REGULAR MEETING - OCTOBER 1, 2015

The Mayor and City Council met in regular session on Thursday, October 1st 2015 at 7:00 p.m. in the Council Chambers of City Hall located at 114 West Sycamore Street.

Council members in attendance were:

RHYNE CLONINGER EADDY HOVIS

Mayor John O. Gilleland, Jr. called the meeting to order and led in the Pledge of Allegiance.

Councilman Eaddy made the motion unanimously approved the *REGULAR AGENDA.* Councilman Eaddy's motion included adding an update concerning possible severe weather conditions from Chief Jordan.

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

- Approved Minutes from the September 3, 2015 – Regular Meeting
- Approved a Proclamation for Industry Appreciation Month – October 2015

REGULAR AGENDA

APPLICATION FROM LINCOLNTON MAIN STREET, LLC REQUESTING A CONDITIONAL USE PERMIT TO CONSTRUCT A PHARMACY IN THE PLANNED BUSINESS (PB) AND SPECIAL HIGHWAY OVERLAY (SHO) DISTRICTS. THE SUBJECT PROPERTY IS LOCATED ON THE SOUTH SIDE OF EAST MAIN STREET APPROXIMATELY 250 FEET EAST OF THE INTERSECTION OF EAST MAIN STREET AND US HIGHWAY 321 (PARCEL ID 91738)

CUP-2-2015

Mayor Gilleland opened the Public Hearing and the City Clerk administered the oath to all those wishing to speak for or against the request. Laura Elam, Planning Director reviewed the request for a conditional use permit from Lincolnton Main Street, Mike Joyner applicant.

Laura said the above mentioned property is zoned Planned Business (PB) and Special Highway Overlay (SHO) districts. The property is bounded by East Main Street to the north, vacant property to the east, CSX Railroad to the south, and a new urgent care facility to the west.

The site plan proposes a new 4,000 square foot pharmacy building to be accessed off of a newly created access point to East Main Street that will be shared with the Urgent Care facility. The new building is proposed to be one story in height and will include a drive through window. Parking for 20 vehicles would be provided. The property has a natural gas line easement crossing the property from north to south and parking will be located on the easement.

Laura further reviewed the CUP application requirement noting that the current site plan submitted would need to be updated to show the following information: (1) Parking schedule and parking lot dimensions (2) Detailed landscaping plan (3) Utility information (4) Water supply watershed impervious surface amount (5) Signage plan.

The Staff Review Committee also had the following concerns: (1) Erosion control plans must be submitted to and approved by Lincoln County (2) Building plans must be approved by Lincoln County Inspections and the City Fire Marshal prior to development of the site (3) NCDOT driveway permit must be reviewed and approved by the NCDOT prior to development (4) Utility plans must be coordinated with and approved by the Public Works and Utilities Department prior to development (5) Sidewalk connection from the site to the sidewalk on East Main Street must be made meeting all City and ADA requirements (6) A parking agreement between Piedmont Natural Gas Company and the pharmacy must be completed and recorded allowing parking on the gas line easement (7) No City solid waste pick up will be available to the pharmacy.

Laura concluded recommending on behalf of Planning Board and Staff that, subject to all requirements of the UDO and the Staff Review Committee being meet, the conditional use permit be approved.

Mike Joyner, Urgent Care Developer, spoke in support of the request. He assured Council that all requirements would be met prior to the permit issuance. He said Dr. White purchased Keever Pharmacy, and plans are to keep the drive thru, if developed. He said Mr. White would be paying taxes as this facility will not be a part of Carolina Medical Center. Councilman Cloninger was glad the City would receive tax income from this development.

Councilman Cloninger then made the motion unanimously approved to close the Public Hearing.

Councilman Rhyne made the motion unanimously approved to consider the Conditional Use Permit.

Findings of Fact:

(1) Councilman Eaddy made the motion unanimously approved that the use would 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 Cloninger 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, if developed according to plan as submitted and approved, would be in harmony with the area in which it is to be located and would 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 CUP, subject to the Staff Review Committee items and other items as stated above being met.

PUBLIC HEARING TO RECEIVE COMMENTS ON A PROPOSED AMENDMENT TO THE CITY'S CODE OF ORDINANCES - TITLE VII – TRAFFIC CODE CHAPTER 74 TRAFFIC SCHEDULES - SCHEDULE VII. MADISON STREET, *FROM CONGRESS STREET TO GROVE STREET* – REDUCE SPEED LIMIT FROM 35 MPH TO 25 MPH:

Mayor Gilleland opened the Public Hearing. Chief of Police Rodney Jordan requested that Council consider amending the City's Code of Ordinances as follows;

Amend TITLE VII – Traffic Code – Chapter 74 Traffic Schedules – Schedule VII. *ADD: Speed Limit 25 mph - Madison Street from Childs Street to South Grove Street.*

Chief Jordan said he had received a request from a Council member and from that had his officers conduct a study as to whether the speed limit should be reduced from 35 mph to 25 mph in this area. He said based on the length and width of the road as well as information speaking with Pastor McAbee and some of the neighbors in that area, he feels 35 mph is too fast for that area.

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

Councilman Hovis made the motion unanimously approved to amend the City's Code of Ordinances as stated above and as recommended by the Chief of Police. *This ordinance shall become effective upon adoption and once the signage is corrected.*

APPOINTMENT OF THE 2015-2016 LINCOLNTON STUDENT ADVISORY COUNCIL:

(APPT-05-15)

Mayor Gilleland told Council that nominations from the five area high schools have been submitted as well as several Council nominations for the 2015-16 Lincolnton Student Advsiory Council. He said this Council meets monthly from September through May and have had many accomplishments throughout the years.

The Mayor commended Mrs. Jill Eaddy, who has served as Advisor to this Council since its inception in 1990.. Mrs. Eaddy was on City Council and was instrumental in assisting former City Manager David Lowe to create this Council.

The following nominees were considered for appointment:

EAST	LINCOLNTON	WEST
Alyssa Atwell	Andi Parker	Jake Clary
Maddie Woodie	Raheem Moore	Zane Peterson
Kali Krehnbrink	Mallory Miller	Logan Scott
Jared VanHee	Esther Garcia	Keely Stempien
Autumn Koehler	Sarah Cate Parker	Logan Scronce

NORTH	CHARTER
Catherine Stegal	Rachel Sellers
Amanda Bentley	Lucas Haskins
Ben DeAngelis	
Ulibarri Jordan	
Gabi Burke	

Council nominees were:
Mayor Gilleland - Sara Crews (Lincoln Charter)
Devin Rhyne - Elizabeth Noles (Lincolnton)
Marty Eaddy - Katy Stevens (West Lincoln)

It was noted that Karleigh Morrison of North Lincoln, who was appointed by a Council member last year, was not included on her Principals list. The City Manager said he had talked with her and she does wish to serve again. Mayor & City Council said if she does attend the next meeting of the SAC, then they would consider amending the SAC by-laws and allow her to serve. This would bring the total to twenty-six members, one additional than the current by-laws allow.

Councilman Eaddy made the motion unanimously approved to appoint the above names students.

***ADDED Item at the beginning of this meeting* - UPDATE ON THE SEVERE WEATHER FORECAST:**

Chief of Police Rodney Jordan updated Council on the possibility of eight to twelve inches of rain that could fall over the next 24 to 48 hours. He attended a weather conference with Emergency Management this afternoon and all public safety officials are closely watching the updates and or potential changes. Should we receive the amount of rainfall expected this could cause damage to our storm drain system, as no system is designed to handle this large amount of rainfall. A State of Emergency for both Lincoln County and Lincolnton may occur in the event the storm hits. This is necessary to alert citizens and to also be eligible for FEMA monies should a disaster occur.

Mayor and City Council thanked Chief Jordan for the update and asked that they be kept abreast of any changes/alerts/notifications throughout the storm.

REPORT/ UPDATE ON STATUS OF FINANCIAL PLAN IN REFERENCE TO THE STRATEGIC PLANNING PROCESS:

City Manager Jeff Emory and Finance Director Steve Zickefoose spoke to this issue. The City Manager said as part of the City's ongoing effort to address the City's recent Strategic Planning Process, he and Mr. Zickefoose have been reviewing the information provided by Centralina Council of Governments regarding a financial plan.

Finance Director Steve Zickefoose and Jeff discussed this matter after receiving the information from COG and feel that much of the information that will go into the financial management plan can be performed in-house.

Mr. Zickefoose reviewed a sample spreadsheet which provided estimated numbers (not factual) that can be used in developing a 10 year financial plan so that Council can see how projects are tracked as defined as result of the Strategic Plan. This financial document would allow the City to utilize current and future budget projections to complete the plan. It would also define any tax and or rate increases that could be necessary based on the projected plan.

Mayor and Council felt good about the spreadsheet and the strategy to address the issued defined through the strategic plan. They commended Steve for his work on this and noted the savings to the City by doing this work in house.

MONTHLY FINANCIAL REPORT/OVERTIME REPORT:

Jeff Emory, City Manager reviewed the monthly financial report as follows:

December 2015 Council Meeting

Executive Summary

October 2015 Year-To-Date

Comparative for Budgetary Purposes - Prior to Closing 2015 Fiscal Year

General Fund		15-16		% of Budget	14-15	Difference	
Fund 10	Revenues	4,763,490.23	(1)	40.46%	4,384,803.64	378,686.59	(1)
	Expenses	3,768,723.42	(2)	37.49%	3,521,693.06	247,030.36	(2)
	Difference	994,766.81			863,110.58	131,656.23	
Water & Sewer Fund							
Fund 61	Revenues	3,063,428.18	(3)	33.24%	3,078,616.99	(15,188.81)	(3)
	Expenses	1,465,095.11	(4)	23.09%	1,550,459.88	(85,364.77)	(4)
	Difference	1,598,333.07			1,528,157.11	70,175.96	
Electric Fund							
Fund 63	Revenues	2,903,371.58	(5)	37.50%	2,806,439.25	96,932.33	(5)
	Expenses	2,193,215.61	(6)	33.78%	2,342,240.02	(149,024.41)	(6)
	Difference	710,155.97			464,199.23	245,956.74	
Overtime	80+ hours	93,443.63			114,032.66	(20,589.03)	

(1) Tax collections up $85,000. Sales tax up $19,000. Received bank loan for vehicles $175,000.

(2) Salaries and Benefits up $97,000 due to health insurance. Purchased police cars $150,000.

(3) Water & Sewer revenues up $180,000. Late Fees up $7,000. GovDeals sales up $5,000. Miscellaneous revenue down ($216,000). We had received FEMA and Insurance claim payments for $216,000 in 2014.

(4) Salaries and Benefits up $65,000 due to filling vacant positions and health insurance. Inventory transfer up $31,000. Capital expense down ($22,000). Debt Service down ($161,000).

(5) Electric sales up $270,000. Sales tax no longer a budget line ($179,000.)

(6) Sales tax due to State no longer a budget line. Taxes collected and given directly to State. ($99,000).

PUBLIC COMMENT:

No one spoke under the Public Comment portion of this meeting.

NEWS MEDIA:

There were no questions from the News Media.

ADJOURNMENT:

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

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