**REGULAR MEETING - AUGUST 2, 2012**

The Mayor and City Council met in regular session on Thursday, August 2, 2012 at 7:00 p.m. in the Council Chambers of City Hall located at 114 West Sycamore Street, Lincolnton North Carolina.

The following were in attendance:

**RHYNE CLONINGER HEAVNER HOVIS**

Mayor Gilleland opened the meeting and welcomed all in attendance. He thanked those attending for their interest in City government. He led everyone in the Pledge of Allegiance.

City Manager Jeff Emory was absent due to family vacation.

Councilman Rhyne made the motion unanimously approved the ***REGULAR AGENDA.***

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

- Approved Minutes of the July 5th regular meeting
- Approved the following Calls to Public Hearing for the September 13th City Council meeting:
  CU-ZMA-2-2012 – Application from McDonald's USA, LLC requesting the conditional use rezoning of approximately 1.43 acres of land from General Business (GB) and Residential-8 (R-8) Districts to Conditional Use General Business (CU-GB). The use proposed for the site is a new McDonald's Restaurant. The subject properties are located at or near the southwest corner of East Main Street and Salem Church Road (Parcel ID 53514, 50234 and 24425)
  CUP-9-2012 – Application from Chaula Jatin Shah requesting approval to operate an Internet Café/Sweepstakes in the Planned Business (PB) District. The subject property is located within the Town and Country Shopping Center at 634 Center Drive (Parcel ID 00382)

***REGULAR AGENDA:***

**RESOLUTION OF RETIREMENT – MR. FREDDIE AVERY – GENERAL SERVICES: (R-04-12)**

Mayor Gilleland called Mr. Avery forward and read the following resolution of appreciation :

WHEREAS, Freddie L. Avery began employment with the City of Lincolnton on June 12, 1978 at the Waste Water Treatment Plant; and

WHEREAS, Freddie L. Avery held various positions over his thirty-four plus years with the City. He was a Waste Water Treatment Plant Operator for eight years; Cemetery Caretaker for thirteen years; General Services Supervisor for thirteen plus years; and

WHEREAS, Freddie L. Avery has demonstrated unselfishly deep commitment to his job, his fellow employees, and to the citizens of Lincolnton for the continued betterment of our City; and

WHEREAS, Freddie L. Avery, Supervisor of the General Services Department plans to retire with over thirty-four years of service effective September 1st, 2012; and

WHEREAS, it is the desire of myself and the Lincolnton City Council to recognize and officially commend Freddie L. Avery for his valuable and outstanding service rendered to the City of Lincolnton and its citizens;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Lincolnton that we congratulate Freddie L. Avery for a career of public service and wish him continued success in all his future endeavors.

Adopted and presented this the 2nd day of August, 2012.

Councilman Rhyne made the motion approving the Resolution as presented and asked that a copy be spread upon the meetings official minutes as a permanent record.

**RESOLUTION APPROVING 2007 LOCAL WATER SUPPLY PLAN (LWSP MEETS MINIMUM CRITERIA IN ACCORDANCE WITH NCGS 143-355(1)) FOR LINCOLNTON:**

**(R-05-12)**

Steve Peeler, Director of PW&U, asked Council adopt the proposed resolution as the last official document needed to complete the 2007 Local Water Supply Plan for Lincolnton. Steve said other plans have been submitted to the State since the submission of the 2007 plan. He said he hopes those plans are not delayed as this one was.

Councilman Cloninger made the motion unanimously approved to adopt the resolution as recommended by the Public Works & Utilities Director.

**CONSIDERATION OF RENEWAL OF CONTRACT FOR LEASE OF PROPERTY AT 530 EAST MAIN STREET FOR LPD DETECTIVES DIVISION:**

**(C-19-11)**

Chief of Police Rodney Jordan presented a one year lease renewal for the Lincolnton Police Department Detectives Division. The detectives division is currently housed at 530 East Main Street and is rented by the City from Ann David Ford, for $ 12,000 annually.

The term of the lease would be September 1, 2012 through August 31, 2013.

Councilman Cloninger made the motion unanimously approved to renew the lease for a one year period as recommended by the Police Chief.

**CONSIDERATION OF APPLICATION FOR 2012 ASSISTANCE TO FIREFIGHTERS GRANTS:**

Fire Chief Mike Lee, told Council of three grants that he had made application to receive through the US Department of Homeland Security. The grants were as follows:

- Vehicle Exhaust Extraction System - Station 2 = $ 998.55 City match
- Emergency backup generator – Station 2 = $ 1750.00 City
- Computerized fireground personnel accountability system – Station 1 = $ 2816.00 City match

The AFG grant is a matching grant with the Federal government paying 95% of the cost. The Federal share for this request would be $ 105,736.45 and the City match would be $ 5,564.55. Chief Lee said he submitted application on behalf of the Fire Department sometime in July 2012.

Council expressed concerns about the grant process, and asking if these monies were included in the current fiscal year budget. Chief Lee said he felt he could move money around to cover these costs should the grants be awarded. The Chief said this is a very competitive process and the DHS may approved the entire request a portion of the request or none of the request. Should we receive notification of receipt of grant funding Council would not have to accept the grant.

Councilman Heavner made the motion unanimously approved that the grant application be formally endorsed by the City as of August 2, 2012.

*NOTE:* All City Departments have been made aware of the formal process for submitting grant applications on behalf of the City. First Council must adopt a resolution committing to any matching funds, prior to submittal of any grant applications. The City Manager, City Clerk and Finance Director have discussed this process thoroughly with staff.

**REPORT FROM LINCOLN COUNTY EMERGENCY PLANNING COMMITTEE (LCLEPC):**

Martha Lide, Assistant County Manager presented a narrative discussing plan requirements since the new by-law change recently completed. The LCLEPC Committee is required by the state to give an annual report in order to receive funds for our Emergency Management Office.

Ms. Lide referenced significant accomplishments of the LCLEPC, noting the Hazard Mitigation Plan and the LCLEPC's involvement and overall responsibility for reviewing the hazardous waste plan. She said "This committee pulls together all the key players that we need to have working together in the event of a disaster within Lincolnton and Lincoln County".

The new by-laws require the LCLEPC Chair or his designee to submit to both the Lincoln County Commissioners and the Lincolnton City Council, an annual report by July 31st of each year.

Chair Fred Jarrett arrived at the conclusion of Ms. Lide's presentation and offered to assist in answering any questions about the plan that Council may have.

Mayor and Council expressed their appreciation of the plan that is in place should emergencies arise.

**PUBLIC COMMENT:**
No one spoke under the Public Comment portion of the meeting.

**NEWS MEDIA:**
There were no questions from the News Media.

**ADJOURNMENT:**
Councilman Hovis made the motion unanimously approved to adjourn the meeting at 7:20 p.m.

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| **DONNA C. FLOWERS, CMC** | **JOHN O. GILLELAND, JR.** |
| **CITY CLERK** | **MAYOR** |