



**LINCOLNTON
AGENDA
January 5, 2023
7:00 PM**

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

1. AGENDA APPROVALS

1a Approval of REGULAR AGENDA

1b Approval of CONSENT AGENDA

- Approval of Minutes for the December Swearing In Ceremony and Regular Meeting
- R-01-23 - Resolution Approving Conveyance of Property to Another Unit of Government

2. SPECIAL PRESENTATION

2a Terry J. Burgin - Key to the City

3. PUBLIC COMMENT

Speakers will be limited to three (3) minutes to address Mayor and City Council. You must sign in with the City Clerk to be eligible to speak

4. PUBLIC HEARINGS

4a ZTA-2-2022 Application from Lincolnton Planning Department requesting amendment to Sections 153.113 and 153.031

Jean Derby, Planning Director

5. REGULAR AGENDA

5a ANX-3-2022 Consideration of Annexation - Presentation of Certificate of Sufficiency

Jean Derby, Planning Director

5b R-02-23 Resolution Fixing Date of Public Hearing on Question of Annexation

**114 WEST SYCAMORE STREET • P.O. BOX 617 • LINCOLNTON, NORTH CAROLINA 28093-0617
PHONE (704) 736-8980**

5c BA-01-23 Consideration/Approval of Budget Amendment:

6. REGULAR AGENDA - CONTINUED

6a P-01-2023 Consideration/Approval of Food Truck Policy & Procedures

Laura Morris, Community Relations Director

6b T1-001-23 Consideration/Approval of Fiber Ring Project-City of Lincolnton

Chris Jones, Technology & Innovation Director

7. OTHER BUSINESS

7a Managers Report/Update and Quarterly Code Enforcement Report

Ritchie Haynes, City Manager

NEWS MEDIA

ADJOURNMENT

ORGANIZATIONAL MEETING - DECEMBER 1, 2022

The Mayor and City Council met for the organizational meeting on Thursday, December 1, 2022 at 6:30 p.m. in Council Chambers at City Hall located at 114 W. Sycamore Street, Lincolnton, NC.

Mayor Ed Hatley called the meeting to order pausing for a moment of silence, after which he led the Pledge of Allegiance. The following Council Members were in attendance:

WHITE

POINSETTE

EADDY

JETTON

PRESENTATIONS TO OUTGOING ELECTED OFFICIALS:

Prior to the Oath of Office being administered to the newly elected officials, Mayor Ed Hatley gave special recognition to both Mary Frances White and Dr. Martin Eaddy for their dedicated service to the City. Mayor Hatley presented each with a plaque of appreciation on behalf of City Council and the City of Lincolnton, thanking them for their service to the City and its citizens.

Note: Mayor Hatley informed that both would receive a Boston Rocker once they arrive).

OATH OF OFFICE TO NEWLY ELECTED OFFICIALS:

Mayor Hatley called on City Clerk Daphne Ingram to administer his Oath of Office. Mrs. Ingram administered the Oath to Mayor Hatley as his granddaughter held the bible.

Note: Mayor Hatley ran unopposed in the general election.

Mayor Ed Hatley administered the Oath of Office to Councilmember Elect Kevin Demeny as his wife held the bible. Mr. Demeny defeated Councilmember Mary France White in the general election to secure the Ward 1 seat.

Ms. Jill Tipton, along with two of her children and her sister, came forward and Mayor Hatley administered the Oath of Office as they held the bible. Ms. Tipton defeated Councilmember Martin Eaddy in the general election to secure the Ward III seat.

COMMENTS:

Mayor Hatley, as well as Councilmember Demeny and Councilmember Tipton took the opportunity to make comments. Each expressed their thanks and gratitude to their families and to the citizens of Lincolnton for the opportunity to serve for the next four years. All expressed how honored they felt to be elected.

MAYOR'S APPONTMENTS

Mayor Hatley made the following appointments:

ABC Board – (1) appointment

Mayor Hatley

Lincolnton Housing Authority – (1) appointment – **Councilmember Poinsette**

Centralina Council of Governments (COG) – (2) appointments

Delegate to the Executive Committee – **Councilmember Demeny**

Alternate – Mayor Hatley

Historic Properties Commission – (1) appointment **Councilmember Jetton**

Lincolnton-Lincoln County Airport Authority – (1) appointment

Councilmember

Poinsette

Library Board – (1) appointment

Councilmember Tipton

Lincoln Cultural Center – (1) appointment

Councilmember Tipton

Recreation Commission – (1) appointment

Councilman Jetton

N.C. Municipal Power Agency (NCMPA1) – (3) appointments

(1) One Delegate – **Asst. City Manager Richard Haynes**

(2) Two Alternate Delegates

Mayor Hatley

Business Services Director David Ramsey

DDA Appointment – (1) appointment

Councilwoman Poinsette

LEDA (Lincoln Economic Development Association)

(1) Appointment

Mayor Hatley

Ex-Officio – City Manager

Ritchie Haynes

Chamber of Commerce Board of Directors –(1) appointment **Mayor Hatley**

Ex-Officio – City Manager

Ritchie Haynes

Transportation Advisory Committee – (1) appointment **Councilmember Demeny**

Arts Council of Lincoln County

Mayor Hatley

Nominations for and Election of Mayor Pro Tempore

Councilmember Demeny nominated Councilmember Roby Jetton to serve as Mayor Pro Tem. Councilmember Jetton expressed his appreciation for the nomination but declined. Councilmember Jill Tipton nominated Councilmember Christine Poinsette to serve as Mayor Pro Tem. With there being no further discussion, members voted 4-0 in favor of the motion.

Appointment of City Attorney

Councilmember Demeny nominated Mr. T.J. Wilson to continue as the City Attorney for the next year for the Lincolnton City Council. With no other nominations, members voted 4-0 in favor of the motion.

Parliamentary Procedures

Councilmember Poinsette made the motion unanimously approve to adopt the abbreviated version of Roberts Rules of Order as a guide to conduct City Council Meetings. Councilmember Jetton questioned why a second is not being required on motions made. Mayor Hatley, as well as City Clerk Daphne Ingram, explained that for meetings of small boards, a second need not be required. Members voted 4-0 in favor of the motion.

Councilmember Poinsette made the motion to adopt an amended Resolution (R-20-22), 2023 Calendar of Regular meetings of the Lincolnton City Council in accordance with the City Charter, changing the July meeting to the last week in June (June 29, 2023). Members voted 4-0 in favor of the motion.

Having no other business for the Organizational Meeting of the Lincolnton City Council, Mayor Hatley called for a motion to **Recess until 7:00 p.m.**

Councilmember Jetton made the motion to take a recess until 7:00 p.m. Member voted 4-0 in favor of the motion.

DAPHNE INGRAM, CMC
CITY CLERK

ED HATLEY
MAYOR

REGULAR MEETING - DECEMBER 1, 2022

Mayor Hatley reconvened, beginning the regular meeting of the Lincolnton City Council at 7:00 p.m. in the Council Chambers of City Hall located at 114 W. Sycamore Street, Lincolnton North Carolina. Council Members were in attendance as follows:

DEMENY

POINSETTE

TIPTON

JETTON

Councilmember Demeny made a motion to approve the *REGULAR AGENDA* as presented. Members voted 4-0 in favor of the motion.

Councilmember Poinsette made a motion to approve the *CONSENT AGENDA* items as follows:

- Approval of Minutes from November 3, 2022 meeting
- Approval of Banking Resolution (R-21-22) – Declaring Newly Elected Officials
- Retirement Recognition – Robert Pearson – Effective January 1st.

PUBLIC COMMENT: No one signed to speak under public comment

PUBLIC HEARING:

CZ-10-2022 – Application from Bean Brothers Real Estate LLC requesting a conditional zoning change from Residential-25 (R-25) to General Manufacturing and Commercial-Conditional District (GMC-CD). The applicant is proposing to construct a 3,600 square foot building for storage, a mulch yard, and parking for adjacent Home and Garden Center. The subject property is located at the southeast corner of Reepsville Road and Lore Road (Parcel ID 00512).

Jean Derby, Planning Director, presented the request from Bean Brothers Real Estate to city council, explaining the request as a conditional rezoning from R-25 to GMC-CD. Mrs. Derby identified the location of the property, explained the various zoning districts surrounding the proposed site, and gave specific details regarding the project planned for the site. She spoke to the city's Land Use Plan, informing staffs view of the request as being consistent with the intent of the Land Use Plan. Mrs. Derby reviewed the Staff Review Committee comments, as well as the staff and Planning Boards recommendation to approve the request.

Discussion was generated between staff and councilmembers regarding an email received from the adjoining property owner. Mrs. Derby addressed a number of the items listed in the email, giving a detailed explanation of what has or will be done to address it.

Mr. David Ledford, the landscape architect for the project, was present and spoke on behalf of the applicant requesting the rezoning. Mr. Ledford addressed a number of the issues listed in the complaint received from the neighbor and offered to speak to any of the concerns regarding the project. He talked about the changes made and the positive feedback they received from the neighbors since those changes were made. The applicant was present but did not wish to speak.

Councilmember Tipton made a motion to close the public hearing. Members voted 4-0 in favor of the motion.

Councilmember Jetton made a motion to approve the request (as recommended by Planning Board). Members voted 4-0 in favor of the motion.

REGULAR AGENDA:

R-22-22 – Consideration of Resolution directing the Clerk to investigate a petition for voluntary annexation

Prior to hearing the specifics of the request from the Planning Director, Mayor Hatley explained this as the first step in the process required under NCGS 160A-58.1 for annexing property into the city. Mrs. Derby spoke to council regarding the request for the voluntary annexation of property located on the east side of Startown Road, approximately 950 feet from Clarks Creek Road. She reminded council that approving the annexation allows the city to collect the revenues from the neighborhood. Mrs. Derby briefly went over the five statutory standards that are required, an estimated timeline, from start to finish, for this annexation as she presented the proposed resolution directing the Clerk to investigate the petition received. Mayor Hatley stressed the fact that any annexation presented is voluntary and must be requested by the property owner.

Councilmember Poinsette made a motion to approve the consideration of the Resolution directing the City Clerk to investigate the petition for voluntary annexation. Members voted 4-0 in favor of the motion.

C-20-22 & C-21-22

Consideration to Approve Bids for Highland Drive Park Project (Grading and Playground Equipment)

Public Services Director Nathan Eurey appeared before council to present recommendations for awarding bid contracts for the Highland Drive Park project. Mr. Eurey stated that the bid opening was held on Wednesday, November 16, 2022 at 2:00 p.m. in the Council Chambers at City Hall. He gave a brief explanation regarding the state funding received that will be used to help fund the project.

For the site grading portion of the project, Deal Construction, Inc., Carolina Metal Building, Mid-State Contractors, and Mountaineer Contractors were the companies to submit bids. Respective bids as follows: Deal Construction's proposed bid came in at \$188,000.00. Carolina Metal Building's bid came in at \$201,200.00. Mid-State Contractors' bid came in at \$251,569.57. Mountaineer Contractors' bid came in at \$399,790.00. Mr. Eurey recommended Deal Construction be awarded the bid. Councilmember Demeny made a motion to approve that recommendation. Members voted 4-0 in favor of the motion.

Continuing on to the second recommendation, Mr. Eurey gave some detailed information as to what contractors were asked to provide and what materials and products they were to include in the scope of work. For the playground equipment and surfacing, Playworld Preferred, Great Southern Recreation, Carolina Recreation & Design, and Churchich Recreation & Design were the companies to submit bids. Respective bids as follows: Playworld Preferred's proposed bid came in at \$139,535.06. Great Southern Recreation's bid came in at \$139,468.62. Carolina Recreation & Design's bid came in at \$147,145.45. Churchich Recreation & Design's bid came in at \$156,128.00.

Mr. Eurey explained that although Great Southern Recreation had the lowest bid, Playworld Preferred is being recommended for various reasons. Councilmember Tipton made a motion that Playworld Preferred be awarded the bid. Members voted 4-0 in favor of the motion.

APPT-11-22 **APPOINTMENTS**

Re-Appointments:

City Clerk reviewed the various re-appointments to begin serving a second 3 year term January 2023 that needed to be considered by Council. These re-appointments are as follows:

Lincolnton Housing Authority	Rachel Stines Debra Ransom
ABC Board	Leon Harmon
Lincolnton Tourism Development Authority	Angela Lovelace
Planning Board	Trent Mason Rebecca Shaw

Councilmember Poinsette made a motion to approve the appointment of the aforementioned individuals for a three year term. Members voted 4-0 in favor of the motion.

New Appointments

Based on applications received for vacancies on the various Boards and Commissions, Mayor Hatley opened the floor for nominations.

Historic Properties Commission (1 vacancy) Councilmember Demeny made a motion to appoint Krystal Greer. With no other nominations, Councilmember Poinsette made a motion to close the nominations. Members voted 4-0 in favor of the motion. Mayor Hatley announced Krystal Greer as the new Historic Properties Commission member by vote of acclimation.

Recreation Advisory Commission (1 vacancy) Councilmember Poinsette recommended Mary Frances White for the appointment. Hearing no other recommendations, Councilmember Jetton made a motion to close the nominations. Members voted 4-0 in favor of the motion. Mayor Hatley stated, "Let the record show that Mary Frances White has been assigned to the Lincoln Housing Authority by acclimation.

Planning Board (3 vacancy) Mayor Ed Hatley opened the floor for nominations. Councilmember Jetton nominated Steve Lackey and John Waters for the Planning Board. Councilmember Tipton nominated Kristin Radebaugh. With no other nominations, Councilmember Jetton made a motion to close the nominations. Members voted 4-0 in favor of the motion. Mayor Hatley stated, "Let the record show that Steve Lackey, Kristin Radebaugh and John Waters be approved by acclimation.

Manager's Report/Code Enforcement Update **Ritchie Haynes, City Manager**

Ritchie Haynes, City Manager, gave a brief review on a number of upcoming dates for Council to be mindful of. First Friday recycling, Candyland Christmas Nights, Santa House, Carriage Rides, Main Street Meet up, Employee/Retiree Christmas luncheon, holiday office closures, holiday solid waste pickup schedule and the Apple Drop event, were all mentioned. Mr. Haynes announced the sale of the old Police Department building for \$320,000.00, as well as recommended keeping parking in the new Water Street parking lot unlimited at this time. He thanked all of the staff for the great job they did with the Christmas parade and tree lighting event held. Lastly he recognized and congratulated Mr. Robert Pearson on his retirement effective January 1st, 2023.

CLOSED SESSION: Upon City Attorney T.J. Wilson citing the statute, Councilmember Poinsette made a motion to enter into closed session to discuss personnel in accordance with NCGS 143-318.11(a)(6). Mayor Hatley requested Human Resources Director Tanya Osborne remain for the discussion.

Upon returning to open session, Mayor Ed Hatley informed that council completed the city managers annual evaluation. Giving a quick summary, Mayor Hatley announced that the evaluation for Mr. Haynes was as good as you could get, achieving an excellent

rating. More discussion regarding goals will take place at the upcoming planning retreat. Mayor Hatley informed that a copy of the evaluation and goals will be on file in the Human Resources Department.

NEWS MEDIA:

No questions from the new media

ADJOURNMENT:

Councilman Jetton made a motion to adjourn. Members voted 4-0 in favor of the motion.

**DAPHNE INGRAM, CMC
CITY CLERK**

**ED HATLEY
MAYOR**



LINCOLNTON
AGENDA ITEM SUMMARY

To: The Honorable Mayor and City Council
Date: January 5, 2023
From: Rodney Jordan, Chief of Police
Subject: R-01-23 - Resolution Approving Conveyance of Property to Another Unit of Government

Summary:

With approval, Police Department is requesting permission to destroy Tasers that do not function properly and need to be destroyed and donate the remaining ten (10) that work to the Catawba Police Department.

Background:

Department has had three different generations of tasers in use since their deployment. The X26 model that was originally used were traded in, with the agreement that any remaining tasers would not be traded in but would be destroyed. Nine of these need to be destroyed. X26P Tasers were purchased under no obligation to return. Twenty-three (23) do not function properly and need to be destroyed. There are ten (10) that are still in working condition. The department is requesting that these remaining ten (10) tasers be donated to the Catawba Police Department who currently have no tasers and no funds to purchase any.

Fiscal Impact:

None

Recommendation:

Approve both the request to destroy Tasers that need to be destroyed and the Resolution approving conveyance of the remaining ten (10) tasers to the Catawba Police Department

Attachments:

1. R-01-23 - conveyance of property - tasers
2. surplus property request - tasers

CITY COUNCIL

Ed L. Hatley, Mayor
Christine Poinsette, Mayor Pro-Tem
Kevin Demeny
Jill Tipton
Roby Jetton



CITY MANAGER

Ritchie Haynes
rhaynes@lincolntonnc.org
CITY CLERK
Daphne Ingram
[dingram@lincolntonnc.org](mailto:d Ingram@lincolntonnc.org)
CITY ATTORNEY
Thomas J. Wilson, Jr.

R-01-2023
Resolution Approving Conveyance of Property to
Another Unit of Government in North Carolina
Pursuant to G.S. 160A-274

WHEREAS, the City of Lincolnton owns a ten (10) X26P tasers; and

WHEREAS, North Carolina General Statute § 160A-274 authorizes a governmental unit in this state to exchange with, lease to, lease from, sell to, or purchase from any other governmental unit any interest in real or personal property upon such terms and conditions as the governmental unit deems wise, with or without consideration; and

WHEREAS, the City of Lincolnton has determined that it is in the best interest of the city to convey ten (10) X26P Tasers to the Catawba Police Department, and deems it wise to do so for no consideration.

THEREFORE, THE LINCOLNTON CITY COUNCIL RESOLVES THAT:

1. The City of Lincolnton hereby conveys to the Catawba Police department the following property:

X12005CPA, X12005CPM, X12005CP0, X12005CR2, X12005CVH,
X12005CVV, X12005CW2, X12005D59, X12005KD, X12009CV5

2. The property herein described shall be conveyed for no consideration.

3. The City Manager of the City of Lincolnton is authorized to execute all documents necessary to convey the property in the manner authorized by this Resolution.

Adopted this the ____ day of _____. 20__.

Mayor

City Clerk



CITY OF LINCOLNTON POLICE DEPARTMENT

RODNEY JORDAN • CHIEF OF POLICE

TO: Ritchie Haynes, City Manager
FROM: Chief R. Jordan
SUBJECT: Old Taser Surplus
DATE: December 19, 2022

The Police Department has had three different generations of tasers in use since their deployment many years ago. When we traded in the X26 that was originally used, the agreement was that any remaining tasers would not be turned in but would have to be destroyed. We have nine of those that need to be destroyed and the numbers are below:

X00-313491 X00-325797 X00-355377 X00-355529 X00-385522 X00-385553
X00-385600 X00-385664 X00-398680

The X26P were purchased by the department and under no obligation to return or destroy them. However, twenty-three (23) of those do not function properly and need to be destroyed. The ones that need to be destroyed are listed below:

X12000EX8 X12000FAT X12000FAW X12000FAY X12000FCA X12000FC4
X12000FC4 X12000FC6 X12000F61 X12000F64 X12000F67 X12000F69
X12001NTA X12001NTK X12001NTP X12001NT4 X12001NT6 X12001NT8
X12001NT9 X12001NX9 X12001PC4 X12001P4H X12001CP7

The remaining ten (10) of the X26P listed below, we would like to donate to the Catawba Police department who currently have no tasers and no funds to purchase any.

X12005CPA X12005CPM X12005CPO X12005CR2 X12005CVH X12005CVV
X12005CW2 X12005D59 X12005KDY X12009CV5

With approval we would destroy those to be destroyed and donate the few that work to Catawba. Your and Councils consideration is greatly appreciated.



LINCOLNTON
AGENDA ITEM SUMMARY

To: The Honorable Mayor and City Council
Date: January 5, 2023
From: Ed Hatley, Mayor
Subject: Terry J. Burgin - Key to the City

Summary:

Presentation of a Key to the City in light of the recent announcement by President Biden to nominate Terry J. Burgin to serve as a U.S. Marshal.

Background:

Terry J. Burgin: Nominee for U.S. Marshal Western District of North Carolina. Terry J. Burgin has served as the District Security Officer for the United States Marshal Service for the Western District of North Carolina since 2018. Mr. Burgin also served as the Sergeant of the Police Reserves for the Lincolnton, North Carolina Police Department. From 2005 to 2016, Mr. Burgin was a Court Security Officer with the United States Marshal Service. He was Chief of the Lincolnton Police Department from 1989 to 2005. Prior to becoming Chief, he served in several roles with the Lincolnton Police Department from 1973 to 1989.

Fiscal Impact:

NA

Recommendation:

NA

Attachments:

None

MEMO TO: Planning Board Members

FROM: Planning Staff

SUBJECT: ZTA-2-2022 Application from Lincolnton Planning Department requesting amendment to Section 153.113, (CB - Central Business), of the Unified Development Ordinance to add classic arcade as a permitted use and to section 153.031 to add a definition of classic arcade.

DATE: December 20, 2022

PROPOSED AMENDMENT TO SECTION 153.113

The proposed amendment seeks to add classic arcade as a permitted use to the Central Business District.

PROPOSED DEFINITION IN SECTION 153.031

ARCADE, CLASSIC. An establishment which provides an assortment of equipment and devices such as classic video games and other electronic games, often requiring insertion of coins or tokens to begin the play sequence, for amusement purposes only. ***This category excludes establishments that are engaged in or resemble gambling activities.***

REASON FOR THE AMENDMENT

We have met with a citizen that is proposing to open a classic arcade in the Central Business District similar to the Carolina Arcade Museum in Forest City. The arcade would have classic arcade games from the 80s and 90s. Currently the proposed location is on Water Street and would fit in with the idea of making Water Street an entertainment district. This establishment would be family friendly.

PLANNING BOARD VOTE

Unanimously approved

STAFF AND PLANNING BOARD RECOMMENDATION

- approval of the zoning text amendment
- approval of the statement of consistency for approval of the zoning text amendment

PHOTOS FROM CAROLINA ARCADE MUSEUM



Zoning Amendment
Staff's Proposed Statement of Consistency
for **APPROVAL** of Application

Case No. ZTA-2-2022

Applicant: City of Lincolnnton Planning Department

Request: ZTA-2-2022 Application from Lincolnnton Planning Department requesting amendment to Section 153.113, (CB - Central Business), of the Unified Development Ordinance to add classic arcade as a permitted use and to section 153.031 to add a definition of classic arcade.

Proposed Consistency and Reasonableness Statement:

The proposed amendment is **consistent** with the adopted Lincolnnton Land Use Plan in that it is not contrary to the goals and objectives outlined by the Plan. Future land uses are encouraged as to accentuate and enhance the area's unique downtown atmosphere and ambience. **Approval of the amendment is reasonable and in the public interest.**

Zoning Amendment
Staff's Proposed Statement of Consistency and Reasonableness
for **DENIAL** of Application

Case No. ZTA-2-2022

Applicant: City of Lincoln Planning Department

Request: ZTA-2-2022 Application from Lincoln Planning Department requesting amendment to Section 153.113, (CB - Central Business), of the Unified Development Ordinance to add classic arcade as a permitted use and to section 153.031 to add a definition of classic arcade.

Proposed Consistency and Reasonableness Statement:

The proposed amendment is **not consistent** with the adopted Lincoln Land Use Plan in that it is contrary to the goals and objectives outlined by the Plan and **denial of the proposed amendment is reasonable and in the public interest.**

AN ORDINANCE TO AMEND THE LINCOLNTON UDO TO SECTION 153.113
(changes are highlighted in yellow)

§ 153.113 C-B CENTRAL BUSINESS DISTRICT.

(A) Permitted uses. The following uses are permitted by right.

(1) Retail uses.

- (a) Antique store;
- (b) Appliance and appliance repair store;
- (c) Arts and crafts store;
- (d) Automobile and boat supply store;
- (e) Bakeries (retail and wholesale);
- (f) Bicycle store;
- (g) Beauty supply store;
- (h) Book and stationery store (excluding adult establishments);
- (i) Box and gift-wrap store;
- (j) Card (greeting) shop.
- (k) Camera shop and film developing service depository and/or walk-in service developing lab;
- (l) Catalog sales store;
- (m) Clock shop;
- (n) Clothing shop/department store;
- (o) Computer service store;
- (p) Convenience stores (no fuel sales);
- (q) Copy service;
- (r) Curtains, drape and other window treatments store;
- (s) Delicatessen;
- (t) Dressmaking shop;
- (u) Drugstore;
- (v) Dry cleaning (pick-up and delivery station);
- (w) Dry goods shop;

- (x) Electronics sales;
- (y) Sign printing and manufacturing, outside of the downtown fire district and with no outdoor storage and with all activities conducted indoors;
- (z) Florist and gift shop;
- (aa) Floor covering, lighting, wallpaper, paint and window covering store;
- (bb) Food store;
- (cc) Formalwear sales and rental;
- (dd) Furniture, rugs and other home furnishings store;
- (ee) Furrier;
- (ff) Hardware store (but not outdoor storage or enclosed lumber yards);
- (gg) Hobby store;
- (hh) Household goods shop;
- (ii) Jewelry and jewelry repair shop;
- (jj) Key shop;
- (kk) Linen shop;
- (ll) Luggage and leather shop;
- (mm) Medical supply sales and rental store;
- (nn) Music store including recordings of the various media, print music, sound and high fidelity equipment and supplies, and musical instruments sales and service;
- (oo) Notion and fabric store;
- (pp) Office buildings with a maximum gross floor area of 10,000 square feet;
- (qq) Office supply, stationary office equipment;
- (rr) Party rental shop;
- (ss) Pet store;
- (tt) Postal store;
- (uu) Restaurant and auxiliary food catering service;
- (vv) Second-hand shop;
- (ww) Shoe store;
- (xx) Shoe repair shop;
- (yy) Sporting goods and trophy shop;

- (zz) Tailor and alteration shop;
- (aaa) Toy store;
- (bbb) Variety and department store;
- (ccc) Video rental and sales shop (excluding adult establishments); and
- (ddd) Motorcycle sales with outdoor storage during business hours only.

(2) Services.

- (a) Arcade, classic
- (b) Art and photography studios (excluding adult establishments);
- (c) Automobile parking lot;
- (d) Barber shop;
- (e) Beauty shop;
- (f) Community center;
- (g) Commercial schools providing training in any of the arts, sciences, trades or professions, conducted indoors, with up to 100 enrolled students;
- (h) Essential services, Classes I and II;
- (i) Exterminator service;
- (j) Finance company;
- (k) Film processing service;
- (l) Fitness and tanning center (excluding adult establishments);
- (m) Interior decorating service;
- (n) Laundromat;
- (o) Library;
- (p) Museum;
- (q) Newspaper office and broadcast media offices and studios only;
- (r) Offices-business, professional, medical and public;
- (s) Opticians and optical services;
- (t) Post office;

**AN ORDINANCE TO AMEND THE LINCOLNTON UDO TO SECTION 153.031
(changes are highlighted in yellow)**

§ 153.031 DEFINITIONS OF SPECIFIC TERMS AND WORDS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning. Except where specifically noted, the following is a list of terms and words used in this chapter. All words not specifically defined in this chapter shall be assigned their customary dictionary definitions. Additional definitions are found in §§ 153.121(B) and 153.346.

ABANDONMENT. A use shall be deemed to be abandoned when:

- (1) The use is discontinued for a consecutive period of 180 days;
- (2) The premises are devoted to another use;
- (3) When the characteristic equipment and furnishings of the nonconforming nonresidential use have been removed from the premises and have not been replaced by the same or similar equipment within 30 days; or
- (4) Failure to take all positive action to resume the nonconforming use with reasonable dispatch, including the failure to advertise the property for sale or for lease.

ACCESSORY STRUCTURE. A structure detached from the principal structure on the same lot and customarily incidental and subordinate to the principal structure.

ACCESSORY USE. A use customarily and clearly incidental and subordinate to the principal use or building and located on the same lot with the principal use or building.

ADMINISTRATOR, UNIFIED DEVELOPMENT. The administrative official(s) appointed by the City Manager of the City of Lincolnton to administer this chapter. This person(s) may also be referred to as the ADMINISTRATOR.

ADULT CABARET. Any place featuring topless dancers, go-go dancers, strippers, male or female impersonators or entertainers displaying SPECIFIED ANATOMICAL AREAS as defined by G.S. § 14-202.10 as the statute may be amended from time to time, or other similar entertainers.

ADULT ESTABLISHMENT. Any place as defined by G.S. § 14-202.10 as the statute may be amended from time to time, including adult cabarets, except that the definition of massage business shall not include any establishment or business where massage is practiced that is a health club, exercise studio, hospital, physical therapy business or other similar health-related business. ADULT ESTABLISHMENT specifically includes, however, any massage business where massages are rendered by any person exhibiting specified anatomical areas. SPECIFIED ANATOMICAL AREAS are those defined by G.S. § 14-202.10 as the statute may be amended from time to time.

AGRICULTURE USES. The commercial production, keeping or maintenance, of plants and animals useful to man, including but not limited to: forages and sod crops; grains and seed

crops; dairy animals and dairy products; poultry and poultry products; livestock, including beef cattle, sheep, swine, horses, ponies, mules, goats or any mutations or hybrids thereof, including the breeding and grazing of any or all or the animals; bees and apiary products; fur animals; trees and forest products; fruits of all kinds, including nuts and vegetables; nursery, floral and ornamental products; or lands devoted to a soil conservation or forestry management program.

ALLEY. A public or private way that affords only a secondary means of access to abutting property and not intended for general traffic circulation.

ALTERATION. A change in the size, configuration, or location of a structure; or a change in the use of a structure or lot from a previously approved or legally existing size, configuration, location or use.

ANIMAL HOSPITAL. A place where animals are given medical or surgical treatment and the boarding of animals is limited to short-term care incidental to the hospital use. All facilities associated with an animal hospital shall be located indoors.

ANIMAL KENNEL. A commercial enterprise where more than six dogs or other domesticated animals are groomed, bred, boarded, trained or sold.

ARCADE, AMUSEMENT CENTER or GAME ROOM. An establishment operated for profit where two or more billiard tables or ten or more other type amusement devices and/or games of skill such as video games, pinball or table games, are provided for public use. This definition shall be construed to include facilities for the conduct of bingo gaming as a principal use.

ARCADE, CLASSIC. An establishment which provides an assortment of equipment and devices such as classic video games and other electronic games, often requiring insertion of coins or tokens to begin the play sequence, for amusement purposes only. This category excludes establishments that are engaged in or resemble gambling activities.

ATRIUM HOUSE. Attached or semi-attached one-story house on a small lot, the lot having a small yard space that is surrounded by the house and its privacy walls. As distinguished from the patio house, an ATRIUM HOUSE is always one-story, its yard space and lot size is usually smaller, and it is always attached (to another unit) in some fashion.

AUTO HOBBYIST. One who collects, repairs or alters automobiles to which he or she holds title for enjoyment, and not for commercial purposes, as an incidental, use on the premises where the person resides.

AUTOMOBILE BODY SHOP. Any building, premises and land in which or upon which a business is conducted that primarily involves the painting of vehicles or external repairing of damaged vehicles.

AUTOMOBILE GARAGE, REPAIR AND SERVICE. Any building, premises and/or land in which or upon which a business is conducted involving the maintenance or servicing of vehicles.



LINCOLNTON
AGENDA ITEM SUMMARY

To: The Honorable Mayor and City Council
Date: January 5, 2023
From: Jean Derby, Planning Director
Subject: Consideration of Annexation - Presentation of Certificate of Sufficiency

Summary:

Upon making an investigation, the City Clerk will present a Certificate of Sufficiency, certifying the results of the investigation to the governing body,

Background:

A petition for a satellite annexation was received and presented at the December 1, 2022 meeting, Council adopted a Resolution directing the city clerk to investigate the sufficiency of the petition.

Fiscal Impact:

Additional revenue for the City of Lincolnton

Recommendation:

Staff recommends scheduling the required a Public Hearing for the February 2, 2023 Council Meeting.

Attachments:

1. ANX-3-2022 City Council Staff Report

MEMO TO: Mayor and City Council Members

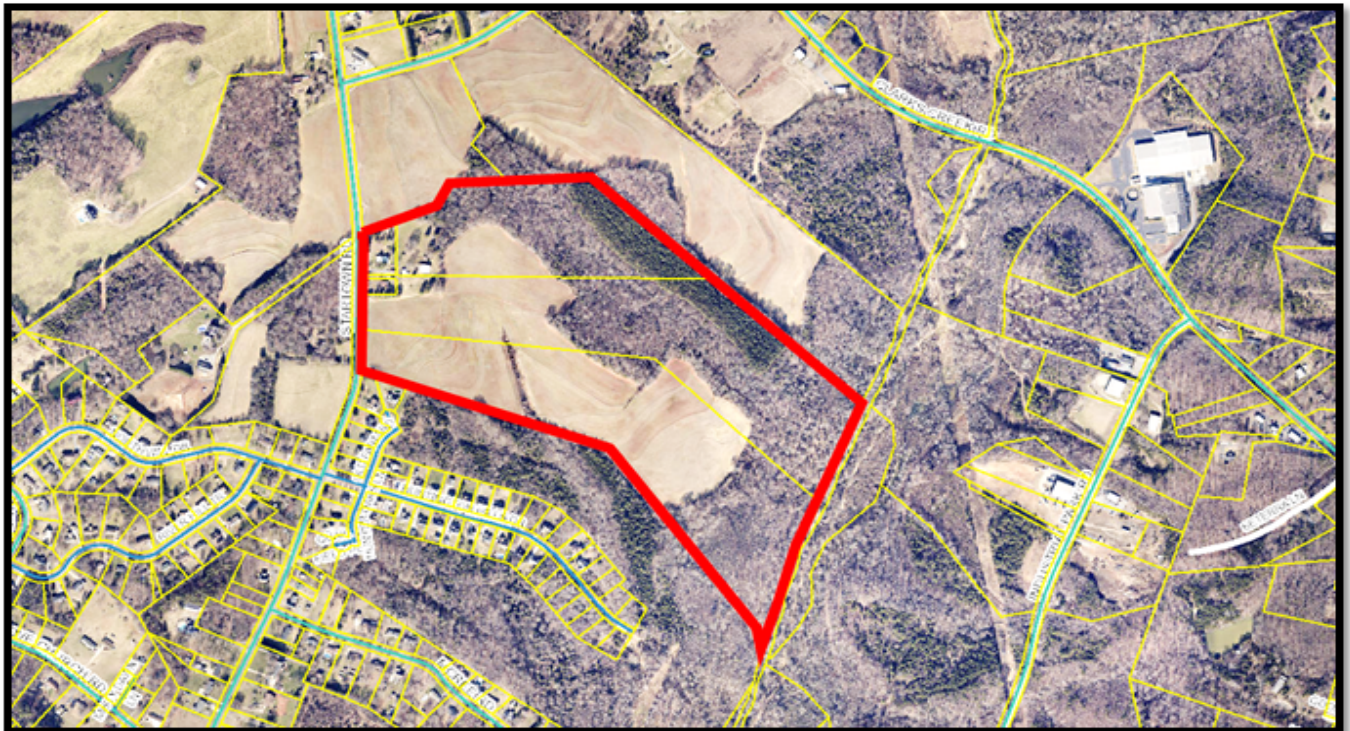
FROM: Jean Derby, Planning Director

SUBJECT: ANX-3-2022, Consideration of Annexation of Property located on the east side of Startown Road approximately 950 feet from Clarks Creek Road (Parcel IDs 16937, 21509, 21507, 21508 and 21510).

DATE: January 5, 2023

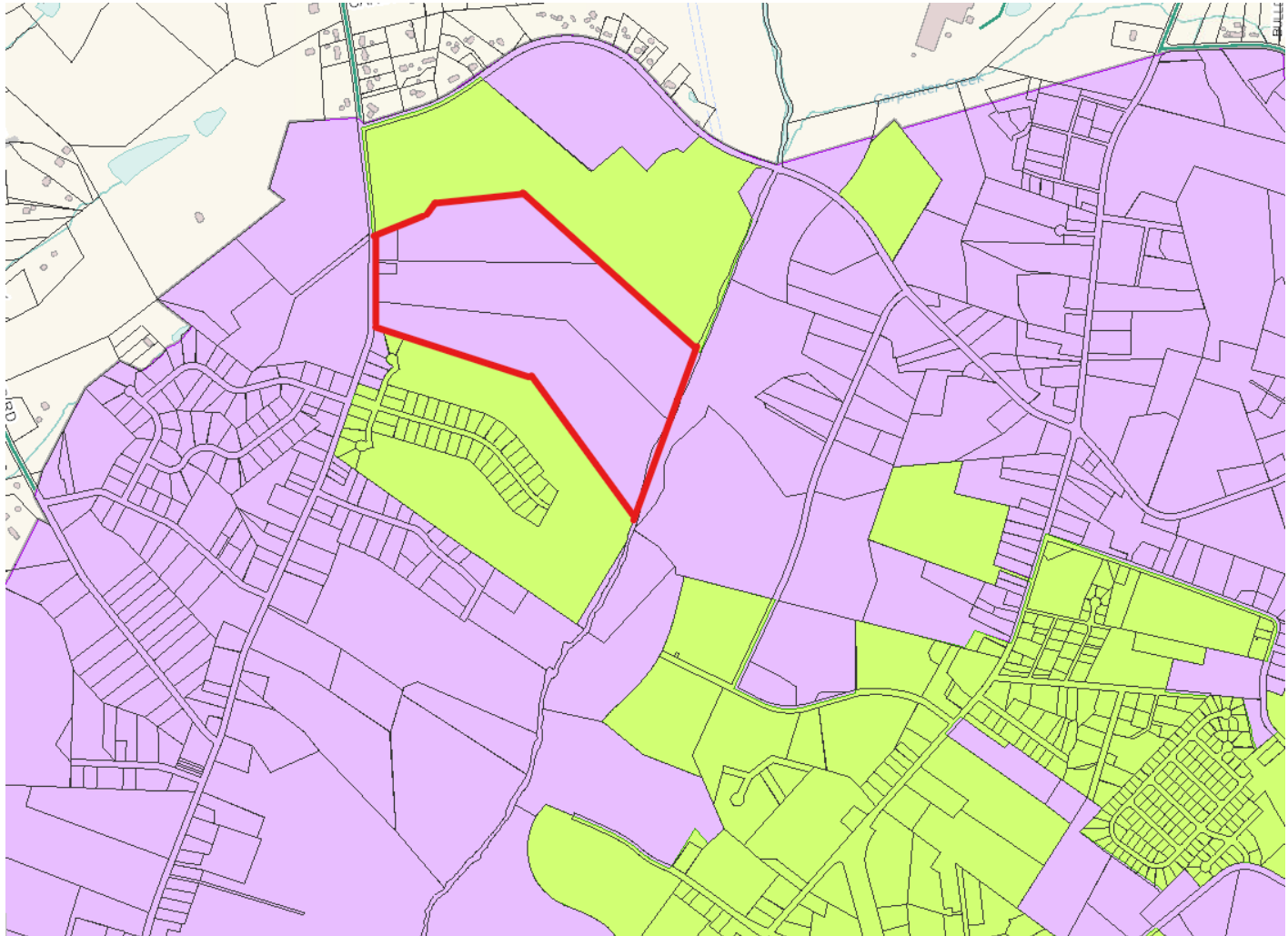
BACKGROUND

In December 2022, Council adopted a resolution to consider annexation of an approximately 97 acres of property located on the east side of Startown Road approximately 950 feet from Clarks Creek Road (Parcel IDs 16937, 21509, 21507, 21508 and 21510).



CITY LIMITS / ETJ BOUNDARY

The property is located approximately 670 feet north of the city limits.



STATUTORY REQUIREMENTS

A qualified municipality may annex by ordinance non contiguous area as specified in G.S. 160A-58.1(b), subject to the following standards:

1. The petition includes a metes and bounds description of the area proposed for annexation and has attached a map showing the proposed satellite area in relation to the primary corporate limits

2. The petition included the names and addresses of all owners of real property lying in the area described therein.
3. The petition includes the signatures of all owners of real property lying in the area described therein, except those not required to sign by G.S. 160A-58.1(a).
4. The nearest point on the proposed satellite corporate limits is no more than three (3) miles from the primary corporate limits of the City;
5. No point on the proposed satellite corporate limits is closer to the primary corporate limits of any municipality other than the city;
6. The satellite area is so situated that the City will be able to provide the same services as are provided within its primary corporate limits;
7. To the extent that the proposed satellite area contains any portion of a subdivision, the entire subdivision is included;
8. The area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits of the City, does not exceed ten(10%) of the area within the primary corporate limits of the City.

The area requested for annexation meets the above requirements.

ADDITIONAL STATUTORY REQUIREMENTS

The statutes require a public hearing on the potential annexation at which any resident of the city may appear and be heard on the question of the desirability of the annexation.

If the council finds that annexation is in the public interest, it may adopt an ordinance annexing the property. The ordinance may be made effective immediately or on any specified date within six months from the date of passage.

COMPLIANCE WITH CITY ANNEXATION POLICY

The annexation of this property is consistent with the City's Satellite Annexation Policy adopted in 1993 in that:

It is located within the Extra Territorial Jurisdiction and is on a tract over two acres in size and

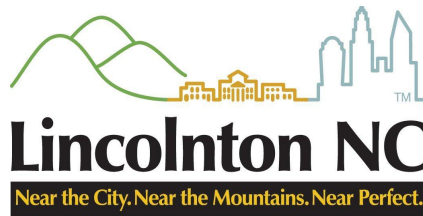
1. The annexation would not have an adverse impact on the City's overall annexation plans.

STAFF RECOMMENDATION

Staff recommends scheduling a public hearing for February 2, 2023.

CITY COUNCIL

Ed L. Hatley, Mayor
Christine Poinsette, Mayor Pro-Tem
Kevin Demeny
Jill Tipton
Roby Jetton



CITY MANAGER

Ritchie Haynes
rhaynes@lincolntonnc.org
CITY CLERK
Daphne Ingram
[dingram@lincolntonnc.org](mailto:d Ingram@lincolntonnc.org)
CITY ATTORNEY
Thomas J. Wilson, Jr.

CERTIFICATE OF SUFFICIENCY

To the Lincolnton City Council of the City of Lincolnton, North Carolina;

I, Daphne Ingram, City Clerk, do hereby certify that I have investigated the attached petition and hereby make the following findings;

I further find that the area meets the standards for a noncontiguous area as specified in G.S. 160A-58.1(b), in that:

1. The petition includes a metes and bounds description of the area proposed for annexation and has attached a map showing the proposed satellite area in relation to the primary corporate limits
2. The petition included the names and addressed of all owners of real property lying in the area described therein.
3. The petition includes the signatures of all owners of real property lying in the area described therein, except those not required to sign by G.S. 160A-58.1 (a).
4. The nearest point on the proposed satellite corporate limits is no more than three (3) miles from the primary corporate limits of the City;
5. No point on the proposed satellite corporate limits is closer to the primary corporate limits of any municipality other than the city;
6. The satellite area is so situated that the City will be able to provide the same services as are provided within its primary corporate limits;
7. To the extent that the proposed satellite area contains any portion of a subdivision, the entire subdivision is included;

8. The area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits of the City, does not exceed ten (10%) of the area within the primary corporate limits of the City.

In witness whereof, I have hereunto set my hand and affixed the seal of the City of Lincoln, this 5th day of January, 2023.

Daphne Ingram, City Clerk



LINCOLNTON
AGENDA ITEM SUMMARY

To: The Honorable Mayor and City Council
Date: January 5, 2023
From:
Subject: Resolution Fixing Date of Public Hearing on Question of Annexation

Summary:

Request for governing body to schedule a public hearing regarding proposed voluntary satellite annexation.

Background:

Upon receipt of the clerk's certification that the petition appears to be valid, the governing body shall fix a date for a public hearing of the annexation. Notice of the public hearing must be published once in the newspaper at least ten (10) days before the date of the hearing.

Fiscal Impact:

NA

Recommendation:

Adoption of Resolution

Attachments:

1. R-02-2023 - Resolution fixing date of public hearing (annexation)
2. public notice - voluntary annexation

R-02-23
RESOLUTION FIXING DATE OF PUBLIC HEARING ON
QUESTION OF ANNEXATION PURSUANT TO G.S. 160A-58.2

WHEREAS, a petition requesting annexation of the non-contiguous area described herein has been received; and

WHEREAS, the Lincolnton City Council has by resolution directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the City Clerk as to the sufficiency of the petition Has been made;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Lincolnton, North Carolina that:

Section 1. A public hearing on the question of annexation of the non-contiguous area described herein will be held in the Council Chambers in City Hall located at 114 W. Sycamore Street, Lincolnton, NC at 7:00 p.m. on February 5, 2023.

Section 2. The area proposed for annexation is described as follows:

ANNEXATION DESCRIPTION COMMENCING AT NCGS MONUMENT WHITENER, HAVING GRID COORDINATES OF N: 657,394.84 E: 1,326,513.98, FROM SAID POINT OF COMMENCEMENT S 01°04'58" E - 4034.91' TO NCGS MONUMENT CHAPMAN, HAVING NCGS COORDINATES OF N: 653,361.12 E: 1,326,590.22, FROM SAID NCGS MONUMENT S 10°54'48" E - 5, 111.34' TO AND EXISTING #4 REBAR, SAID REBAR BEING THE POINT OF BEGINNING, SAID POINT OF BEGINNING ALSO BEING A COMMON CORNER WITH SUSAN P. HARRIS ETAL. (14E-96), FROM SAID POINT OF BEGINNING AND FOLLOWING WITH THE COMMON PROPERTY OF SUSAN P. HARRIS ETAL. S 89°56'23" E - 841.50' TO AN EXISTING #4 REBAR, THENCE CONTINUING WITH SUSAN P. HARRIS ETAL. S 47°56'23" E - 2,095.00' TO AN EXISTING #4 REBAR, THENCE CONTINUING WITH SUSAN P. HARRIS ETAL. S 47°56'23" E - 50.00' TO A POINT IN THE CENTER OF CLARK'S CREEK, ALSO BEING A COMMON CORNER WITH TROY A. MOTZ (3082/001), THENCE CONTINUING WITH THE CENTERLINE OF CLARK'S CREEK AND THE COMMON LINE WITH TROY A. MOTZ THE FOLLOWING TEN CALLS:

- 1) S 21°04'57" W - 92.18' TO A POINT
- 2) S 23°17'36" W - 185.78' TO A POINT
- 3) S 28°19'10" W - 96.27' TO A POINT
- 4) S 24°05'34" W - 156.04' TO A POINT
- 5) S 18°29'44" W - 185.15' TO A POINT
- 6) S 30°04'06" W - 249.67' TO A POINT
- 7) S 11°17'12" W - 171.00' TO A POINT
- 8) S 23°02'24" W - 172.73' TO A POINT
- 9) S 12°33'44" W - 238.87' TO A POINT
- 10) S 15°00'47" W - 100.43' TO A POINT, ALSO BEING A COMMON CORNER WITH BHR LAND HOLDINGS LLC (2872/832),

THENCE LEAVING THE CENTERLINE OF CLARK'S CREEK AND FOLLOWING WITH THE COMMON LINE OF BHR LAND HOLDINGS LLC N 22°36'36" W - 50.00' TO AN EXISTING #4 REBAR, THENCE CONTINUING WITH BHR LAND HOLDINGS N 22°36'36" W - 181.00' TO AN EXISTING #4 REBAR, THENCE CONTINUING WITH BHR LAND HOLDINGS N 38°06'36" W - 1,411.00' TO AN EXISTING AXLE, THENCE CONTINUING WITH BHR LAND HOLDINGS N 73°07'45" W - 1,222.08' TO AN EXISTING #4 REBAR, SAID REBAR ALSO BEING A COMMON CORNER WITH ROBERT CRAIG KAY (1623/636), THENCE WITH A COMMON LINE WITH ROBERT CRAIG KAY N 73°07'48" W - 189.95' TO AN EXISTING #4 REBAR, SAID REBAR ALSO BEING A COMMON CORNER WITH MICHAEL D. ISSACS (1055/507), THENCE WITH A COMMON LINE WITH MICHAEL D. ISAACS N 72°48'47" W - 90.72' TO AN EXISTING #4 REBAR, SAID REBAR ALSO BEING ON THE EASTERN MARGIN OF THE 60' RIGHT OF WAY OF STARTOWN ROAD (SR#1005), THENCE CONTINUING WITHIN THE RIGHT OF WAY OF STARTOWN ROAD N 72°48'47" W - 29.86' TO A POINT IN THE CENTERLINE OF STARTOWN ROAD, THENCE CONTINUING WITH THE CENTERLINE OF STARTOWN ROAD THE FOLLOWING SIX CALLS:

- 1) N 03°25'50" E - 49.84' TO A POINT
- 2) N 02°11'41" E - 50.00' TO A POINT
- 3) N 01°03'13" E - 50.00' TO A POINT
- 4) N 00°20'14" E - 365.46' TO A POINT
- 5) N 00°24'35" E - 100.00' TO A POINT
- 6) N 00°25'38" E - 20.50' TO A POINT 7) N 00°20'53" E - 241.59' TO A POINT IN CENTERLINE OF STARTOWN ROAD, SAID POINT ALSO BEING A COMMON CORNER WITH SUSAN P. HARRIS ETAL. (14E-96)

THENCE LEAVING THE CENTERLINE OF THE ROAD N 68°57'47" E - 32.47' TO AN EXISTING CONCRETE MONUMENT, SAID MONUMENT ALSO BEING LOCATED ON THE EASTERN MARGIN OF THE 60' PUBLIC RIGHT OF WAY OF STARTOWN ROAD (SR#1005), THENCE CONTINUING WITH SUSAN P. HARRIS ETAL N 68°57'47" E - 214.12' TO AND EXISTING #4 REBAR, THENCE CONTINUING WITH SUSAN P. HARRIS ETAL N 68°57'47" E - 262.66' TO AN EXISTING #4 REBAR, THENCE CONTINUING WITH SUSAN P. HARRIS ETAL N 31°07'56" E - 165.00' TO THE POINT AND PLACE OF BEGINNING CONTAINING 96.856 AC±.

Section 3. Notice of the public hearing shall be published once in the Lincoln Times News, a newspaper having general circulation in the City of Lincolnton, at least ten (10) days prior to the date of the public hearing.

Mayor

ATTEST:

Clerk

CITY COUNCIL

Ed L. Hatley, Mayor
Christine Poinsette, Mayor Pro-Tem
Kevin Demeny
Jill Tipton
Roby Jetton



CITY MANAGER

Ritchie Haynes
rhaynes@lincolntonnc.org
CITY CLERK
Daphne Ingram
dingram@lincolntonnc.org
CITY ATTORNEY
Thomas J. Wilson, Jr.

PUBLIC NOTICE

The public will take notice that the City Council of the City of Lincolnton has called a public hearing at 7:00 p.m. on February 2, 2023 in the Council Chambers of the Lincolnton City Hall located at 114 W. Sycamore Street, Lincolnton, NC 28092, on the question of annexing the following described non-contiguous territory, requested by petition filed pursuant to G.S. 160A-58.1:

ANNEXATION DESCRIPTION COMMENCING AT NCGS MONUMENT WHITENER, HAVING GRID COORDINATES OF N: 657,394.84 E: 1,326,513.98, FROM SAID POINT OF COMMENCEMENT S 01°04'58" E - 4034.91' TO NCGS MONUMENT CHAPMAN, HAVING NCGS COORDINATES OF N: 653,361.12 E: 1,326,590.22, FROM SAID NCGS MONUMENT S 10°54'48" E - 5, 111.34' TO AND EXISTING #4 REBAR, SAID REBAR BEING THE POINT OF BEGINNING, SAID POINT OF BEGINNING ALSO BEING A COMMON CORNER WITH SUSAN P. HARRIS ETAL. (14E-96), FROM SAID POINT OF BEGINNING AND FOLLOWING WITH THE COMMON PROPERTY OF SUSAN P. HARRIS ETAL. S 89°56'23" E - 841.50' TO AN EXISTING #4 REBAR, THENCE CONTINUING WITH SUSAN P. HARRIS ETAL. S 47°56'23" E - 2,095.00' TO AN EXISTING #4 REBAR, THENCE CONTINUING WITH SUSAN P. HARRIS ETAL. S 47°56'23" E - 50.00' TO A POINT IN THE CENTER OF CLARK'S CREEK, ALSO BEING A COMMON CORNER WITH TROY A. MOTZ (3082/001), THENCE CONTINUING WITH THE CENTERLINE OF CLARK'S CREEK AND THE COMMON LINE WITH TROY A. MOTZ THE FOLLOWING TEN CALLS:

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City Clerk



LINCOLNTON
AGENDA ITEM SUMMARY

To: The Honorable Mayor and City Council
Date: January 5, 2023
From:
Subject: BA-01-23 Consideration/Approval of Budget Amendment:

Summary:

Approval of Amendment to the Annual Budget Ordinance for the fiscal year ending June 30, 2023. To Amend the General Fund, Powell Bill Fund, Water & Sewer Fund, Electric Fund and Special Revenue Fund.

Background:

See Attachment

Fiscal Impact:

NA

Recommendation:

Staff recommends approval of proposed budget amendment

Attachments:

1. BA-01-23

CITY COUNCIL

Ed L. Hatley, Mayor
 Christine Poinsette, Mayor Pro-Tem
 Roby D. Jetton
 Kevin Demeny
 Jill Tipton

**CITY MANGER**

Richard Haynes
rhaynes@lincolntonnc.org

CITY CLERK

Daphne Ingram
dingram@lincolntonnc.org

CITY ATTORNEY

Thomas J. Wilson, Jr.

BA-01-23

BE IT ORDAINED by the Governing Board of the City of Lincolnton, North Carolina, that the following amendment be made to the Annual Budget Ordinance for the fiscal year ending June 30, 2023.

Section 1: To amend the General Fund, the expenditures are to be changes as follows:

General Expense	\$	28,160
Solid Waste		582
Recreation		29,200
	\$	57,943

Section 2: To amend the General Fund, the revenues are to be changed as follows:

Rec-Donations First Federal Park	\$	25,000
Insurance Settlement		3,116
Repair Settlement		473
Veterans Banner Project		4,200
Federal Equitable Deposits		24,572
Loan Proceeds		582
	\$	57,943

General Fund: Record naming right funds from First Federal for First Federal Park, Federal Equitable deposits from Police Departments efforts on asset forfeitures , Insurance & repair settlements for property damage, Proceeds for the Veterans banner project, and true-up of loan proceeds for Solid Waste garbage truck.

Section 5: To amend the Powell Bill Fund, the expenditures are to be changes as follows:

Powell Bill Construction/Other	\$	1,100
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Section 6: To amend the Powell Bill Fund, the revenues are to be changed as follows:

Investment Income	\$	1,100
	\$	1,100

Powell Bill Fund: Record interest income on powell bill funds.

Section 7: To amend the Water and Sewer Fund, the expenditures are to be changes as follows:

Wastewater Treatment Plant	\$	52,235
Water and Sewer Intangibles	\$	1,157
	\$	53,392

Section 8: To amend the Water and Sewer Fund, the revenues are to be changed as follows:

Investment Income	\$	28,295
Connection Charges		23,940
Other Operating Revenues		1,157
	\$	53,392

Water and Sewer Fund: Record Water & Sewer connection fees, Insurance settlement for property damage, and Interest income.

Section 9: To amend the Electric Fund, the expenditures are to be changes as follows:

Electric Operations	\$	27,572
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Section 10: To amend the Electric Fund, the revenues are to be changed as follows:

Investment Income	\$	7,990
Other Operating Revenue	\$	19,582
	\$	27,572

Electric Fund: Record NCMPA generator credits and rebates, Insurance proceeds for property damage to power pole on South Aspen Street, Rental fees, and Interest income.

Section 11: To amend the Special Revenue Fund, the expenditures are to be changed as follows:

SCIF Grants (Fund 50)	\$	490
	\$	490

Section 12: To amend the Special Revenue Fund, the revenues are to be changed as follows:

SCIF Grants (Fund 50)	\$	490
	\$	490

Special Revenue Fund: Record interest income received on the State SCIF funds.

Section 16: Appropriations are authorized by fund totals. The City Manager is authorized to reallocate fund appropriations among line item objects of expenditures and revenues as necessary during the budget year.

Section 17: Copies of this Budget Ordinance shall be furnished to the Clerk to the Governing Board and to the Budget Officer and Finance Director to be kept on file by them for their direction in the disbursement of funds.

TOTAL AMENDMENT	\$	140,497
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Adopted this 5th day of January, 2023

Attest:

Daphne Ingram
City Clerk

Edward L Hatley
Mayor



LINCOLNTON AGENDA ITEM SUMMARY

To: The Honorable Mayor and City Council
Date: January 5, 2023
From: Laura Morris, Community Relations Director
Subject: Consideration/Approval of Food Truck Policy & Procedures

Summary:

Provide a method to regulate food trucks in the downtown central business district and also support merchant events & activities.

Background:

There have been several recent merchant event requests for limited secondary street closures to support events on private property. We need a fair and equitable solution to accommodate reasonable requests, manage street closures, and facilitate food trucks and similar activities that may take place on city streets. In addition, the Lincolnton Police Department has requested a policy specifically for food trucks since the LPD has no ordinance authorization to prevent or manage parking on city streets except for Monday-Friday, 8a-4p. This provides authorization to regulate food trucks 24/7 regardless of parking ordinance permissions.

Fiscal Impact:

No expense, minimal income

Recommendation:

Recommendation and working policy draft:

1. Add to ordinances:

Food trucks are not allowed on public property in the city limits without a special event permit submitted and approved in advance. This includes city streets, city parking lots, city parking spaces, city parks, etc.

2. Policy/Procedure for merchant food truck events:

a. Merchants may submit a special event permit request for food trucks to be located on public property adjacent to their business or private property including:

- specific parking spaces (in front of or adjacent to a downtown merchant) or
- limited street closure for adjacent property (only available on East Water, East Church, or East Sycamore; not available on Main Street or side streets. Other city streets may be approved for closure based on staff review).

b. Only one event per merchant per month, unless approved by staff review due to extenuating circumstances.

- c. One lane of any street closure approved must remain open for emergency access.
- d. Merchant must provide event liability insurance or name the City of Lincoln as an insured entity per the requirements of the special event request.
- e. Applicable fees per the current fee schedule must be paid in advance of the event.
- f. Penalty –

- Merchant; 1st/warning, 2nd/\$250, 3rd/\$500, no future permits
- Food Truck; 1st/warning, 2nd/\$250, 3rd/\$500, no future permits

Attachments:

1. 2022 Food Truck - City Council memo

City Council

Ed L. Hatley, Mayor
Christine Poinette, Mayor Pro-Tem
Kevin Demeny
Jill Tipton
Roby Jetton

**City Manager**

Ritchie Haynes
RHaynes@LincolntonNC.org
City Clerk
Daphne Ingram
DIngram@LincolntonNC.org
City Attorney
Thomas J. Wilson, Jr.

Memorandum

To: Mayor & City Council
Cc: Ritchie Haynes, City Manager
Fr: Laura Morris, Community Relations Director
Re: Food Truck Policy & Procedures
Dt: December 20, 2022

There have been several recent merchant event requests for limited secondary street closures to support events on private property. We need a fair and equitable solution to accommodate reasonable requests, manage street closures, and facilitate food trucks and similar activities that may take place on city streets. In addition, the Lincolnton Police Department has requested a policy specifically for food trucks since the LPD has no ordinance authorization to prevent or manage parking on city streets except for Monday-Friday, 8a-4p. This provides authorization to regulate food trucks 24/7 regardless of parking ordinance permissions.

Recommendation and working policy draft:

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2. Policy/Procedure for merchant food truck events:

- a. Merchants may submit a special event permit request for food trucks to be located on public property adjacent to their business or private property including:
 - specific parking spaces (in front of or adjacent to a downtown merchant) or
 - limited street closure for adjacent property (only available on East Water, East Church, or East Sycamore; not available on Main Street or side streets. Other city streets may be approved for closure based on staff review).
- b. Only one event per merchant per month, unless approved by staff review due to extenuating circumstances.
- c. One lane of any street closure approved must remain open for emergency access.

- d. Merchant must provide event liability insurance or name the City of Lincolnton as an insured entity per the requirements of the special event request.
- e. Applicable fees per the current fee schedule must be paid in advance of the event.
- f. Penalty –
 - Merchant; 1st/warning, 2nd/\$250, 3rd/\$500, no future permits
 - Food Truck; 1st/warning, 2nd/\$250, 3rd/\$500, no future permits



LINCOLNTON
AGENDA ITEM SUMMARY

To: The Honorable Mayor and City Council
Date: January 5, 2023
From: Chris Jones, Technology & Innovation Director
Subject: Consideration/Approval of Fiber Ring Project-City of Lincolnton

Summary:

Background:

Looking to increase connectivity speeds between locations to match infrastructure capabilities. We are currently using hosted links via ATT/Altaworx which limit speed based on price. This project is adding the flexibility for the City of Lincolnton to control site connectivity speeds and availability.

Fiscal Impact:

Within 5 years this project should net a rough 1 million dollar savings with Phase 1.

Recommendation:

Attachments:

1. Packet-Tech-Fiber Project



Technology Improvements

Fiber Project-

Phase 1:

City Hall- 114 W Sycamore St. Lincolnton NC 28092

Police Department- 627 E Main St. Lincolnton NC 28092

Welcome Center- 119 E Water St. Lincolnton NC 28092

Public Works- 128 Motz Ave Lincolnton NC 28092

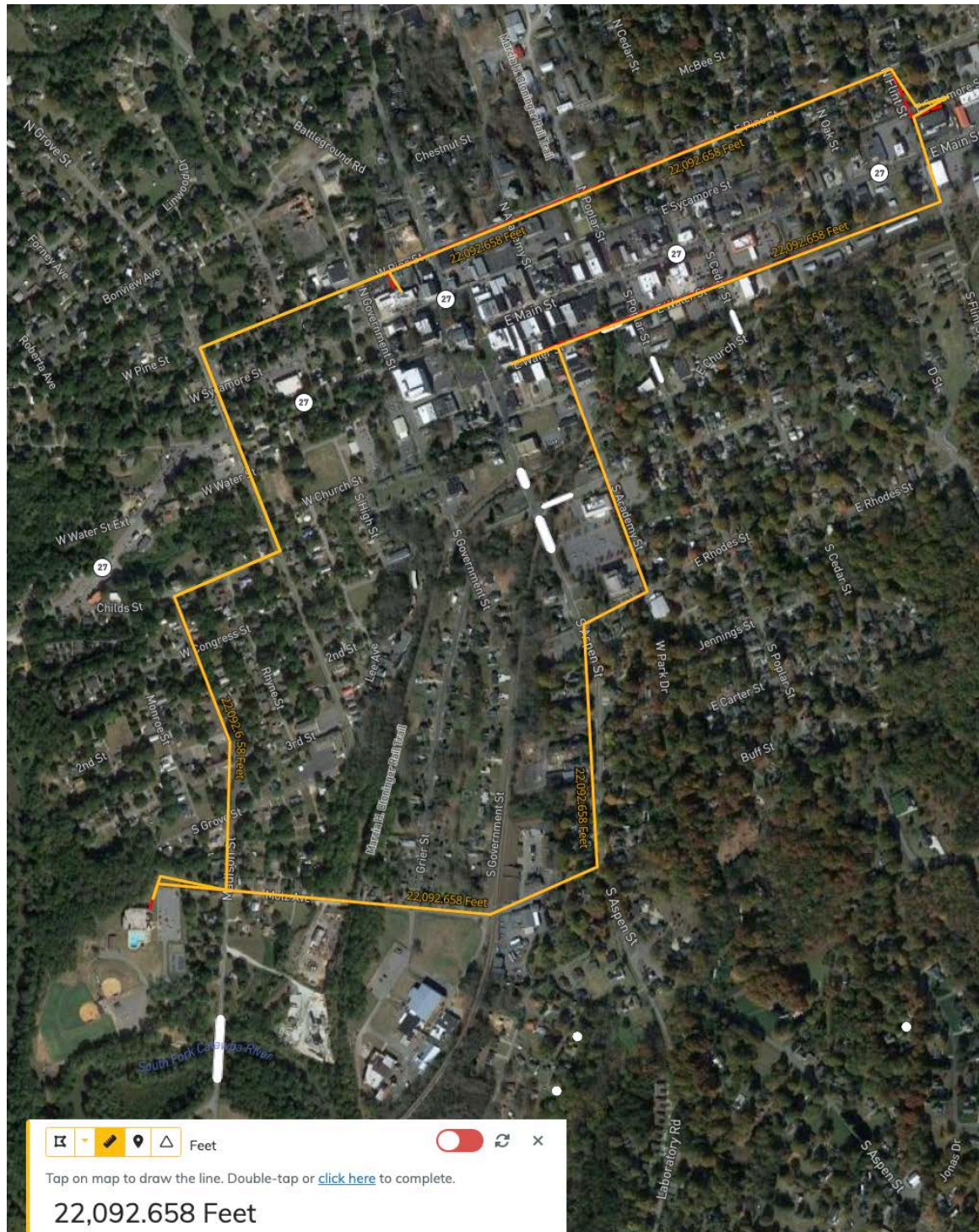
Parks and Rec- 800 Madison St Lincolnton NC 28092

Phase 2:

Waste Water-550 W Hwy NC 150 Bypass

Water- 1338 Reepsville Rd. Lincolnton NC 28092

Fire Station 2- 410 McAlister Rd Lincolnton NC 28092- We did not visit this site.
Newly acquired but on the other side of town.



Fiber Project Plan

Phase 1				Phase 1			
Location				Location			
Current 100MB Connection ATT				Current 10GBConnection ATT			
Monthly Spend Yearly Spend 5 YR Spend				Monthly Spend Yearly Spend 5 YR Spend			
City Hall- 114 W Sycamore St. Lincolnton NC 28092				City Hall- 114 W Sycamore St. Lincolnton NC 28092			
\$ 886.00 \$ 10,632.00 \$ 53,160.00				\$ 5,479.00 \$ 65,748.00 \$ 328,740.00			
Police Department- 627 E Main St. Lincolnton NC 28092				Police Department- 627 E Main St. Lincolnton NC 28092			
\$ 886.00 \$ 10,632.00 \$ 53,160.00				\$ 5,479.00 \$ 65,748.00 \$ 328,740.00			
Welcome Center- 119 E Water St. Lincolnton NC 28092				Welcome Center- 119 E Water St. Lincolnton NC 28092			
\$ 886.00 \$ 10,632.00 \$ 53,160.00				\$ 5,479.00 \$ 65,748.00 \$ 328,740.00			
Public Works- 128 Motz Ave Lincolnton NC 28092				Public Works- 128 Motz Ave Lincolnton NC 28092			
\$ 886.00 \$ 10,632.00 \$ 53,160.00				\$ 5,479.00 \$ 65,748.00 \$ 328,740.00			
Parks and Rec- 800 Madison St Lincolnton NC 28092				Parks and Rec- 800 Madison St Lincolnton NC 28092			
\$ 3,544.00 \$ 42,528.00 \$ 212,640.00				\$ 21,916.00 \$ 262,992.00 \$ 1,314,960.00			
Phase 2				Phase 2			
Location				Location			
Current 100 MB Connection ATT				Current 10GB Connection ATT			
Monthly Spend Yearly Spend 5 YR Spend				Monthly Spend Yearly Spend 5 YR Spend			
Waste Water-550 W Hwy NC 150 Bypass				Waste Water-550 W Hwy NC 150 Bypass			
\$ 886.00 \$ 10,632.00 \$ 53,160.00				\$ 5,479.00 \$ 65,748.00 \$ 328,740.00			
Water- 1338 Reepsville Rd. Lincolnton NC 28092				Water- 1338 Reepsville Rd. Lincolnton NC 28092			
\$ 886.00 \$ 10,632.00 \$ 53,160.00				\$ 5,479.00 \$ 65,748.00 \$ 328,740.00			
Fire Station 2- 410 McAlister Rd Lincolnton NC 28092				Fire Station 2- 410 McAlister Rd Lincolnton NC 28092			
\$ 886.00 \$ 10,632.00 \$ 53,160.00				\$ 5,479.00 \$ 65,748.00 \$ 328,740.00			
\$ 2,658.00 \$ 31,896.00 \$ 159,480.00				\$ 16,437.00 \$ 197,244.00 \$ 986,220.00			
Totals				Totals			
\$ 6,202.00 \$ 74,424.00 \$ 372,120.00				\$ 38,353.00 \$ 460,236.00 \$ 2,301,180.00			

Quote Number: 2022-24484	Project: Fiber Ring Updated	Date: 01/31/2023
Client: City of Lincolnton	Project Address: 114 W Sycamore St Lincolnton NC 28092	
Client Representative: Chris Jones		
For Questions Contact: Gabe Hardeay gabrielh@knctech.us (336) 760-5512		

Scope of Work

48 Strand Single-mode fiber from City Hall to Police Department
 48 Strand Single-mode fiber from Police Department to Welcome Center
 48 Strand Single-mode fiber from Welcome Center to Public Works
 48 Strand Single-mode fiber from Public Works to Betty G. Ross
 48 Strand Single-mode fiber from Betty G. Ross to City Hall

- Install (1) 48 Strand Single-Mode ADSS (All-dielectric Self-Supporting Supply Zone Fiber) fiber optic cable, in the Supply Zone (placed 6" under neutral) on each pole on proposed path.
- Hang new fiber around Lincolnton to provide service to City Hall, Betty G Ross Park, Public Works, Welcome Center, and Police Dep.
- Under the assumption that all poles are owned by the City of Lincolnton.
- Install (1) 96 Strand Single-mode Indoor/Outdoor Freedom fiber, at each building from the splice location outside to the termination points in each building.
- Complete fiber terminations in each building, label, and test new fiber.
- Complete all aerial splices out in the field.
- Provide and install (8) Snow-shoes for service loops in different areas along path about 1500' apart for slack in case a damage occurs and to provide any other city buildings with service if needed, each snow-shoe location will have 100' to 200' of slack.
- A Snow-shoe will also be placed at each building to support slack for splice cases.
- Install splice locations at both locations where aerial fiber crosses the RR tracks. Pole anchors will be set for corner poles and in other areas where they are needed along with guy wire guard yellow covers.
- Use the existing under-ground pathways at the City Hall and Police Dep from the riser pole to the building to get new fiber into buildings.
- Install a tracer wire and pull string in UG pipes for locating purposes.
- Make a new aerial entrance into the Welcome Center and Public Works buildings.
- Will have to bore in a new 2" HDPE Duct building entry pipe by means of Direction Drilling from the riser pole to the building and build a new entry point.
- A tracer wire and pull string will be installed in duct for locating purposes.
- Place 2" U-guard at each riser pole to protect fibers from damage.

KNC will begin work as promptly as possible upon receipt of a purchase order. Work will proceed in a timely fashion. If KNC is delayed through no fault of its own, then the project may be extended for a reasonable period of time agreed upon by both parties in writing.

Our Scope of Work does not include the items below:

1. Any and all 120vac power is provided by others to include temp power for job site trailers if applicable.
2. Any and all Telephone lines as required are provided by others.
3. Any and all IP connections and addresses related to IP monitoring or network communications provided by others. Sometimes customer IT coordination is required.
4. Any and all conduits, raceways, sleeves, boxes, T-Bars, connectors, etc. are provided by others unless specified in the quotation. Raceways must be complete prior to cable installation.
5. Electric Locks, Door Egress Hardware required for Access control systems are provided by others unless otherwise specified in the quotation.

6. KNC Technologies is only responsible for the 'low Voltage' side of controls, relays, etc. All line voltage or control connections are to be made by others, to include elevator hoistway motors.
7. Client required Safety Training, Criminal Records checks, Health/Medical immunizations is billable under separate invoice unless otherwise specified in the quotation.
8. Any and all additional devices required by the AHJ are at additional expense.
9. Any and all Re-inspections required by the AHJ as a result of another trade or client issue will be at additional expense.
10. Smoke Detectors installed in the Duct Work for the purpose of HVAC startup will typically get dirty requiring them to be replaced. New Smoke detectors will be at additional expense.
11. Change orders will not be accomplished without signed change order delivered to KNC regardless of the construction schedule.
12. All Change Orders are billable upon issuance.
13. If you choose to pay using a credit card there will be a 3% service charge assessed to the outstanding balance. .
14. KNC will bill upon award for mobilization based upon a percentage applicable to the project cost(s), not to exceed 50%.

Customer to Provide

Access to all areas needed to work. Traffic control if needed. Patch Cables. Racks and rack space for fiber enclosures.

New Product Warranties:

Customer understands that KNC Technologies LLC., is not the manufacturer of the products purchased by Customer hereunder and the only warranties offered are those of the manufacturer, not KNC Technologies LLC. In purchasing the products, Customer is relying on the manufacturer's specifications only and is not relying on any statements, specifications, photographs or other illustrations representing the products that may be provided by KNC Technologies LLC. THIS DISCLAIMER DOES NOT AFFECT THE TERMS OF THE MANUFACTURER'S WARRANTY.

New Product Limited Warranty:

KNC Technologies LLC. warrants Goods to be in good working condition as to workmanship for a period of one year (twelve months) from the date of KNC Technologies LLC. invoice unless otherwise specified or by the manufacturer's own warranty policy. No repair or replacement shall extend any warranty. Return shipping costs for warranty repair or replacement is not included for domestic or international orders.

Delays:

Abnormal idle time that is incurred by Ken-Nect personnel due to escorts, clearances or the inability to enter the workspace and other factors beyond our control will be invoiced at normal labor rates as a change order to the job. All work is scheduled for normal working hours, Mon-Fri, 8am – 5pm unless otherwise stated.

Notes:

- These prices shall remain valid for thirty days from date of quote
- Payment terms are
- A 1.5% service charge per month plus all collections cost and reasonable attorney's fees to the extent permitted by law will be assessed on all past due accounts

TOTAL Investment: \$423,160.41

“Our mission as a company is simple and effective, Be the best communications and integration installation company available. We are able to achieve this by adhering closely to our values and goals. We demand the best from ourselves and for the customer, with regard to quality, customer service and with being the easiest and most enjoyable company to do business with. Once we have had the opportunity to perform work for an organization and they have witnessed our service from start to finish, they have become a customer for life! We look forward to helping you with all of your information transport system based requirements.”



LINCOLNTON
AGENDA ITEM SUMMARY

To: The Honorable Mayor and City Council
Date: January 5, 2023
From: Ritchie Haynes, City Manager
Subject: Managers Report/Update and Quarterly Code Enforcement Report

Summary:

Overview updating councilmembers on a number of issues

Background:

See Attached Documents

Fiscal Impact:

NA

Recommendation:

NA

Attachments:

1. manager report back-up

Local Market Update for November 2022

A RESEARCH TOOL PROVIDED BY THE CANOPY REALTOR® ASSOCIATION
FOR MORE INFORMATION, CONTACT A REALTOR®



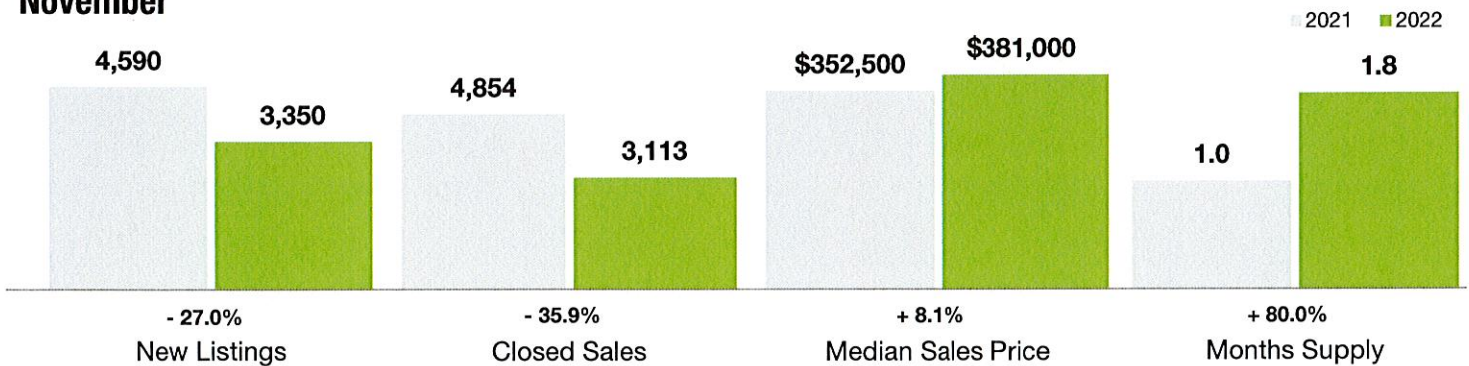
Charlotte Region

Includes Alexander, Anson, Cabarrus, Catawba, Cleveland, Gaston, Iredell, Lincoln, Mecklenburg, Rowan, Stanly and Union Counties in North Carolina and Chester, Chesterfield, Lancaster and York Counties in South Carolina

Key Metrics	November			Year to Date		
	2021	2022	Percent Change	Thru 11-2021	Thru 11-2022	Percent Change
New Listings	4,590	3,350	- 27.0%	60,860	55,518	- 8.8%
Pending Sales	4,489	2,868	- 36.1%	56,083	45,216	- 19.4%
Closed Sales	4,854	3,113	- 35.9%	54,425	47,075	- 13.5%
Median Sales Price*	\$352,500	\$381,000	+ 8.1%	\$325,000	\$379,990	+ 16.9%
Average Sales Price*	\$408,170	\$443,290	+ 8.6%	\$384,968	\$445,174	+ 15.6%
Percent of Original List Price Received*	100.2%	95.7%	- 4.5%	100.8%	100.1%	- 0.7%
List to Close	75	89	+ 18.7%	73	76	+ 4.1%
Days on Market Until Sale	21	34	+ 61.9%	19	20	+ 5.3%
Cumulative Days on Market Until Sale	20	33	+ 65.0%	19	20	+ 5.3%
Average List Price	\$397,935	\$441,158	+ 10.9%	\$398,387	\$460,777	+ 15.7%
Inventory of Homes for Sale	4,925	7,326	+ 48.8%	--	--	--
Months Supply of Inventory	1.0	1.8	+ 80.0%	--	--	--

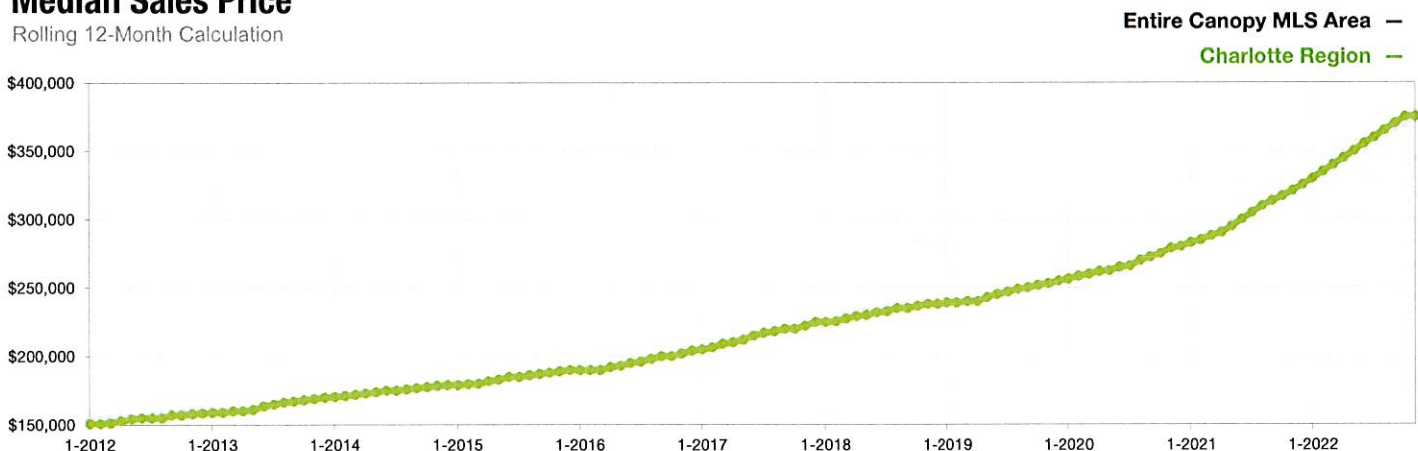
* Does not account for sale concessions and/or downpayment assistance. | Percent changes are calculated using rounded figures and can sometimes look extreme due to small sample size.

November



Median Sales Price

Rolling 12-Month Calculation



Local Market Update for November 2022

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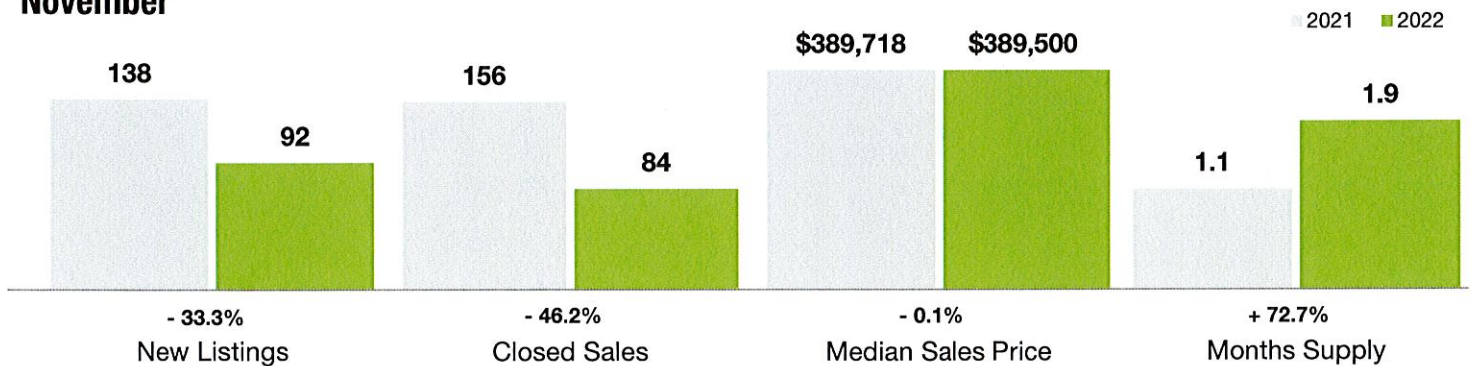
Lincoln County

North Carolina

Key Metrics	November			Year to Date		
	2021	2022	Percent Change	Thru 11-2021	Thru 11-2022	Percent Change
New Listings	138	92	- 33.3%	1,905	1,655	- 13.1%
Pending Sales	135	77	- 43.0%	1,827	1,377	- 24.6%
Closed Sales	156	84	- 46.2%	1,733	1,442	- 16.8%
Median Sales Price*	\$389,718	\$389,500	- 0.1%	\$345,000	\$415,000	+ 20.3%
Average Sales Price*	\$408,814	\$477,875	+ 16.9%	\$387,952	\$454,530	+ 17.2%
Percent of Original List Price Received*	98.5%	97.4%	- 1.1%	100.2%	99.8%	- 0.4%
List to Close	117	82	- 29.9%	92	92	0.0%
Days on Market Until Sale	42	23	- 45.2%	30	27	- 10.0%
Cumulative Days on Market Until Sale	29	24	- 17.2%	29	25	- 13.8%
Average List Price	\$425,168	\$506,461	+ 19.1%	\$410,975	\$475,391	+ 15.7%
Inventory of Homes for Sale	188	237	+ 26.1%	--	--	--
Months Supply of Inventory	1.1	1.9	+ 72.7%	--	--	--

* Does not account for sale concessions and/or downpayment assistance. | Percent changes are calculated using rounded figures and can sometimes look extreme due to small sample size.

November



Median Sales Price

Rolling 12-Month Calculation



Local Market Update for November 2022

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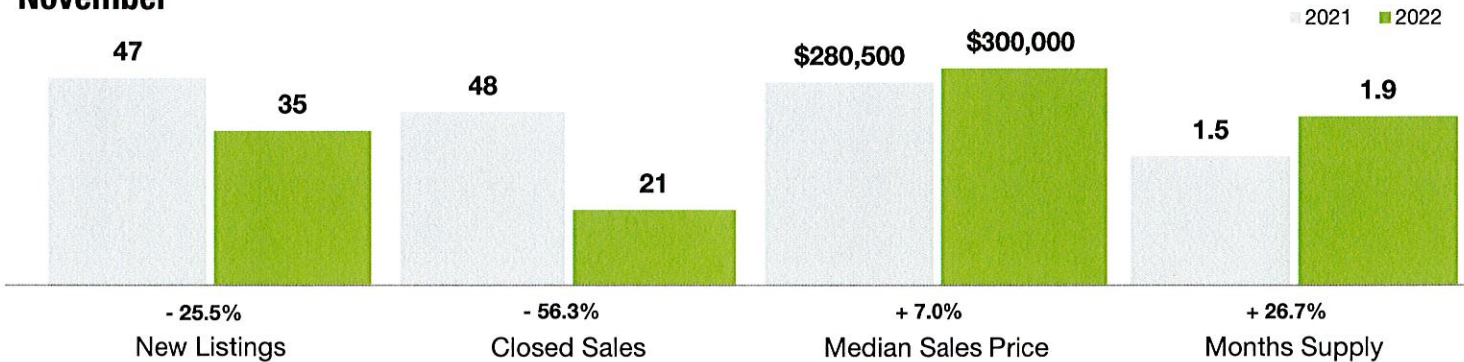
Lincolnton

North Carolina

Key Metrics	November			Year to Date		
	2021	2022	Percent Change	Thru 11-2021	Thru 11-2022	Percent Change
New Listings	47	35	- 25.5%	575	532	- 7.5%
Pending Sales	49	32	- 34.7%	527	456	- 13.5%
Closed Sales	48	21	- 56.3%	482	439	- 8.9%
Median Sales Price*	\$280,500	\$300,000	+ 7.0%	\$242,202	\$284,975	+ 17.7%
Average Sales Price*	\$313,539	\$303,902	- 3.1%	\$268,076	\$300,282	+ 12.0%
Percent of Original List Price Received*	97.5%	96.3%	- 1.2%	99.6%	99.9%	+ 0.3%
List to Close	72	63	- 12.5%	70	76	+ 8.6%
Days on Market Until Sale	25	19	- 24.0%	21	32	+ 52.4%
Cumulative Days on Market Until Sale	25	24	- 4.0%	22	36	+ 63.6%
Average List Price	\$292,983	\$298,311	+ 1.8%	\$286,200	\$307,545	+ 7.5%
Inventory of Homes for Sale	68	78	+ 14.7%	--	--	--
Months Supply of Inventory	1.5	1.9	+ 26.7%	--	--	--

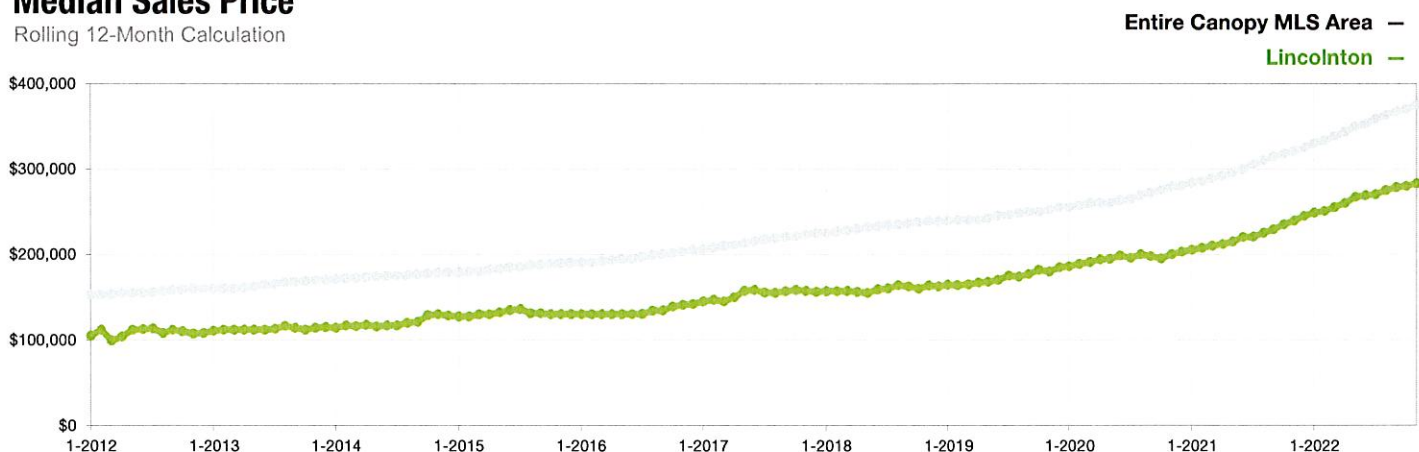
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November



Median Sales Price

Rolling 12-Month Calculation



LEGISLATIVE GOAL STATEMENTS

RECOMMENDED BY THE NCLM BOARD OF DIRECTORS

The following goal statements are grouped by subject area but NOT listed in any priority order.

- Expand federal and state resources for affordable housing.
 - Housing affordability is a growing problem across North Carolina, affecting cities and towns of all sizes and people across different income levels.
 - Increasingly, the lack of affordable housing acts as a major impediment to business and workforce recruitment.
 - Ongoing state and federal revenue streams to address housing affordability are extremely limited, with much of the burden for solutions left with cities and towns
- Revitalize vacant and abandoned properties with enhanced legal tools and funding.
 - Abandoned and vacant properties, often the subject of so-called tangled titles, can affect the ability of communities to revitalize areas and improve economic conditions.
 - The abandoned properties, with enhanced legal tools to help heirs clear up title issues and sell properties at market rates, could help address local housing needs.
 - Many towns do not have the funding to adequately address abandoned properties.
-
- Create an adequate and permanent funding stream for local infrastructure.
 - Infrastructure – including roads, water, sewer, stormwater, parks and beaches – are critical to economic development and job creation.
 - Many cities in the state are growing, creating a constant need for investment to keep pace with population growth; many cities and towns also have aging infrastructure that must be replaced.
 - Creating more permanent funding streams for local infrastructure, such as a dedicated tax source, would allow for better planning to meet needs.

- Allow municipalities to use local resources and capabilities to expand broadband access in their communities through innovative partnerships.
 - Slow and unreliable internet service threatens educational and professional opportunities, and the economic future of entire communities.
 - Municipalities own existing infrastructure – including dark fiber, towers and electric poles – that could be utilized in innovative partnerships and assist in making broadband service more affordable.
 - Failure to utilize local government assistance and assets will continue to create digital gaps that have real-world consequences for North Carolinians.

- Extend deadlines for completion of federal infrastructure projects.
 - Current deadlines for the allocation and expenditure of American Rescue Plan Act funding may make more complex infrastructure projects unrealistic.
 - High inflation and worker shortages are leading to higher project costs; extending ARPA and other funding deadlines will spread projects out and may help lower costs.
 - Cities and towns require flexible deadlines to get the best bang for their buck out of this funding.

-

- Expand state transportation funding streams for construction and maintenance for municipal and state-owned secondary roads.
 - Current Powell Bill and other state funding is not adequate to address transportation needs, particularly as they affect municipal and state-owned secondary roads.
 - In many cities and towns, major commuting corridors are not receiving the level of investment needed to keep pace with traffic.
 - More investment is needed for these roads if existing residents are to embrace business and residential growth.

- Support integrated and multi-modal transportation solutions.
 - Today, cities and towns seek to make downtowns and other areas accessible to residents and visitors, whether traveling by foot, bike, car, mass transit and other means.
 - Making areas accessible in this manner requires integrated planning and funding with the state.
 - Only through recognizing the need for multi-modal transportation solutions can cities and towns maximize tourism and other economic opportunities, ensuring that local businesses thrive.
 - Increase state funding for public transportation operations.
 - Road construction is not keeping pace with transportation needs in any many areas, and public transportation provides a means to reduce the burden of building roads.
 - Investment in public transportation can improve traffic safety, air quality and residents' accessibility to businesses and public services.
 - One of the biggest impediments to economic growth is traffic and commuting times, which can be alleviated through public transportation options.
-
- Expand incentives and funding for local economic development.
 - Funding is simply inadequate in many cities and towns to encourage job growth.
 - State grants and incentives are often targeted in ways that fail to assist the areas in greatest need of job creation.
 - Maintaining or expanding funding for film tax credits, major industrial site development, downtown development and renewable energy tax credits helps cities and towns across the state.

- Expand incentives that encourage regionalization of water and sewer, as well as other municipal services, when appropriate.
 - A number of municipal water and sewer systems continue to financially struggle with deferred maintenance needs.
 - These challenges came about largely due to population and job losses in rural areas, leading to an erosion of taxpayer and ratepayer bases.
 - While legislators and municipalities have begun to address these issues with the creation of the Viable Utility Reserve and the use of ARPA funding, state estimates show needs still exceed expenditures by several billion dollars.
-
- Enhance state systems and resources for local law enforcement officer recruitment, training, and retention.
 - Municipalities across the state are facing law enforcement staffing shortages, in many cases severe shortages.
 - State training resources are limited, and the cost of local law enforcement agencies to send recruits and existing officers to NC Justice Academy locations can be prohibitive.
 - Grant writing assistance is one of several options that might provide better access to the large volume of federal law enforcement grant funding that is available.
- Provide state assistance for yearly financial audits, ensuring that an adequate number of auditors is available.
 - Several dozen local governments have been placed on the state Unit Assistance List due to late audits.
 - Often these audits are late due to staffing shortages, changes in financial personnel and a growing shortage of private auditors willing to perform this work.
 - Addressing this challenge would lessen negative portrayals of local government financial controls.

- Revise state contracting laws to better protect public entities from the effects of inflation.
 - Labor and materials costs have been rising at a rapid rate, leaving municipalities with few options when project bids and costs exceed expectations.
 - Additional flexibility regarding the contracting process could assist municipalities in protecting taxpayers from inflation and escalating costs.
 - Without contracting law flexibility, projects can be delayed and costs can further increase.
-
- Update annexation petition thresholds to make voluntary annexations easier to initiate.
 - Voluntary annexation by petition currently requires 100 percent consent from all property owners, a threshold that can be impossible to meet even if a majority of property owners can benefit by utilizing their property for business or residential purposes.
 - Lowering the threshold from 100 percent represents a middle ground that would still reflect the will of property owners but not handicap communities' ability to economically thrive.
 - The ability of a city or town to grow and reflect its urban footprint is vital to its financial health; city services are relied on by residents whether they live in or near municipal boundaries.
- Provide authority to municipal water systems to recoup costs of clean-up from polluters.
 - Local municipal water systems are increasingly being looked to for the clean-up of PFAS and other "forever" chemicals found in surface waters.
 - State regulators plan to set surface water standards for these chemicals and propose Maximum Contaminant Levels for PFAS chemicals in drinking water.
 - To date, cities' only recourse to try to recoup the cost for utility ratepayers is through the courts.
- Provide local revenue options beyond property tax.
 - Roughly 40 percent of municipal general fund revenue is generated by local property taxes.
 - Cities have little to no authority to raise significant revenue in other ways.
 - A lack of diverse, local tax options can affect economic growth, as well as cause large swings in revenue based on economic changes.