The Mayor and City Council met in regular session on Thursday, June 4, 2015 at 7:00 p.m. in the Council Chambers of City Hall located at 114 West Sycamore Street, Lincolnton North Carolina. The following members were in attendance:

RHYNE CLONINGER EADDY HOVIS

Mayor John Gilleland called the meeting to order thanking everyone present for participating in city government, after which he led the Pledge of Allegiance.

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

Councilman Eaddy made the motion unanimously approved the ***CONSENT AGENDA*** as follows, with the addition of a document provided as backup for item #3 (BA-03-15) by Mr. Steve Zickefoose. City Manager Jeff Emory and Mr. Zickefoose gave a brief explanation.

Call to Public Hearing for the June 25th City Council meeting:

CUP-01-15 – Application from Bob Colvard requesting renewal of a conditional use permit issued in 2013 to construct mini warehouse units in the NB District. The subject property is located at the northwest corner of West NC Highway 150 and Hilltop Road. The parcel address is 944 West NC Highway 150 (Parcel ID 22706)

(BA-03-15)
Budget Amendment – 2014-2015 Fiscal Year End

(C-11-15)
Approval of contract between the City and Mark Knuckles Associates, Inc. for Annual Compliance Watch Consultation Services

(C-12-15)
Approval of service contract between the City and the Lincolnton Housing Authority for Community Policing

REGULAR AGENDA:

PUBLIC HEARING
(O-02-15)
PUBLIC HEARING TO RECEIVE COMMENT ON THE PROPOSED 2015-2016 FISCAL YEAR BUDGET

Mayor John Gilleland opened the public hearing with City Manager Jeff Emory speaking to the item. Mr. Emory briefly explained the purpose of the public hearing being to receive comments on the proposed 2015-2016 fiscal budget. He continued giving Council an overview of the budget which totals $29,713,049.00. Mr. Emory reported a proposed 9% increase to the current water and sewer rate for non-textile based customers, and a 4.5% increase for textile based customers. He also spoke to the changes to the proposed schedule of fees. In response to a question from Councilman Rhyne, Mr. Emory verified that no increase in utility deposits were recommended. Councilman Eaddy suggested not waiting until next fiscal year to look into the matter.

Councilman Cloninger requested to that Council discuss granting the request for funds by the Cultural Center. Some discussion was generated with Councilman Rhyne recommending $10,600.00. He stressed the need to find a way to become self sufficient as this is not a long term or permanent deal. Responding to a question from Councilman Eaddy, City Manager Jeff Emory confirmed the budget could be adopted with the noted adjustment. Councilman Hovis expressed his thoughts on the matter again stressing the need for each special interest group to become self supporting.

Verifying that all members were in agreement with the $10,600.00 adjustment to the proposed budget, Mayor John Gilleland opened the floor for public comment on the proposed budget.

Mr. Robert Tomlinson signed to speak regarding this public hearing. Mr. Tomlinson questioned the lack of accountability among governmental employees and elected officials referring to the Route 90 customers and Business and Community Development department. Regarding the Smart Growth Incentive Grant Program, Mr. Tomlinson questioned how this program is being marketed. He also voiced his opposition to sell or giving the caboose away. He gave several ideas of things that could be done to generate income to restore depot and caboose.

Mrs. Carolyn Hefner addressed Council regarding funding for the Cultural Center. Mrs. Hefner, founder of the Hefner vocal competition, explained why she felt Council should approve the request. She reminded Council of the many ways that the Cultural Center gives to the people in the community. She acknowledged, with gratitude, the funding received in the past and expressed her desire for it to continue.

Councilman Rhyne made a motion unanimously approved to close the public hearing.

Councilman Rhyne made a motion unanimously approved to adopt the Budget Ordinance with the addition of $10.600.00 going to the Cultural Center

(Councilman Rhyne commended everyone involved with the budget process)

RESOLUTION
(R-07-15)
HONORING DEBBIE RABY FOR HER RETIREMENT FROM THE FIRE DEPARTMENT

Mayor John Gilleland presented Debbie C. Raby a framed resolution honoring her for her retirement from the Lincolnton Fire Department. Mayor Gilleland read the resolution after which, he congratulated and thanked Debbie for 25 years of service. The Fire Department staff also made a presentation giving Debbie her fireman patches and her own fireman shield bearing her name.

RESOLUTION
(R-08-15)
RESOLUTION OF INTENT TO APPLY FOR A MATCHING GRANT – DEPARTMENT OF JUSTICE-BODY CAMERAS FOR THE POLICE DEPARTMENT *(Potential 50% match if obtained would not exceed $48,000*)

Chief of Police Rodney Jordan came before Council to request permission to apply for a grant to assist in the purchase of body cameras. Chief Jordan began by thanking the City Manager , Mayor and Council for providing the funds necessary to purchase the equipment. He explained, although this attempt may not be successful, he feels they owe it to the citizens of Lincolnton to try.

City Manager Jeff Emory pointed out that funds are already available for this purchase. Mr. Emory commended the Chief and his department for seeking out this opportunity.

Councilman Cloninger made a motion unanimously approved to grant permission to apply for a matching grant for the purchase of body cameras for the police department.

RESOLUTION
(R-09-15)
CITY OF LINCOLNTON 2015/2016 SALARY SCHEDULE/SCHEDULE OF BUDGETED POSITION

City Manager Jeff Emory spoke to this item. Mr. Emory explained this document is traditionally adopted with the budget noting there being no change from the previous year. He continued stating that the schedule of budgeted positions does reflect several changes. The total number of fulltime positions for the City of Lincolnton is now 156. Councilman Eaddy requested to point out that the position being added will be funded by money that is currently being spent on contracted services.

Councilman Eaddy made a motion unanimously approved to approve the 2015/2016 Salary Schedule and Schedule of Budged positions as submitted with much regret there is not salary increase.

RESOLUTION
(R-10-15)
PROPOSED AMENDMENTS TO CURRENT LINCOLNTON REDEVELOPMENT INCENTIVE GRANT GUIDELINES – INCLUDING RENAMING AS THE SMART GROWTH INCENIVE GRANT PROGRAM

Prior to Mrs. Davis addressing Council, City Manager Jeff Emory explained the current policy was adopted in 2013 therefore this is not a request to adopt something new, but to amend want was already in place. Mr. Emory commended Vicki on all of her hard work.

Business and Community Development Director Vicki Davis spoke to Council regarding proposed changes, as well as changing the name of the Redevelopment Incentive Grant. Mrs. Davis spoke to the work and research involved in amending the document. She also stated language is being used which will allow grant to be used not only by the City, but by the County also. Mrs. Davis directed Council to several sections of the document, giving some of the details of the grant and how it will work. Definitions and stipulation have been incorporated both which help staff in administration of the program. Mrs. Davis informed Council that she has also drafted an application along with a checklist of submissions that are necessary. In response to a question from Councilman Eaddy, Mrs. Davis verified that a Business and Development assistance team assists in the process.

With no further questions, Mayor Gilleland commented on the importance of the project and how beneficial it is to everyone involved. He thanked Mrs. Davis for tweaking what was already in place and giving the City an upgrade in terms of this program.

Councilman Rhyne made a motion unanimously approved to approve the proposed amendments to the current Lincolnton Redevelopment Incentive Grant guidelines.

Councilman Rhyne requested an update on status of County program. Mrs. Davis reported County Commissioners are very supportive however some language is not familiar to county attorney. Bills are currently being monitored which will enable program to be used by the County. If Bill does not passed, there is a plan B.

CONTRACTS
(C-08-15)
PROPOSED CONTRACT BETWEEN THE CITY AND PEASE/LABELLA FOR ENGINEERING SERVICES RELATED TO NC HWY. 150-RHYNE MILL SEWER PUMP STATION AND DOWNTOWN UTILITY PROJECTS

City Manager Jeff Emory reported on the contract negotiation between Pease/Labella for engineering services. Mr. Emory directed council to page 13 of contract and referenced the breakdown of project fees which totals approximately $158,000.00. Fees will be adjusted if bids are lower than estimated cost.

Discussion was generated with Councilman Rhyne expressing his thoughts regarding the projects and moving forward with both at the same time. City Manager echoed those comments as did Public Works and Utilities Director Steve

Peeler. Mr. Peeler also pointed out that fact that pumping capacity will beincreased which will allow the Indian Creek Industrial Park to grow. As well as other benefits.

With no questions from Council, Councilman Cloninger made a motion unanimously approved to execute the contract and begin the work.

OTHER BUSINESS

Request to address Council regarding property located at 215 N. Oak Street (abandoned property over two years)

Mrs. Julia C. Roberts of 311 N. Oak Street, along with her husband, spoke to Council regarding abandoned property at 215 N. Oak Street. Mrs. Julia presented photos of the property for Council to view before she began. Mrs. Roberts described the condition of the property and expressed her desired for something to be done. Request have been made to the City to clean up the property. Mrs. Roberts is requesting that the City contact and required the home owner to repair and maintain the property on a regular basis or condemn the property.

Councilman Rhyne commented on the matter as a property owner and the concerns he has regarding the property. However he also encouraged Council to view this from the stand point of what can be done to address other abandoned properties within the city. City Attorney T.J. Wilson spoke to the legal aspect and what options the city has available to address the issue. Council directed the City Attorney to investigate and give an update at the next meeting.

Request To Address Council Regarding Parking During Parades

Dr. Becky Reavis spoke to City Council asking that parking be prohibited in the 100 and 200 block of East Main Street during the City's annual Christmas parade. Dr. Reavis stated her concern being the safety of the children attending the parade and also the difficulty of viewing the parade with vehicles parked in the area.

Some discussion was generated among Council and staff, with several voicing the same concerns and their agreement with this request. Chief of Police Rodney Jordan informed Council of his meeting with Dr. Reavis about the parking issue and his feelings on the need for there to be some consistency regarding the parking. Chief Jordan recommended these guidelines be a part of the Special Events….. Councilman Rhyne suggested special consideration be given to handicap parking when study is being done. Chief Jordan, in response to comments from Councilman Eaddy, suggested sending out a "feeler" to downtown business owners to get their thoughts on the matter. City Manager Jeff Emory confirmed there will be no parking in the 100 and 200 block of East Main Street for the July 4th Celebration parade. Mr. Wayne Howard requested to comment on the issue from a handicap stand point. Mr. Howard suggested that there be no parking in the first three (3) blocks of E. Main Street stating that the safety of children is the most important thing. Councilman Rhyne added he felt that the court square parking spaces and the parallel parking spaces also needed to be included. Mayor Gilleland encouraged staff to re-emphasize to participants not to throw candy along the parade route which is a tremendous danger.

Mayor Gilleland announced a short recess at 8:25.

<u>Request to address Council regarding City property formerly known as the "Old Depot"</u>

Ms. Brooke Sherrill, Chair of the DDA spoke to Council regarding alternatives for the demise or selling of the old depot building structure and caboose off of the property. Ms. Sherrill displayed before and after pictures of the depot property and reminded Council of DDA's past efforts to preserve and/or restore the site as a part of their possibility tour. Past attempts to work with the previous owner failed as he was not open to any suggestions. Some history was given through a short power point presentation as well as several suggestions voiced for Council to consider. Ms. Sherrill also provided Council with a summary of the findings from an inspection of the site along with an estimated cost to renovate the building to minimum usable condition.

If renovation/restoration is not possible, DDA request that the new construction be built in keeping with the same architectural style of the depot and keep the caboose, which is the main request. The option of making the restoration of the caboose a community project to offset the cost was also mentioned. According to Ms. Sherrill, DDA is offering to help raise funds as well as others in the community.

Some discussion was generated with Council expressing their willingness to consider the options put before them. Councilman Eaddy proposed turning the caboose parallel to Sycamore Street and using it as signage for the proposed park. Councilman Rhyne, although open to the suggestion of using it as signage, expressed the safety concerns and the liability for the City with leaving the caboose on the current site. Councilman Rhyne also communicated his agreement with the idea of keeping the "depot look" as far as the architectural style of the building. Councilman Cloninger questioned the cost for the project and his concern with not spending City funds. Mayor Gilleland concluded with comments expressing his desire to see this project moving forward, along with Councilman Hovis voicing his thoughts on allowing the community to step in.

Discussion of Route 90 Accounts

City manager Jeff Emory informed Council he is waiting on a response to an email sent to the County Manager regarding a Route 90 accounts arrangement. Mr. Emory stated he feels this is the best option and with both the city and county staffs in agreement.

Monthly Financial & Overtime Report

Mr. Emory hit the highlights of the report which is an improvement from last year. He explained the numbers in the different funds and reported overtime being $12,910.48 less than this time last year.

PUBLIC COMMENT:

Mr. Robert Tomlinson, 501 S. Grove Street, spoke under the public comment section regarding a water leak on the rail/trail. Mr. Tomlinson stated a leak at the intersection of South Academy Street has existed for seven months. Several reports have been made to various city employees and elected regarding the leak. Mr. Tomlinson acknowledged he recently observed city workers working to repair the leak but questioned who paid the water bill for the seven months the leak went unrepaired. He also questioned why it took seven month.

Mayor Gilleland confirmed with Mr. Steve Peeler that research was done to find the leak but the exact location of the leak has not been identified. Mr. Peeler reported it is believed that the general vicinity is somewhere on the court square but has not been found.

Mr. Alan Hoyle who resides in Lincolnton, also came forward to speak to Council. Mr. Hoyle began with a word of prayed before voicing his concern with the City's debt and spending practices. He was of the opinion that monies spent needs to go towards protecting and defending the right of the people. Mr. Hoyle thanked Council for supporting the purchase of body cameras for the police officers. He also expressed opposition to the City promoting and/or allowing alcohol sales at downtown events which he feels are making money by hurting others. Mr. Hoyle also talked about some of the vandalism and damage he has dealt with as a result of the rail/trail as well as the damage to the City property. Mr. Hoyle concluded by thanking Council for their service and the time they invest is conducting city business.

<u>CLOSED SESSION</u>

Councilman Devin Rhyne made a motion unanimously approved to enter into closed session to discuss personnel in accordance with NCGS 143-318 11 (a) (1)&(6)

Mayor John Gilleland, going back into open session, reported no action was taken

<u>NEWS MEDIA:</u>

There were no questions from the new media. Mayor Gilleland thanked them for their attendance.

<u>ADJOURNMENT:</u>

Councilman Rhyne and Cloninger made the motion unanimously approved to adjourn the meeting**.**

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