**

**O-07-2017**

Mayor Hatley opened the Public Hearing. Steve Zickefoose, City Manager, proposed the following changes to the City Code of Ordinances endorsed by the Parking Committee, as follows:

Lincolnton, NC Code of Ordinances

**CHAPTER 75: PARKING SCHEDULES**

Schedule

- I. Parking prohibited at all times**
- II. Parking prohibited from 1:00 a.m. to 6:00 a.m.**
- III. Parking limited to two hours, except Sunday and public holidays**
- IV. Parking at Court Square**
- V. Handicapped parking**
- VI. Diagonal parking**

**SCHEDULE I: PARKING PROHIBITED AT ALL TIMES.**

Parking is prohibited at all times on the following streets or portions of streets.

<i>Description</i>	<i>Direction</i>
Academy Street between Congress Street and Rhodes Street	East side
Academy Street between Main Street and Pine Street	East side
Battleground Road between Skip Liming Drive and Linwood Drive	Both sides
Carter Street from Cedar Street to Kistler Street	Both sides
Church Street from distance of 150 feet west from intersection with South Academy Street	South side
Church Street from Government Street to Aspen Street	South side
Church Street from South Aspen to South Academy	North side
Circle Drive from its western intersection with East Main Street to its eastern intersection	South side

with East Main Street	
Deaton Avenue from North Aspen Street to Mauney Drive	Both sides
Dixon Street from Sunset Drive to North Aspen Street	Both sides
East Catawba Street, 1100 Block, east to end of Catawba Street	East
East Main Street, extending from Laurel Street in an easterly direction to North Flint Street	North side
East Main Street from Cedar Street to South Flint Street	South side
East Main Street from Flint Street to No. 321 By-Pass	Both sides
East Park Drive between Rhodes Street and Jennings Street	Both sides
East Pine Street from Oak Street to Flint Street	Both sides
East Rhodes Street from Aspen Street to Academy Street	South side
East Sumner Street extending a distance of 150 feet west toward Poplar Street from intersection with North Cedar Street	Both sides
East Water Street from Academy Street to Flint Street	South side
Grier Street from Government Street to Motz Avenue	East side
High Street from intersection of Church Street north to intersection with West Pine Street	East side
J.Rurel Street from Congress Street to No. 321 By-Pass	Both sides
Laurel Street from Main Street to Church Street	Both sides
Laurel Street from Sycamore Street to Main Street	Both sides
Lee Avenue	West side
Mauney Drive from North Aspen Street in a westerly direction until it dead-ends	Both sides
McBee Street from North Poplar Street to North Cedar Street	Both sides
McBee Street from Poplar Street to Cedar Street	South side
North Aspen Street from Pine Street to Dixon Street	East side
North Aspen Street from Walker Branch to city limits	Both sides
North Cedar Street extending from Sycamore Street north to East Vine Street	East side
North Flint Street from East Main Street, north to East Hoke Street	West side
North Flint Street from the bridge crossing Walkers Branch to the intersection of U.S. Highway 321	East side
North Poplar Street from <del>McBee Street</del> East Sycamore Street to Sumner Street	East side
Poplar Street from Main Street to railroad bridge	East side
Railroad Street from East Main Street to Edgewood Drive	South side
Rhodes Street from Academy Street to Poplar Street	Both sides
Riverside Drive to city limits line	Both sides
Skip Lawing Drive	East side
South Aspen Street, a distance of 145 feet from the north edge of the railroad bridge and the east side of South Aspen Street a distance of 145 feet from the north edge of the railroad bridge. (The area restricted by this is in front of the Southern Bell building on both sides of South Aspen Street extending from the bridge northward 145 feet)	West side
South Aspen Street between Cherry Street and Dixon Street	East side
South Aspen Street between Rhodes Street and Motz Avenue	West side



South Edwards Street from East Main Street south to intersection with East Gaston Street	South
South High Street, 300 block, between Church Street and Congress Street	East side
South Linden Street from East Gaston Street to East Lincoln Street	
South Poplar Street from Water Street to the south side of the bridge	Both sides
Sunset Drive from Skip Lawing Drive to Dixon Street	Both sides
Sycamore Street from Court Square to High Street except on north side at City Hall	Both sides
Sycamore Street from Flint Street to North Poplar Street	Both sides North side
Water Street from Court Square to Academy Street <b>Flint Street</b>	South side
West Childs Street from South Madison Street to South Grove Street	South side
West Park Drive between Rhodes Street and Jennings Street	Both sides
West Water Street from South Government Street to Court Square	North side

(Prior Code, § 13-30) (Ord. passed 11-6-1980; Ord. passed 8-9-1983; Ord. passed 11-15-1984; Ord. passed 8-25-1985; Ord. passed 7-10-1986; Ord. passed 10-9-1986; Ord. passed 5-3-1990; Ord. passed 10-4-1990; Ord. O-25-93, passed 9-2-1993; Ord. O-26-93, passed 9-2-1993; Ord. O-48-96, passed 12-5-1996; Ord. O-73-99, passed 8-5-1999; Ord. O-74-99, passed 8-5-1999; Ord. O-11-01, passed 9-6-2001; Ord. O-06-02, passed 9-5-2002; Ord. O-01-03, passed 2-13-2003; Ord. O-06-08, passed 12-4-2008) Penalty, see § 70.99

**SCHEDULE II: PARKING PROHIBITED FROM 1:00 A.M. TO 6:00 A.M. ENFORCED MONDAY-FRIDAY 8:00 A.M. TO 4:00 P.M.**

Except as otherwise permitted in Chapter 75, Schedule IV:

<i>Prohibition Enforced</i>	<i>Location</i>
Parking <del>prohibited from 1:00 a.m. to 6:00 a.m.</del> <b>enforced Monday-Friday 8:00a.m. to 4:00 p.m.</b>	All hard surfaced streets

(Prior Code, § 13-31) (Ord. O-07-04, passed 12-9-2004) Penalty, see § 70.99

**SCHEDULE III: PARKING LIMITED TO TWO HOURS OR AS DESIGNATED IN THE SCHEDULE BELOW, EXCEPT SUNDAY AND PUBLIC HOLIDAYS.**

Except as otherwise permitted in Chapter 75, Schedule IV, parking is limited to ~~two~~ **two** hours on the following streets or portions of streets.

Academy Street – 2 hours
Aspen Street – 2 hours
Cedar Street – 2 hours
Court Square – 2 hours
Main Street 100 and 200 blocks – 2 hours
Main Street 300 block – 3 hours
Main Street 400 block – open parking
Poplar Street – 2 hours

Sherrill Avenue, the west side, from Alexander Street to Hoke Street – 2 hours
South Poplar Street, the west side, from East Main Street to East Water Street – 2 hours
N Poplar, the east side, from E Pine to E Mcbee- open parking
Sycamore Street from Court Square to N Academy – 2 hours
Sycamore Street from N Flint Street to N Academy- open parking
Water Street from Court Square to Poplar Street – 2 hours
West Main Street (both north and south sides), from the Court Square to Government Street -2 hours
West Water Street, the south side, from South Government Street to Court Square – 2 hours
City Hall parking lot limited to 30 minutes for public parking

(Prior Code, § 13-32) (Ord. O-07-04, passed 12-9-2004) Penalty, see § 70.99

**SCHEDULE IV: PARKING AT COURT SQUARE.**

<i>Location</i>	<i>ProhibitionEnforced</i>
Court Square, the entire area surrounding the courthouse, beginning at the intersection of East Main Street and Court Square and continuing around the Court Square to the intersection of Court Square and West Main Street and then continuing around the Court Square from West Main Street to East Main Street	All parking, except in those designated 24-hour parking spaces limited to ten and 15 minutes shall be <del>prohibited</del> <b>enforced</b> between the hours of <del>11:00 p.m. and 5:00 a.m.</del> <b>8:00 a.m. and 4:00 p.m.</b>
East Main Street, one block north, on Academy Street, both sides of the street	All parking, except in those designated 24-hour parking spaces limited to ten and 15 minutes shall be <del>prohibited</del> <b>enforced</b> between the hours of <del>11:00 p.m. and 5:00 a.m.</del> <b>8:00 a.m. and 4:00 p.m.</b>
East Main Street, one block north, on Cedar Street, both sides of the street	All parking, except in those designated 24-hour parking spaces limited to ten and 15 minutes shall be <del>prohibited</del> <b>enforced</b> between the hours of <del>11:00 p.m. and 5:00 a.m.</del> <b>8:00 a.m. and 4:00 p.m.</b>
East Main Street, one block north, on Laurel Street, both sides of the street	All parking, except in those designated 24-hour parking spaces limited to ten and 15 minutes shall be <del>prohibited</del> <b>enforced</b> between the hours of <del>11:00 p.m. and 5:00 a.m.</del> <b>8:00 a.m. and 4:00 p.m.</b>
East Main Street, one block north, on North Poplar Street, both sides of the street	All parking, except in those designated 24-hour parking spaces limited to ten and 15 minutes shall be <del>prohibited</del> <b>enforced</b> between the hours of <del>11:00 p.m. and 5:00 a.m.</del> <b>8:00 a.m. and 4:00 p.m.</b>
East Main Street, two blocks south, on Academy Street, both sides of the street	All parking, except in those designated 24-hour parking spaces limited to ten and 15 minutes shall be <del>prohibited</del> <b>enforced</b> between the hours of <del>11:00 p.m. and 5:00 a.m.</del> <b>8:00 a.m. and 4:00 p.m.</b>
East Main Street, one block south, on Cedar Street, both sides of the street	All parking, except in those designated 24-hour parking spaces limited to ten and 15 minutes shall be <del>prohibited</del> <b>enforced</b> between the hours of <del>11:00</del>

	<del>p.m. and 5:00 a.m.</del> <b>8:00 a.m. and 4:00 p.m.</b>
East Main Street, one block south, on Laurel Street, both sides of the street	All parking, except in those designated 24-hour parking spaces limited to ten and 15 minutes shall be <del>prohibited</del> <b>enforced</b> between the hours of <del>11:00 p.m. and 5:00 a.m.</del> <b>8:00 a.m. and 4:00 p.m.</b>
East Main Street, one block south, on South Poplar Street, both sides of the street	All parking, except in those designated 24-hour parking spaces limited to ten and 15 minutes shall be <del>prohibited</del> <b>enforced</b> between the hours of <del>11:00 p.m. and 5:00 a.m.</del> <b>8:00 a.m. and 4:00 p.m.</b>
East Main Street, parking on the north and south side, from the intersection of East Main Street and Court Square to the intersection of East Main Street and Laurel Street	All parking, except in those designated 24-hour parking spaces limited to ten and 15 minutes shall be <del>prohibited</del> <b>enforced</b> between the hours of <del>11:00 p.m. and 5:00 a.m.</del> <b>8:00 a.m. and 4:00 p.m.</b>

(A) Upon application to the Chief of Police, parking shall be allowed on those streets where it is prohibited during specified hours where certain conditions are met. Application may be made to the Chief of Police in writing by a responsible official of an organization conducting a meeting in the Central Business District at least 24 hours prior to the time the meeting is scheduled to be conducted. Approval by the Chief of Police of the application shall suspend enforcement of the no parking provision for that period in question.

(B) The Chief of Police shall have the authority to issue parking permits upon proper written application.

(Prior Code, § 13-34) (Ord. passed 2-11-1988; Ord. O-28-93, passed 11-4-1993; Ord. O-06-05, passed 9-1-2005; Ord. O-07-04, passed 12-9-2004) Penalty, see § 70.99

**SCHEDULE V: HANDICAPPED PARKING.**

The following parking areas or spaces shall be reserved and designated as parking areas for handicapped citizens upon the city posting signs and/or street markings designating the areas for handicapped parking.

<i>Location</i>	<i>Number of spaces</i>
East Main Street, north side	One space
East Main Street, south side between Academy Street and Poplar Street	One space
East Main Street, south side, between the Court Square and Academy Street	One space
East Sycamore, south side, adjacent to the entrance of the First Methodist Church between North Academy and North Poplar Street	One space
East Sycamore Street, north side, between the Court Square and North Academy Street	One space
North Cedar Street, east side, adjacent to the entrance of the Lincoln Cultural Center between East Main Street and East	One space

Sycamore Street	
North Cedar Street, west side, adjacent to the entrance of Saint Luke's Episcopal Church between East Pine Street and East McBee Street	Three spaces
South Aspen Street, west side, adjacent to the entrance of Emmanuel Lutheran Church between West Church Street and West Water Street	Two spaces
West Main Street, north side, between Government Street and the Court Square	One space

(Prior Code, § 13-35) (Ord. O-05-00, passed 8-3-2000; Ord. passed 9-1-2008; Ord. O-05-08, passed 9-11-2008) Penalty, see § 70.99

**Cross-reference:**

*Handicapped parking, see § 72.02*

**SCHEDULE VI: DIAGONAL PARKING.**

All vehicles shall be parked at an angle of approximately 45 degrees with the curb on the following streets or portions of streets.

<i>Street</i>	<i>From</i>	<i>To</i>	<i>Side</i>
Cedar Street	From Main Street	To Water Street	East side only
Court Square		West side only	
Main Street	From intersection of Cedar Street	To Court Square	Both sides
Main Street	From Court Square	To Government Street	North side only
Oak Street	From East Main Street half way	To Water Street	Both sides
<b>N Poplar Street</b>	<b>East Sycamore Street</b>	<b>To East Pine Street</b>	<b>West Side</b>

(Prior Code, § 13-36) Penalty, see § 70.99

Steve told Council that the Parking Committee was established to review downtown parking and to come up with suggestions for improving areas of concern. The committee membership included business owners and representatives of the City and County government. Members are: Mayor Hatley, Councilman Eaddy, Police Chief Rodney Jordan, City Manager Steve Zickefoose, Jamie Houser, John Anderson, Mike Payne, Rex Rhyne and Assistant County Manager Joshua Grant.

Steve reviewed a summary of the recommendations noting that parking would be enforced Monday through Friday from 8 am to 4 pm, with no overnight restrictions. The 100 and 200 block of Main Street would have a two hour parking limit. The 300 block would have a 3 hour parking limit and the 400 block would have open parking. One handicapped Loading/Unloading parking

space would be added in front of Arts on Main. Sycamore Street from Flint to Court Square would go to one lane traffic, rather than two lanes one way. Steve noted several other proposed changes as reflected in the above schedule noting the there would be 109 parking spaces added should the revisions be approved.

Councilman Jetton noted that it is critical that the parking be enforced. He said, "If the ordinance is on the books it should be enforced one hundred percent."

**REGULAR MEETING - APRIL 6, 2017**

Councilman Black asked that the Parking Committee meet again and consider a 25 mph speed limit City Wide, rather the current 35 mph, as requested by Councilman Jetton at our last meeting. It was determined that the Parking Committee would meet and discuss this and several other issues in the near future.

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

Councilman Jetton made the motion unanimously approved to adopt the ordinance as presented.

Lincoln Herald reporter Wayne Howard questioned several areas of the newly adopted ordinance and asked for clarification. After some discussion he seemed satisfied of the areas he had concerns with.

**BUDGET AMENDMENT AFFECTING THE POWELL BILL FUND, THE WATER & SEWER FUND AND THE FUND BALANCE:**

**(BA-01-17)**

Steve Zickefoose, City Manager, reviewed a proposed budget amendment to the following funds:

*Powell Bill Fund* Expenditures - \$ 185,000 increase in expenditures, with an appropriation from Fund Balance to cover said amount.

*Water & Sewer Fund* Expenditures - \$ 278,000, with an appropriation from Fund Balance to cover said amount. Steve noted the projects and emergency repairs that resulted in these expenditures from the water and sewer fund.

Steve noted the Powell Bill Fund Balance would be \$ 270,000 after these expenses and the Water and Sewer Fund Balance would be 3.6 million after the repairs expense.

Councilman Eaddy made the motion unanimously approved to adopt the budget amendment as recommended by the City Manager.

**CONSIDERATION OF CHANGES TO THE BUSINESS INCENTIVE GRANT (BIG) POLICY; SEPARATING THE FAÇADE GRANT AND**

## **ARCHITECTURAL GRANT FROM THE BUSINESS INCENTIVE GRANT:**

**(P-01-17)**

Laura Elam, Planning Director, reviewed the proposed changes to the Business Incentive Grant Policy as follows:

### **REGULAR MEETING - APRIL 6, 2017**

#### **Business Incentive Grant Program Policy**

##### Purpose

The purpose of the City of Lincolnton Business Incentive Grant program is to promote economic development opportunities by offering [new or expanding small](#) businesses matching cash grants to partially defray the cost associated with start-up improvements or expansion projects ~~façade improvements, architectural services or new or improved signage~~ thereby freeing business capital at a time when it is most urgently needed. This program will benefit the City of Lincolnton with increased tax base, expanded job opportunities and increased payroll in our community.

The Business Incentive Grant will be an economic development activity that supports the goals and objectives of the City of Lincolnton Strategic Plan. It is intended to assist business owners with building renovations and rehabilitations ~~façade improvements and new or improved signage~~ which encourage economic development in Lincolnton.

The following guidelines govern the Business Incentive Grant program. This set of guidelines shall be subject to periodic review and revision. Funding for the program may be discontinued at any time at the discretion of the City.

##### Guidelines

1. A completed business plan must be submitted with the application.
2. Applicants must adhere to applicable City of Lincolnton ordinances and code requirements, such as building codes, zoning regulations, etc.
3. Grants are provided to help with correction of building code violations, building renovations, building rehabilitations, ~~façade improvements, signage,~~ etc. Only one grant will be provided to a business per calendar year. Funds are for fixed items only and not for inventory, furnishings or non-fixed items.
4. The applicant must secure a two-year lease, if leasing.
5. Provides 50% of the total cost of approved projects up to \$15,000 for eligible expenditures for properties located within the Central Business District (see attached map) and up to \$5,000 for eligible expenditures on properties located elsewhere in the City limits. However, the City may not award the total amount requested.

6. Each application shall be treated on a case-by-case basis.
7. Since each application will be different, and reviewed on a case-by-case basis, the applicant may be required to submit additional information.

### **REGULAR MEETING - APRIL 6, 2017**

8. The Business Incentive Grant program is not intended to provide financial assistance to fiscally unsound businesses.
9. Business Incentive Grant program applications will be reviewed by the Steering Committee with final consideration and approval given on each grant application by City Council.
10. Business Incentive Grant program approval will be made at the sole discretion of the City Council and will depend on the availability of funds.
11. The intent of the Business Incentive Grant program application process is not to burden the applicant business with extensive research, but to provide the Steering Committee and City Council with information to make appropriate recommendations and decisions.
12. Only one Business Incentive Grant may be awarded to an individual business per calendar year. The business, receiving such grant, must wait 365 days before applying for another Business Incentive Grant through this program.

Business Incentive Grant program applications will be evaluated on each of the following factors. The application should be developed according to the following criteria for each factor:

Business/Organization/Business Plan Description (15%): Does the application describe the business/organization history or business plan? Does the application describe the nature of the business conducted in the City of Lincoln? Does the application provide previous year business financial information and cash flow? Does the application clearly demonstrate sound and sustainable business financing? Does the application describe the value of resources other than labor purchased in the City of Lincoln? Does the application describe the percentage of goods and services performed in the City of Lincoln? Does the application describe the number of fulltime and part-time workers employed by the business/organization? Does the application describe the benefits provided to employees?

Project Description (30%): Does the application clearly describe the project? Does the application clearly delineate the project's expected costs and revenues? Does the application clearly describe the project's timeline? Does the application clearly describe the project's management? Does the application describe how the project is sustainable over a period of time? Does the application describe the project's direct and measurable results with full economic impact within three years? Does the application describe project risks and mitigation plans?

**REGULAR MEETING - APRIL 6, 2017**

Scope of Impact (20%): Does the application clearly describe how the project supports the economic development goals and objectives of the City of Lincoln Business Incentive Grant program? Does the application describe how the project supports increased economic activity in the City of Lincoln? Does the application project the economic impact to the City of Lincoln over three years? Does the application describe how Lincoln residents will benefit from this project?

Leveraging Resources (20%): Since projects that leverage additional sources of support will be given preference in the Business Incentive Grant program, does the application describe any and all additional sources of cash and in-kind support for the project? Does the application clearly indicate matching/leveraged resources in the project budget? Does the application describe how Business Incentive Grant program funds will be applied?

Accountability (15%): Does the application describe predicted results that will be reported to the Steering Committee annually over three years? Does the application clearly describe how predicted results are easily measured, reported, and verified? Does the application describe how predicted results link to project goals, objectives, and activities?

Contact: Laura Elam, Planning Director, Planning Department with any questions.

Councilman Black made the motion unanimously approved to adopt the revised policy as presented.

**CONSIDERATION OF A JOINT PROCLAMATION WITH LINCOLN COUNTY – NATIONAL UNITED DAY – WEDNESDAY, OCTOBER 25<sup>TH</sup> THROUGH THURSDAY OCTOBER 26<sup>TH</sup> :**

Mayor Hatley said "A group comprised of nonpartisan, multi-racial individuals group that basically call themselves "We Thee People" to celebrate racial harmony and racial differences in Lincoln. Several people came together after the recent attempt from the KKK to distribute or handout literature in Lincoln.

Mayor Hatley said this group hopes to celebrate racial harmony and racial differences, meshing of our society, County Commissioner Anita McCall and Cathy Davis are working on drafting a proclamation for both units to adopt promoting more understanding, tolerance and harmony when dealing with differences in our society. They found there is a National organization/society



promoting the same or similar efforts and hopefully Lincolnton/Lincoln County can join together and pattern their efforts for our community.

Councilman Eaddy made the motion that a draft proclamation be brought back to Council for their consideration at a later date.

## **REGULAR MEETING - APRIL 6, 2017**

### **CONSIDER SETTING THE FILING FEES FOR THE 2017 MUNICIPAL ELECTION:**

Donna Flowers, City Clerk, requested Council consider setting the filing fees for the 2017 Municipal Election. She noted current legislation, HB 64, is currently being considered by the House to move all City elections to even numbered years, joining state, county and Presidential election cycles but in the event this does not pass by July 5<sup>th</sup> of 2017 the City would need to have their filing fees in place and prepare for a 2017 municipal election. She said if the House Bill 64 does pass then the filing fees would become a moot point. She recommended adopting them as in the past to have them in place.

Due to HB 64, this item generated some discussion and Councilman Black made the motion, unanimously approved, to table setting the filing fees and if we see the bill isn't going to pass we could set them at a future meeting.

Mayor Hatley then discussed HB 504, and distributed a copy of this legislation introduced by Representative Jason Saine on behalf of Lincolnton. This legislation would move our elections to even numbered years but would take our Mayoral term from the now two year terms, to four year term beginning in 2018. Councilman Black said the way he interrupts this legislation is that Ward 1 and 3 would be the year that the Mayoral seat would run as well should this legislation become law. He noted that he felt a public hearing should be held to allow citizen input as Ward 2, his current seat under this legislation would extend to 2020. Currently this seat is to run in 2017 as the incumbent is filling an unexpired term. City Charter states that this term would as would Ward 1, would both run in 2017 as those holding these seats are filling unexpired terms of council members who resigned their seat prior to their terms expiring. Ultimately this election cycle, if held in 2017, would have four seats running. This is a very rare occurrence

Mayor Hatley will update us on HB 504 as it moves along the house and Senate.

### **UPDATE ON EAST MAIN STREET AND GENERALS BLVD INTERSECTION PROJECT:**

Steve Zickefoose, City Manager, and Laura Elam, Planning Director, assisted in providing Council an update on the Generals Blvd and East Main Street intersection.

They said there is now hope for this intersection project based on a meeting with NCDOT. Plans are being reviewed and some changes that were incorporated by NCDOT have been removed. Meetings have taken place and conversations are ongoing with the Shelby office of NCDOT and the City. Steve made it clear that the City is not in a position to fund changes made by NCDOT for the project that were a result of NCDOT changes such as storm water control, easements, safe movements changes etc.

### **REGULAR MEETING - APRIL 6, 2017**

As recent a yesterday he and City officials met yesterday and the idea of a median being installed has been removed and that is a positive for the project. Paving amount have also changed and are more realistic for the City. Currently we are \$ 300,000 short for what we have allotted for funding for this project. The next step is to talk about the storm water piece of this project and we are to meet with NCDOT and talk about that as well. He plans to report back and keep Council abreast of this project as progress arises.

### **MONTHLY FINANCIAL REPORT & OVERTIME REPORT:**

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

**REGULAR MEETING - APRIL 6, 2017**

**PUBLIC COMMENT:**

Alan Hoyle started out saying, "We should love our neighbors as ourselves." He then spoke an incident that occurred in 2014 with he and Sheriff Carpenter. While he was not requesting any action by Council on this item he felt it was a venue to make his complaint known.

**CLOSED SESSION:**

Councilman Black made the motion unanimously approved to enter into Closed Session in accordance with NCGS 143-318.10(a)(1)(5) to discuss property.

Councilman Smith made the motion unanimously approved to return to Regular Session. Mayor Hatley reported that no action was taken in Closed Session.

**NEWS MEDIA:**

There were no questions from the News Media.

**ADJOURNMENT:**

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

---

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

---

**ED HATLEY  
MAYOR**