

REGULAR MEETING - JUNE 2, 2016

The Mayor and City Council met in regular session on June 2, 2016 at 7:00 p.m. in the Council Chambers of City Hall, located at 114 West Sycamore Street, Lincolnton, North Carolina.

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

BLACK EADDY JETTON

Councilman ***Rhyne*** was absent due to health issues.

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

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

- Approved minutes from the following meetings:
 - May 5, 2016 - Regular Meeting
 - May 19, 2016 - Special Meeting
- Approved the following Calls to Public Hearing for the July 7th City Council meeting:
 - ZMA-4-2016 - Application from Ha of Newton LLC requesting the rezoning of 0.24 acres of land from Residential-8 (R-8). The subject property is located behind 2514 East Main Street (Eddy's Auto Parts) and has frontage on Ross Street and Openview Drive (Parcel ID 25212)
- Approved (C-12-16) contract between the City and Mark Knuckles Associates, Inc. for Annual Compliance Watch Consultation Services
- Approved (C-13-16) Service contract between the City and the Lincolnton Housing Authority for Community Policing
- Approved disposal of records from Police Department in accordance with NCDCCR Records Retention Policy. *NOTE:*

Disposition can be arranged once confirmation is received from the NC Department of Cultural Resources in Raleigh, after approval from the governing body.

REGULAR MEETING - JUNE 2, 2016

Mayor Hatley called for a motion to open the public hearings, noting that one motion would be made at the conclusion of all of the hearings to close the hearings. Councilman Black made the motion unanimously approved to open the hearings.

APPLICATION FROM CITY OF LINCOLNTON PLANNING DEPARTMENT REQUESTING AN AMENDMENT TO SECTION 153.315(1) OF THE LINCOLNTON UNIFIED DEVELOPMENT ORDINANCE IN REGARDS TO REZONING PROTEST PETITIONS IN ACCORDANCE WITH HOUSE BILL 201:

ZTA-2-2016

Laura Elam, Planning Director, told Council effective August 2015, the General Assembly (Session Law 2015-160, House Bill 201) modified the General Statutes regarding rezoning protest petitions. The modifications eliminated a municipality's ability to allow protest petition triggering a super-majority vote by City Council. The General Assembly has replaced the protest petition enabling legislation with language on "Citizens Comments".

She proposed a text amendment to replace the current language in the UDO regarding protest petitions with newly adopted statutory language regarding citizen's comments as follows:

If any resident or property owner in the City submits a written statement regarding a proposed amendment, modification, or repeal to a zoning ordinance to the clerk to the board at least two business days prior to the proposed vote on such change, the clerk to the board shall deliver such written statement to the City Council. If the proposed change is the subject of quasi-judicial proceedings, the clerk shall provide only the names and addresses of the individuals providing written comment, and the provision of such names and

addresses to all members of the board shall not disqualify and member of the board from voting.

With no one signing to speak to this public hearing, Mayor Hatley closed the Public Hearing. Councilman Eaddy made the motion unanimously approved to adopt the amendment to the Code of Ordinances as presented.

REGULAR MEETING - JUNE 2, 2016

APPLICATION FROM CITY OF LINCOLNTON PLANNING DEPARTMENT REQUESTING AN AMENDMENT TO THE LINCOLNTON UNIFIED DEVELOPMENT ORDINANCE REGARDING LOT SIZE REQUIREMENTS IN THE RESIDENTIAL-8 (R-8) DISTRICT. THE LOT SIZE REQUIREMENT WOULD BE CHANGED FROM 8,000 SQUARE FEET TO 6,000 SQUARE FEET FOR SINGLE FAMILY DWELLINGS.

ZTA-3-2016

Laura Elam, Planning Director, reviewed the above stated request noting in the R-8 (Single and Two-Family Medium Density Residential) district, both single family detached homes may be located on a lot of at least 8,000 square feet and a duplex may be located on a lot of at least 12,000 square feet. Laura said a property owner has expressed interest in constructing homes on a tract of land zoned R-8. The tract includes enough land area to allow construction of either one single family dwelling or one duplex. The property owner would prefer to build two single family homes rather than one duplex. She reviewed two options the property owner would have in order to pursue the desired development of two single family detached homes.

In conclusion Laura said, staff views an amendment to the R-8 zoning district that would reduce the minimum lot size required for a single family residence to 6,000 sq ft as worthy consideration since it would not result in any more density than would already be allowed if

duplexes were being developed. She said it would just allow two units to be detached rather than attached within a duplex. Staff recommended the UDO approach rather than a variance as the property owner would still have to abide by the setbacks.

Mayor Hatley closed the Public Hearing. Councilman Black made the motion unanimously approved to amending the UDO as recommended by staff and Planning Board.

REGULAR MEETING - JUNE 2, 2016

APPLICATION FROM GOODSONVILLE PROPERTIES LLC REQUESTING THE REZONING OF APPROXIMATELY 2.42 ACRES OF LAND FROM RESIDENTIAL-8 (R-8) TO GENERAL BUSINESS (GB) DISTRICT. THE SUBJECT PROPERTY IS MADE UP OF TWO PARCELS OF LAND LOCATED BEHIND 2464, 2480, 2490 EAST MAIN STREET (PARCEL ID 90928 & 90929)

ZMA-3-2016

Laura Elam, Planning Director, reviewed the above stated request. Laura said the subject property is made up of two parcels located behind 2464, 2480 and 2490 East Main Street (Parcel ID 90928 & 90929). The site has frontage on Ross Street adjacent to the City of Lincolnton Fire Station II. The site is currently vacant and lies behind property that fronts on East Main Street that was formerly developed with a bank. That bank building has been demolished and that site and the property requested for rezoning is owned by Goodsonville Properties, LLC.

Laura reviewed the applicant's compliance with the Land Use Plan, and concluded noting the zoning request is in compliance with the Lincolnton Land Use Plan. The front part of the property along East Main Street is already zoned General Business. The rezoning of the back portion will allow for a larger tract to be developed. Screening would be required by any development adjacent to residential property. She recommended on behalf of the Planning Board and

staff that the request be approved as presented, rezoning the property to the GB District.

Ms. Kris Ziemba-Tolbert, of 232 Openview Drive, spoke against the rezoning. She said, "What is going to go in there if it becomes commercial. If a business comes in there is no control over what will come in. She said it is not pleasant to live next to a restaurant and smelling the food daily. What impact will it have on Main Street it's self. There are concerns with Ross Street itself and handling that traffic influx. Our biggest concern is what is going in there. Once it is zoned commercial, what are the protections for us? It may not be a high end community but it is individuals who have lived in those homes for years."

Mr. Willie Heafner, of Piedmont Companies also representing Goodsonville Properties, spoke in favor of the rezoning. He said he has empathy for these folks and can obviously understand why they would not want to see change to their property but if you just think about the area, past uses for this property

REGULAR MEETING - JUNE 2, 2016

have been similar. Mr. Heafner said since he has owned the property he has gone in and made improvements which should help with water issues and other items. He is currently trying to get the property ready to market, and said Ms. Tolbert is correct in that he does not know what type use would be locating on that site to date.

With no one else requesting to speak to this hearing, the Mayor closed the Public Hearing. Councilman Eaddy made the motion unanimously approved to rezone the property to the GB District as requested and recommended by Planning Board and staff.

PUBLIC HEARING TO CONSIDER A PROPOSED AMENDMENT TO THE CITY'S CODE OF ORDINANCES - TITLE IX - GENERAL REGULATIONS - CHAPTER 90 - ANIMALS AND FOWL; AMEND THE CITY'S CODE TO ALLOW "LAYING HENS" TO BE KEPT AT RESIDENCES INSIDE THE CITY LIMITS .

(O-04-16)

Laura Elam, Planning Director, reviewed the draft ordinance that would amend the City's current code to allow hens within the City limits. The proposed amendment read as follows:

Section 90.02 - FOWL AT LARGE

It shall be unlawful for any person to keep any ducks, geese, guinea, roosters or other domestic fowl in the City. Residents of single family homes may keep hens as authorized under this section.

1. The tract on which the hens will be kept shall be at least one-third of an acre in size.
2. A maximum of five hens shall be permitted on a tract of land that is between one-third and one-half acre in size and a maximum of ten hens on a tract of land that is larger than one-half acre in size.
3. No person shall allow his or her hens to run at large. Such hens must be contained in a fowl house, coop or other secure, fenced enclosure at all times.
4. Such fowl house, coop or other enclosure must be situated at least fifteen feet from all property lines, at least 50 feet from the nearest residence other than that of the owner and may not be located between the street and a line drawn parallel to the street facing walls of a residence.
5. Fowl houses, coops and enclosures must be kept in a neat and sanitary condition at all times to prevent offensive odors.

REGULAR MEETING - JUNE 2, 2016

Section. 2 That this ordinance shall become effective July 1, 2016.

This item generated discussion among Council. Councilman Jetton questioned the positioning of the coops, so they would not be visible from the side yard/street or visibly seen when driving by the residence. Laura confirmed that proposed language would prevent the coops from being visible through a side street or the front view of the house.

Councilman Eaddy wanted to verify that there was not an issue with property owners having a visual barrier or concerns about enforcement. After some discussion, and having no citizens to speak to this hearing, Mayor Hatley closed the public hearing.

Councilman Eaddy made the motion unanimously approved to amend the ordinance as recommended and to be clear with applicants that permit holders have 180 days notice if the ordinance is rescinded. No one would be grandfathered.

**PUBLIC HEARING TO RECEIVE COMMENT ON THE
PROPOSED 2016 - 2017 FISCAL YEAR BUDGET. (SECOND
READING - FIRST HEARING MAY 5, 2016)**
(O-03-16)

NOTE: Action on this item, after closing the Public Hearing, includes adopting the Budget Ordinance (O-03-16) and 2016-17 schedule of fees
Steve Zickefoose, Interim City Manager/Finance Director told Council that there have been no changes to the proposed draft budget, officially presented at our May 5th regular meeting. The total proposed budget is \$ 27,236,047 for fiscal year 2016-17. He said the current budget does include a one cent property tax reduction, a one percent water and sewer decrease and a \$ 30.00 per registered vehicle tax.

He entertained questions and or concerns about the proposed budget noting now would be the time for any further discussions.

Having no one sign to speak to the budget, Mayor Hatley again ask if anyone in attendance wanted to speak to the proposed budget, hearing none he called for a motion to approve the proposed budget as recommended by the Interim City Manager.

REGULAR MEETING - JUNE 2, 2016

Councilman Jetton said, "I know there has been some controversy to this fee and I would just like to entertain a motion to leave the tax rate where it is today, bring the vehicle tax down to \$ 20.00 and leave out trailers, only making this fee applicable to vehicles."

Councilman Eaddy asked the City Manager, "Does this keep us on track with ramping up our paving and infrastructure program?" Steve Zickefoose said, "This will generate the same amount of money as originally proposed. Dollar wise it would still be the same \$ 160,000 that would be devoted additionally to paving and sidewalk repair. There is somewhat, in my opinion, an advantage to this method, in that we would have a greater flexibility with the first five dollars of the

fee collected, which we could in turn use directly on sidewalk repairs. Whereas, in the other scenario we would have to use the monies as a part of a street upgrade, to include sidewalk repairs. We would not change an expenditure amount, it is just a difference in the revenue structure for that.”

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

Mayor Hatley called for the vote on Councilman Jetton’s motion to approve the budget contingent upon the tax rate remains at .56 per one hundred dollar valuation; the vehicle tax be reduced to \$ 20 per vehicle and trailers not be included to be taxed.

Councilman Jetton’s motion, as stated above, was unanimously approved.

HONORING ETHEL GARVER FOR HER RETIREMENT ON JUNE 1, 2016 FROM THE PUBLIC WORKS & UTILITIES ADMINISTRATIVE DIVISION :

(R-07-16)

Mayor Hatley called Ethel Garver to the front to read aloud and present her with the following resolution honoring her retirement:

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

REGULAR MEETING - JUNE 2, 2016

WHEREAS, Ethel L. Garver began employment with the City in February of 1996 as a Switchboard Operator/Receptionist for the Public Works and Utilities Administration. In 1999 she earned the title of Administrative Support Specialist and served in that capacity until her retirement; and

WHEREAS, Ethel L. Garver has served on the City’s Wellness Committee assisting with the betterment of health and welfare of all City employees. Ethel has done an excellent job as the initial point of contact for the Public Works & Utilities Divisions, handling problematrical situations effectively reassuring our citizens that whatever the problem may be it would be resolved in an efficient timely manner; and

NOW THEREFORE BE IT RESOLVED, that the governing body of the City of Lincolnton wishes to officially commend Ethel L. Garver for her valuable service rendered to the City, and that appreciation and honor be shown to her upon her retirement June 1, 2016. May congratulations and best wishes be extended as she begins the next chapter in her life.

BE IT FURTHER RESOLVED that this resolution be made a part of the permanent records of the City of Lincolnton and that a copy of this resolution be presented to Ethel L. Garver.

Adopted and presented this the 2nd day of June, 2016.

CITY OF LINCOLNTON - 2016- 2017 SALARY SCHEDULE /
SCHEDULE OF BUDGETED POSITIONS :

(R-08-16)

Tanya Osborne, HR Director, recommended Council approve the following resolution thereby adopting the 2016-17 Salary Schedule and Schedule of Budgeted positions:

WHEREAS, the proposed 2016-17 fiscal year budget has been prepared by the City Manager and presented to the Mayor and City Council; and

WHEREAS, the proposed 2016-17 fiscal year budget includes a recommended salary schedule and schedule of budgeted positions;

NOW, THEREFORE, BE IT RESOLVED, that the City of Lincolnton adopts the "Salary Schedule", and "Schedule of Budgeted Positions", as attached to this resolution, for the fiscal year beginning July 1, 2016 and ending June 30, 2017.

Adopted this the second day of June 2016.

Councilman Eaddy made the motion unanimously approved the above said resolution as recommended.

REGULAR MEETING - JUNE 2, 2016

RESOLUTION OF INTENT FOR SUPPORT TO LFD TO SUBMIT A
GRANT APPLICATION TO AFG THROUGH FEMA - 21 SCOTT
AIR PACKS (NOTE: A 5% MATCH OR \$ 7,750 WOULD BE
REQUIRED IF WE WERE SUCCESSFUL IN SECURING THE
GRANT TOTAL OF \$ 155,000) :

(R-09-16)

Ryan Heavner, Fire Chief, recommended Council approve the following resolution:

WHEREAS, the Lincolnton Fire Department would like to replace air packs and existing two-way radios nearing their life expectancy; and

WHEREAS, the Lincolnton Fire Department has researched various opportunities that may provide financial assistance towards the purchase of the items; and

WHEREAS, the Mayor and City Council, through this resolution, approve submittal of a grant application to the Assistance to Firefighters Grant Program operated and managed through the Federal Emergency Management Association (FEMA);

NOW, THEREFORE BE IT RESOLVED by the Mayor and City Council, that should the grant be approved and funding secured, the City would provide matching funds of five (5) percent of the total grant. The proposed grant amount awarded could be up to \$ 155,000 for air packs which would require a five (5%) percent match or \$ 7,750 in funds from the City.

Adopted this the 2nd day of June, 2016.

Councilman Jetton made the motion unanimously approved to adopt the resolution as recommended by the Fire Chief.

RESOLUTION SUPPORTING THE LINCOLNTON FIRE DEPARTMENT TO SUBMIT A GRANT APPLICATION TO GEORGIA-PACIFIC IN THE AMOUNT OF \$ 10,000 TO PURCHASE FIREFIGHTER SURVIVAL EQUIPMENT (NOTE: NO GRANT MATCH WOULD BE REQUIRED PER CHIEF HEAVNER)
(R-10-16)

Ryan Heavner, Fire Chief, recommended that Council approve the following resolution:

WHEREAS, the Lincolnton Fire Department continually strives to find opportunities to upgrade equipment within their department to keep the department current and compatible with surrounding agencies at minimal or no cost to the City; and

REGULAR MEETING - JUNE 2, 2016

WHEREAS, the Lincolnton Fire Department has researched various opportunities that may provide financial assistance towards the upgrade of survival equipment; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and City Council, that submittal of a grant application to Georgia-Pacific Bucket Brigade be completed, requiring no matching cost to the City,

to potentially receive monies to fund equipment and resources needed to continue efforts be safe, efficient and effective to the City and its citizens.

Adopted this the 2nd day of June, 2016.

Councilman Eaddy made the motion unanimously approved the above resolution as recommended by the Fire Chief.

RESOLUTION ADOPTING THE IMPLEMENTATION OF A VEHICLE LICENSE TAX DEFINING THE TYPE OF VEHICLES/TRAILERS APPLICABLE TO THE \$ 30 FEE TO BE IMPLEMENTED JULY 1ST (CONTINGENT UPON APPROVAL OF THE 2016-17 BUDGET/FEE SCHEDULE) :

(R-11-17)

TJ Wilson, City Attorney, recommended Council adopt the following resolution implementing a vehicle tax for Lincolnton residents:

WHEREAS, as of July 1, 2016 the North Carolina General Statute 20-07 (b) states a city or town may levy a tax of not more than twenty dollars (\$ 20.00) per year per vehicle resident in city or town; and

WHEREAS, the proceeds of the tax may be used for lawful purposes as outlined by state statute; and

WHEREAS, the Lincolnton City Council finds that the implementation of a vehicle tax in the amount of \$ 20.00 would be appropriate as a means to provide additional revenue to sustain the services and maintain the streets of the City of Lincolnton and its residents. This fee would be applicable to all registered vehicles that are driven along the highway;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of Lincolnton, hereby impose in the amount of twenty dollars (\$ 20.00) per motor vehicle owned by any resident of the City of Lincolnton and authorize Lincoln County Tax Collector to levy this tax in accordance with the law effective July 1, 2016.

Adopted this the 2nd day of June 2016.

REGULAR MEETING - JUNE 2, 2016

Councilman Jetton made the motion unanimously approved to adopt the above resolution in accordance with the changes made earlier in the meeting during the adoption of the budget ordinance/fee schedule.

**RECOGNITION OF THE LINCOLNTON POLICE DEPARTMENT
FOR THEIR ACCOMPLISHMENT OF ALL POLICE
DEPARTMENT PERSONNEL (32 OFFICERS) COMPLETING
TRAINING - CRISIS INTERVENTION TEAM (CIT) THROUGH
PARTNERS BEHAVIORAL HEALTH MANAGEMENT :**

Mayor Hatley, on behalf of City Council, presented Chief Jordan his certificate from Gaston College, Economic and Workforce Development, a certificate of achievement for him and his entire department for Crisis Intervention Team Training.

Mayor Hatley said through his tenure as an educator he too dealt with handicapped, and mentally ill individuals and felt this training deserves special recognition as Lincolnton is the first department in the State to have the entire department complete this training. Mayor Hatley said, "I am proud of you and your department for going above and beyond obtaining this training."

**RECOGNITION OF THE LINCOLNTON WATER TREATMENT
PLANT FOR RECEIPT OF THE "GOLD STAR" AWARD FOR
SURPASSING STATE AND FEDERAL DRINKING WATER
STANDARDS FROM THE NC DEPARTMENT OF
ENVIRONMENTAL QUALITY :**

Mayor Hatley called on Robert Pearson, Water Treatment Plant Superintendent, and those employees from the WTP to come forward to receive recognition for receipt of the (AWOP) Area Wide Optimization Program for ten years in a row. In a press release from the NC Division of Water Resources, Department of Environmental Quality they said; "Your staff at the water plant should be congratulated and recognized for their hard work, dedication, and attention to detail. This award is not easily achieved, because the goals of the program are significantly more stringent than the current Federal (U.S. EPA) regulatory drinking water standards."

Also in attendance with Mr. Pearson was Todd Cochrane and JoAnne Sigmon to receive recognition. Mayor and Council thanked them for their hard work and dedication to make Lincolnton eligible for this award.

REGULAR MEETING - JUNE 2, 2016

**PROPOSED AMENDMENT TO THE CITY'S PERSONNEL
POLICY - ARTICLE 4. SECTION 13 - INCENTIVE BONUS PLAN :**
(P-05-16)

Tanya Osborne, HR Director, told Council that several months back Chief Jordan made a presentation to City Council regarding implementing an incentive salary increase for certifications attained by Police Department staff. Tanya said in light of the positive discussions among Council regarding this matter, funding has been included for certifications in the Police, Fire, Water, Wastewater, and Distribution and Collections Departments. She recommended approval of an amendment to the City's Personnel Policy adding Employee Incentive Bonus Plan.

Councilman Eaddy made the motion unanimously approved to amend the personnel policy as recommended. He said "I think this is one of the best things as a governing body that we can do to help our employees."

**CONVEYANCE OF PROPERTY FORMERLY KNOWN AS THE
"OLD RECREATION CENTER" LOCATED AT 119 E. PINE
STREET FROM THE DOWNTOWN DEVELOPMENT
ASSOCIATION TO THE CITY**

(C-14-16)

TJ Wilson, City Attorney, presented City Council with a draft agreement between the City and the Lincolnton Downtown Development Association, agreeing that DDA would convey title to the property located at 119 E Pine Street to the City for the purpose of the City contributing to Piedmont Companies downtown housing project. In the event Piedmont Companies has not commenced construction on the project within five years from the date of this agreement, then the City agrees to convey the property back to DDA at no cost to DDA. The proposed agreement would become effective upon execution.

Councilman Jetton made the motion unanimously approved to enter into the agreement as recommended by the City Attorney.

REGULAR MEETING - JUNE 2, 2016

CONSIDERATION OF MASTER AGREEMENT BETWEEN THE CITY AND PIEDMONT PROPERTIES FOR PROPOSED DEVELOPMENT IN DOWNTOWN LINCOLNTON (3 PHASES)

(C-15-16)

TJ Wilson, City Attorney, presented final drafts of the purchase agreements and development agreements between the City and Piedmont Companies for the Downtown projects that are to be completed in three (3) phases.

The City Attorney gave a brief summary of the agreements and felt they are beneficial to both the City and Piedmont Companies. He concluded recommending Council enter into the agreements.

Councilman Eaddy made the motion unanimously approved to enter into the agreements as recommended.

CONTRACT BETWEEN THE CITY AND SOUTHEASTERN CONSULTING ENGINEERS FOR THE UNDERGROUND ELECTRICAL AT THE EAST MAIN STREET - GENERALS BLVD. INTERSECTION IN THE AMOUNT OF \$ 16,500.00 FOR DESIGN SERVICES:

(C-16-16)

Laura Elam, Planning Director, presented the proposed contracts between the City and Southeastern Consulting Engineers, Inc. for the underground electrical at the East Main Street Intersection upgrade project. The contract amount for the design of the underground electrical was \$ 16,500.00. Laura said once this contract is in place Leonard Fletcher of TGS will be able to coordinate with other utility providers to get the project moving.

Councilman Eaddy asked Mrs. Elam if there are any other obstacles that she was aware of to deter this project. Laura said none that we anticipate.

Councilman Black made the motion unanimously approved to enter into the agreement as recommended.

REGULAR MEETING - JUNE 2, 2016

APPOINTMENT TO THE LINCOLN ECONOMIC DEVELOPMENT ASSOCIATION IN ACCORDANCE WITH LEDA BY-LAWS - APPOINTMENT WOULD BEGIN JULY 1, 2016 WITH FIRST TERM ENDING JUNE 30, 2019) :

(APPT-06-16)

Mayor Hatley reviewed two (2) applications received for a vacancy on the Lincoln Economic Development Association. The seat becomes vacant June 30th as Mr. Fred Houser will complete his second three year term and in accordance with City policy would not be eligible for reappointment to this board at this time.

Councilman Eaddy nominated Mr. Tommy Huskey, who had completed an application for this seat, to begin his first three year term on the LEDA, representing the City, beginning July 1, 2016. NOTE: Mr. Houser also completed an application to be considered for this appointment but was not eligible in accordance with City policy.

The City Clerk will notify Mr. Huskey and set up an appointment to administer his oath of office and complete the necessary paperwork prior to his first meeting.

CONCERNS REGARDING THE RECYCLING CENTER ON GEORGETOWN ROAD :

Neva Robinson, of 1312 Georgetown Road Lincolnton, said she came before Council in 2012 regarding this issue. The property in question in her opinion is any eyesore. It generates debris that has at times blown into her yard. She has talked with Mark Carpenter numerous times complaining and things would get better for a short period of time. She has since discovered that the recycling center is also serving the community as a solid waste vendor. She now sees garbage everyday and the screening originally approved has not

been installed correctly. Ms. Robinson said, "I have tried to take the approach that they are running a business and over time it will get better, it has not it is getting worse." She is asking the City for some help with this matter. She said there are sixteen garbage cans at the road of their business and they are full of garbage not recycling.

Steve Zickefoose, Steve Peeler and Rob Buff talked with State officials today, based on information from Ms. Robinson, the City was able to find that this business is in violation with the state and is also in the rears with Lincoln

REGULAR MEETING - JUNE 2, 2016

County from non-payment of tipping fees at the landfill. Based on this information, effective today the City will only be picking up office waste/garbage. Once the state issues the proper permitting the City will revisit its pickup.

Councilman Eaddy asked City officials to move forward with accessing civil penalties as permitted in our ordinance as he felt this seems to have gone on long enough. Mayor and Council thanked Ms. Robinson for her information and hopes the matter will get resolved.

UPDATE FROM VICKI DAVIS REGARDING THE DDA MEMBERS/ELECTED OFFICIAL'S RECENT VISIT TO STATESVILLE :

Vicki Davis, B&CD Director displayed a power point presentation recapping the visit with Statesville, touring their downtown. She said the meeting was very informative and provided a great opportunity to network with elected officials, citizens and Downtown Development staff.

Mayor Hatley along with several City staff members as well as Lincoln DDA board members represented Lincoln. Mayor Hatley thanked Vicki for organizing and for the opportunity to learn more about how other cities have made improvements to their downtowns.

REQUEST FROM ROBERT TOMLINSON TO ADDRESS COUNCIL REGARDING A WAY TO GENERATE \$ 500K TO LINCOLNTON ECONOMY :

Robert Tomlinson, of 501 S. Grove Street Lincoln, had completed within the appropriate time an agenda request form to appear before Council as an agenda item. He contacted the City Clerk earlier today and said he could not attend the meeting as he had a stomach virus. He reserved the option to appear at the July 7th meeting if necessary. Mayor and Council told the City Clerk to contact him before the deadline for the July 7th regular meeting and give him the option to appear.

REGULAR MEETING - JUNE 2, 2016

MONTHLY FINANCIAL & OVERTIME REPORT :

Steve Zickefoose, Interim City Manager, reviewed the following financial report:

REGULAR MEETING - JUNE 2, 2016

PUBLIC COMMENT :

Sherry Rhinehart spoke to Council thanking them for their support to the Child Advocacy Center.

NEWS MEDIA :

Lincoln Times News reporter Phil Perry asked for clarification on the type of vehicles the City would be assessing the \$ 20.00 fee towards, asking if mopeds would be included. The Interim City Manager said they would not, in his opinion. Mr. Perry was to get official clarification from the Lincoln County Tax Department.

ADJOURNMENT :

Councilman Jetton made the motion unanimously approved to adjourn the meeting.

DONNA C. FLOWERS, MMC
CITY CLERK

ED HATLEY
MAYOR

ONE (1) Attachment - Employee Incentive Policy