

# ***A G E N D A***

## ***LINCOLNTON CITY COUNCIL***

***April 3, 2014***

***7:00 p.m.***

***Council Chambers***

***City Hall***

**FOR YOUR CONVENIENCE A COPY  
OF TONIGHT'S AGENDA  
IS AVAILABLE, LOCATED TO THE  
RIGHT OF THE ENTRANCE TO THE  
COUNCIL CHAMBERS**

**ANYONE WISHING TO SPEAK  
DURING THE PUBLIC COMMENT  
PORTION OF THE AGENDA  
PLEASE SEE THE CITY CLERK  
PRIOR TO THE MEETING TO SIGN  
UP**

**NON-AGENDA ITEMS WILL BE  
DISCUSSED AND SPEAKERS WILL  
BE LIMITED TO THREE (3)  
MINUTES**

**A COPY OF THE RULES FOR PUBLIC  
COMMENT ARE AVAILABLE AT THE CITY  
CLERK'S DESK**

**THANK YOU FOR ATTENDING  
OUR MEETING  
AND FOR YOUR INTEREST  
IN THE CITY OF LINCOLNTON**

**A G E N D A**  
**LINCOLNTON CITY COUNCIL**  
**April 3, 2014**  
**7:00 p.m.**

**CALL TO ORDER – Mayor John O. Gilleland, Jr.**

**PLEDGE OF ALLEGIANCE**

**1. Approval of REGULAR AGENDA**

**2. Approval of CONSENT AGENDA**

*All items placed under Consent Agenda are considered routine, to be enacted by one motion without discussion. If a member of the Governing Body requests discussion of an item, the item will be removed from the Consent Agenda and considered separately.*

**3. Approval of the following minutes:**

**March 6<sup>th</sup> - Regular Meeting**

**March 7 & 8<sup>th</sup> – Budget Retreat**

**4. Calls to Public Hearing for the May 1<sup>st</sup> City Council meeting:**

**CUP-ZMA-2-2014 – Application from Robert Lee Haynes, Jr. requesting the conditional use rezoning of 0.83 acres of land from Residential-25 (R-25) to Conditional Use Neighborhood Business (CU-NB). The applicant plans to construct a 2400 square foot office/storage building on the property. The subject property is made up of two parcels of land located at the southeast corner of Huss Street and Skyway Lane (Parcel ID 21187 and 21186)**

**5. Resolution (R-06-14) to surplus the badge and handgun of Police Captain Cynthia Monday - Glock Handgun – Model 37, 45 Gap Serial Number GBH541**

**REGULAR AGENDA:**

**PUBLIC HEARING**

**6. CU-ZMA-1-2014 – Application from the BTR Communities Group, LLC requesting the conditional use rezoning of 9.77 acres of land from Planned Business (PB) to Conditional Use Residential Multi-Family (CU-RMF). The applicant wishes to construct a 56 unit residential multi-family development. The subject property is located on the west side of North Generals Blvd approximately 1000 feet north of the intersection of North Generals Blvd and Tait Mill Road (Parcel ID 21103)**

**Laura Simmons, Planning Director**

**PUBLIC HEARING**

- 7. ZTA-1-2014 – Application from Radwan Yousef requesting an amendment to Section 153.113 of the Lincolnton Unified Development Ordinance to allow Hookah Cafes as a permitted use in the Central Business (CB) District.**

*(NOTE: The applicant withdrew the request on 3/26/14. Action required on this item will require a motion to open the Public Hearing, state that application was withdrawn, and call for a motion to close the hearing)*

**Laura Simmons, Planning Director**

**RESOLUTIONS**

**(R-07-14)**

- 8. Honoring Captain Cynthia Monday on her upcoming retirement from the Lincolnton Police Department**

**Mayor Gilleland**

**(R-07-14)**

- 9. Honoring Ms. Georgetta S. Williams, Finance Director on her upcoming retirement from the City of Lincolnton Finance Department**

**Mayor Gilleland**

**PRESENTATIONS**

- 10. Introduction of the 2013 – 2014 Lincolnton Student Advisory Council members**

**Jill S. Eaddy, Advisor**

- 11. Consideration of Sidewalk Art Program in Downtown**

**Christie McBride, 208 Hollow Road, Lincolnton**

**OTHER BUSINESS**

- 12. Consideration of endorsement to the NCDOT for a three (3) lane road on South Laurel Street to allow for a bike lane**  
*(NOTE: If approved Council will need to set a date for a Public Hearing to amend the City's Code of Ordinances to include bike lanes)*

**Laura Simmons, Planning Director**

- 13. Consideration of adding a bike lane to East Dixon Street – City maintained Street**  
*(NOTE: If approved Council will need to set a date for a Public Hearing to amend the City's Code of Ordinances to include bike lanes)*

**Laura Simmons, Planning Director**

- 14. Report regarding the BOD Study – Wastewater Treatment Plant**

**Jeff Emory, City Manager**

- 15. Determine date for a budget work session; April 23 or April 24 at 5:00 p.m. in the Council Chambers of City Hall**

**Jeff Emory, City Manager**

- 16. Monthly Financial Report & Overtime Report**

**Jeff Emory, City Manager**

**PUBLIC COMMENT**

*Speakers will be limited to three (3) minutes to address Mayor and City Council concerning Non-Agenda items.*

*You must sign in with the City Clerk to be eligible to speak*

**NEWS MEDIA**

**ADJOURNMENT**

*APPROVAL*

*OF*

*REGULAR*

*AGENDA*

ITEM #

2

*APPROVAL*

*OF*

*CONSENT*

*AGENDA*

ITEM #

3

## **REGULAR MEETING - MARCH 6, 2014**

The Mayor and City Council met in regular session on Thursday, March 6, 2014 at 7:00 p.m. in the Council Chambers of City Hall, located at 114 West Sycamore Street, Lincolnton North Carolina.

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

**RHYNE CLONINGER EADDY HOVIS**

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

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

- Approved the following minutes of the February 6, 2014 Regular Meeting
- Approved the following Calls to Public Hearing for April 3<sup>rd</sup> meeting:  
**CU-ZMA-1-2014** – Application from the BTR Communities Group, LLC requesting the conditional use rezoning of 9.77 acres of land from Planned Business (PB) to Conditional Use Residential Multi-Family (CU-RMF). The applicant wishes to construct a 56 unit residential multi-family development. The subject property is located on the west side of North Generals Blvd approximately 1000 feet north of the intersection of North Generals Blvd and Tait Mill Road (Parcel ID 21103)  
**ZTA-1-2014** – Application from Radwan Yousef requesting an amendment to Section 153.113 of the Lincolnton Unified Development Ordinance to allow Hookah Cafes as a permitted use in the Central Business (CB) District.

### **REGULAR AGENDA:**

**APPLICATION FROM LINCOLNTON BUSINESS CENTER REQUESTING A CONDITIONAL USE PERMIT TO OPERATE A DISTILLERY IN THE GENERAL MANUFACTURING AND COMMERCIAL (GMC) DISTRICT. THE SUBJECT PROPERTY IS LOCATED AT 315 MOTZ AVENUE (PARCEL ID 00419):**

### **CUP-2-2014**

Mayor Gilleland opened the Public Hearing. The City Clerk administered the oath to all those wishing to speak for or against the request. Laura Simmons, Planning Director, reviewed the above stated request and provided detailed background for a conditional use permit to operate a distillery.

Laura spoke to the application as it complies with the CUP requirements, she noted several other CUP requirements for this specific application. She reviewed the findings of fact, the applicant's compliance with Section 153.237 and 153.238

## **REGULAR MEETING - MARCH 6, 2014**

of the UDO and the staff review committee comments. She concluded recommending on behalf of the Planning Board and Staff that the conditional use permit be granted subject to the Staff Review Conditions being met.

Mr. Corwin Carmichael, the applicant spoke in favor of the request, and again reviewed the findings of fact as they pertain to this CUP request. He said, "We would be taking 190 grain alcohol reducing it down to 80 proof to be sold in ABC stores, and that is the only place it can be sold." He said, "Storage capacity would be 16,000 square foot, and 15,000 gallons of 190 proof alcohol could be stored, but I do not see that being the case as we would be shipping it right back out the door." He concluded thanking City Council for their consideration on his request.

With no one else wishing to speak for or against the issue, Councilman Cloninger made the motion unanimously approved to close the Public Hearing.

Councilman Rhyne made the motion unanimously approved to consider the request.

### **Findings of Fact:**

1. Councilman Cloninger made the motion unanimously approved that the use will not materially endanger the public health or safety if located where proposed and developed according to plan.
2. Councilman Hovis made the motion unanimously approved that the use meets all required conditions and specification,
3. Councilman Eaddy made the motion unanimously approved that the use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity.
4. Councilman Rhyne made the motion unanimously approved that the location and character, if developed according to plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the Lincolnnton Land Use Plan and other plans for the physical development of the City as officially adopted by the City Council.
5. Councilman Hovis made the motion unanimously approved that the use will not overly impact the ability of the City of collect and/or treat any wastewater generated by the use or the ability of the City to treat and distribute any potable water needed by the use.
6. Councilman Cloninger made the motion unanimously approved that the use will not overly impact (impact beyond capacity) the system of streets serving the use or that improvements will be made to the streets in consort with the development of the use, the result of which will be adequate handling of the additional traffic generated.
7. Councilman Rhyne made the motion unanimously approved that the use would not only meet the minimum screening requirements of this chap

## REGULAR MEETING - MARCH 6, 2014

ter, but also that such additional screening will be installed, as necessitated by the visual characteristics of the particular use, that the use will be screened from view of adjoining residential districts, or that the nature of the topography makes the screening from distant view from such residential areas impossible and that other measures such as heavy on-site landscaping will be taken to lessen any near or distant visual impacts.

Councilman Cloninger made the motion unanimously approved the conditional use permit subject to the staff review committee conditions as outlined in the Planning Departments report.

*(A copy of a detailed report noting these requirements is on file in the Planning Department available for reference)*

**APPLICATION FROM SKYGROUP CAROLINAS, LLC REQUESTING A CONDITIONAL USE PERMIT TO CONSTRUCT AN URGENT CARE FACILITY IN THE PLANNED BUSINESS (PB) AND SPECIAL HIGHWAY OVERLAY (SHO) DISTRICTS. THE SUBJECT PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF EAST MAIN STREET AND US HIGHWAY 321 (PARCEL ID 87366) :**

Mayor Gilleland opened the Public Hearing. The City Clerk administered the oath to all those wishing to speak for or against the request. Laura Simmons, Planning Director, reviewed the request, summarizing the site and area description, the proposed site plan, the applicants compliance with Section 153.236 and 153.237 of the UDO. She reviewed the seven staff committee comments and concluded recommending on behalf of Planning Board and Staff that the CUP be approved subject to all requirements of the UDO and Staff Review Committee are met.

Councilman Rhyne asked is the developer would be required to install a sidewalk at this location, as he did not see a sidewalk depicted on the pictures enclosed.

Mr. Mike Joyner, representing the applicant, spoke in favor of the request. He said, "This project is an Urgent Care Center that will be operated by Carolinas Medical Center. This location is suitable for the site and I believe it will be a great asset to your community."

Councilman Cloninger asked, "Who would own the building once it was constructed, would it be the nonprofit hospital or would it be privately owned?"

Mr. Joyner said he would own the property and it would be a taxable structure, not falling under the umbrella of a non-profit which is not taxable

Mr. Joyner said he would build the entrance road and would hope the City would take the road over in the future. He would put the street in according to state standards.

## REGULAR MEETING - MARCH 6, 2014

Having no other questions, Councilman Cloninger made the motion unanimously approved to close the Public Hearing.

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

### Findings of Fact:

1. Councilman Cloninger made the motion unanimously approved that the use will not materially endanger the public health or safety if located where proposed and developed according to plan.
2. Councilman Hovis made the motion unanimously approved that the use meets all required conditions and specifications.
3. Councilman Eaddy made the motion unanimously approved that the use would not substantially injure the value of adjoining or abutting property unless the use is a public necessity.
4. Councilman Rhyne made the motion unanimously approved that the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the Lincolnton Land Use Plan and other plans for the physical development of the City as officially adopted by the City Council.

Councilman Cloninger made the motion unanimously approved the conditional use permit subject that all requirements of the LUDO and staff review committee comments are met.

*(A copy of the Staff Review Committee Report is on file and available for inspection in the office of the Planning Director)*

Mayor Gilleland thanked Mr. Joyner for choosing Lincolnton to locate and wished him the best of luck on his business.

### **PRESENTATION OF A PROCLAMATION RECOGNIZING MARCH AS AMERICAN RED CROSS MONTH:**

Mayor Gilleland presented Ms. Hopper, American Red Cross Representative and Ms. LouAnn Freshour of the Lincolnton area Red Cross the following proclamation;

**WHEREAS**, March is American Red Cross Month - a special time to recognize and thank our Everyday Heroes – those who reach out to help their neighbors when they are in need.

**WHEREAS**, American Red Cross heroes are on the front lines every day. They volunteer their time, give blood, take life-saving courses or provide financial donations to help those in need.

**WHEREAS**, we would like to remember our heroes here in Lincolnton who give to help people in need. They work tirelessly to help in time of disaster, when someone needs life-saving blood, or the comfort of a helping hand. They provide

## REGULAR MEETING - MARCH 6, 2014

round-the-clock support to members of the military, veterans and their families, and teach lifesaving classes in CPR, aquatics safety and first aid.

**WHEREAS**, across the country and around the world, the American Red Cross responded to hurricanes, tornadoes, floods and wildfires, the tragedy at the Boston Marathon, and typhoon Haiyan in the Philippines.

**WHEREAS**, when an injured service member ended up in a hospital far from home, the American Red Cross offered comfort. When a hospital patient needed blood, American Red Cross blood donors helped them. When a lifeguard jumped in to save a drowning child or someone stepped up to help a heart attack victim, the American Red Cross was there.

**WHEREAS**, we dedicate the month of March to all those who support the American Red Cross mission to prevent and alleviate human suffering in the face of emergencies. Our community depends on the American Red Cross, which relies on donations of time, money and blood to fulfill its humanitarian mission.

**NOW, THEREFORE, I, John O. Gilleland, Jr., Mayor of Lincolnton**, do hereby proclaim March 2014 as "**American Red Cross Month**". I encourage all Americans to support this organization and its noble humanitarian mission.

**IN WITNESS WHEREOF**, I have hereunto set my hand this 6<sup>TH</sup> day of March, in the year of our Lord two thousand fourteen, and of Lincolnton, North Carolina.

Mayor Gilleland and City Council members thanked both representatives for their continued commitment to the Red Cross and for their excellent service in the Lincolnton and Lincoln County area.

### **REPORT FROM BUSINESS & COMMUNITY DEVELOPMENT DEPARTMENT:**

Brad Guth, B&CD, Director, gave a presentation outlining accomplishments of his department. He provided back ground information on the Business and Community Development Department as well as information about the Downtown Development Association and the role of each. He recognized Abby Cole, Events and Marketing Coordinator. Brad noted that his department is the smallest department in the City with only two employees.

He talked about the top ten most frequently asked questions to the Business and Community Development Department, they were;

**10. Do you give grants for people to start a business?** Brad said, "No but we do have a number of programs that could help a business get started. Grant programs are targeted toward There are four grants available; Architectural grant, Store front rehab, Building rehab and our newest one is our Lincolnton Redevelopment Incentive Grant.

**9. What do you do besides events?** Primary business is real estate development. We work with property owners to help with improvements Ghost Sign Rehab, Pots on Parade, Historic Bench project just to name a few.

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**8. What is the difference between the DDA and Business Community Development Department?** Brad recognized DDA Board members that were in attendance and he thanked them for their hard work. Brad explained the DDA is a 501C(3) non-profit organization. Business & Community Development is a City funded department just like our Planning Department, Public Works and all other City departments.

**7. What is the difference between the Business & Community Development Department and the Chamber of Commerce?** DDA is a preservation based program making sure buildings in downtown are used and we use the three R's approach retail, restaurants and residential. Chamber exist for the good of their members and are a 501C(6) DDA exists for the public good.

**6. When is the next Alive After Five Concert ?**– The last Thursday of each month, May through September. This will be the 15<sup>th</sup> year the Alive After Five Concert Series has taken place.

**5. When will the multiple complex Movie Theatre going to be built in downtown?** Don't hold your breath. This is one of the top requests in our downtown. They have contacted Carmike Theatres, fourth largest Theatre Company in the US, to discuss the desire from our citizens to have a new theatre.

**4. How many second story loft apartments are in downtown?** 100 people are on a waiting list for upper story housing in Lincolnnton.

**3. What is going to happen downtown when the County offices moves out of our downtown?** The same thing that has happened to every other downtown when county offices move out. The loss of the customer's to downtown merchants.

**2. What are we doing about all these vacant buildings?** I usually have to correct peoples perception on this one. Sixty percent is office space. Actually downtown is ninety percent occupied.

**1. When are we going to get some new restaurants in Downtown?** Brad said, "Not soon enough. Brad said, "We had success early on with Court Street Grille, Fatz, and several others largely because of two reasons they are formula restaurants and Lincolnnton doesn't fit the formula. If they thought they could make money in Lincolnnton they would be here. "

Brad concluded thanking the City Manager and Mayor and Council for the opportunity to speak and offered to entertain any questions they may have.

### **PROPOSED BUDGET AMENDMENTS TO THE 2013-14 FY BUDGET AS FOLLOWS:** (BA-01-14)

Jeff Emory, City Manager, reviewed the below proposed budget amendment highlights:

- Solid Waste Fees (From \$ 5 to no fee) \$ 237,500 from Fund Balance
- CMAQ Grant-East Main St. & Generals Blvd \$ \$ 116,250 from Fund Balance
- Flood Insurance Proceeds \$ 185,000 credit to Recreation Miscellaneous-Other Revenue

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- Unemployment Insurance (UI) & HVAC-Council Chambers  
\$ 53,000 from Fund Balance
- Flood Insurance Proceeds \$ 40,000 credit to W&S Fund debit of  
\$ 305,000 from Fund Balance

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, 2014.

Section 1: To amend the General Fund, the revenues and expenditures are to be changed as follows:

| <u>ACCOUNT NUMBER</u> | <u>DEPARTMENT/ACCOUNT DESCRIPTION</u>                               | <u>DEBIT</u>        | <u>CREDIT</u>       |
|-----------------------|---------------------------------------------------------------------|---------------------|---------------------|
|                       | <u>Solid Waste Fees (From \$5 to no fees)</u>                       |                     |                     |
| 10-00-3470-400        | Solid Waste fees-Revenue                                            | 237,500.00          |                     |
| 10-00-3991-900        | Appropriation from Fund Balance                                     |                     | 237,500.00          |
|                       | Net effect to budget is zero                                        |                     |                     |
|                       | <u>CMAQ Grant-East Main St &amp; Generals Blvd.</u>                 |                     |                     |
| 10-00-3315-300        | State Grants-Revenue                                                | 465,000.00          |                     |
| 10-00-3991-900        | Appropriation from Fund Balance                                     | 116,250.00          |                     |
| 10-40-4910-500        | Planning & Zoning-Capital Expense                                   |                     | 581,250.00          |
|                       | Net effect to budget is decrease of (\$ 581,250)                    |                     |                     |
|                       | <u>Flood-Insurance Proceeds of \$ 185K for Recreation</u>           |                     |                     |
| 10-00-3840-800        | Miscellaneous-Other Revenue                                         |                     | 185,000.00          |
| 10-80-6100-351        | Recreation-Building Maintenance                                     | 26,993.00           |                     |
| 10-80-6100-359        | Recreation-Parks & Trail Maintenance                                | 36,469.00           |                     |
| 10-80-6100-500        | Recreation-Capital Expense                                          | 121,538.00          |                     |
|                       | Net effect to budget is increase of \$ 185,000                      |                     |                     |
|                       | <u>Unemployment Insurance (UI) Fund &amp; HVAC-Council Chambers</u> |                     |                     |
| 10-00-3991-900        | Appropriation from Fund Balance                                     |                     | 53,000.00           |
| 10-00-4280-185        | General Expense-Unemployment Insurance                              | 44,000.00           |                     |
| 10-00-4280-500        | General Expense-Capital Expense                                     | 9,000.00            |                     |
|                       | Net effect to budget is increase of \$ 53,000                       |                     |                     |
|                       |                                                                     | <u>1,056,750.00</u> | <u>1,056,750.00</u> |

This will result in a \$ 343,250 decrease in the expenditures and revenues of the General Fund.

## REGULAR MEETING - MARCH 6, 2014

Section 2:: To amend the Water and Sewer Fund, the revenues and expenditures are to be changed as follows:

| <u>ACCOUNT NUMBER</u> | <u>DEPARTMENT/ACCOUNT DESCRIPTION</u>                                | <u>DEBIT</u>      | <u>CREDIT</u>     |
|-----------------------|----------------------------------------------------------------------|-------------------|-------------------|
|                       | <u>Flood Insurance Proceeds of \$ 40K for Water &amp; Sewer Fund</u> |                   |                   |
| 61-91-3839-800        | Miscellaneous-Other Revenue                                          |                   | 40,000.00         |
| 61-91-3991-900        | Appropriation from Fund Balance                                      |                   | 305,000.00        |
| 61-91-7110-500        | Distribution & Collections-Capital Expense                           | 345,000.00        |                   |
|                       | Three Lift Stations have to be replaced:                             |                   |                   |
|                       | Betty Ross Station        \$103,000                                  |                   |                   |
|                       | Generator                 \$70,000                                   |                   |                   |
|                       | Rhyne's Mill               \$140,000                                 |                   |                   |
|                       | Hwy 150 Southfork        \$32,000                                    |                   |                   |
|                       | Net effect to budget is increase of \$ 345,000                       |                   |                   |
|                       |                                                                      | <u>345,000.00</u> | <u>345,000.00</u> |

This will result in a net increase of \$ 345,000 in the revenues and expenditures of the Water & Sewer Fund.

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

### **RESOLUTION ENDORSING SUBMISSION OF AN APPLICATION FOR A MAIN STREET SOLUTIONS FUND GRANT TO ASSIST FBSM AND CSG'S UPPER FLOOR EXPANSION PROJECT:**

Brad Guth, B&CD Director told Council the Department of Commerce established a reimbursable matching grant program available for active North Carolina Main Street Communities. The program is known as Main Street Solutions Fund. The purpose of the MSSF is to provide maximum support to small businesses in designated NC Main Street communities. Grants would be used to assist with efforts to revitalize downtown by creating jobs, funding infrastructure improvements and rehabilitating buildings.

Brad said he would like to apply for all these funds on behalf of two local projects; Farmer Baker Sausage Maker and Court Street Grille. Main Street Communities can apply for a MSSF grant up to \$ 200,000 with a match of a minimum of two non-state dollars (\$ 2.00) for every one dollar (\$1.00) provided by the state from the MSSF. Brad explained the formula and asked that Council consider endorsing the following resolution;

### **RESOLUTION AUTHORIZING MAYOR TO SUMBIT A NORTH CAROLINA MAIN STREET SOLUTIONS FUND APPLICATION (R-05-14)**

**WHEREAS**, the City of Lincolnton's Council has previously indicated its desire to assist in economic development efforts within the City; and,

## **REGULAR MEETING - MARCH 6, 2014**

**WHEREAS**, the Council heard at its regular meeting on the 7th day of March, 2014 concerning the proposed application for a North Carolina Main Street Solutions Fund Grant; and,

**WHEREAS**, the Council recognizes the benefit to the community by providing employment opportunities and adaptive reuse of existing downtown buildings,

**WHEREAS**, the Council wishes the City to pursue a formal application for a North Carolina Main Street Solutions Fund Grant to benefit Farmer Baker Sausage Maker and Court Street Grille,

**WHEREAS**, the Council certifies it will meet all applicable federal regulatory and statutory requirements,

**NOW, THEREFORE BE IT RESOLVED**, by the City Council that the City of Lincolnton Mayor is authorized to submit a formal application for up to \$200,000, to the North Carolina Main Street Program for approval of a North Carolina Main Street Solution Fund Grant.

Adopted this the 6th day of March, 2014.

Councilman Eaddy made the motion unanimously approved to adopt the resolution as presented.

### **CONSIDERATION OF CONTRACT BETWEEN THE CITY AND DOWNTOWN DEVELOPMENT ASSOCIATION FOR 2014 ALIVE AFTER FIVE CONCERT SERIES:**

**(C-03-14)**

Brooke Sherrill, DDA Board Chair, presented the proposed 2014 Alive After Five contract to City Council. The contract stated dates of the third Thursday of each month beginnings in May and running through September for Alive After Five concerts. She also presented a map of the area that the proposed beer garden would be for this year's event.

Councilman Hovis spoke against the beer sales and asked that the DDA try the event one year without the sale of beer. This item generated much discussion by Council members.

Upon conclusion of discussions, Councilman Eaddy made the motion to approve the contracts as presented. The motion passed by a three to one vote. Councilman Hovis voted NO and Councilmen Rhyne, Cloninger and Eaddy voted YES.

### **CONSIDERATION OF CONTRACT BETWEEN THE CITY AND DOWNTOWN DEVELOPMENT ASSOCIATION FOR 2014 HOG HAPPENIN EVENT TO BE HELD JUNE 6 & 7**

**(C-04-14)**

Brooke Sherrill, DDA Board Chair, spoke to Council regarding the request for the 2014 Hog Happenin event. She recommended that Council approve the contract as submitted. She reviewed the map depicting the additional space for the corn

## **REGULAR MEETING - MARCH 6, 2014**

hole tournament and expanded beer garden. Ms. Sherrill told Council every event doesn't appeal to every person but this event has proved to be successful for the DDA, and has been recognized nationally.

This item generated much discussion from City Council. Ms. Sherrill debated her opinion with Councilman Hovis.

Councilman Cloninger made the motion unanimously approved to enter into the contract with the Downtown Development Association for the 2014 Hog Happenin.

At the conclusion of this item, Mayor Gilleland called for a seven minute recess.

### **ENDORSEMENT FROM CITY COUNCIL TO REQUEST FUNDING FROM THE TOURISM DEVELOPMENT AUTHORITY FOR USE OF MONIES FROM THE OCCUPANCY TAX FUND FOR A LEGACY BAND FOR THE 2014 HOG HAPPENIN:**

Brooke Sherrill, DDA Board Chair, requested that Council consider endorsing \$ 10,000 for a legacy band for the 2014 Hog Happenin event. The endorsement would then be taken to the Lincolnnton Tourism Development Authority who has the actual authority to appropriate the funding.

This item generated much discussion among Council members and Ms. Sherrill. Councilman Rhyne expressed concerns about spending \$ 10,000, saying "I think these monies can be spent on better things." After further discussion and upon conclusion, Councilman Rhyne suggested that the City not use Occupancy Tax Funds for a band and to let the Downtown Development Association use \$ 6,000 from their own funds for a band for the event.

Again, this item generated much discussion. The amount of \$ 5,000 from the Tourism Development Authority was also suggested. Dr. Eaddy said, "I hate to pull the rug out from someone without any notice. Maybe give them a portion this year and then let them know they may need to consider finding other funding in future years. It was the consensus of City Council to not make a decision for endorsement tonight but to discuss this item at their upcoming Planning Retreat to be held March 7 & 8.

## REGULAR MEETING - MARCH 6, 2014

### **UPDATE ON PROPOSALS RECEIVED FOR BOD (BIOCHEMICAL OXYGEN DEMAND) STUDY FOR THE WASTE WATER TREATMENT PLANT:**

Jeff Emory, City Manager, told Council that he had not heard back from vendors he has contacted about a quote for a Biochemical Oxygen Study for the Wastewater Treatment Plant. He said he would have more information for the April 3<sup>rd</sup> agenda and would plan to have a recommendation to Council at this meeting.

### **CONSIDERATION OF GRANT MATCH FOR LINCOLNTON-LINCOLN COUNTY AIRPORT – THROUGH NC DEPARTMENT OF AVIATION - \$ 150,000 GRANT WHICH REQUIRES A 10% LOCAL MATCH OF \$ 8333.50 FROM CITY:**

Jeff Emory, City Manager, reviewed the request from the Lincolnton-Lincoln County Airport Authority. Jeff told Council that while the City made a firm decision to not fund any additional specialized grants for the Airport, no decision was made on an annual grant that each aviation airport in North Carolina is eligible to receive. Jeff said the Airport can receive a yearly grant in the amount of \$ 150,000 which requires a ten percent match. The City's portion of the match is \$ 8,333.50. Lincoln County provides the other half of the match. If approved this grant is actually for fiscal year 2017. The City already has two of these grants that have been previously approved that have not yet been paid out to the airport.

Councilman Eaddy made the motion unanimously approved to appropriate the grant match to the airport in the amount of \$ 8333.50.

### **MONTHLY FINANCIAL REPORT/OVERTIME REPORT:**

Jeff Emory, City Manager said he feels good about the general fund and where it is at this point in the fiscal year. He said, "Our numbers are up from last year." "The fund that still concerns me is the Water and Sewer fund obviously." He reviewed the following summary sheet for the various funds and the overtime figures for this year;

March 2014 Council Meeting

#### **Executive Summary**

|                    |            | % of         |        |              |              |
|--------------------|------------|--------------|--------|--------------|--------------|
| General Fund       |            | 13-14        | Budget | 12-13        | Difference   |
| Fund 10            | Revenues   | 5,792,976.54 | 53.02% | 5,295,396.13 | 497,580.41   |
|                    | Expenses   | 4,901,857.10 | 49.11% | 5,113,309.02 | (211,451.92) |
|                    | Difference | 891,119.44   |        | 182,087.11   | 709,032.33   |
| Water & Sewer Fund |            |              |        |              |              |
| Fund 61            | Revenues   | 4,938,677.39 | 56.64% | 5,148,695.41 | (210,018.02) |
|                    | Expenses   | 3,324,821.75 | 43.21% | 3,271,736.03 | 53,085.72    |
|                    | Difference | 1,613,855.64 |        | 1,876,959.38 | (263,103.74) |
| Electric Fund      |            |              |        |              |              |
| Fund 63            | Revenues   | 4,096,967.00 | 52.08% | 3,980,611.42 | 116,355.58   |
|                    | Expenses   | 4,023,336.15 | 70.51% | 3,959,763.31 | 63,572.84    |
|                    | Difference | 73,630.85    |        | 20,848.11    | 52,782.74    |
| Overtime           |            | 168,661.45   |        | 162,617.99   | 6,043.46     |

## **REGULAR MEETING - MARCH 6, 2014**

### **PUBLIC COMMENT:**

Mr. Robert Tomlinson, of 501 S. Grove Street, spoke to Council thanking Dr. Eaddy and the City Council for allowing department heads to speak each month. He commended the news media for informing the citizens of these meetings and for the opportunity to speak out to various items each month. He feels getting involved in government is a positive and can help educate our citizens about what is going on in our community.

### **NEWS MEDIA:**

There were no questions from the News Media.

### **CLOSED SESSION:**

Councilman Rhyne made the motion unanimously approved to enter into Closed Session in accordance with NCGS 143-318.11 (a)(3) to discuss a legal matter.

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

### **ADJOURNMENT:**

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

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

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**JOHN O. GILLELAND, JR.**  
**MAYOR**

# **LINCOLNTON CITY COUNCIL PLANNING RETREAT MINUTES**

March 7, 2014

City Hall Council Chambers, Lincolnton, NC

The 2014 annual Planning Retreat was held in the Council Chambers of City Hall, located at 114 West Sycamore Street beginning at 8:20 a.m. Mayor John Gilleland opened the meeting thanking everyone for their attendance and for all of the time and effort put into preparing their presentations. Mayor Gilleland encouraged everyone to keep things casual and to make it fun. He then turned it over to City Manager Jeff Emory who thanked Mayor and Council for taking the time to hear from staff. He thanked department heads for their hard work, and also Donna Flowers and Daphne Ingram for their hard work in putting things together. He briefly went over the agenda for both days. Mr. Emory welcomed Tayna Osborne as a new department head this year while at the same time recognizing this as the last year for Finance Director Georgetta Williams. Department heads were asked to keep their presentations to thirty minutes.

Council Members in attendance were:

RHYNE      CLONINGER      EADDY      HOVIS

Department Heads presented their departmental request as follows:

## **GEORGETTA WILLIAMS:**

Finance Director

Mrs. Williams gave an overall update of the finance department and some very important financial data regarding the City's finances as a whole. Mrs. Williams spoke to the past, present and future and how it relates to the finance department in the areas of revenue, debt, cemetery, state and federal mandates, local policy changes, technology, city employees, and capital. Trends and concerns were pointed out in each of the areas as Mayor and Council Members were encouraged to realize where things currently stand as they plan for the future. Mrs. Williams spoke to her concerns regarding this issue and the difficulty of collecting the \$182,000.00 from the Route 90 customers and \$16,000.00 the City had to write off due to customers failing to pay prior to leaving the area. This represents 3.8% increase on the water and sewer rate. City Manager Jeff Emory noted that an agreement with the County to collect from these customers on the City's behalf is being discussed as part of the water negotiations. Concern with the Electric Fund was pointed out due to expenses exceeding revenue. Regarding debt, Mrs. Williams informed Council of an option that will be available next year to begin negotiations to combine the three outstanding debts into one and sale tax exempt bonds. This would potentially save the

City approximately \$783,000.00 if interest rates stay the same. She did remind Council of the debt covenant that has to be met and the possibility of a rate increase if this is done. Mayor Gilleland requested some clarification regarding this possibility. Mrs. Williams explained that depending on the terms of the negotiations, the dollar for dollar may change. She also confirmed that this would not extend the years of the agreement. Continuing on, Mrs. Williams gave some highlight, facts and statistics regarding Hollybrook Cemetery and services provided by the finance. She reported for every dollar to maintain, the City only realized approximately nine cents, proving that the cemetery is truly a service and not a revenue source. There are approximately 900 remaining spaces which is estimated to be sold in the next ten years at which point, Mayor and Council would need to decide the next step regarding this service.

Mrs. Williams hit on the ever changes state and federal mandates that are constantly changing, beginning with GASB 45 as well as a list of other changes and guidelines. She gave an update on unemployment insurance and House Bill 238.

In closing, Mrs. Williams thanked City Manager Jeff Emory, department heads, Mayor and Council, finance staff, and God and family stating in the last line of her presentation, "I will miss my work family, but I will enjoy sharing time with my family".

### **RODNEY JORDAN:**

Police Chief began his presentation listing some of the equipment they currently have and mentioning some of the equipment and software currently available that would benefit the department however explained that he was not requesting due to costs. Under other considerations, Chief Jordan touched on the need for another narcotics officer, education incentives being offered and take home cars stating that Lincolnton is the only law enforcement agency in the region that does not offer take home cars. The Chief also spoke to the need to replace vehicles and equipment on a regular basis.

#### **Capital Budget Request=**

|                                                |                 |
|------------------------------------------------|-----------------|
| Replacement of four (4) marked Police Vehicles | \$132,000       |
| Replacement of six (6) in-car Radar Units      | \$ 13,000       |
| Replacement of remainder department Tasers     | \$ 25,000       |
| Four (4) year computer rotation program        | <u>\$ 5,000</u> |

|              |                  |
|--------------|------------------|
| <b>TOTAL</b> | <b>\$175,000</b> |
|--------------|------------------|

Councilman Cloninger inquired about appropriateness of police headquarters once roof is repaired. Chief Jordan stated his desire to come up with a plan to address the issue, realizing that nothing can be done at this point and they are making the building work.

Continuing to the second part of the presentation, Chief Jordan distributed handouts detailing a plan for leasing police cars. He explained that this is a lease to own deal therefore at the end of the lease, the City would own the vehicle. Options were compared and explained showing the savings the City would realize. Much discussion was generated among staff and Council. He also provided a study done at Tacoma, Washington on take home cars and the findings. Finance Director Georgetta Williams established that information should be, as in the past, submitted to the Local Government Commission for their approval before moving forward. Councilman Rhyne referenced the value of the space this would create at headquarters by not having cars in the parking lot. The issue of getting complaints of cars being outside of the city limits was brought up by City Manager Jeff Emory and generated discussion among the group. Discussion was also generated concerning IRS requirements and the possibility of officers being taxed on this benefit. Mayor John Gilleland commented he saw no reason why Council would not vote to approve this proposal. Chief Jordan continued pointing out the many benefits within this plan for the department as well as for the City.

### **MITCH BURGIN:**

Fire Chief Burgin began by thanking Mayor and Council for the allowing department heads to provide the necessary information needed to make an informed decision. Chief Burgin described his presentation as a snapshot of the information provided in the budget book and encouraged Council to go through the book to get the details.

Chief Burgin gave annual stats for his department showing calls, response times, hours of training, HazMat, and EMS calls as well as some of changes he has implemented in his department. He explained how and where the department is dispatched and the difference between automatic aid and mutual aid.

|                          |                    |
|--------------------------|--------------------|
| Three Grant Firefighters | \$147,000 per year |
| Capital Budget Request=  |                    |
| Station-2 Generator      | \$42,000           |

### **STEVE PEELER:**

Director of Public Works & Utilities also began his presentation thanking Mayor and Council for the opportunity and commenting on the benefits of this process. He spoke to the needs of the Public Works department as a whole and individually, with the problem of salary compression being addressed first. He continued presenting his proposed budget highlighting several line items and their proposed amounts. Technology needs and desires were expressed as well as recommending elimination of one of his positions becoming vacant due to retirement. Mr. Peeler expressed his concern regarding losing benefits, which is what he feels is the reason employees continue their employment with the City. He states, "if we start losing them, we start losing people. And if we start losing our people, we start losing experience". Mr. Peeler

stressed the fact that employees that have been with the City fifteen years or more have sacrificed approximately 75% increase in salary to have health insurance.

Mr. Peeler spoke to the City's need for a master plan for the water and sewer system as well as his stance on the availability and allocation of water. Storm Water Phase II was also voiced as a concern that needs to be addressed by the City. Mr. Peeler encouraged Council to read the description of divisional duties as well as the quantitative summary provided within the presentation.

Continuing on to the departmental request, Mr. Peeler suggested purchasing adjacent property for addition parking to address the parking issue at the Public Works Center if and when it becomes available. One request listed, which generated much discussion among Council Members and staff, was resurfacing Phase I of the rail tail. Concerns were voiced and several ideas were mentioned as possible solutions to the problems before resurfacing work is done.

Capital Budget Request were as follows:

|                             |                         |
|-----------------------------|-------------------------|
| Public Work Administration  | None                    |
| Street & Property Maint.    | \$ 331,300              |
| Equipment Services          | \$ 25,000               |
| Solid Waste                 | \$ 180,000 or \$285,000 |
| General Services            | \$ 64,000               |
| Water Treatment Plant       | \$ 202,000              |
| Distribution & Collection   | \$ 211,000              |
| Waste Water Treatment Plant | \$ 98,000               |
| Electric Distribution       | <u>\$ 251,000</u>       |
|                             | \$1,362,300             |

In conclusion, Mr. Peeler stated, "In the twenty-five years in my present position, we have more than doubled our service area and doubled our population. We have not had an increase in property taxes and we have not instituted service fees. I know we did but we rescinded it so we don't have any. I have two less personnel in Solid Waste and we've recently added a full route four days a week for recycling. This includes putting our best spare on the road for the full route those four days. More fuel, more equipment repairs. Twenty-five years ago we went from twice a week solid waste collection to once a week and we added knuckleboom trucks for yard waste, white goods, brown goods, and other debris that was previously being collected by using dump trucks with multiple personnel per truck manually forking it up into the truck. I have one less person in the Electric Distribution, I have added one person in Equipment Services which I have proposed eliminating in the 14-15 budget as a cost saving measure. I've added two personnel at the Water Treatment Plant, one a NCDNR required operator for twenty-four hour manning of the plant and the other an administrative person to prepare the required reports, plant records, documents, etc. required by NCDNR and EPA. I've added one person at the Waste Water Treatment Plant and that was in order to meet NCDNR regulations. I've added one person at

General Services, but not really because we use to have one person out of Street permanently stationed there.

**BRAD GUTH:**

Business & Community Development Director

Budget Request:

|                                |                  |
|--------------------------------|------------------|
| Wayfinding                     | \$ 40,000        |
| 3R's business Plan Competition | \$ 5,000         |
| Redevelopment Venture Fund     | \$ 17,330        |
| City Website Re-Launch         | \$ 25,000        |
| Wi-Fi- Downtown                | <u>\$ 25,000</u> |

**LAURA SIMMONS:**

Planning Director

Budget Request:

No new capital expenses  
Other budget line items  
eliminated, reduced or same as last year

In her presentation, Ms. Simmons also requested Council re-assess whether the requirement for a conditional use permit for these uses is still necessary and to discuss the feasibility of transferring the impact assessment from City Council to the Staff Review Committee.

**RICHARD HAYNES:**

Recreation Director

Capital Request:

|                            |           |
|----------------------------|-----------|
| City Park Concession Stand | \$ 25,000 |
|----------------------------|-----------|

Mr. Haynes spoke to the growth seen since 2007, as well as to the departments revenues, total recreation participants, and youth sports and camps participants. He also proposed implementing a new ID program and suggested fee schedule adjustments.

**TANYA OSBORNE:**

Human Resources Director

Budget Request:

|                                                   |           |
|---------------------------------------------------|-----------|
| No capital request                                |           |
| Due/Subscription (increase in legal publications) | \$ 150.00 |

|                                                |                    |
|------------------------------------------------|--------------------|
| Employee Relations (subject to change annually | <u>\$ 2,700.00</u> |
| Based upon number of eligible employees)       | \$ 2,850.00        |

# **LINCOLNTON CITY COUNCIL PLANNING RETREAT MINUTES**

March 8, 2014

City Hall Council Chambers, Lincolnton, NC

The 2014 annual Planning Retreat was held in the Council Chambers of City Hall, located at 114 West Sycamore Street beginning at 8:00 a.m.

Council Members in attendance were:

RHYNE      CLONINGER      EADDY      HOVIS

City Manager began the meeting by getting everyone's attention and thanking them for being there to begin at 8:00 a.m... Mr. Emory, making a slight change to the agenda, began the meeting with his presentation to Council which they omitted the previous day due to time constraints.

Mr. Emory thanked the department heads for all of the work they put into their reports. Recapping Friday's session, he addressed several themes that were mentioned in the majority of the reports. One being the difficulty department heads would have in cutting their departmental budgets even 3% without impacting personnel. Another was the concern regarding the current employee pay scale. Mr. Emory stressed his view on the subject stating, "Right or wrong, the City of Lincolnton made a decision years ago, that it was going to provide the best level of benefits to its employees than any city around. And the City did that and has done that." He continued, acknowledging that there is a compression problem but that it is due to the lack of funds to do everything. Mr. Emory explained again that employees have been compensated in benefits and pointed out the City's low turnover rate and his belief that it is due to the City being such a great place to work.

Mr. Emory continued suggesting several things that can be done to address this issue. One being to use the League of Municipalities annual salary survey to compare salaries with cities similar in size. Another option being hiring a company to do a pay and class study, however Mr. Emory warned Council of some of the dangers of having this type study done and what it can do to employee morale. Another option could be to insert more steps into the current longevity plan. This could possibly be a way to help the problem. Mr. Emory admitted that having to cut out the full family coverage for new employees compounds the problem. As well as his concerns regarding a possible 25% increase in insurance premiums. Public Works Director Steve Peeler asked to comment on the subject and clarify his statements about compression. Mr. Peeler read, "the remarks I made about compression were not meant to keep benefits and fix compression. I was only done to show sacrifices made to keep our benefits as they were. But if we keep losing a portion of the benefits, consider some type of compensation for the older ones that have sacrificed." Mr. Peeler stated "You

can't fix the compression for us. We made a choice and we've to go live with that choice." He ended by saying he felt the employees have been very well compensated and he has no regrets. Mr. Emory thanked Mr. Peeler for his comments.

Councilman Eaddy spoke to the issue and the problem he sees with the low salaries and the loss of the attractive benefit package. He suggested getting a plan to address this problem. Councilman Eaddy stated, "You can't solve inequality with equitable treatment." He suggested coming up with a plan, then educating the public and employees.

Moving on, Mr. Emory spoke to the high level of services he feels the City of Lincolnton provides to its citizens stating it being due to the quality department heads and individual working in the departments. Mr. Emory boasted of how fortunate Lincolnton has been over the years in comparison with other cities, not having loss any positions or cut any services.

Councilman Cloninger inquired as to what tax increases the County has encouraged over the last few years. Mr. Emory stated that he was only aware of the adjustment the County made to their tax rate to make up for the loss revenue that resulting from the revaluation. However, in total fairness, Mr. Emory admitted that there were years the value went up and the City chose not to lower the rate.

With no more question, Mr. Emory started with the first tab of his presentation, beginning with Fund Balance. He explained that is was a history of the City's fund balance which he provides every year. Beginning with 1997, Mr. Emory touched on the performance of the fund over the years and some of the reasons the numbers reflect as they do. Moving onto the Water & Sewer Fund, Mr. Emory went over the numbers and some of the concern regarding the fund such as losing one of our two big water users. He also reminded Council of the City's debt covenant requirement that has to be met. Mr. Emory reported on the Electric Balance again reminding Council of the agreement with the Local Government Commission to add an additional 3% increase to whatever increase the City gets. In light of that commitment, with the City expecting to get a 5% increase, that would mean an 8% increase for electric customers.

Mr. Emory continued on to tab #2 which detailed the three major funds showing how the money is being spent.

|                           |        |
|---------------------------|--------|
| Salaries/Taxes/Retirement | 26.14% |
| Health/Dental/Life        | 8.77%  |
| Other Insurance           | 1.61%  |
| Operating Expenses        | 9.02%  |
| Other Exp-outside source  | 11.01% |
| Electricity Purchases     | 25.53% |
| Airport Operation Fund    | 0.71%  |
| Chemicals                 | 1.16%  |

|                     |       |
|---------------------|-------|
| Sludge Removal      | 0.98% |
| Capital/Contingency | 5.15% |
| Debt                | 9.92% |

Mr. Emory expressed his concern with some of the line items. He also spoke to the suggestion from Councilman Rhyne regarding a having a purchasing agent and getting the best price for purchases. Opening the floor for questions, Councilman Cloninger referenced animal control and reverse 911, and the possibility of an increase from the County for those services. Mr. Emory clarified that is would be central communications that could potentially be increased.

Behind tab #3, Mr. Emory provided a history of the water and sewer rate increases. He discussed the reason for the textile based and non-textile based differences explaining the City's efforts to keep the industries by giving them a break in the rate increases. Mr. Emory also presented an updated rate comparison, based on six thousand gallons of usage, with surrounding cities which reviled Lincolnton being on the high end of the chart. Councilman Rhyne commented that in light of the rate comparison, it appears that Lincolnton is trending to become more out of line than the surrounding cities. Continuing to the next graph, Mr. Emory provided information showing the dramatic decrease in the demand for water which he stated had to be related to the reduction in textile usage. In response to a question from Councilman Eaddy, Finance Director Georgetta Williams stated that the loss of Activis, the city will lose \$303,000.00. Mr. Emory gave more history regarding the water and sewer revenue and how the city got to its current state in this fund. Councilman Rhyne questions what other options were available. Mayor John Gilleland replied he and Jeff have had several meetings with LEDA on the topic. Mayor Gilleland stated, "I did say, don't be afraid to put anything in front of us and let us make a decision." More discussion was generated on the topic among Council and staff. Mayor Gilleland suggested possibly making this a special assignment project for someone whose primary focus would be finding a large water customer for the city of Lincolnton. Mayor Gilleland stated that he has also offered to make a "sales call" to any potential customer LEDA can find within the South East region or the Mid-Atlantic if that's what it takes. City Manager Jeff Emory confirmed what Mayor Gilleland stated. He also referred the tier system set up by the state of North Carolina that makes it more difficult for Lincoln County to recruit industries. More discussion was between Council and staff generated regarding different ways to recruit a large water and sewer customer for the City. Mayor Gilleland commented that thinking outside the box may be necessary to address this issue. Mr. Emory touched on the remaining information in the section, giving a summary of what he provided. Regarding residential electric rates, Mr. Emory pointed out that the City is currently 7<sup>th</sup> out of 19 members in the ratings. Speaking of property taxes, there will be a slight decrease in the tax base which Finance Director Georgetta Williams explained was due to corporation excess where the values are determined by the state of North Carolina. With no question, Mr. Emory skipped over to tap #6 – 2014-2015 Salary Information. He quickly showed current annual payroll being \$5,790,000 and explained that giving a would cost another \$145,000.00. He also explained that the step adjustment plan being about \$16,600.00 and giving a COLA payroll would be \$5,951,400 but

without it payroll would be slightly over \$5,800,000.00 which is basically what it is now. Mr. Emory stated that he does not intend to recommend a cost of living adjustment. The holiday bonus currently costs the City approximately \$223,000.00. Mr. Emory explained the numbers shown only reflect payroll.

Going back to tab #4, City Manager Jeff Emory began stating that the Mayor made it a top priority of his since he has been elected to sell water and that's what we have tried to do for the past several years. Mr. Emory spoke of Lincoln County's need for more water and the two main options they have, to expand their existing plant or to purchase the water they need. Mr. Emory thanked staff and the members of the City's water committee for their hard work during these negotiations. He gave an update on what steps were taken and where things currently stand. Highlights were given in the information provided (see attached). Discussion was generated among staff and Council as Mr. Emory gave details of the contract and the different terms offered. Mr. Emory also stated that some of the language and terms regarding the collection of sewer customers is being looked at, as well as recommendations regarding the E911 and animal control. Mayor stated that changes have not been presented to the County's water committee therefore proposals and recommendations are subject to change. Going on to the last page, Mr. Emory spoke to the Fire Service contract and the terms and agreement within it. Some discussion was generated regarding combining all of these small contracts into one and the requirements within the Fire Contract. Chief Burgin went into detail about the difference the City fire department will experience if this contract is approved. In wrapping up this discussion, Mayor Gilleland pointed out several things that he felt needed to take place, one being making sure to our citizens realize that signing an agreement with the County is not an overnight fix to the City's water problem. This is a long term solution therefore staff needs to be able to explain why a water agreement with the County will not eliminate the need for a rate increase. Responding to a question from Councilman Rhyne, Mayor Gilleland confirmed, "The ball is in their court", and said that the city is waiting on a counter-offer. Mr. Emory did voice his concern with not knowing how long E911 and animal control contract is off the table. Councilman Eaddy suggested that language be added clarifying when this issue can be discuss and his desire to understand more about the issue. Wrapping it up, Councilman Eaddy thanked everyone involved for their efforts to move things forward. Mr. Emory acknowledged Mrs. Williams and Mr. Peeler for all of the work they have done.

Tap # 5 contained parking deck cost information. Mr. Emory began by explaining that Councilman Rhyne requested he obtain a preliminary estimate on what it would potentially cost the city to construct a parking deck in the infill lot. Mr. Emory reported the going rate is currently \$14,000 per space and referenced the information provided for more details. Councilman Rhyne thanked Jeff for providing the information and explained that the reason for his request steamed from the complaint about the lack of parking in the downtown area. He expressed that parking needs to be available if the Central Business District is going to be promoted. Councilman Rhyne made it clear that he is not suggesting the City spend \$1,000,000.00 on a parking deck, however if the math works, meaning if the City constructed a parking deck, and it supports itself, eventually becoming

profitable, it would be worth taking a look at. Much discussion was generated regarding this issue with Councilman Eaddy suggesting an \$850,000.00 investment in the In-fill project assuming that Mr. Heafner would provide seventy-eight parking spaces for the City. Councilman Rhyne commented this could be a positive and the need to have something good going on to help the morale for the citizens. There was more discussion regarding the in-fill project and the potential to get something going again with Mr. Heafner or any potential investor. Councilman Rhyne, along with Business & Community Development Director Brad Guth, was vocal about the concept of addressing the need to attract business owners as he feels right now the lack of visible parking is a deterrent. Mr. Guth spoke to the positive he feels would come from making additional parking available. He provided more insight into the in-fill project and was open to re-opening the lines of communication. Mr. Emory also updated Council on where things last stood regarding the project. In summary, Mr. Emory suggested scheduling a committee meeting to take a hard look at the last proposal that was submitted. Mayor Gilleland directed the city manager to get an action step before taking a break. Action step is as follows: schedule another meeting with Mr. Willie Heafner regarding the in-fill project.

After the break, City Manager Jeff Emory opened the floor to revisit items previously discussed or for staff to clarify any questions City Council Members may have regarding their budget presentations. Councilman Eaddy began with his thoughts on a possible employee incentive program that would allow an employee to enjoy a percentage of the saving generated through the employees cost savings idea. There was discussion regarding how program would be administered and also if any legal restraints would have to be considered. Finance Director Georgetta Williams mentioned the possibility of non-cash incentives such as personal days off. Councilman Eaddy also questioned the possibility of contracting out some of the City mowing which would free up manpower to do other things and would also generate a cost savings. Mrs. Williams also spoke to the City's current vacation tier system and the need for some changes in the way vacations days are accrued. Mr. Emory agreed and stated he would like for Council to allow Human Resources Director Tanya Osborne to take another look at this. Education incentives were also discussed. Councilman Cloninger revisited the issues regarding the rail trail and the hesitation to condemn. Councilman Rhyne stressed that he would go along if it is the only option. Councilman Rhyne requested to speak and shared his thoughts on the information received from the department head presentations. He thanked everyone for taking the time to show the three and ten percent impacts on their budgets. He also spoke to possible ways to search for grants opportunities and what staffs opinions were on the subject. There was lots of discussion regarding this issue among staff and council.

Continuing to the second portion of the meeting, City Manager Jeff Emory introduced Mr. Jim Prosser and Mr. Bob Henderson with Centralina Council of Governments who addressed the elected officials and staff for approximately forty-five minutes regarding some of the services available to the City. Mr. Prosser gave a brief introduction explaining the role of COG as well as some background. Mr. Henderson explained his role and what he does within the organization.

They continued by asking each individual what they felt are the challenges the City is currently facing and addressing the challenges Council and staff identified. The challenges ranged from selling water to employee retention to employee incentives, to strategic planning, to economic growth, to capital improvements, to park design. Mr. Prosser and Mr. Henderson spoke to each of the items and the role COG could play in helping the City deal with each of the issues. At the presentation conclusion, Mr. Emory thanked them for coming and expressed his interest in working with the services COG offers. Everyone was given a five minute break.

Starting back, City Manager Jeff Emory opened the floor for questions before staff was dismissed from the meeting. Councilman Eaddy, along with Mayor Gilleland, thanked everyone for the giving of their time and putting for the extra effort. Mr. Emory also thanked staff.

Upon dismissing staff, Council was directed to tab #7 - various funding request. Mr. Emory reminded Council of the fact that for several years, some requests have been paid out of the Occupancy Tax fund and cautioned that currently more is being paid out than is being collected. Mr. Emory referenced each organizations request letter provided for review and opened the floor for general discussion regarding the request. Mr. Emory began by stating, as manager, he did not feel anyone should be increased from the current year. Councilman Hovis proposed to cut current years funding amount for each organization ten percent. Council Rhyne voiced his thoughts and opinions on the request and how to get a return on these funds from several of the organizations that will benefit the City and its needs. Mayor John Gilleland encouraged looking at where the General Funds currently stands and getting an update. Councilman Eaddy proposed basing the amount of funds allocated on the percentage of revenue generated by the organization. Councilman Cloninger concurred with Councilman Hovis to cut funding ten percent and also voiced his hope that each will one day be self supporting. After much more discussion, Mr. Emory explained the only decision he felt needed to be made was regarding funding for the band for the Hog Happenin event. This request was discussed at length with Mayor Gilleland proposing an endorsement of \$5,000.00 for the band. Mr. Emory suggested \$6,000.00. Mr. Emory stated that a meeting of the Tourism Authority will be scheduled to award funding in the amount of \$5,000.00. Mr. Emory summarized the discussion stating that funding for each organization will be cut ten percent, with more discussion pending regarding LEDA. Mayor Gilleland explained the current structure of the organization. Councilman Rhyne continued to stress his desire for business and industry recruitment being someones special assignment which generated more discussion. Councilman Eaddy suggest it being someone under the City's umbrella. Mayor Gilleland encouraged Mr. Emory to discuss the issue in staff meeting and finds ways to identify potential companies. Councilman Rhyne proposed assigning Mr. Brad Guth 100% to business development giving DDA responsibility to his staff. Councilman Hovis suggested possibly giving incentivizes. After much more discussion Mayor Gilleland voiced his desire to see some action steps in that direction. Then going back to the funding, Mr. Emory suggested putting a proposed budget together showing the actual numbers showing a ten percent across the board cut, after which Council can give more direction during the budget process.

Moving on to the General Discussion section of the agenda, City Manager Jeff Emory suggested Council expressing any feelings on items discussed, pointing out the biggest obstacle in his opinion being health insurance. Councilman Eaddy agreed and commented on his desire to see employees surveyed and find a way to maintain the benefit but reduce cost. He also suggested putting a cap on the Christmas Bonus. Councilman Rhyne stated his stance for years has been to make it a flat rate across the board and his view on performance increases. Councilman Eaddy continued on sharing his concern with the current problem of compression and maybe inserting additional steps to help employees move across the scale. He explained this would replace the across the board cost of living increase. Vacation tier were also mentioned.

Attention was turned to funding the three firemen position. Mr. Emory pointed out that if the current vacancy is not filled, only two individuals would lose their jobs. Councilman Eaddy, focusing on the current staffing pattern, was of the opinion that not filling vacant positions does not address the problem. A lot of discussion was generated listing both the pros and cons of funding the positions. Councilman Rhyne voiced his concern if the positions were eliminated and feels the City needs to find a way to fund the positions. Councilman Hovis agreed with funding some of the positions but maybe not all three. City Manager suggested not filling the vacant position but funding the other two positions. Councilman Cloninger proposed funding all three positions if at all possible. Mayor Gilleland summarized the discussion and again stated if possible fund the three but if the funds are not there, definitely two. Mr. Emory concluded the discussion informing Council that until a decision is made, the current vacancy will not be filled. If Council decides to fund all three positions, he will wait to recruit after July 1.

Other concerns were asked for. Councilman Cloninger spoke to the elephant in the room being the possibility of Council having to consider a tax increase if needed. He stressed this was something he would not want to do but stated, "that's why we are elected. If we need it, let's be man enough to stand up and do it". Councilman spoke to maybe implementing a downtown tax and why he feels one is needed. After further discussion regarding budget concerns, Councilman Eaddy suggested have a budget hearing in May or June prior to the actual adoption of the budget, giving citizens an opportunity to be heard and voice their concerns to Council. City Manager Jeff Emory explained the process stating that he would present the proposed budget in mid to late April. Budget work sessions will then be scheduled with the official budget being presented in May according to state statute. Mr. Emory continued explaining that although the public hearing and adoption of the budget is done at the June meeting, the adoption can be scheduled at a later date in June with a Special Called Meeting. City Attorney T.J. Wilson added that the budget work sessions are also public meetings at which citizens can attend. Mr. Emory suggested having the public hearing in June and then scheduling a Special Meeting in late June to adopt the budget. In responds to Councilman Rhyne's question, Mr. Emory explained the two options available if the budget is not adopted. The first being to continue the meeting until it is adopted or Council could adopt an

interim budget until the actual budget is adopted. He continued saying his next step is to prepare a budget for Council to review and make changes.

Mayor Gilleland added his desire to see some examples to see how Lincolnton compares to other municipalities in the area of salaries and based on comments made, whether employees would rather have a more traditional health care in order to have an increase in pay. More discussion was generated regarding the issue with Mr. Emory stating that the compression problem could have been fixed several years ago but no one liked what they were going to have to give up. Councilman Eaddy stated he feels employees knowing where things are headed could help the problem. Mr. Emory expressed his thoughts about adding more tiers to the longevity would please the employees and be a quick way to address the problem. Councilman Eaddy requested a list of employees, excluding names, and the current amount of their bonus.

With no more questions, City Manager Jeff Emory & Mayor Gilleland thanked everyone for their attendance. Councilman Cloninger did question everyones feeling regarding capital purchases of equipment. Mr. Emory agreed that he is also concerned and is an area that needs to be addressed. Councilman Rhyne complimented Chief Jordan on how prepared his was in his presentation regarding his cars which create a \$40,000.00 savings in year one. He stated that my doing this he will be accomplishing several things including improving employee morale. Mr. Rhyne stated, “to me, that is an absolute no brainer”. He strongly encouraged adopting this program. Councilman Cloninger suggested possibly doing something like that in some of the other department needing vehicles.

Giving closing comments, Councilman Cloninger adjourned the meeting.

ITEM #

4

MEMO TO: Jeff Emory  
Donna Flowers

FROM: Laura Simmons

SUBJECT: Agenda Packet for the April 3, 2014 City Council Meeting

DATE: March 25, 2014

**CALLS TO PUBLIC HEARING**

We have one item that needs to be called to public hearing at the April City Council meeting as follows:

- CU-ZMA-2-2014- Application from Robert Lee Haynes, Jr. requesting the conditional use rezoning of 0.83 acres of land from Residential-25 (R-25) to Conditional Use Neighborhood Business (CU-NB). The applicant plans are to construct a 2400 square foot office/storage building on the property. The subject property is made up of two parcels of land located at the southeast corner of Huss Street and Skyway Lane (Parcel ID 21187 and 21186).

-----

ITEM #

5

## **RESOLUTION**

**(R-06-14)**

**WHEREAS**, pursuant to G.S. 160A-265 the City of Lincolnton may dispose of personal property in the discretion of the City Council; and

**WHEREAS**, the City of Lincolnton has the following items of personal property issued to the below named City Police Officer:

Cynthia M. Monday – Model 37, 45 Gap, - Serial # GBH541

**WHEREAS**, the City Manager shall be authorized to dispose of the property by the direction of the City Council and in accordance with City policy will have \$ 255 (current value of the handgun) deducted from the eligible monetary amount of \$ 800, with a remaining \$ 545 given to her upon retirement;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Lincolnton that the above mentioned property become surplus and be presented to the above named retiree in honor of their tenure and dedication to the City of Lincolnton.

**ADOPTED** this the 3<sup>rd</sup> day of April 2014.

---

**John O. Gilleland, Jr.**  
**Mayor**

**Attest:**

---

**Donna C. Flowers, CMC**  
**City Clerk**

ITEM #

6

**MEMO TO:** Mayor and City Council Members

**FROM:** Laura Simmons, Planning Director

**THROUGH:** Jeff Emory, City Manager

**SUBJECT:** CU-ZMA-1-2014- Application from BTR Communities Group, LLC requesting conditional use rezoning of 9.77 acres from Planned Business (PB) to Conditional Use Residential Multi-Family (CU-RMF).

**DATE:** April 3, 2014

**SITE AND AREA DESCRIPTION**

The subject property is located on 9.77 acres of land on the west side of North Generals Boulevard approximately 1000 feet north of the intersection of North Generals Boulevard and Tait Mill Road. Walker Branch is located immediately to the south. The applicant is requesting rezoning of the property from Planned Business (PB) to Conditional Use Residential Multi Family (CU-RMF).

Property located to the north is zoned PB and property located to the south is zoned GMC. To the west is a combination of RMF and R-15. Across North Generals Boulevard is a combination of GMC and PB. Land uses along North Generals Boulevard are primarily commercial and industrial. Single family residential uses are located to the southwest.

**SITE PLAN**

The applicant requests conditional use rezoning in order to construct a 56-unit multi-family residential development. Forty two (42) two-bedroom units and 14 three-bedroom units are proposed. The density of the development will be approximately 5.73 units per acre. (See attached site plan).

There will be three separate buildings on the property containing the residential units. There will also be a clubhouse located on the eastern edge of the site near North Generals Boulevard. The clubhouse will include an exercise room, a covered patio with seating and a computer center for the residents. A playground will be located near the clubhouse. Access to the site will be provided through an existing driveway connection to North Generals Boulevard.

**DESCRIPTION OF CONDITIONAL USE DISTRICT REZONING PROCESS**

Conditional use rezoning is a process whereby a conditional use permit and a rezoning are acted upon simultaneously. The use that is proposed in the conditional use permit

portion of the process must be the use constructed on the property after it is rezoned. Unlike a standard rezoning in which all the uses permitted in the district are potentially allowed on the rezoned site, a conditional use rezoning limits the potential use of the property. In this case, the applicant wishes to limit the use of the property to a 56-unit multi-family complex.

### **COMPLIANCE WITH CONDITIONAL USE PERMIT APPLICATION REQUIREMENTS**

The UDO requires that a conditional use permit application contain specific terms and meet specific requirements. The site plan needs to provide additional or corrected information as outlined below in order to comply with the requirements of the ordinance:

1. Information regarding topography, utilities, stormwater, erosion, signage, lighting, etc needs to be provided in accordance with the ordinance.
2. Landscape plan will need to comply with street landscaping, parking lot landscaping and screening requirements.
3. Setbacks need to be noted.
4. Site plan needs to note watershed requirements including built upon area and stream buffer.
5. A minimum of 126 parking spaces are required.

### **STAFF REVIEW COMMITTEE**

The Staff Review Committee had the following comments:

- (1) Building plans must be approved by Lincoln County and the City Fire Marshal prior to issuance of building permits. All fire related matters including hydrants, sprinklers and fire access must be approved by the City Fire Marshal.
- (2) Maintenance responsibility for the shared private driveway needs to be addressed by an agreement between the respective property owners prior to the issuance of any permits.
- (3) NCDOT will require an updated driveway permit for access to North Generals Boulevard.
- (4) All utilities must be coordinated with Public Works. All electrical work must be coordinated with Chris Wilson, City Electrical Superintendent. Prior to electrical utility installation by the city, Public Works will need

information on the total load per unit and for the entire site, temporary power needs per unit and a start date and closing date. Cost of electrical work to be at the developer's expense.

- (5) Sediment and erosion control plan and storm water detention plan must be submitted to and approved by Lincoln County. Stormwater structure must be sized to bypass a 2, 10 and 50 year storm event with release at pre-development conditions.
- (6) A five (5) foot sidewalk is required along the entire site frontage along North Generals Boulevard. All requirements must be coordinated with Public Works. Due to the steep topography within the right of way on the southern portion of the site, the developer may choose one of the following two options for sidewalk installation:
  - Option A) Install sidewalk on the subject site along the entire site's frontage on North Generals Boulevard, *or*
  - Option B) Install sidewalk on the northern portion of the site along the existing driveway where the site is relatively flat *and* install off-site sidewalk immediately to the north of the subject property. In the event that the developer chooses Option B, the length of the off-site sidewalk segment needs to equal the length of the sidewalk segment that otherwise would have been required to have been built on the southern portion of the site. The off-site sidewalk also needs to connect to the on-site sidewalk and be located within NCDOT right-of-way.
- (7) A three way agreement between the developer, NCDOT, and the City of Lincolnton must be completed prior to sidewalk installation. Developer will be responsible for preparing the agreement.
- (8) Existing vegetation within 100 feet of Walker Branch should be preserved with no grading or clearing. Barricades should be placed at the edges of construction to protect the buffer. Buffer will be measured from the top of the bank. In the event sidewalk is constructed within the flood zone, disturbance should be limited to that necessary for sidewalk construction.
- (9) A 75 foot undisturbed buffer should be provided along the westerly project edge.

## **FINDINGS OF FACT**

Section 153.237 of the UDO requires that four findings be determined by City Council as follows:

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan, and
2. The use meets all required conditions and specifications, and
3. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity, and
4. The location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the Lincolnton Land Use Plan and other plans for the physical development of the City as officially adopted by the City Council.

## **ADDITIONAL REVIEW CRITERIA FOR MULTI FAMILY DEVELOPMENT**

Section 153.238 of the UDO requires that the following specific review criteria be addressed by the City Council in addition to the general review criteria set forth in Section 153.237:

The proposed ingress and egress points will not result in a substantial amount of vehicular traffic to be channeled onto adjacent local streets (non-collector/non thoroughfare streets).

## **LAND USE PLAN**

The Land Use Plan shows this property in the Planned Business planning area. The Planned Business area strongly encourages mixed use residential / commercial developments with pedestrian accessibility leading to and within the site. The Land Use Plan also outlines the following goals:

- Promote a healthy mix of well-maintained rental units for persons in a variety of income brackets,
- Provide for variety in the density and construction types of rental property (apartments complexes, individual rental units, duplexes, and single family) and
- Ensure that residential development promotes pedestrian and bicycle as well as automotive use.

The Land Use Plan also strives for integration of residential and commercial land uses designed to blend in and complement each other, rather than continuing to segregate land uses. In Staff's opinion, the rezoning request is consistent with the intent of the Land Use Plan in that the proposed residential development will be a part of an overall mixture of residential and commercial land uses within the general area and will provide for additional rental housing opportunities and variety within the City.

#### **COMPLIANCE WITH FINDINGS OF FACT**

- 1) It does not appear that the use will endanger the public health or safety.
- 2) The use meets required conditions and specifications subject to the submittal of a completed site plan and compliance with the Staff Review Committee conditions.
- 3) It does not appear that the use will substantially injure the value of adjoining or abutting property subject to compliance with the Staff Review Committee conditions.
- 4) The use, if approved, should be in harmony with the area subject to compliance with the Staff Review Committee conditions.

#### **COMPLIANCE WITH ADDITIONAL REVIEW CRITERIA FOR MULTI FAMILY DEVELOPMENT**

North Generals Boulevard is the proposed access point for traffic from the proposed development. North Generals Boulevard is designated as a major thoroughfare and therefore the proposed access complies with the ordinance standard.

#### **PLANNING BOARD AND STAFF RECOMMENDATION**

Planning Board and Staff recommend the following two actions:

1. Approve rezoning the property from PB to CU-RMF
2. Approve the Conditional Use Permit for a 56-unit multifamily complex provided all site plan requirements of the UDO are met and subject to the Staff Review Committee conditions.

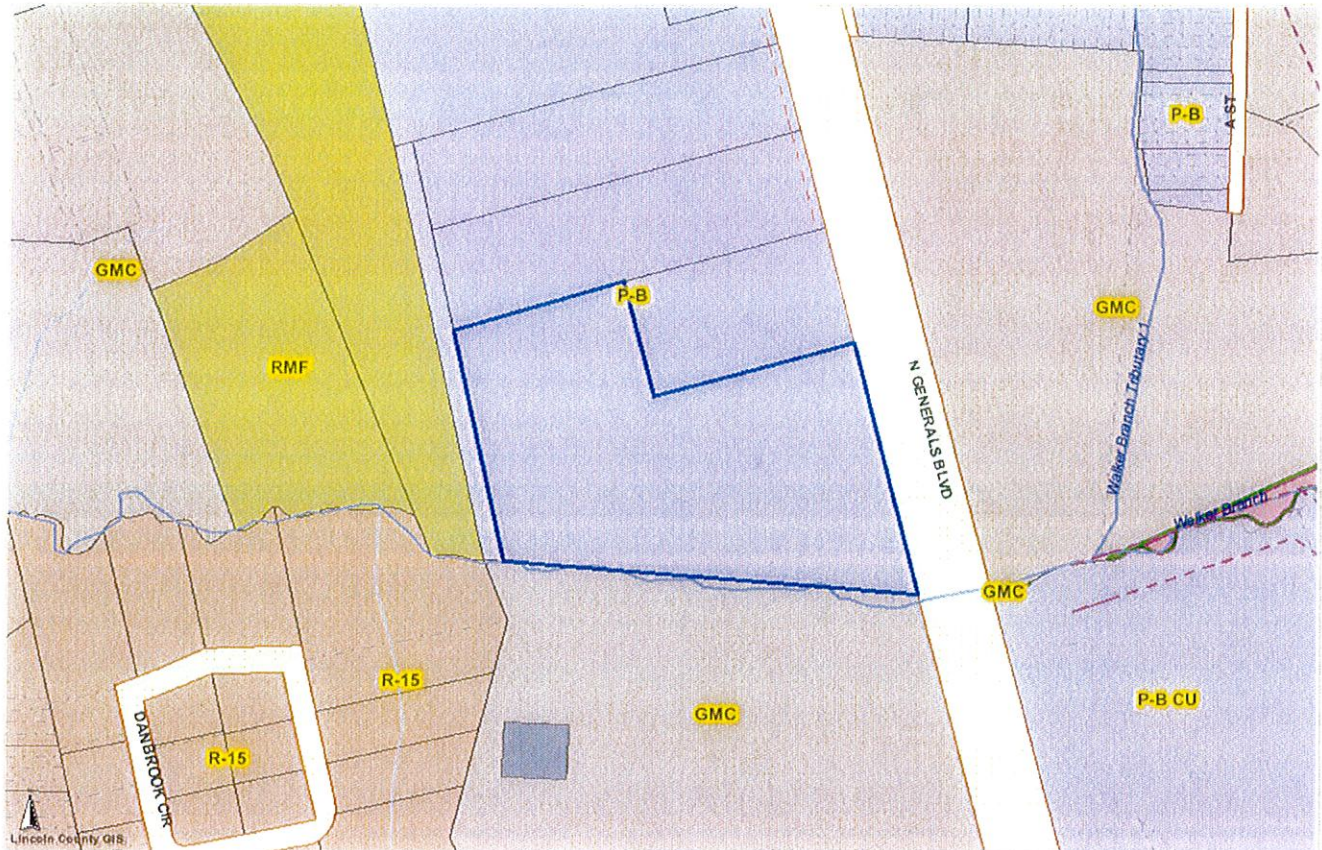
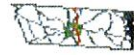


# Lincoln County, NC

## Office of the Tax Administrator, GIS Mapping Division

Lincoln County and its mapping contractors assume no legal responsibility for the information contained on this map. This map is not to be used for land conveyance. The map is based on NC State Plane Coordinate System 1983 NAD.

Date: 3/18/2014 Scale: 1 Inch = 380 Feet



### PHOTOS



Photo Not Available

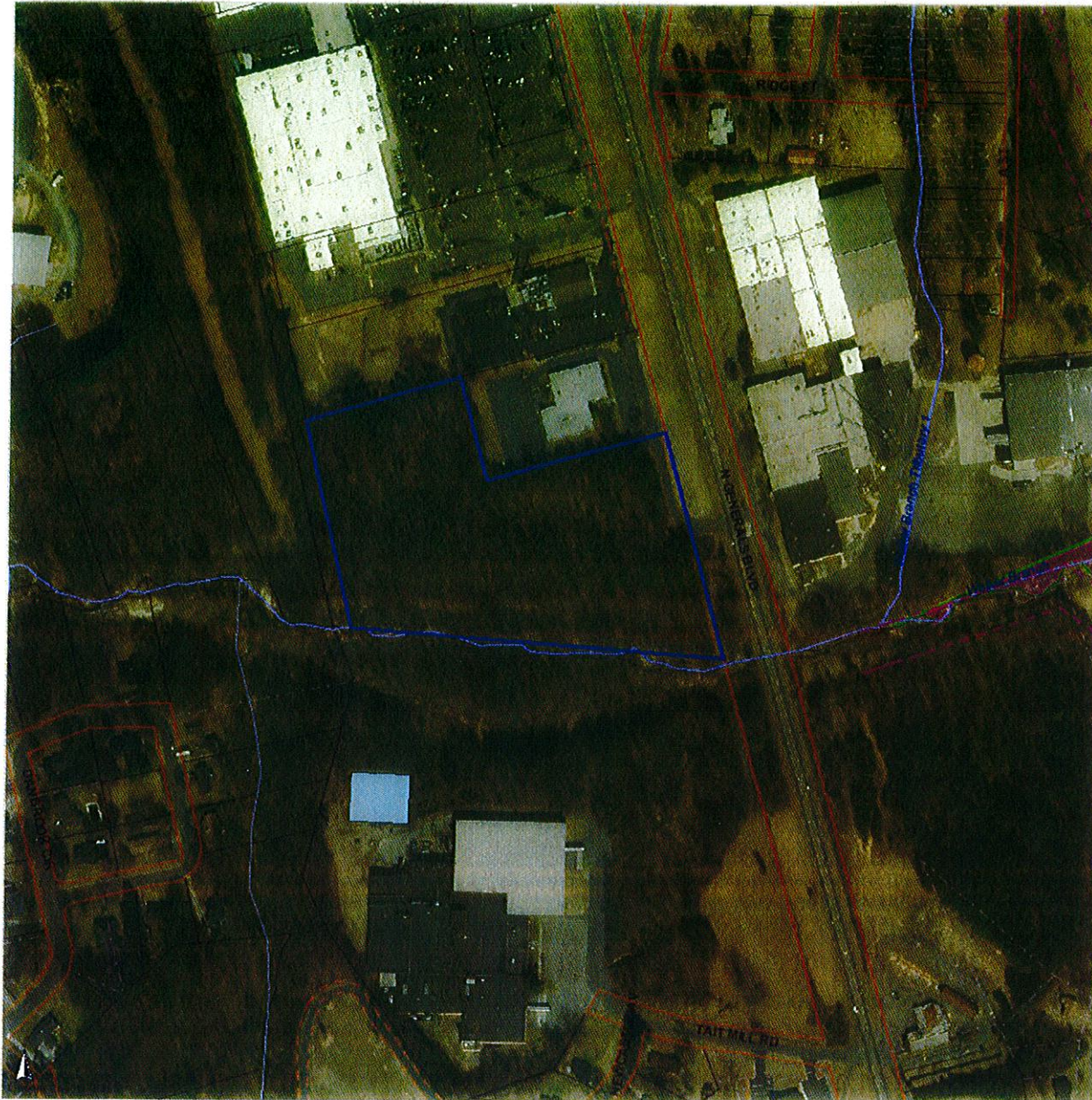
### PARCEL INFORMATION FOR 3633-19-6234

|                                               |                                                                |                           |                                      |                   |                    |
|-----------------------------------------------|----------------------------------------------------------------|---------------------------|--------------------------------------|-------------------|--------------------|
| Parcel ID                                     | 21103                                                          | Owner                     | HOYLE LINDA B<br>BARKLEY JULIUS F JR |                   |                    |
| Map                                           | 3633-05                                                        | Mailing                   | 628 HOYLE ST                         |                   |                    |
| Account                                       | 0170853                                                        | Address                   | LINCOLNTON NC 28092                  |                   |                    |
| Deed                                          | 1844-275                                                       | Recorded                  | 8/17/2006                            | Sale Price        | 0                  |
| Land Value                                    | \$238,269                                                      | Total Value               | \$238,269                            | Previous Parcel   | 21103              |
| ----- All values are for tax year 2014. ----- |                                                                |                           |                                      |                   |                    |
| Description                                   | BARKLEY                                                        |                           |                                      | Deed Acres        | 19.64              |
| Address                                       | N GENERALS BLVD                                                |                           |                                      | Tax Acres         | 9.77               |
| Township                                      | LINCOLNTON                                                     |                           |                                      | Tax/Fire District | CITY OF LINCOLNTON |
| Improvement                                   | No Improvements                                                |                           |                                      |                   |                    |
| Zoning                                        | Calculated                                                     | Voting Precinct           | Calculated Acres                     |                   |                    |
| District                                      | Acres                                                          | LINCOLNTON NORTH (LN11)   | 9.78                                 |                   |                    |
| P-B                                           | 9.78                                                           |                           |                                      |                   |                    |
| Watershed Class                               |                                                                | Sewer District            |                                      |                   |                    |
| WS-IVP                                        | 9.78                                                           | Not in the sewer district | 9.78                                 |                   |                    |
| 2000 Census County                            |                                                                | Tract                     | Block                                |                   |                    |
| 37109                                         |                                                                | 070100                    | 1000                                 | 0.44              |                    |
| 37109                                         |                                                                | 070200                    | 2029                                 | 9.34              |                    |
| Flood                                         | Zone Description                                               |                           |                                      |                   | Panel              |
| AE                                            | SPECIAL FLOOD HAZARD AREA BASE ELEVATION DETERMINED - 100 YEAR |                           |                                      |                   | 3710363300 2.4     |
| AEFW                                          | FLOODWAY AREA - 100 YEAR FLOOD HAZARD                          |                           |                                      |                   | 37103633000.91     |
| SHADED                                        | OTHER FLOOD AREA - 500 YEAR FLOOD HAZARD                       |                           |                                      |                   | 3710363300 0.2     |
| X                                             | NO FLOOD HAZARD                                                |                           |                                      |                   | 37103633006.27     |

Scale: 1 Inch = 380 Feet

# LINCOLN COUNTY GIS

Tue Mar 18 11:53:19 EDT 2014



| County Boundaries | Map Features  | Creeks            | Roads          | City Jurisdictions | 2010 State Ortho |
|-------------------|---------------|-------------------|----------------|--------------------|------------------|
| County Line       | Road Easement | Interior Lot Line | Railroads      | City of Lenoir     |                  |
| Township Line     | Conflict Line | Drainage Easement | Public Walkway | ETJ                |                  |
|                   | Major Rivers  | Utility Easement  | Parcels        | Town of Macon      |                  |
|                   | Creeks (cont) | Right-of-Ways     | Private Roads  | Lake Norman        |                  |
|                   |               | cont.             |                |                    |                  |

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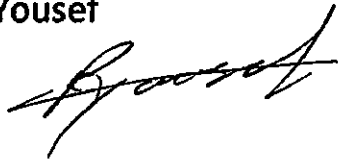
ITEM #

7

March 25, 2014

I, Radwan Yousef, wish to withdraw my application for ZTA-1-2014 that would allow Hookah Cafes as a permitted use in the Central Business (CB) District.

Radwan Yousef

A handwritten signature in black ink, appearing to read 'R. Yousef', written in a cursive style.

ITEM #

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# CITY OF LINCOLNTON

## CITY COUNCIL

John O. Gilleland, Jr., Mayor  
Larry Mac Hovis, Mayor Pro-Tem  
Devin Rhyne  
Martin A. Eaddy  
John L. Cloninger



## CITY MANAGER

JEFF EMORY  
jeffemory@ci.lincolnton.nc.us

## CITY CLERK

DONNA C. FLOWERS, CMC  
donnaflowers@ci.lincolnton.nc.us

## CITY ATTORNEY

THOMAS J. WILSON, JR.

## RESOLUTION Of Appreciation For (R-07-14)

### CYNTHIA M. MONDAY

**WHEREAS,** *Captain Cynthia Monday* began employment with the City of Lincoln on November 19<sup>th</sup> 1985, as a Police Officer with the Lincoln Police Department; and

**WHEREAS,** *Captain Monday* has proven her leadership qualities, rising through the ranks in 1993 to a Police Sergeant; then in 1999 to a Police Lieutenant; and then in 2008 to Police Captain; and

**WHEREAS,** *Captain Monday* throughout her career contributed to the Lincoln Police Department through change and growth of the agency, influencing others by her dedication to training new officers, her community oriented response to issues and her continued devotion to the citizens of Lincoln and her fellow officers; and

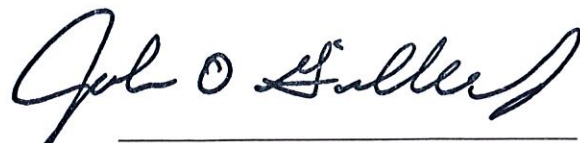
**WHEREAS,** our lives are like a book in that the completion of a milestone concludes a chapter and *Captain Monday* will retire on May 1<sup>st</sup>, thus completing her chapter of service to the City of Lincoln; and

**WHEREAS,** the Lincoln City Council recognizes and expresses deep appreciation for her twenty-eight years of excellent public service provided to our citizens;

**NOW, THEREFORE, BE IT RESOLVED** that gratitude be shown to *Captain Monday* honoring her on her upcoming retirement, and that we extend congratulations and best wishes to her for continued success in all her future endeavors.

Adopted and presented this the 3<sup>rd</sup> day of April, 2014.

  
DONNA C. FLOWERS, MMC  
CITY CLERK

  
JOHN O. GILLELAND, JR.  
MAYOR

ITEM #

9

# CITY OF LINCOLNTON

## CITY COUNCIL

John O. Gilleland, Jr., Mayor  
Larry Mac Hovis, Mayor Pro-Tem  
Devin Rhyne  
Martin A. Eaddy  
John L. Cloninger



## CITY MANAGER

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## CITY CLERK

DONNA C. FLOWERS, CMC  
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## CITY ATTORNEY

THOMAS J. WILSON, JR.

## RESOLUTION of Appreciation for (R-08-14)

### GEORGETTA S. WILLIAMS

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

**WHEREAS**, *Georgetta S. Williams*, began employment with the City of Lincolnton on December 9, 1987 as an Accounting Clerk I in the Finance Department. She transitioned through the following positions during her tenure; serving as Accounting Clerk II, Accounting Technician, Assistant to the Finance Director, and Accounting Services Manager prior to accepting the position of Finance Director in 2006; and

**WHEREAS**, *Georgetta S. Williams*, has been instrumental in the City's receipt of the Certificate of Achievement for Excellence in Financial Reporting, for 24 consecutive years. Receipt of this award is the highest form of recognition in governmental and financial reporting given by the Government Finance Officers Association; and

**WHEREAS**, *Georgetta S. Williams*, over her tenure assisted the City through many financial and technological changes, serving unselfishly in her capacity going above and beyond to ensure the City's best interests were protected through the activities of the Finance Department.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and City Council of the City of Lincolnton, that appreciation be shown to *Georgetta S. Williams*, honoring her on her upcoming retirement on May 1, 2014, and that we extend congratulations and best wishes to her as she begins the next chapter in her life.

Adopted and presented this the 3<sup>rd</sup> day of April, 2014.

  
DONNA C. FLOWERS, CMC  
CITY CLERK

  
JOHN O. GILLELAND, JR.  
MAYOR

ITEM #

10

**2013 - 2014**  
**CITY OF LINCOLNTON**  
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**736-1966 – Fax**

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**Lincolnton, NC 28092**

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**(980)241-6423 (cell)**

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**Lincolnton, NC 28092**

**(704)530-8571**

**[jaredmoore66@yahoo.com](mailto:jaredmoore66@yahoo.com)**

**(704)666-0510 (cell)**

**Bailey Russell – Sr.**

**8008 Golf Course Dr.**

**Denver, NC 28037**

**(704)966-0577**

**[marie131829@yahoo.com](mailto:marie131829@yahoo.com)**

**(704)682-6115 (cell)**

**Amy Gilleland – Sr.**

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**Lincolnton, NC 28092**

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**[amygilleland@bellsouth.net](mailto:amygilleland@bellsouth.net)**

**(704)530-3126 (cell)**

**Dylan Harris – Sr.**

**3016 Arrowhead Trail**

**Maiden, NC 28650**

**(828)428-6067**

**[dhbaseball4@gmail.com](mailto:dhbaseball4@gmail.com)**

**(704)473-8260**

*\*Nominated by an elected official*



City of Lincolnton

## AGENDA REQUEST FORM

### Please Print

Name Christie McBride

Address 208 Hollow Road Phone (704)813-5110

Lincolnton, NC 28092

Name of Firm or Corporation (if applicable) \_\_\_\_\_

Other Persons Accompanying Speaker Kiera Hughey

Purpose of Request to Appear To present to City Council for consideration – New event similar to a program currently underway in Hendersonville, NC regarding Sidewalk Chalking

Council Meeting date you wish to appear April 3, 2014

Amount of time required for Presentation 5 to 10 minutes – Powerpoint Presentation

Date form submitted to the City Clerk March 24, 2014 (by phone) DC7

Christie McBride  
Signature of Requesting Party

Return forms to: City Clerk's Office  
City of Lincolnton  
P.O. Box 617  
Lincolnton, NC 28093

**150 artists!**  
**Prizes in all**  
**age groups!**



15th annual

# **“CHALK IT UP!”**

A Narnia Studios Production

**July 16, 2011 Hendersonville NC**

(Rain dates: 7/23 & 7/30)

**Draw your dreams on Main!**

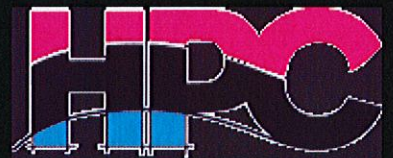
**Free chalk, free sidewalk space,  
a day of creative fun with 150 friends!**

Registration starts: June 7, 2011. Space is limited!

To register: Stop by Narnia Studios, 315 N Main St.  
Hendersonville / (828) 697-6393 / [NarniaStudios.com](http://NarniaStudios.com)

Enter to win FREE AIRFARE from the Asheville Airport!

Visit [FlyAVL.com](http://FlyAVL.com) today!



For bold color printing.:  
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Home   Flowers   Fairies   Enchantments   Summer Camp Packages  
Chalk It Up!   Mighty Kite Flight   More Community Events

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[Make A Donation](#)

"Chalk It Up" winners' prizes are from the generous donations of the downtown merchants as well as area restaurants. Additional financial contributions supply: awards, prizes, chalk, insurance, advertisements such as rack cards and flyers, and t-shirts.

Mountain First Bank and Trust  
Hendersonville, NC 28792  
Ferne Schnitzler, Manage  
<https://www.mountain1st.com>

Miller's Laundry and Cleaners  
[www.millerscleaners.com](http://www.millerscleaners.com)

Portrait Source  
2760 Greenville Highway  
Flat Rock, NC 28731  
[www.theportraitsource.com](http://www.theportraitsource.com)

Suzanne Duncan  
Wal-Mart  
[www.walmart.com](http://www.walmart.com)

The Mad Sigtist  
Hendersonville, NC

Bob Hinkel, Photography  
Tom Carpenter, Photography

Carol Hill

Chalk It Up website updates provided by Stacey Lemmond  
[Ask & Receive, Inc.](#)



"Theme" winner, Beverly Russell, age 18

[◀ Home.](#)

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[Fairies ~ Chalk It Up](#)

[Flowers ~ Mighty Kite Flight ~ Camp Packages](#)

[Contact ~ Community Events ~ Links](#)

ITEM #

12

**MEMO TO:** Mayor and City Council Members  
**THROUGH:** Jeff Emory  
**FROM:** Laura Simmons  
**SUBJECT:** Potential Change to South Laurel Street  
**DATE:** April 3, 2014

### **BACKGROUND**

Our local NCDOT district engineer, Michael Poe, is currently in the process of planning repaving projects on several state roads located within the city limits. One of the roads that the State is planning to repave is South Laurel Street between East Congress Street and Generals Boulevard. This section of South Laurel Street includes four lanes while the section of South Laurel Street immediately to the north includes two lanes. As South Laurel Street turns into Country Club Road, the number of travel lanes again transitions from four back to two.

### **NCDOT INQUIRY**

Mr. Poe has asked the City if we would like to consider a change to the four lane section of South Laurel Street as part of the State's repaving project in order to create a two way left turn lane as well as bike lanes on each side of the street. The change would convert the four travel lanes into three travel lanes including a northbound travel lane, a southbound travel lane and a two way left turn lane plus 5.5 foot bike lanes on each side of the street.

Attached please find the proposed new cross section along with photographs of similar conversion projects on Wrightsville Avenue in Wilmington and Erwin Road in Durham.

Mr. Poe has indicated that the most recent traffic counts taken in 2012 showed an average daily traffic (ADT) volume of 8,400 vehicles per day and that the Lincolnton

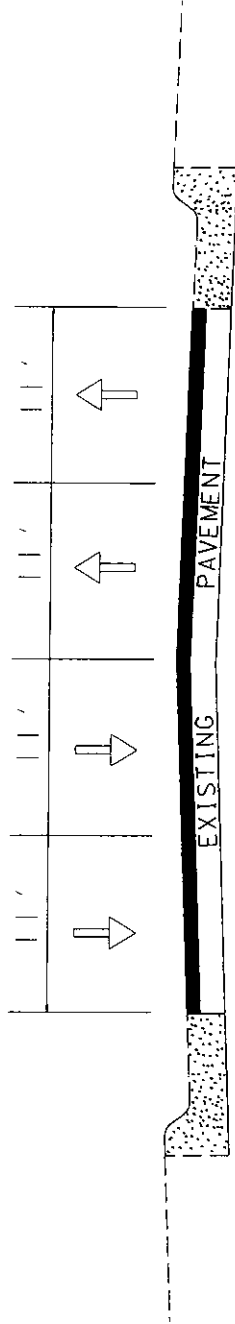
Comprehensive Transportation Plan projects volumes in 2035 of only 11,000 vehicles per day. Mr. Poe noted that based on research he has read, the proposed conversion is appropriate on roadways with ADT values up to nearly 18,000 vehicles per day so capacity should not be an issue. Also, Mr. Poe noted that these studies indicate that the two way left turn lane can reduce accidents, primarily rear-end and sideswipe accidents.

Mr. Poe has indicated that the State would cover the added project cost associated with making the conversion, the pavements markings and the signage for the bike lane.

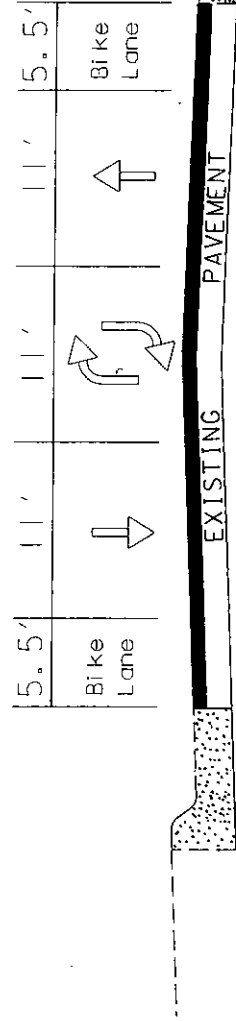
City staff, including the Police and Fire Chiefs, have discussed and support the proposed change and do not anticipate any negative consequences. In the event that City Council would like to proceed with the change as part of the State's repaving project, Mr. Poe needs to have an answer no later than mid April. If City Council opts to make no change, then Mr. Poe will proceed with planning for a standard repaving project. Please call me if you have any questions or concerns.

Enclosures

|       |         |         |
|-------|---------|---------|
| STATE | PROJECT | SHEET   |
| NC    | WBS     | NUMBER  |
|       | 1262    | 2051.17 |



EXST. TYPICAL SECTION



PROP. TYPICAL SECTION

2013 - 2014  
Resurfacing Program  
SR 1262 (S. Laurel St.)  
Lincoln County NC

- Avoid paving over gutter pans to retrofit complete streets features, as any perceived benefit will likely be offset by future maintenance costs and difficulties, as well as impeded drainage.
- Take care (and follow up throughout process) that upgraded or added accessible ramps are placed in the correct location, especially where one ramp is being replaced with two, and ensure that the new ramps are oriented to the crosswalk. This is not always a "template"-type design item due to variable curb return radii, intersection configuration, angles, etc.
- In some cases, it may not be possible to maintain a constant typical section throughout the length of the project due to constraints related to right of way, topography, or physical features of the road. In these situations, some allowances should be discussed and considered as part of the planning process.

## Project Examples

The following illustrates several examples of North Carolina projects that successfully applied complete streets strategies as part of maintenance projects. Additional examples of projects in various contexts are included in the Appendix.

### Bicycle Lanes and Road Diet

**Project Location:** Wrightsville Avenue, Wilmington

**Project Type:** Resurfacing

**Description:**

As part of a resurfacing project on Wrightsville Avenue between Military Cutoff Road and Eastwood Road, the pavement marking was revised to include bicycle lanes. In coordination with the local NCDOT Division office, the City of Wilmington provided a revised pavement marking plan for these improvements. This coordinated effort allowed the installation of bicycle lanes to be incorporated into the final design. Note that due to right-of-way and construction constraints, there are some areas along the project where bike lanes were not installed. In these areas, "Share the Road" signing was used.



## Street Conversion with New Bicycle Lanes

**Project Location:** Morganton

**Project Type:** Resurfacing and restriping

**Description:**

Series of three-lane one-way pairs (two through and exclusive right turn) were converted to two lanes (through, shared through-right) and a bike lane. Restriping was done as part of the resurfacing project and was accomplished within the existing curb and gutter.



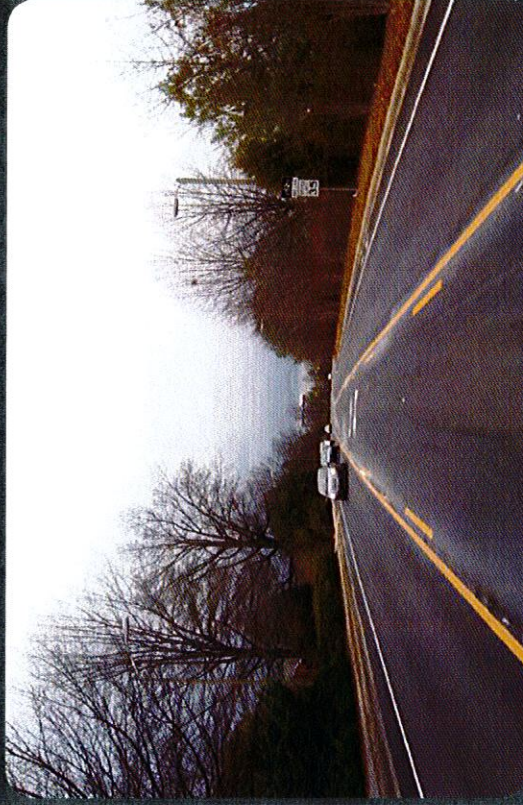
## Bicycle Lane

**Project Location:** Erwin Road, Durham

**Project Type:** Resurfacing

**Description:**

The City of Durham and NCDOT worked together to reduce the existing five-lane roadway section to three-lanes with bicycle lanes completed as part of a resurfacing project.





Map Features

|                                                                                   |                            |                                                                                     |                   |                                                                                     |                |                                                                                     |                           |                                                                                     |                  |
|-----------------------------------------------------------------------------------|----------------------------|-------------------------------------------------------------------------------------|-------------------|-------------------------------------------------------------------------------------|----------------|-------------------------------------------------------------------------------------|---------------------------|-------------------------------------------------------------------------------------|------------------|
|  | Road Easement              |  | Creeks            |  | Roads          |  | Parcels                   |  | City of Lincoln  |
|  | Conflict Line              |  | Interior Lot Line |  | Railroads      |  | Private Roads             |  | ETJ              |
|  | Major River, Creeks (cont) |  | Drainage Easement |  | Public Walkway |                                                                                     | City Jurisdictions (cont) |  | Town of Maiden   |
|                                                                                   |                            |  | Utility Easement  |                                                                                     |                |                                                                                     |                           |                                                                                     | 2010 State Ortho |

Lincoln County and its mapping contractors assume no legal responsibility for the information contained on this map. This map is not to be used for land conveyance. The map is based on NC State Plane Coordinate System 1983 NAD. Lincoln County, NC Office of the Tax Administrator, GIS Division

ITEM #

13

**MEMO TO:** Mayor and City Council Members  
**THROUGH:** Jeff Emory  
**FROM:** Laura Simmons  
**SUBJECT:** Potential Change to East Dixon Street  
**DATE:** April 3, 2014

**BACKGROUND**

The Rail Trail has now been extended to City Park and we have a concept plan for a future trail that would link City Park, Lincoln High School, Kiser Intermediate School, Battleground Elementary School and Ramsour's Mill Park. The future trail route outlined by the concept plan would connect to the current trailhead at City Park, extend northbound to Walkers Branch, follow Walkers Branch westbound, cross North Aspen Street beneath the bridge, continue along Walkers Branch to its convergence with Clarks Creek, turn southbound to Jeb Seagle Road and continue to Ramsour's Mill Park where it would connect to existing natural surface trail. Currently, there is no funding for this future extension and construction is not anticipated for many years.

**WALC PROPOSAL**

A citizens committee named WALC (Wandering Around Lincoln County) has been working with Carolina Thread Trail and local staff in an effort to further implement the Carolina Thread Trail master plan throughout Lincoln County. The planned, but unfunded, trail extension outlined above is a segment of the Carolina Thread Trail master plan.

As part of WALC's efforts, there have been discussions about potential options for establishing one or more low cost pedestrian and/or bicycle connections between the existing rail trail and the existing sidewalk system along North Aspen Street in order to provide a connection that could serve on an interim basis until the trail envisioned by the concept plan can be funded and constructed.

The WALC group has discussed numerous options for creating a low cost pedestrian and/or bicycle connection between the rail trail and North Aspen Street. The group consensus is that the best option for a low cost, marked bicycle connection is a bicycle lane along East Dixon Street between the rail trail and North Aspen Street. The proposal is to create a three – foot bike lane by simply painting a stripe and bike lane markings on the existing pavement. This would leave two 11 – foot travel lanes. Public Works staff can perform the work and Powell Bill funds can be used to cover the cost to purchase a bike lane stencil (\$485.00), the paint and signage. The WALC group will continue to assess potential options for a low cost pedestrian connection that could complement the Dixon Street bike lane.

In the event that City Council approves of the request for the bike lane, city staff will monitor its future usage. In the event that there is high usage, it may be necessary at some point to consider disallowance of on-street parking in order to minimize conflict with the bike lane.

Please call me if you have any questions or concerns.



| County Boundaries                                                                             |                                                                                                 | Map Features                                                                                                    |                                                                                                   | Right-of-Ways                                                                                         |                                                                                                       | Other Features                                                                                       |                                                                                                   |
|-----------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|
|  County Line |  Township Line |  Road Easement               |  Conflict Line |  Creeks            |  Interior Lot Line |  Roads            |  Private Roads |
|                                                                                               |                                                                                                 |  Major Rivers, Creeks (cont) |                                                                                                   |  Drainage Easement |  Utility Easement  |  Railroads        |  Lake Norman   |
|                                                                                               |                                                                                                 |                                                                                                                 |                                                                                                   |  Public Walkway    |                                                                                                       |  2010 State Ortho |                                                                                                   |

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**ITEM #**

**14**

# CITY OF LINCOLNTON

## CITY COUNCIL

John O. Gilleland, Jr., Mayor  
Larry Mac Hovis, Mayor Pro-Tem  
Devin Rhyne  
Martin A. Eaddy  
John L. Cloninger



## CITY MANAGER

JEFF EMORY  
jeffemory@ci.lincolnton.nc.us

## CITY CLERK

DONNA C. FLOWERS, CMC  
donnaflowers@ci.lincolnton.nc.us

## CITY ATTORNEY

THOMAS J. WILSON, JR.

## MEMORANDUM

TO: Mayor and City Council Members

FROM: Jeff Emory, City Manager *JE*

SUBJECT: Study Pertaining to BOD at Waste Water Treatment Plant

DATE: March 28, 2014

City Council directed staff to receive quotes regarding a potential study at the Waste Water Treatment Plant involving the City's ability to increase our BOD allocation. Pease Associates provided an original quote, and for the past two months Steve Peeler and I have been trying to obtain another quote.

I have spoken to engineers with other companies, and Steve has as well. What we are learning is because of the unfamiliarity with the City's plant, these firms are not willing to provide an informal proposal. The work that would be involved just learning the mechanics of our plant, would be extensive. I have decided that the best way to handle this should we decide to proceed with having the study done, would be to have an official request for proposals process, rather than just asking for an informal bid or quote. I think the bottom line is the various companies know that a lot of work would be involved just coming up with a proposal, and it is not in their best interest to do that without the City going through an official process.

When the City decides for certain we want to have a BOD study done, I would suggest we either put out a request for proposals, or go with the proposal from Pease. Each engineer I talked to stated that it would make sense to them that the company most familiar with the plant do the study. At the same time, they also said they would be willing to take a look at it if the City goes through an official process.

ITEM #

15

**ITEM #**

**16**

April 2014 Council Meeting

**Executive Summary**

**February 2014 Year-To-Date**

Comparative for Budgetary Purposes - After Closing 2013 Fiscal Year

|                    |            | 13-14        | % of<br>Budget | 12-13        | Difference   |
|--------------------|------------|--------------|----------------|--------------|--------------|
| General Fund       |            |              |                |              |              |
| Fund 10            | Revenues   | 6,779,083.10 | 62.05%         | 6,636,829.29 | 142,253.81   |
|                    | Expenses   | 5,733,781.38 | 56.11%         | 5,864,500.20 | (130,718.82) |
|                    | Difference | 1,045,301.72 |                | 772,329.09   | 272,972.63   |
| Water & Sewer Fund |            |              |                |              |              |
| Fund 61            | Revenues   | 5,594,624.27 | 64.16%         | 5,732,196.68 | (137,572.41) |
|                    | Expenses   | 3,636,198.12 | 46.04%         | 3,584,238.14 | 51,959.98    |
|                    | Difference | 1,958,426.15 |                | 2,147,958.54 | (189,532.39) |
| Electric Fund      |            |              |                |              |              |
| Fund 63            | Revenues   | 4,730,683.07 | 60.14%         | 4,503,888.63 | 226,794.44   |
|                    | Expenses   | 4,640,741.71 | 72.29%         | 4,502,095.64 | 138,646.07   |
|                    | Difference | 89,941.36    |                | 1,792.99     | 88,148.37    |
| Overtime           |            | 190,554.61   |                | 184,901.48   | 5,653.13     |