

A G E N D A

LINCOLN TON CITY COUNCIL

November 3, 2016

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
November 3, 2016
7:00 p.m.

CALL TO ORDER – Mayor Ed Hatley

PLEDGE OF ALLEGIANCE

1. Approval of Regular Agenda

2. Approval of ***CONSENT AGENDA:***

All items placed under the 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 Minutes from the October 6th Regular Meeting

4. Proclamation – November 2016 as National Family Caregivers Month

5. Calls to Public Hearing for the December 1, 2016 City Council meeting:

CUP-5-2016 – Application from Boger City Baptist Church requesting a conditional user permit to construct a new fellowship hall and parking lot on their property located at 2201 East main Street

REGULAR AGENDA:

PUBLIC HEARINGS

ZMA-6-2016

6. Application from New Vision Ministries requesting the rezoning of approximately 1.37 acres of land from Residential-25 (R-25) to Residential-Office (R-O). The subject property is a portion of their land on Clarks Creek Road (Parcel ID 15614). The address of the area requested to be rezoned is 621 Clarks Creek Road.

Laura Elam, Planning Director

7. SGIG-01-2016 – Application for Smart Growth Incentive Grant to add three (3) upper story residential units at 235 East Main Street.

Laura Elam, Planning Director

AGENDA

November 3, 2016

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PUBLIC HEARING

8. SGIG-02-2016 – Application for Smart Growth Incentive Grant to upfit first floor space for new retail use and to renovate second floor for one residential unit at 121 East Main Street.

Laura Elam, Planning Director

PRESENTATION

9. Presentation of Advanced Law Enforcement Certification to
Lincolnton Police Department Office Rick Hensley

Rodney Jordan, Chief of Police

BUDGET AMENDMENT

(BA-06-16)

10. Proposed Budget Amendment increasing the General Fund to reflect Council action to fund the Pay & Classification and Downtown Infrastructure (\$150,000)

Steve Zickefoose, City Manager

OTHER BUSINESS

11. Update on employee meetings regarding implementation of the newly adopted Pay & Classification

Tanya Osborne, Human Resource Director

12. Monthly Financial Update/Overtime Report

Steve Zickefoose, City Manager

AGENDA

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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 prior to the meeting to be eligible to speak.

NEWS MEDIA

ADJOURNMENT

ITEM #

1

APPROVAL

OF

REGULAR

AGENDA

ITEM #

2

APPROVAL

OF

CONSENT

AGENDA

ITEM #

3

REGULAR MEETING - OCTOBER 6, 2016

The Mayor and City Council met in regular session on Thursday, October 6, 2016 at 7:00 p.m. in the Council Chambers of City hall, located at 114 West Sycamore Street, Lincolnton NC. The following Council members were in attendance:

RHYNE BLACK EADDY JETTON

Mayor Hatley called the meeting to order. He called on First United Methodist Church (FUMC) Boy Scout Pack 75 & Troop 75 to lead the Pledge of Allegiance.

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

Councilman Jetton made the motion unanimously approved the ***CONSENT AGENDA*** as follows;

- Approved Minutes from the following meetings:
September 1, 2016 – Regular Meeting
September 16, 2016 – Special Meeting
- Approved the following Call to Public Hearing for the November 3rd regular City Council meeting:
ZMA-6-2016 – Application from New Vision Ministries requesting the rezoning of approximately 1.37 acres of land from Residential-25 (R-25) to Residential –Office (R-O). The subject property is a portion of their land on Clark Creek Road (Parcel ID 25614). The address of the area requested to be rezoned is 621 Clarks Creek Road.

REGULAR AGENDA:

APPLICATION FROM HUGO LEIVA REQUESTING A CONDITIONAL USE PERMIT TO OPERATE A VENUE FOR PARTIES AND SOCIAL EVENTS (WEDDINGS, BIRTHDAY PARTIES, ETC.) IN THE PLANNED BUSINESS (PB) DISTRICT. THE SUBJECT PROPERTY IS LOCATED WITHIN THE NORTHGATE SHOPPING CENTER AT 129 VANDIVER DRIVE (PARCEL ID 21614):

CUP-3-2016

Mayor Hatley opened the Public Hearing. The Mayor explained that the applicant withdrew the request after the public hearing was advertised. When this occurs we are required to open the Public Hearing state the withdrawal,

REGULAR MEETING - OCTOBER 6, 2016

call for a motion to close the public hearing. This is the process required when a public hearing has been duly advertised in accordance with the Open Meetings Law.

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

**APPLICATION FROM AEROSTAR FINANCE, INC. REQUESTING
A CONDITIONAL USE PERMIT TO OPERATE AN AUTO SALES
LOT AND FINANCE OFFICE IN THE PLANNED BUSINESS (PB)
DISTRICT. THE SUBJECT PROPERTY IS LOCATED AT 614
CLARK CREEK DRIVE (PARCEL ID 00447):**

CUP-4-2016

Councilman Rhyne made the motion unanimously approved to open the Public Hearing. The City Clerk administered the oath to all those wishing to speak for or against the request.

Laura Elam, Planning Director, reviewed the above stated request from Aerostar Finance, Inc. She said the proposed sales lot office and finance company would occupy the approximately 5,000 square foot building on the property. Parking would be provided for the sales lot employees and for each automobile that is offered for sale using existing parking on site. There are 63 parking spaces currently on the property. Existing parking spaces would allow for approximately 47 vehicles for display with 16 parking spaces to be designated for customers and employees.

Laura reviewed the applicant's compliance with the CUP requirements as well as the staff review committee comments. Staff Review Committee Comments were as follows:

(a) An occupancy permit must be approved by Lincoln County Inspections Department (b) Any additional parking that is created must be approved by Planning Staff and meet all zoning and site plan requirements (c) No parking will be allowed on the NCDOT Highway 150 Right of Way nor shall any parking be allowed within any grassed areas. (d) The applicant would need to submit a parking plan showing the location of vehicles for sale and will need to have a formalized boundary for the area of used car display (e) Signage must be in accordance with the ordinance. No advertising banners and or flags.

REGULAR MEETING - OCTOBER 6, 2016

She concluded recommending on behalf of Planning Board and staff that the CUP be approved subject to the Staff Review Committee comments and installation of concrete stoppers to clearly separate the parking lot areas from Clark Creek.

Mr. Chandler White, the applicant, spoke noting he has been in business for eleven years and he currently operates a car dealership near the Lincoln County Sheriff's office located off Wilma Sigmon Road. He said he thinks this business will be good for the proposed area and hopes Council would approve.

Mr. Tim Scare, Broker/Owner of Foundation Real Estate in Conover, also spoke in favor of the request noting he assisted the applicant in determining the best use of the proposed property. He felt this type business/use could assist in reducing police and emergency calls in this area and would be a positive addition to the community.

Having no one else to speak to this public hearing, Councilman Jetton made the motion unanimously approved to close the Public Hearing.

Findings of Fact:

1. Councilman Black 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 Eaddy made the motion unanimously approved that the use meets all required conditions and specifications.
3. Councilman Jetton 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, would be in harmony with the area in which it is to be located and will be in general conformity with the Lincoln County Land Use Plan and other plans for the physical development of the city as officially adopted by the City Council.

Councilman Black made the motion unanimously approved to grant the conditional use permit as requested and recommended by the Planning Department subject to the staff review committee comments and installation of concrete stoppers to clearly separate the parking lot area from Clarks Creek Drive.

REGULAR MEETING - OCTOBER 6, 2016

APPLICATION FROM JAVIER BRITO REQUESTING THE REZONING OF 0.4 ACRES OF LAND FROM RESIDENTIAL-8 (R-8) TO NEIGHBORHOOD BUSINESS (NB). THE SUBJECT PROPERTY IS LOCATED AT 1847-1849 NORTH ASPEN STREET (PARCEL ID 21088):

ZMA-5-2016

Councilman Rhyne made the motion unanimously approved to open the Public Hearing. Laura Elam, Planning Director, reviewed the above said request to rezone 0.4 acres of land from R-8 to NB. She said the property is currently occupied by a nonconforming barber shop, a single family home and several accessory buildings to the rear. Zoning surrounding the site is a mixture of Neighborhood Business and General Manufacturing and Commercial, and Planned Business. Northgate Shopping Center is located across the street, NC Spinning Mills to the rear, a restaurant to the north and dwellings to the south.

Laura reviewed the applicant's compliance with the Land Use Plan and concluded recommending on behalf of Planning Board and Staff that the property be rezoned to the NB district as requested.

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

Councilman Jetton made the motion unanimously approved to rezone the property as recommended and requested.

PRESENTATION OF ADVANCED LAW ENFORCEMENT CERTIFICATION AWARD TO LINCOLNTON POLICE DEPARTMENT OFFICER RICK HENSLEY:

Mayor Hatley told those in attendance that the Police Chief had requested that we delay this item to the November 3rd meeting due to Officer Hensley being home sick.

PRESENTATION OF PAY & CLASSIFICATION STUDY RECOMMENDATION:

Steve Zickefoose, City Manager and Tanya Osborne, Human Resources Director, reviewed the findings of the Pay & Classification Study conducted by Piedmont Triad Regional Council.

REGULAR MEETING - OCTOBER 6, 2016

Steve said, "Based on the findings from the Pay and Classification Study by the Piedmont Triad Regional Council that was presented to you on September 15th, I am requesting that Council consider adopting the following recommendations subject to an implementation date that fits within the available budget. These are in summary format. Details are presented in the PTRC report to the City Manager."

1. Adopt Salary Grade Table recommended by PTRC based on open range format. (Attached)
2. Adopt Job Classification Salary Grade Pay Plan presented by PTRC. (Attached)
3. Approve onetime adjustments based on years in current class and years of service with the City as recommended by PTRC to address salary compression based on the following guidelines:

Years Class/Service	Percentage Increase
0 but less than 3 years	0%
3 but less than 8 years	1%
8 but less than 15 years	2%
15 but less than 20 years	3%
20 or more years	4%

Percent Increase for Current Year in Job

Any employee with a Compa-Ratio of 1.1 or higher should get a lump sum payment instead of an increase in their base salary (for COLA/Salary Adjustments and Merit) for future adjustments.

Approve adjustments and changes to Personnel Policy to reflect changes to salary schedules and compensation guidelines. (To be presented by HR).

4. Consider developing future Salary Administration Philosophy to continue addressing employee compensation and benefits.

If the changes are approved, Council will need to determine an implementation date. The cost for full implementation is \$235,844, and a breakdown of cost allocations by department is included.

Reoccurring funding was set aside in this year's budget to potentially be used for employee compensation adjustments. My recommendation is to make the changes effective with the pay period that begins November 1st.

(Certification adjustments were approved by Council as part of the budget process and have already been made to eligible employees to date.)

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Note- If an employee's current salary exceeds the recommended salary grade changes, that employee shall be placed in a held harmless status until such time that the schedule reflects otherwise.

Steve also reviewed the Salary Grade Table, the Job Classifications and the proposed adjustments based on years in current class and years of service with the City as recommended by PTRC. Steve concluded recommending adoption of the proposed changes with plan implementation becoming effective on November 1st, 2016. Salary changes would also be reflected on the annual Holiday Bonus this year, if the plan is approved.

This item generated much discussion among Council members. Councilman Rhyne questioned the additional monies. He said, "I am certainly in favor of helping our employees, I'm just concerned about where the money is coming from." He said, "What would the cost be for the fiscal year since we are picking it up in the middle of the year." Steve said this fiscal year would be reduced by \$ 60,000 to \$ 70,000 by making the plan retro-active to July 1st. Steve noted that he was able to place monies aside, \$ 240,000, to budget for some salary increases when he drafted the budget this year.

Steve said, "We would not be looking for any monies in next year's budget, based on this plan, we have sufficient dollars to do that. This is reoccurring monies." This plan should give the City competitive salaries, as they are, for the next two to three years.

Councilman Eaddy asked what a one percent cost of living adjustment would cost, Steve said about \$ 80,000. After further discussion, Steve told Council that one hundred and thirty four employees will receive some kind of increase. Fourteen who because of years of service are not eligible for an increase, and there are ten employees classified as what he calls a hold harmless status as they exceed the proposed pay level.

Steve also said a fourth piece to this plan would be the personnel policy amendments that would need to be changed if this plan is approved. He said HR Director is prepared to present those following this item. Councilman Rhyne asked if the changes would need to be made this month to the personnel policy or if this piece could wait until the November meeting. Steve said they would need to be approved tonight, if the proposed pay plan is approved.

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After further discussion, Councilman Eaddy made the motion unanimously approved to adopt the proposed pay plan as presented and recommended by the City Manager.

Councilman Eaddy said he is excited about the progress the City is making and that we are able to implement this plan for our employees.

CONSIDERATION OF PERSONNEL POLICY AMENDMENTS:

(P-10-16)

Tanya Osborne, Human Resource Director, gave the following recommendations for revisions to the City's Personnel Policy based on implementation of the Pay & Classification Plan;

She said, "One of the recommendations from the Piedmont Triad Regional Council consultants included moving from the City's current pay schedule of grades and steps, and adopting a pay plan which utilizes an open range pay schedule. If City Council approves the recommendation, the Personnel Policy will require updated language to administer the proposed pay plan. Following is a list of the policy sections affected and the proposed changes. Also attached are the three articles for review."

Proposed changes:

Article II. Recruitment and Employment

p.11 Section 5: Updated to include probationary as type of employment.
p.13-14 Section 11: Removed reference to "permanent" position throughout section, and changed "appointee" to "employee" for consistency in paragraph. Clarified status of employee as "new" and removed sentence with reference to step increase.

Article III. Classification Plan

p.19 Section 1: Removed reference to "permanent" position.
p.20 Section 5: Clarified information submitted for Council approval and location of approved plans.

Article IV. The Pay Plan

p.22 Section 1: Expanded upon the definition of the pay plan and what it consists of.

p.23-25 Section 3-6: Changed all references to steps or entry level to reference "minimum rate"

Article IV

REGULAR MEETING - OCTOBER 6, 2016

p. 25-27 Section 7: Included a brief description of each type of employment change and the effect on pay with the open range schedule. Removed all references to entry level and steps.

p. 28 Section 8: Replaced word “step” with “salary”.

p. 32 Section 12: Removed word “step” and replaced with “salary” throughout section.

Tanya concluded recommending that the upon implementation of the newly adopted pay plan, the Personnel Policy changes be effective on November 1, 2016. *(A complete copy of the revisions in their entirety are on file in the Human Resources Department and are available for public inspection)*

Councilman Black made the motion unanimously approved to adopt the personnel policy revisions as recommended to be consistent with the new pay and classification study findings, to become effective November 1, 2016.

REQUEST FROM FUMC BOY SCOUT PACK 75 AND TROOP 75 FOR PERMISSION TO ADOPT THE MARCIA H CLONINGER RAIL TRAIL FOR CLEANUP PACK 75 REQUESTS TO ADOPT FROM FIRST FEDERAL PARK TO CITY PARK TROOP 75 REQUESTS TO ADOPT FROM FIRST FEDERAL PARK TO BETTY ROSS PARK:

Leaders from both Cub Scout Pack 75 and Boy Scout Troop 75 were in attendance and spoke to Council regarding this request. They said if approved they would ensure the trail is kept clean of debris and would also assist with plantings along the trail as needed. They requested that Council consider allowing them to adopt the Marcia H. Cloninger Rail Trail, in two sections, with Boy Scout Troop 75 being responsible for the section of the trail from First Federal Park to Betty Ross Park. The Cub Scout Pack 75 would be responsible for the area from First Federal Park to City Park.

Councilman Rhyne made the motion unanimously approved to allow both FUMC Cub Scout Pack 75 and Boy Scout Troop 75 to adopt the above said sections of the Marcia H. Cloninger rail-trail.

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REQUEST FROM CAROLINE BROWN TO APPEAR BEFORE COUNCIL TO DISCUSS REVISITING THE CRUISING ORDINANCE:

Caroline Brown & Others "Cruising for our Kids" Group were in attendance to speak to Council about bringing cruising back to Lincolnton. She had several young adults holding signs throughout the room in support of cruising downtown.

This item generated much discussion as Ms. Brown gave about a forty-five minute presentation providing some exchange from two other representatives from the "Cruising for Kids Group". Ms. Brown told Council that she is a business owner in downtown, and also lives downtown. She said there are teenagers that are cruising now on the weekends in downtown, and she feels most parents would rather have their kids here in Lincolnton and not traveling to Shelby or Hickory. "It gives them something to do in their own hometown." Ms. Brown said the City could issue a permit to individuals, saying \$ 30 for age 18 and under and \$ 45 for anyone over the age of 18 that would be accessed annually. The revenue could go to pay for the Police required to patrol the area during the hours of cruising.

Others in this group felt that since the bowling alley and skating rink closed there are just not things for teens to do on the weekend. Councilman Eaddy said he is open to discuss anything. He said, "Nostalgia is good, but may not be good for public policy."

After much discussion, Council directed Ms. Brown to come up with a proposed plan in writing and to meet with the City Manager to discuss.

Ms. Brown concluded saying, "I would like to thank Council for not slamming the gavel down on this issue."

REQUEST TO APPEAR BEFORE COUNCIL TO DISCUSS CITY ORDINANCE 153.073 – WRECKED OR JUNKED VEHICLES:

Mr. Alan Hoyle, Hoyle Services at 319 N Poplar Street, told Council, "Rights are given by almighty God, not the constitution." Mr. Hoyle felt his property, which abuts the north side of the Marcia H Cloninger rail trail, is not problematic to the City as it currently houses cars/vehicles that are in violation of the City's Nuisance Ordinance. He questioned why the City placed a fence on the south side of the rail trail but did not have a fence on the north side.

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After some discussion Councilman Black asked Mr. Hoyle is erecting a fence on the north side along his property of the trail would help him. Mr. Hoyle said he felt it would. The City Manager was directed to get a cost estimate for a five foot fence for this area.

CONSIDERATION OF AWARDING THREE (3) BUSINESS INCENTIVE GRANTS:

Planning Director Laura Elam reviewed the following three applications for potential grant funding:

(a) BIG-1-16 – Application from John Anderson Family, LLC for Business Incentive Grant for \$ 15,000 for building renovations to add three upper story residential units at 235 E Main Street –
Councilman Eaddy made the motion unanimously approved to award the above described grant to the applicant as recommended by the Planning Department.

(b) BIG-2-16 – Application from Danny Wayne Brooks for Business Incentive Grant for \$ 15,000 for building renovations to upfit first floor space for retail use and renovate second floor for residential loft at 121 East Main Street
Councilman Eaddy made the motion unanimously approved to award the above described grant to the applicant as recommended by the Planning Department.

(c) BIG-3-16 – Application from Marilyn Beal for Business Incentive Grant for \$ 2667.50 for building renovations for a new bakery at 106 Westview Drive
Councilman Rhyne made the motion unanimously approved to award the above described grant to the applicant as recommended by the Planning Department.

Laura Elam, Planning Director, assured Council that no monies would be disbursed for any grant funds, to the applicants, until invoices for work completed are submitted to the City.

REGULAR MEETING - OCTOBER 6, 2016

MONTHLY FINANCIAL REPORT/OVERTIME REPORT:

Steve Zickefoose, City Manager, presented the following financial update to Council: (He noted numbers are down as the City has not yet received tax revenues to date)

Executive Summary

August 2016 Year-To-Date

Comparative for Budgetary Purposes - Prior to Closing 2016 Fiscal Year

General Fund		16-17	% of Budget	15-16	Difference
Fund 10	Revenues	1,166,858.11	9.88%	1,222,120.64	(55,262.53)
	Personal Services	1,463,341.08		1,425,707.63	37,633.45
	Supplies & Materials	47,916.85		36,872.96	11,043.89
	Current Obligations	89,170.92		65,403.85	23,767.07
	Fixed Charges	47,829.55		61,129.07	(13,299.52)
	Capital Outlay	123,485.40		6,661.77	116,823.63
	Contracts/Grants	108,041.04		92,326.19	15,714.85
	Debt Service	26,280.98		3,730.98	22,550.00
	Expenses	1,906,065.82	24.05%	1,691,832.45	214,233.37
	Difference	(739,207.71)		(469,711.81)	(269,495.90)

Water & Sewer Fund		16-17	% of Budget	15-16	Difference
Fund 61	Revenues	1,475,221.37	16.83%	1,448,490.01	26,731.36
	Personal Services	367,464.23		328,862.83	38,601.40
	Supplies & Materials	60,584.12		39,944.74	20,639.38
	Current Obligations	53,302.33		58,949.79	(5,647.46)
	Fixed Charges	6,214.81		24,820.06	(18,605.25)
	Capital Outlay	172,827.21		36,007.58	136,819.63
	Contracts/Grants	87,615.63		85,686.23	1,929.40
	Inv., Interfund	63,182.66		63,182.66	-
	Expenses	811,190.99	22.75%	637,453.89	173,737.10
	Difference	664,030.38		811,036.12	(147,005.74)

Electric Fund		16-17	% of Budget	15-16	Difference
Fund 63	Revenues	1,284,974.32	16.46%	1,378,858.87	(93,884.55)
	Personal Services	87,384.43		85,837.56	1,546.87
	Supplies & Materials	2,606.97		1,740.26	866.71
	Current Obligations	699,856.26		692,757.81	7,098.45
	Fixed Charges	615.18		4,644.45	(4,029.27)
	Capital Outlay	37.49		2,151.59	(2,114.10)
	Contracts/Grants	-		-	-
	Inv., Interfund	4,329.16		4,329.16	-
	Expenses	794,829.49	13.10%	791,460.83	3,368.66
	Difference	490,144.83		587,398.04	(97,253.21)

Overtime 80+ hours 52,619.00 * Extra Payday 46,621.00 5,998.00

Personal Services	Salaries and Benefits
Supplies & Materials	Supplies, Materials, Uniforms, Gas
Current Obligations	Building Maint, Repairs, Phone, Data, Travel
Fixed Charges	Insurance, Safety
Capital Outlay	Equipment, Vehicles, Construction
Contracts, Grants	Donations, Airport, 911, Animal, Fireworks, Drug Enforcement, Contracted Services
Debt Service	Bonds and Loans Payments

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DISCUSSION REGARDING PARKING:

Dr. Marty Eaddy, Mayor Pro-Tem, said recently Council voted to have our law enforcement strictly enforce the two hour parking ordinance, as it should. He said, "I support that we need to protect our businesses during the day, but would like to re-examine the ordinance to see if there is room for improvement on things/events/services that create a necessity for more than two hour parking in our downtown."

Councilman Rhyne said the City may need to revisit parking meters as an option. He said "I think enforcement is working but the ordinance as a whole isn't working."

Councilman Eaddy said the ordinance was drafted in the early 2004 and he would be in favor of seeing it needs changes. Mayor Hatley was to gather names of those wishing to serve on a parking Committee and meet with the City Manager to discuss setting up a committee and determine a meeting date and time.

Mayor Hatley called for a five minute break at 9:15 pm.

The meeting reconvened at 9:20, with Steve Peeler, PW&U Director taking a moment to thank Mayor and Council for the big step they took tonight adopting the pay & classification plan. He said, "This was a big step in moving this City forward, and on behalf of my employees I thank you."

CONSIDERATION OF CONTRACT BETWEEN THE CITY AND HICKORY SAND IN THE AMOUNT OF \$ 688,365.00 FOR REPAIRS TO DOWNTOWN INFRASTRUCTURE:

(C-22-16)

Steve Peeler, Director of PW&U, presented a contract for the above said downtown infrastructure repairs.

Councilman Eaddy made the motion unanimously approved that the City enter into the contract, changing the water line size from the 8 inch line to a 12 inch line, noting the additional cost would be worth the money to grow the downtown in the future.

The City Manager said he would come back with a budget amendment at the November meeting for Council to approve to cover the additional monies.

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CONSIDERATION OF CONTRACT BETWEEN THE CITY AND SOUTHEASTERN ENGINEERING SERVICES – FLINT STREET ELECTRICAL SUBSTATION PROJECT IN THE AMOUNT OF \$ 23,000 FOR ENGINEERING SERVICES:

(C-23-16)

David Ramsey, Utility Billing Supervisor, told Council he had received three written bids on the engineering services for the Flint Street Electrical Substation project. Of those three bids Southeastern Engineering was the apparent low bidder at \$ 23,000. He recommended that Council consider entering into a contract with Southeastern for said amount.

Councilman Jetton made the motion unanimously approved to enter into the contract as recommended by Mr. Ramsey.

CONSIDERATION OF AWARDED BANKING BID FOR VEHICLE AND EQUIPMENT PURCHASE:

(C-24-16)

Steve Zickefoose, City Manager, told Council that nine proposals were received on September 21st for the RFP for Installment Financing Agreement for vehicles and equipment. He said First Tryon Advisors assisted with the RFP process and is coordinating the loan and closing process. After evaluating the proposals, BB&T was the lowest responsive bidder at 1.4%. Their bid meets all proposal requirements and offers the lowest overall cost to the City. He concluded recommending Council award the banking bid to BB&T at a rate of 1.4%.

Councilman Rhyne made the motion unanimously approved to enter into the contract with BB&T as recommended by the City Manager.

CONSIDERATION OF APPROVAL OF RESOLUTION - INSTALLMENT FINANCING AGREEMENT AND DELIVERY – NOT TO EXCEED \$ 405,000:

(R-17-16)

Steve Zickefoose, City Manager, requested Council consider approving the following resolution for installment finance agreement:

REGULAR MEETING - OCTOBER 6, 2016

A RESOLUTION OF THE CITY OF LINCOLNTON, NORTH CAROLINA, APPROVING AN INSTALLMENT FINANCING AGREEMENT AND DELIVERY THEREOF AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS.

WHEREAS, the City of Lincolnton, North Carolina (the "*City*") is a duly and regularly created, organized and validly existing municipal corporation of the State of North Carolina, existing as such under and by virtue of the Constitution, statutes and laws of the State of North Carolina (the "*State*");

WHEREAS, the City has the power, pursuant to Section 160A-20 of the General Statutes of North Carolina, as amended, to (a) purchase real and personal property, (b) enter into installment contracts in order to finance the purchase of real and personal property used, or to be used, for public purposes, and (c) grant a security interest in some or all of the property purchased to secure repayment of the purchase price;

WHEREAS, the City Council of the City (the "*City Council*"), hereby determines that it is in the best interests of the City to receive an advance of funds in an aggregate principal amount of not more than \$405,000 by entering into an installment financing agreement (the "*Financing Agreement*") with Branch Banking and Trust Company (the "*Lender*") in order to finance the acquisition of motor vehicles and rolling stock (the "*Equipment*"), and provide the Lender a security interest therein;

WHEREAS, the Equipment is or will be owned and operated by the City to serve the citizens of the City;

WHEREAS, the obligation of the City to make Installment Payments under the Financing Agreement is a limited obligation of the City payable solely from currently budgeted appropriations of the City and does not constitute a pledge of the faith and credit of the City within the meaning of any constitutional debt limitation;

WHEREAS, the City will grant a security interest in the Equipment under the Financing Agreement and will deliver title to the Equipment or a North Carolina Uniform Commercial Code Financing Statement (the "*UCC Financing Statement*"), as applicable, for the benefit of the Lender relating to the Equipment;

WHEREAS, there has been made available to the City Council the form of the Financing Agreement which the City proposes to approve, enter into and deliver, as applicable, to effectuate the proposed financing; and

REGULAR MEETING - OCTOBER 6, 2016

WHEREAS, it appears that the Financing Agreement is in appropriate form and is an appropriate instrument for the purposes intended;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINCOLNTON, NORTH CAROLINA, AS FOLLOWS:

*Section 1. **Ratification of Prior Actions.*** All actions of the City Manager/Finance Director of the City and the City Clerk and their respective designees in effectuating the proposed financing are hereby approved, ratified and authorized pursuant to and in accordance with the transactions contemplated by the Financing Agreement.

*Section 2. **Approval, Authorization and Execution of Financing Agreement.*** The City hereby approves the acquisition of the Equipment in accordance with the terms of the Financing Agreement, which will be a valid, legal and binding obligation of the City in accordance with its terms. The City hereby approves the amount to be advanced by the Lender to the City pursuant to the Financing Agreement in an aggregate principal amount not to exceed \$405,000, such amount to be repaid by the City to the Lender at an interest rate of 1.40% per annum as provided in the Financing Agreement. The form, terms and content of the Financing Agreement are in all respects authorized, approved and confirmed, and each of the Mayor, the City Manager/Finance Director of the City and the City Clerk or their respective designees, individually or collectively, are authorized, empowered and directed to execute and deliver the Financing Agreement for and on behalf of the City, including necessary counterparts, in substantially the form attached hereto, but with such changes, modifications, additions or deletions therein as shall to them seem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of their approval of any and all such changes, modifications, additions or deletions, and that from and after the execution and delivery of the Financing Agreement, each of the Mayor, the City Manager/Finance Director of the City and the City Clerk or their respective designees, individually or collectively, are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Financing Agreement as executed.

REGULAR MEETING - OCTOBER 6, 2016

Section 3. Further Actions. Each of the Mayor, the City Manager/Finance Director of the City and the City Clerk, individually or collectively, are hereby designated as the City's representatives to act on behalf of the City in connection with the transactions contemplated by the Financing Agreement and are authorized and directed to proceed with the acquisition of the Equipment in accordance with the terms of the Financing Agreement, to deliver title to the Equipment to the Lender or file the UCC Financing Statement related to the security interest in the Equipment, as necessary, and to seek opinions on matters of law from the City Attorney, which the City Attorney is authorized to furnish on behalf of the City, and opinions of law from such other attorneys for all documents contemplated hereby as required by law. Each of the Mayor, the City Manager/Finance Director and the City Clerk are hereby authorized to designate one or more employees of the City to take all actions which each of them are authorized to perform under this Resolution, and are in all respects authorized on behalf of the City to supply all information pertaining to the transactions contemplated by the Financing Agreement. Each of the Mayor, the City Manager/Finance Director and the City Clerk, individually or collectively, are authorized to execute and deliver for and on behalf of the City any and all additional certificates, documents, opinions or other papers and perform all other acts as may be required by the Financing Agreement or as they may deem necessary or appropriate in order to implement and carry out the intent and purposes of this Resolution.

Section 4. Declaration of Intent to Reimburse. The City is proceeding with the acquisition of the Equipment and has incurred or will incur additional capital expenditures (the "*Capital Expenditures*") in connection therewith before the execution and delivery of the Financing Agreement. This Resolution serves as a declaration of official intent of the City under Section 1.150-2 of the Treasury Regulations promulgated under Section 103 of the Internal Revenue Code of 1986, as amended, to evidence the City's intent to reimburse itself for the Capital Expenditures from proceeds of the Financing Agreement. The City Manager/Finance Director or his designee, with advice from bond counsel, is hereby authorized, directed and designated to act on behalf of the City in determining and itemizing all of the Capital Expenditures incurred and paid by the City in connection with the Equipment during the period commencing on the date occurring 60 days prior to the date of adoption of this Resolution and ending on the date of the execution and delivery of the Financing Agreement.

REGULAR MEETING - OCTOBER 6, 2016

*Section 5. **Repealer.*** All motions, orders, resolutions, ordinances and parts thereof, in conflict herewith are hereby repealed.

*Section 6. **Severability.*** If any section, phrase or provision of this Resolution is for any reason declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases or provisions of this Resolution.

*Section 7. **Effective Date.*** That this Resolution is effective on the date of its adoption.

Councilman Eaddy made the motion unanimously approved to adopt the resolution as presented and recommended by the City Manager.

CONSIDERATION OF PROPOSED BUDGET AMENDMENT TO THE GENERAL FUND(1) TIMKEN GRANT/FIRST FEDERAL PARK (2) DDA CHANGES/PLANNING DEVELOPMENT REORGANIZATION (3) SCHOOL RESOURCE OFFICE (SRO) FUNDS:

(BA-05-16)

Steve Zickefoose, City Manager, presented a budget amendment increasing the General Fund Expenditures by \$ 181,000.00 to allow for the addition of a School Resource Officer (SRO) position and to account for the First Federal Park donations received.

Councilman Rhyne made the motion unanimously approved to approve the amendment as requested by the City Manager/Finance Director.

PUBLIC COMMENT:

Alan Hoyle spoke under the public comment section of the agenda, saying a prayer for the nation, our government and elected officials.

NEWS MEDIA:

Wayne Howard of the Lincoln Herald asked council for clarification on one item.

ADJOURNMENT:

Councilman Rhyne made the motion unanimously approved to adjourn the meeting at 10:15 pm.

REGULAR MEETING - OCTOBER 6, 2016

DONNA C. FLOWERS, MMC
CITY CLERK

ED HATLEY
MAYOR

ITEM #

4

CITY OF LINCOLNTON

CITY COUNCIL

Ed L. Hatley, Mayor
Martin A. Eaddy, Mayor Pro-Tem
Devin Rhyne
David M. Black
Roby D. Jetton



CITY MANAGER

Steve Zickefoose
szickefoose@lincolntonnc.org

CITY CLERK

Donna C. Flowers, MMC
donnaflowers@ci.lincolnton.nc.us

CITY ATTORNEY

Thomas J. Wilson, Jr.

National Family Caregivers Month

Take Care to Give Care

November 2016

WHEREAS, the first rule of taking care of others is "Take care of yourself first." Caregiving can be a rewarding experience, but it is also physically and emotionally demanding. The stress of dealing with caregiving responsibilities leads to a higher risk of health issues among the Nation's 90 million family caregivers; and

WHEREAS, the stress of caregiving influences physical health. One out of five caregivers surveyed agreed they have sacrificed their own physical health while caring for a loved one. This incidence is even higher in "high burden of care" roles; and

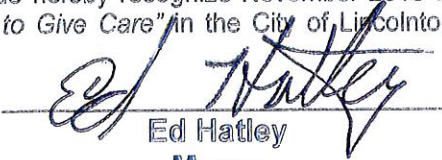
WHEREAS, nutritious eating helps promote good health. Ensuring proper nutrition is key to helping caregivers maintain their strength, energy and stamina, as well as support their immune systems. Maintaining a healthy diet is one of the most powerful things caregivers can do to take care of themselves; and

WHEREAS, poor nutrition is a problem for many older adults. Up to half of all older adults (caregivers as well as patients) are at risk for malnutrition. Many times this risk goes undetected, leading to loss of muscle strength, health complications, longer hospital stays, and increased re-admissions. Recognizing nutrition as a vital sign of older adult health and including malnutrition screening and intervention in healthcare quality initiatives can help improve recovery from illness and hospitalization, which benefits everyone in the family; and

WHEREAS, the recognition of families as valued caregivers is growing every year in our country, it is even more important to encourage them to take care of themselves and their own nutrition as well as the nutrition of their loved ones so they can continue to give the heartfelt care on which their loved ones depend; and

WHEREAS, family caregivers have the best interests of their loved ones at heart. A family caregiver must remember to pay attention to their own physical and mental wellness, and get proper rest and nutrition. Only by taking care of yourself can you be strong enough to take care of your loved one. You really do need to "take care to give care!"

NOW, THEREFORE, BE IT RESOLVED, I Mayor Ed Hatley, do hereby recognize November 2016 as National Family Caregivers Month with the theme "Take Care to Give Care" in the City of Lincoln, North Carolina.


Ed Hatley
Mayor

ITEM #

5

MEMO TO: Steve Zickefoose
Donna Flowers

FROM: Laura Elam

SUBJECT: Agenda Packet for the November, 2016 City Council Meeting

DATE: October 25, 2016

CALLS TO PUBLIC HEARING

There is one call to hearing for the November meeting as of today, 10/24/2016. The deadline is at 5 pm today and if we receive additional applications, we will let you know as soon as possible.

- CUP-5-2016- Application from Boger City Baptist Church requesting a conditional use permit to construct a new fellowship hall and parking lot on their property located at 2201 East Main Street (Parcel ID 01269).

ITEM #

6

MEMO TO: Mayor and City Council Members

FROM: Laura Elam, Planning Director

THROUGH: Steve Zickefoose, City Manager

SUBJECT: ZMA 6-16 - Application from New Vision Ministries requesting the rezoning of approximately 1.37 acres from Residential-25 (R-25) to Residential –Office (R-O)

DATE: November 3, 2016

SITE AND AREA DESCRIPTION

The applicant is requesting the rezoning of approximately 1.37 acres from Residential-25 (R-25) to the Residential-Office (R-O) district. The subject property is a portion of the 53.6 acre site owned by New Vision Ministries located on the south side of Clarks Creek Road, west of Clarks Creek. The portion of the church property being requested for rezoning is located at 621 Clarks Creek Road. See attached maps.

The rezoning site is 200 feet by 300 feet in size and is occupied by a structure that has been used, over the years, as the Crises Pregnancy Center and several different ministry uses. The structure is approximately 1,500 square feet in size and has an existing driveway onto Clarks Creek Road and parking available on site. See attached photos.

Zoning surrounding the site is a mixture of R-25, GMC (Industrial) and R-SF (Residential Single Family - County Zoning). Nearby land uses include the Church, Youth Building, single family dwellings and an industrial use.

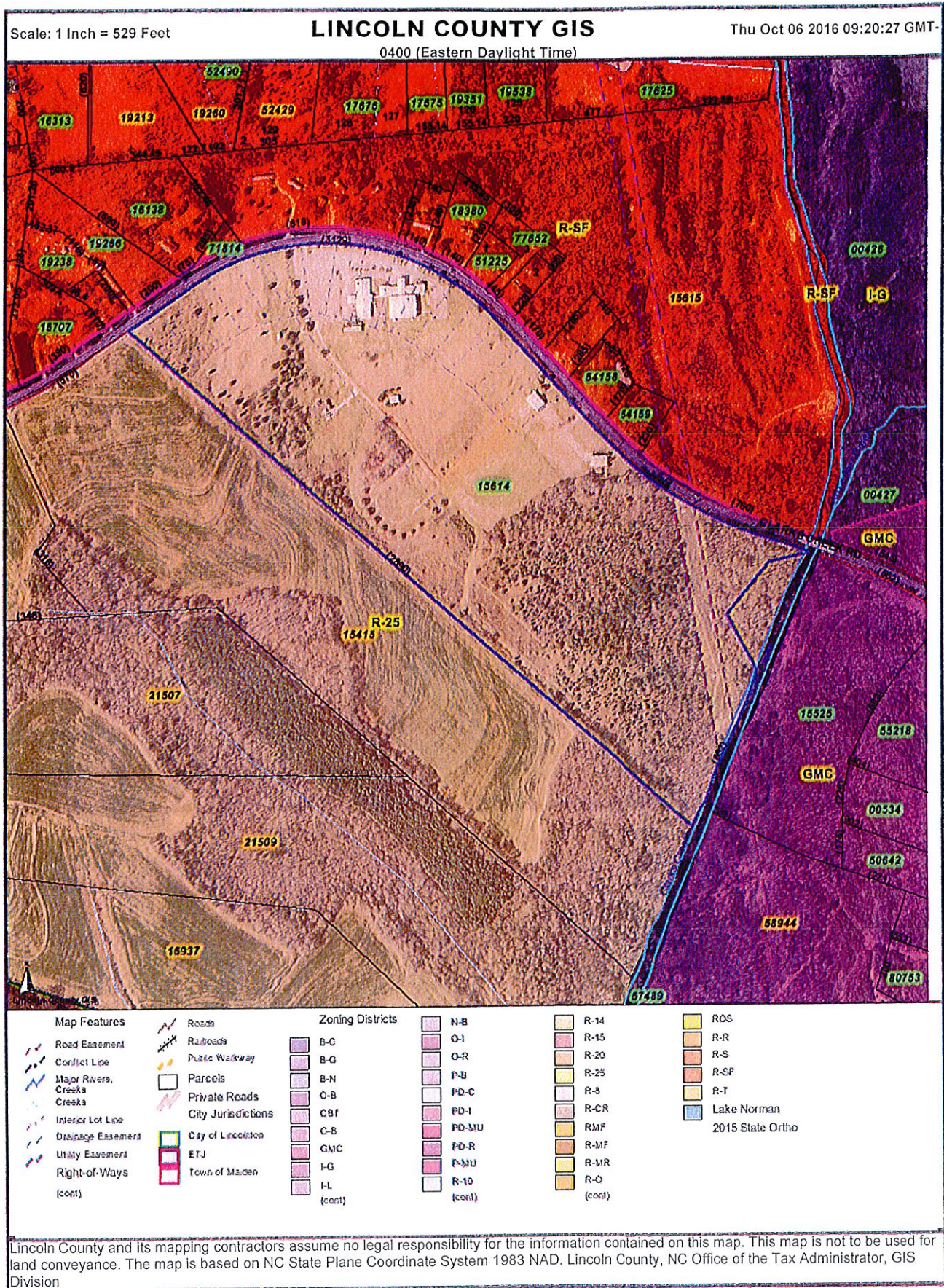
COMPLIANCE WITH THE LAND USE PLAN

The Lincolnnton Land Use Plan designates the property in the Institutional-Office Planning Area. The rezoning of the property to Residential-Office (RO) District will be in compliance with the Land Use Plan.

If the site is rezoned as requested by the applicant, the R-O district will allow uses such as one and two family dwellings, offices, hair salons and day care centers. See attached list of uses.

PLANNING BOARD AND STAFF RECOMMENDATION

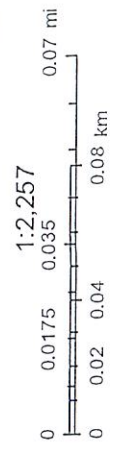
Planning Board and Staff recommend rezoning the property to the R-O district as requested by the applicant.



ZMA-6-2016 New Vision Ministries



October 6, 2016



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Geomapping, AeroGRID, IGN, IGF, swisstopo, and

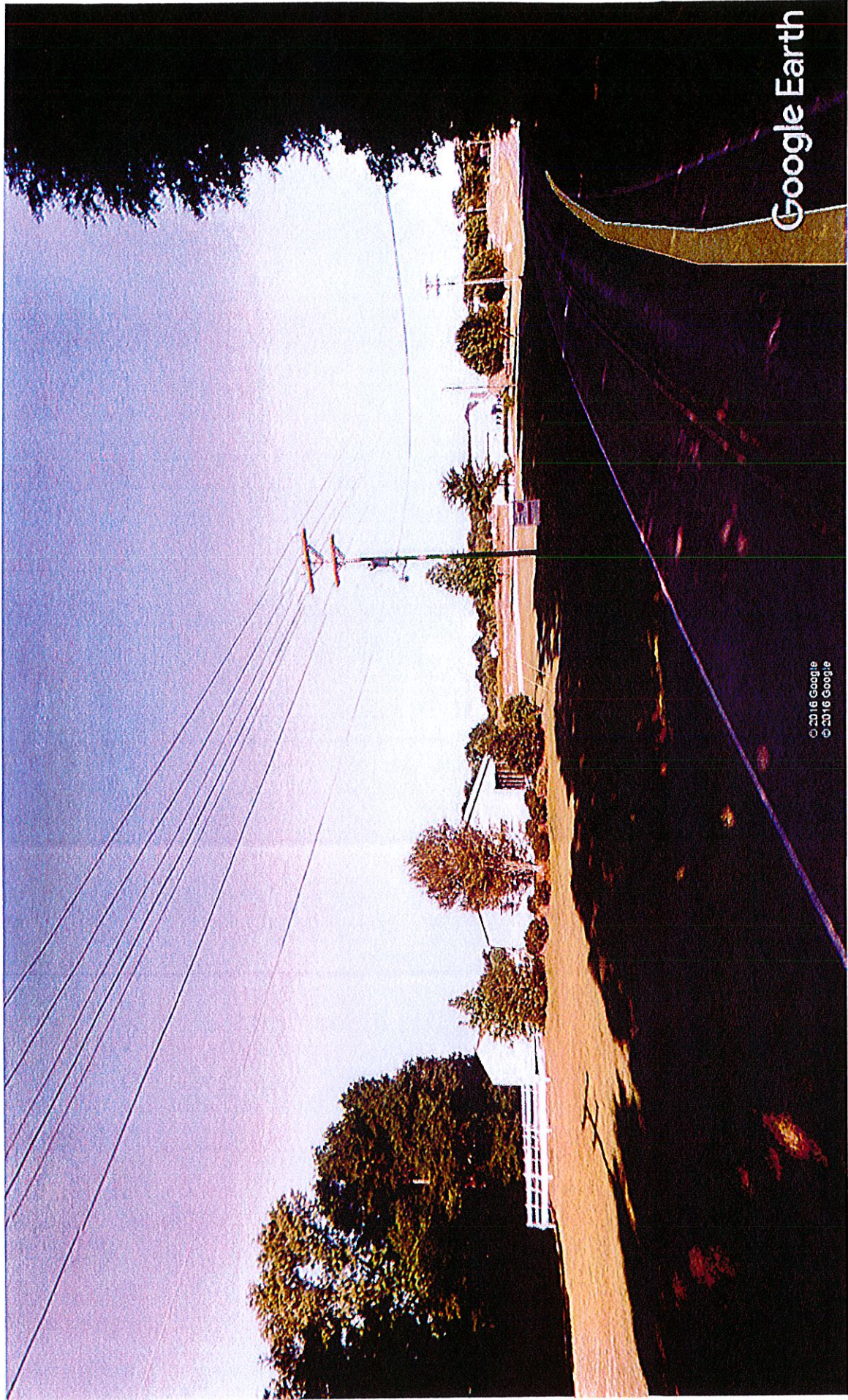


Google Earth



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Google Earth



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Google Earth

Google Earth

feet
meters



Lincolnton, NC Code of Ordinances

§ 153.110 R-O RESIDENTIAL OFFICE DISTRICT.

(A) *Permitted uses.* The following uses are permitted by right.

- (1) All permitted uses allowed in the R-15 District;
- (2) Two-family dwellings;
- (3) Office buildings containing 5,000 square feet or less of gross floor area;
- (4) Churches including customary accessory uses. Church owned and maintained cemeteries as an accessory use are permitted;
- (5) Public and private elementary and secondary schools and/or schools district administrative offices;
- (6) Family care homes, provided the family care home will not be located within one-half mile radius of another family care home existing at the time the application for zoning permit is made;
- (7) Customary home occupations in accordance with § 153.045 of this chapter;
- (8) Day care center, small group;
- (9) Private residential quarters, provided there is sufficient off-street parking to accommodate the private residential quarters in addition to the two off-street parking spaces required for the principal dwelling;
- (10) Private recreation facilities constructed pursuant to a permit authorizing the construction of some residential development and intended primarily for the use and enjoyment of the residents thereof;
- (11) Public safety stations;
- (12) Barber shop/beauty shop; and
- (13) Farmers market (small scale).

(B) *Conditional uses.* The following uses may be allowed upon the issuance of a conditional use permit by the City Council in accordance with §§ 153.235 through 153.244 of this chapter.

- (1) Multi-family dwellings with a gross density of up to ten units per acre;
- (2) Planned residential developments and planned unit developments (mixed use) in accordance with §§ 153.215 through 153.220 of this chapter and provided the allowed densities for the developments shall be the same as for the RMF District;
- (3) Planned unit developments (mixed use) in accordance with § 153.216 of this chapter and provided the uses within the development are otherwise listed as permitted or conditional uses allowed in the R-O District;
- (4) Essential services, Class II;
- (5) Rest homes, nursing care facilities and continuing care communities;
- (6) Day care centers;
- (7) Florists;

- (8) Copying service;
- (9) Museums;
- (10) Funeral homes;
- (11) Laboratories;
- (12) Bed and breakfast inns;
- (13) Office buildings containing over 5,000 square feet of gross floor area;
- (14) Travel agency;
- (15) Art and photography studios (excluding adult establishments);
- (16) Tailor and alteration shop;
- (17) Libraries;
- (18) Optician;
- (19) Cemeteries as a principal use;
- (20) Country clubs and privately-owned outdoor recreation facilities, and publicly owned outdoor recreation facilities greater than one acre in area and/or containing a swimming pool; provided however, any private facilities are subject to the same limitations as required for the uses in the RMF District;
- (21) Community centers;
- (22) Group home for pregnant women in recovery from substance abuse;
- (23) Traditional infill developments (TID) in accordance with § 153.219 of this chapter. A TID may only contain residential uses that are otherwise allowed in this zoning district (either as a permitted use or a conditional use);
- (24) Child advocacy center; and
- (25) Temporary homeless shelters.

(C) *Yard regulations.*

- (1) *Minimum lot size.*
 - (a) Bed and breakfast inn: 9,000 square feet.
 - (b) Churches: 20,000 square feet.
 - (c) Copy service: 9,000 square feet.
 - (d) Day care centers: 8,000 square feet.
 - (e) Florists: 9,000 square feet.
 - (f) Funeral home: 21,780 square feet.
 - (g) Laboratories: 9,000 square feet.
 - (h) Multi-family dwellings: 21,780 square feet minimum project site size, but gross density shall not exceed ten units per acre.
 - (i) Museum: 21,780 square feet.
 - (j) Office buildings: 9,000 square feet.

(k) Other uses and planned residential developments: same as in the RMF District.

(2) *Minimum front setback.*

(a) Planned developments: see §§ 153.215 through 153.220 of this chapter.

(b) All other uses: 30 feet.

(3) *Minimum side yard setback (an additional ten feet shall be provided on all side yards which abut a public street).*

(a) Museum, office buildings, funeral home, florist, laboratory, copying service, travel agency, art and photography studios, tailor and alteration shop, library, optician, multi-family dwelling: 15 feet.

(b) Other uses: same as the RMF District.

(4) *Minimum rear yard setback.* All uses: 25 feet.

(5) *Minimum lot width (as measured at the required front setback); at least 35 feet of lot width measured at the street right-of-way line shall be required except as noted.*

(a) Office buildings, museums, libraries, funeral home, florist, laboratory, copy service, multi-family dwelling, church, schools: 100 feet with at least 50 feet at the street right-of-way line.

(b) Two-family dwellings: 80 feet.

(c) Churches and schools: 120 feet with at least 50 feet at the street right-of-way line.

(d) Planned residential development: see §§ 153.215 through 153.220 of this chapter.

(e) Other uses: 70 feet.

(6) *Maximum building height.* All uses: 40 feet, except as provided in § 153.054 of this chapter.

(D) *Screening and landscaping.*

(1) Screening when required by § 153.046(A) of this chapter shall be installed pursuant to § 153.046 of this chapter.

(2) Where applicable, landscaping shall be provided in accordance with § 153.047 of this chapter.

(3) Screening for planned developments: see §§ 153.215 through 153.220 of this chapter.

(Prior UDO, § 7.6) (Ord. ZTA-5-2009, passed 11-5-2009; Ord. ZTA-6-2009, passed 1-7-2010) Penalty, see § 153.999

ITEM #

7

MEMO TO: Mayor and City Council Members

FROM: Laura Elam, Planning Director

THROUGH: Steve Zickefoose, City Manager

SUBJECT: Smart Growth Incentive Grant (SGIG- 01-2016)

Application for Smart Growth Incentive Grant to add three upper story residential units at 235 East Main Street

DATE: November 3, 2016

Background

The City's Smart Growth Incentive Grant program is designed to assist in the redevelopment of downtown Lincolnton by encouraging the rehabilitation and adaptive reuse of older buildings and new construction of infill buildings.

The smart growth incentive grant program provides a grant to the property owner based on the increased tax value of the building or site after completion of a renovation or new construction project.

Project Information

- Location: 235 East Main Street
- Proposal: Conversion of approximately 2,000 square feet of upstairs storage space into 3 loft apartments
- Cost estimate: \$110,000.00
- Current tax value: \$350,864
- Current City taxes: \$1,964
- Rough estimate of post construction tax value: \$460,000
- Estimated City taxes post construction: \$2,576
- Estimated net gain: \$612
- Anticipated start: December 2016
- Anticipated completion: May 2017

Reimbursement of Increase in City Property Taxes

The proposed estimated investment of \$110,000.00 would be eligible to receive the grant on an incremental scale as follows:

- Year One: 100% - \$612

Year Two- 75% - \$459

Year Three- 75% - \$459

Year Four – 50% - \$306

Year Five – 50% - \$306

Total: \$2,142

Project Eligibility

The project meets the criteria for eligibility for the Smart Growth Incentive grant.

See included maps and application for additional information.

Smart Growth Incentive Grant (SGIG)



FORMULA GRANT BASED ON NET GAIN IN ASSESSED TAX VALUE

[Post-Construction Tax – Pre-Construction Tax = Net Gain]

Property	Project Type	Current Tax Value	Current Taxes 0.56 (City)	Estimated Const. Costs	Estimated Tax Value (Post-Const.)	Estimated Taxes Post-Const. 0.56 (City)	Estimated Net Gain
235 East Main Street	Rehab	\$350,864	\$1,964	\$110,000	\$460,000	\$2,576	\$612

Grant Period	Year 1	Year 2	Year 3	Year 4	Year 5	Total
Estimated Grant Amount	\$612	\$459	\$459	\$306	\$306	\$2,142

Rec'd: ___/___/___

By: _____

LINCOLN, NORTH CAROLINA
SMART GROWTH INCENTIVE GRANT
PRE-DEVELOPMENT APPLICATION

Property Owner Name JJA Family LLC

Phone # 704 740 8008

Email john@andersenpropertiesinc.com

Mailing Address 233 1/2 E. Main St. Town Lincolnton State NC ZIP 28087

Contact Name (if different from above) _____

Phone # _____

Email _____

Property Address 235 E Main Street

NC PIN/PARCEL# 18912

Project information

Property Tax Value at time of application \$ 350,864

Total Estimated Cost of Improvement \$ 110,000 (does not include monies already invested)

Check one to describe the type of project:

☐ New Construction (infill) project

☒ Building Rehabilitation/renovation

Project Timeline: Dec 2016 Project start date May 2012 Projected completion date _____

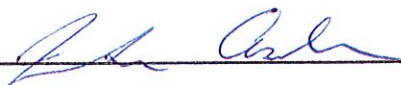
Description of Project (attach additional pages as needed)

Application Checklist:

- ☐ I have met with Planning and Downtown Development Staff for preliminary discussions.
- ☐ I have attached project plans, specifications or other appropriate design information.
- ☐ I have attached a photograph(s) of existing condition of the property.
- ☐ I have attached copies of cost estimates for the project
- ☐ I understand that this **application must be reviewed for approval before any work is done on the project** and that no projects will be approved if any work was done prior to review/approval.
- ☒ I understand that to be eligible for a SGIG from Lincoln County, the applicant project must demonstrate economic impact through the creation of a minimum two full time, permanent jobs. (Note: Job creation is not a requirement for the City of Lincoln SGIG Program.)
- ☐ I have attached documentation demonstrating jobs to be created upon completion of the project. (County only). Jobs created must be verified annually.

Acknowledgements:

- ☒ I acknowledge that this application must be accepted and all prerequisite requirements and regulations must be complied with before the application can be considered for acceptance.
- ☒ I understand that any grant awarded must be completed within two years of the award and any request for extension must be approved by the by the granting authority(s).
- ☒ I understand that grants are non-transferable and will be rescinded for any properties that change ownership during the grant period.
- ☒ I understand that I must remain in good standing with the granting authority(s) for all services, taxes, and utilities and that failure to do so may result in rescinded grant funds.
- ☒ I acknowledge that the grant(s) will be payable beginning the fiscal year following completion of the project.
- ☒ I acknowledge that I have received the Lincoln SGIG resolution and understand the defined objectives, requirements, and management for the program.

Applicant's Signature  Date 9/15/12

September 7, 2016

Cost estimate for adding three residential units upstairs at 235 East Main Street

Due to the size of the project rather than list individual items allow me to simply state that this project will basically involve all of the normal subcontractors that a new home would involve.

The project cost should be approximately \$110,000 but final cost may change – depends on what my architect comes up with during the process of drawing the plans and meeting the building codes.

I will be the contractor on the project. We will be taking 2000 square feet of upstairs space that is now storage and converting this space to loft apartments. This will involve incorporating some other existing space into a common area for an entry hall.

I will furnish the City a copy of our plans as soon as my architect completes them.

Hopefully we can start in approximately 60 days with completion being around four to six months. It could take as long as two months just to get plans and approvals.

I can be at your city council meeting to answer any questions if needed.



John Anderson

Managing Partner – JJA Family LLC.

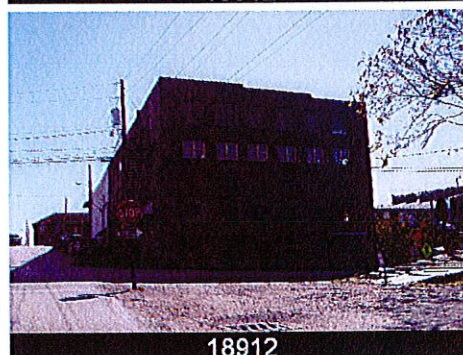
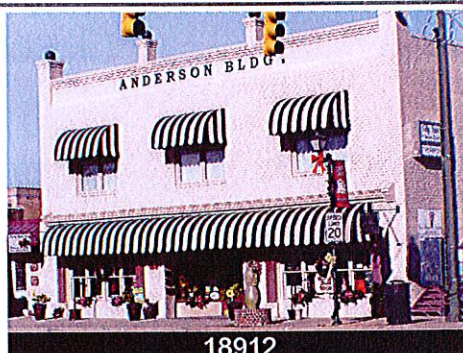


Lincoln County, NC

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: 10/24/2016 Scale: 1 Inch = 95 Feet



PHOTOS

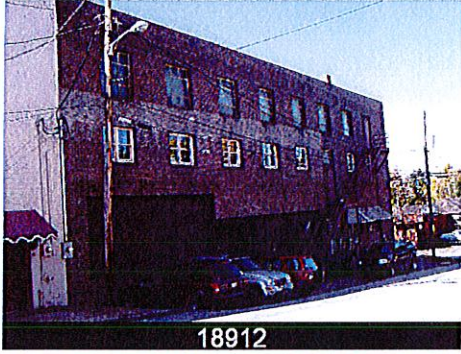


PARCEL INFORMATION FOR 3623-84-8535

Parcel ID	18912	Owner	ANDERSON JOHN J FAMILY LLC		
Map	3623-16	Mailing	233 1/2 E MAIN ST		
Account	0215936	Address	LINCOLNTON NC 28092		
Deed	2076-0327	Recorded	3/13/1997	Sale Price	0
Land Value	\$99,037	Total Value	\$350,864	Previous Parcel	
----- All values are for tax year 2016. -----					
Description	235 E MAIN & 117 N POPLAR			Deed Acres	0
Address	235 EAST MAIN ST			Tax Acres	0.24
Township	LINCOLNTON			Tax/Fire District	CITY OF LINCOLNTON
Main Improvement	OFFICE (BACK BLDG)			Value	\$137,291
Main Sq Feet	10600	Stories	2	Year Built	1925
Zoning	Calculated	Voting Precinct	Calculated Acres		
District	Acres	LINCOLNTON NORTH (LN11)	0.25		
C-B	0.25				
Watershed Class		Sewer District	0.25		
WS-IVP	0.25	Not in the sewer district			
2000 Census County		Tract	Block		
37109		070100	3029	0	
37109		070100	3030	0.25	
Flood	Zone Description	Panel			
X	NO FLOOD HAZARD	3710362300	0.25		



18912



18912

ITEM #

8

MEMO TO: Mayor and City Council Members

FROM: Laura Elam, Planning Director

THROUGH: Steve Zickefoose, City Manager

SUBJECT: Smart Growth Incentive Grant (SGIG- 02-2016)

Application for Smart Growth Incentive Grant to upfit first floor space for new retail use and to renovate second floor for one residential unit at 121 East Main Street

DATE: November 3, 2016

Background

The City's Smart Growth Incentive Grant program is designed to assist in the redevelopment of downtown Lincolnton by encouraging the rehabilitation and adaptive reuse of older buildings and new construction of infill buildings.

The smart growth incentive grant program provides a grant to the property owner based on the increased tax value of the building or site after completion of a renovation or new construction project.

Project Information

- Location: 121 East Main Street
- Proposal: Upfit of first floor space for new retail use and renovation of second floor space for one residential loft
- Cost estimate: \$125,000.00
- Current tax value: \$124,446
- Current City Taxes:\$697
- Rough estimate of post construction tax value:\$249,000
- Estimated City taxes post construction:\$1,396
- Estimated net gain: \$699
- Anticipated start: October 2016
- Anticipated Completion: October 2017

Reimbursement of Increase in City Property Taxes

The proposed estimated investment of \$125,000.00 would be eligible to receive the grant on an incremental scale as follows:

Year One: 100% - \$699

Year Two: 75% - \$524

Year Three: 75%- \$524

Year Four: – 50% - \$349

Year Five: – 50% - \$349

Total: \$2,445

Project Eligibility

The project meets the criteria for eligibility for the Smart Growth Incentive grant.

See included maps and application for additional information.

Smart Growth Incentive Grant (SGIG)



FORMULA GRANT BASED ON NET GAIN IN ASSESSED TAX VALUE
 [Post-Construction Tax – Pre-Construction Tax = Net Gain]

Property	Project Type	Current Tax Value	Current Taxes 0.56 (City)	Estimated Const. Costs	Estimated Tax Value (Post-Const.)	Estimated Taxes Post-Const. 0.56 (City)	Estimated Net Gain
121 East Main Street	Rehab	\$124,446	\$697	\$125,000	\$249,000	\$1,396	\$699

Grant Period	Year 1	Year 2	Year 3	Year 4	Year 5	Total
Estimated Grant Amount	\$699	\$524	\$524	\$349	\$349	\$2,445

Rec'd: ____/____/____

By: _____

LINCOLNTON, NORTH CAROLINA
SMART GROWTH INCENTIVE GRANT
PRE-DEVELOPMENT APPLICATION

Property Owner Name Danny Wayne Brooks Jr

Phone # 980-241-2596 Email info@discountkitchendirect.com

Mailing Address 411 S Mulberry St Town Cherryville State NC ZIP 28021

Contact Name (if different from above) _____

Phone # _____ Email _____

Property Address 121 E Main St Lincolnton N.C. 28092

NC PIN/PARCEL# 17 487

Project information

Property Tax Value at time of application \$ 124,446

Total Estimated Cost of Improvement \$ 128,000 (does not include monies already invested)

Check one to describe the type of project:

☐ New Construction (infill) project

☒ Building Rehabilitation/renovation

Project Timeline: 10/1/2016 Project start date 10/1/2017 Projected completion date

Description of Project (attach additional pages as needed)

Retail Space upfit on 1st floor & 2nd floor reno for a residential loft

Application Checklist:

- ☒ I have met with Planning and Downtown Development Staff for preliminary discussions.
- ☒ I have attached project plans, specifications or other appropriate design information.
- ☐ I have attached a photograph(s) of existing condition of the property.
- ☐ I have attached copies of cost estimates for the project
- ☐ I understand that this **application must be reviewed for approval before any work is done on the project** and that no projects will be approved if any work was done prior to review/approval.
- ☐ I understand that to be eligible for a SGIG from Lincoln County, the applicant project must demonstrate economic impact through the creation of a minimum two full time, permanent jobs. (Note: Job creation is not a requirement for the City of Lincoln SGIG Program.)
- ☐ I have attached documentation demonstrating jobs to be created upon completion of the project. (County only). Jobs created must be verified annually.

Acknowledgements:

- ☒ I acknowledge that this application must be accepted and all prerequisite requirements and regulations must be complied with before the application can be considered for acceptance.
- ☒ I understand that any grant awarded must be completed within two years of the award and any request for extension must be approved by the by the granting authority(s).
- ☒ I understand that grants are non-transferable and will be rescinded for any properties that change ownership during the grant period.
- ☒ I understand that I must remain in good standing with the granting authority(s) for all services, taxes, and utilities and that failure to do so may result in rescinded grant funds.
- ☒ I acknowledge that the grant(s) will be payable beginning the fiscal year following completion of the project.
- ☒ I acknowledge that I have received the Lincoln SGIG resolution and understand the defined objectives, requirements, and management for the program.

Applicant's Signature



Date

9/19/2016

S2.A

stoutstudio architecture

Gray Stout AIA

215 n pine st. #906

charlotte, nc 28202

704-640-7544

gray@stoutstudio.com

June 9, 2016

Wayne Brooks

980-241-2596

Contract for Architectural and Engineering Services –

Scope of Work: Restaurant Upfit at 121 W. Main Street, Lincolnton, NC

SERVICES PROVIDED:

I. Schematic Design Phase

1. Site Meeting and Consultation
2. Design Plan
3. Building Code Summary

II. Construction Drawings Phase

1. Site Visits and Meetings
2. Site Plan
3. Appendix B Code Summary, Chapter 14 Existing Building Code Evaluation and Life Safety plans
3. As-Built and Demolition Plans, 1st and 2nd Floor
4. Proposed Floor Plans, 1st and 2nd Floor
5. Front and Rear Elevations, New Stair Section and Detail
6. Room Finish Schedule, Door and Window Schedules
7. Plumbing, Mechanical, Electrical plans and details
8. Roof Plan

III. Construction Administration Phase: (optional, as requested by owner)

1. Site meetings to review work in progress and discuss construction questions with Contractor or address building code / inspection issues, as needed

FEE: Total Fee:

\$2.50 / sf x 2,500 sf = \$6,250.00

Breakdown: \$150 / hour for Schematic Design-

To be credited back to total fee if projects moves into Construction Drawings Phase

Construction Administration: (optional as needed) hourly rates

Architect or Engineer Level: \$150.00 / hour

Cadd drafting / revisions to existing cadd files: \$75 / hour

(Architect to advise of owner of hourly estimate for each upfit prior to beginning work)

GENERAL CONDITIONS / ADDITIONAL SERVICES:

1. Reimbursables:
 - a. Copies / Prints –cost +10%
 - b. Plan Review fees (city and county)
2. All fees are due and payable upon receipt. Fees past due 15 days are subject to a 1.5% late fee.
3. Fees to be billed on a monthly basis for work completed to date.
4. Additional Services: Design changes to completed construction drawings, as requested by owners: Architect - \$150.00/hour, Intern Architect / Cadd Drafting- \$75.00/hour
5. Retainer / Deposit – \$500.00 , due with signed contract, to be credited to owners account at first billing.
6. Architect will submit all drawings to Lincoln County for plan review.

This Contract Accepted By:

Owner:

Wayne Brooks

Date

Architect:

Gray Stout AIA

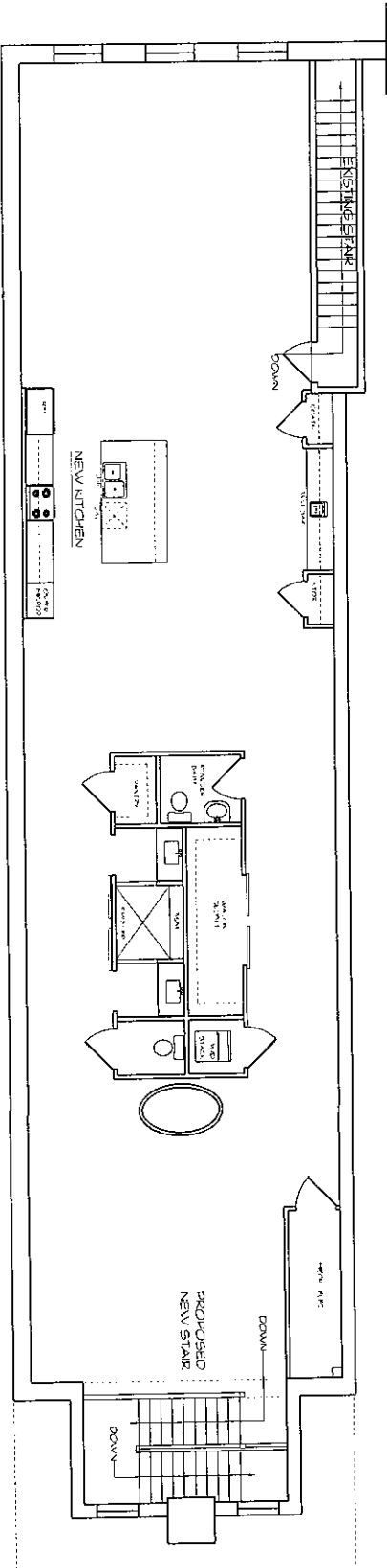
Date

Gray Stout AIA

6/9/16



stoutstudio.architects
Greg Stout, AIA, Architect
Lead Architect
121 W. Broad St.
7th floor, Suite 704
754 444 7544
greg@stoutstudio.com
www.stoutstudio.com
American Institute of Architects



PROPOSED 2ND FLOOR

121 W. BROAD ST
LINCOLN, NC
2ND FLOOR
PROPOSED PLAN
1/4"=1'-0"

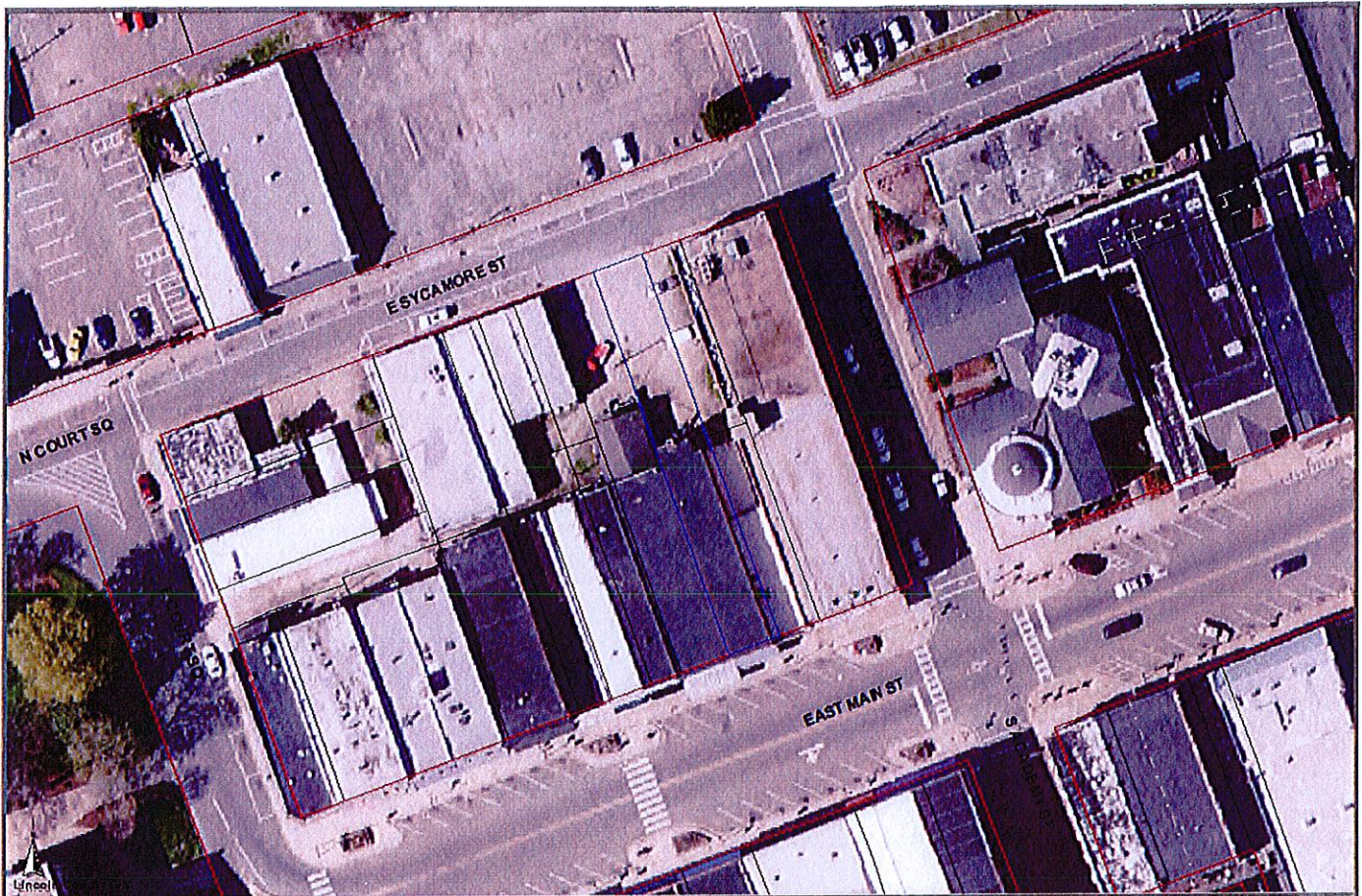
8/9/16

A1



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: 10/24/2016 Scale: 1 Inch = 91 Feet



PHOTOS



17487

PARCEL INFORMATION FOR 3623-84-3377

Parcel ID	17487	Owner	BROOKS DANNY WAYNE JR
Map	3623-16	Mailing	411 S MULBERRY ST
Account	0259109	Address	CHERRYVILLE NC 28021
Deed	2599-0550	Recorded	3/19/2010
Land Value	\$55,291	Total Value	\$124,446
----- All values are for tax year 2016. -----			
Description	121 E MAIN ST	Deed Acres	0
Address	121 EAST MAIN ST	Tax Acres	0.11
Township	LINCOLNTON	Tax/Fire District	CITY OF LINCOLNTON
Main Improvement	RETAIL BLDG	Value	\$67,636
Main Sq Feet	5156	Stories	2 Year Built 1935
Zoning	Calculated Acres	Voting Precinct	Calculated Acres
District	C-B	LINCOLNTON NORTH (LN11)	0.12
Watershed Class	WS-IVP	Sewer District	Not in the sewer district
2000 Census County	37109	Tract	Block
	37109	070100	3028
		070100	3031
Flood	Zone Description	Panel	
X	NO FLOOD HAZARD	3710362300	0.12

ITEM #

9

TO: Steve Zickefoose, Interim City Manager
FROM: Chief R. Jordan
SUBJECT: Presentation
DATE: September 26, 2016

The purpose of this memorandum is to request permission to present Officer Rick Hensley with his Advanced Law Enforcement Certification Award at the October 6th council meeting. Officer Hensley began with the department as a Reserve Officer in 2012. Officer Hensley has been with the department in a full time capacity since December of 2014 but has more than ten years of previous experience with Duke Power Company Police and the Lincoln County Sheriff's Department. Officer Hensley also served in the United States Navy from 1976 to 1980. Officer Hensley has logged hundreds of continuing education hours during that time earning him the Advanced Law Enforcement Certificate. This is the highest certification awarded by the North Carolina Training and Standards division.

Your consideration in this matter is greatly appreciated.

Cc: Donna Flowers

ITEM #

10

CITY OF LINCOLNTON

CITY COUNCIL

Ed L. Hatley, Mayor
Martin A. Eaddy, Mayor Pro-Tem
Devin Rhyne
David M. Black
Roby D. Jetton



CITY MANAGER

Steve Zickefoose, MBA
szickefoose@lincolntonnc.org

CITY CLERK

Donna C. Flowers, MMC, NCCMC
donnaflowers@ci.lincolnton.nc.us

CITY ATTORNEY

Thomas J. Wilson, Jr.

(BA- 06 -16)

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, 2017.

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

<u>ACCOUNT NUMBER</u>	<u>DEPARTMENT/ACCOUNT DESCRIPTION</u>	<u>INCREASE</u>	<u>DECREASE</u>
	<u>CITY MANAGER/CLERK</u>		
10-10-4110-121	Salaries	6,529.00	
10-10-4110-181	FICA	499.00	
10-10-4110-181	Retirement	1,435.00	
10-10-4110-183	Health Insurance	817.00	
	<u>HUMAN RESOURCES</u>		
10-00-4120-121	Salaries	9,462.00	-
10-00-4120-181	FICA	724.00	-
10-00-4120-182	Retirement	1,357.00	-
10-00-4120-183	Health Insurance	614.00	-
	<u>FINANCE</u>		
10-00-4130-121	Salaries	16,416.00	-
10-00-4130-181	FICA	1,256.00	-
10-00-4130-182	Retirement	4,697.00	-
10-00-4130-183	Health Insurance	1,946.00	-
	<u>GENERAL EXPENSE</u>		
10-00-4280-619	DDA Donation- Administrator	-	
10-00-4280-650	Tax Conversion/Collection	-	
10-00-4280-991	Contingency	-	(250,000.00)
	<u>POLICE</u>		
10-10-4310-121	Salaries	42,893.00	
10-10-4310-180	Retirement	13,931.00	
10-10-4310-181	FICA	3,281.00	
10-10-4310-183	Health Insurance	8,192.00	

<u>ACCOUNT NUMBER</u>	<u>DEPARTMENT/ACCOUNT DESCRIPTION</u>	<u>INCREASE</u>	<u>DECREASE</u>
	<u>FIRE</u>		
10-00-4340-121	Salaries	23,316.00	-
10-00-4340-181	FICA	1,784.00	-
10-00-4340-182	Retirement	6,018.00	-
10-00-4340-183	Health Insurance	5,559.00	-
	<u>PUBLIC WORKS</u>		
10-00-4510-121	Salaries	8,646.00	-
10-00-4510-181	FICA	661.00	-
10-00-4510-182	Retirement	1,215.00	-
10-00-4510-183	Health Insurance	513.00	-
	<u>STREET MAINTENANCE</u>		
10-00-4520-121	Salaries	26,071.00	-
10-00-4520-181	FICA	1,994.00	-
10-00-4520-182	Retirement	3,570.00	-
10-00-4520-183	Health Insurance	2,966.00	-
	<u>EQUIPMENT SERVICES</u>		
10-20-4530-121	Salaries	5,766.00	
10-20-4530-181	FICA	441.00	
10-20-4530-182	Retirement	760.00	
10-00-4530-183	Health Insurance	543.00	-
	<u>SOLID WASTE</u>		
10-30-4710-121	Salaries	11,210.00	
10-20-4710-181	FICA	858.00	
10-20-4710-182	Retirement	2,193.00	
10-00-4710-183	Health Insurance	2,662.00	-
	<u>GENERAL SERVICES</u>		
10-30-4740-121	Salaries	3,667.00	
10-20-4740-181	FICA	280.00	
10-20-4740-182	Retirement	560.00	
10-00-4740-183	Health Insurance	715.00	-
	<u>PLANNING & DEVELOPMENT</u>		
10-40-4910-121	Salaries	5,783.00	
10-40-4910-181	FICA	442.00	
10-40-4910-182	Retirement	869.00	
10-40-4910-183	Health Insurance	544.00	-
	<u>BUSINESS & COMMUNITY DEVELOPMENT</u>		
10-40-4930-121	Salaries	720.00	
10-40-4930-181	FICA	55.00	
10-40-4930-182	Retirement	394.00	
10-40-4930-183	Health Insurance	341.00	-

<u>ACCOUNT NUMBER</u>	<u>DEPARTMENT/ACCOUNT DESCRIPTION</u>	<u>INCREASE</u>	<u>DECREASE</u>
	<u>WASTEWATER TREATMENT PLANT</u>		
61-91-7120-121	Salaries	11,906.00	0.00
61-91-7120-181	FICA	911.00	0.00
61-91-7120-182	Retirement	863.00	0.00
61-91-7120-991	Contingency		18,000.00
		<u>150,553.00</u>	<u>60,553.00</u>

This will result in a net increase of \$90,000.00 in the expenditures of the Water & Sewer Fund. To balance the adjustments to the budget, the following revenues have also been changed with a corresponding net effect.

	<u>OTHER FINANCING SOURCES</u>		
61-91-3991-900	Appropriation from Fund Balance	<u>90,000.00</u>	
		<u>90,000.00</u>	<u>0.00</u>

Section 7: To amend the Electric Fund, the expenditures are to be changed as follows:

<u>ACCOUNT NUMBER</u>	<u>DEPARTMENT/ACCOUNT DESCRIPTION</u>	<u>INCREASE</u>	<u>DECREASE</u>
	<u>ELECTRIC</u>		
63-93-7200-121	Salaries	11,529.00	-
63-93-7200-181	FICA	882.00	
63-93-7200-182	Retirement	836.00	
63-93-7200-991	Contingency		13,247.00
		<u>13,247.00</u>	<u>13,247.00</u>

This will result in a zero change in expenditures of the Electric Fund. There will be no changes to Electric Fund revenues.

Section 13: Copies of these budget amendments shall be furnished to the Clerk of the Governing Board, and to the Budget Officer and the Finance Director for their direction.

Adopted this 3rd of November, 2016.

Donna C. Flowers
City Clerk

Ed L. Hatley
Mayor

ITEM #

11

NO BACKUP FOR THIS ITEM
A REPORT WILL BE GIVEN
THE NIGHT OF
THE COUNCIL MEETING

ITEM #

12

November 2016 Council Meeting

Executive Summary

September 2016 Year-To-Date

Comparative for Budgetary Purposes - Prior to Closing 2016 Fiscal Year

General Fund		16-17	% of Budget	15-16	Difference
Fund 10	Revenues	3,820,258.28	31.98%	4,114,652.96	(294,394.68)
	Personal Services	2,062,099.63		2,242,385.38	(180,285.75)
	Supplies & Materials	67,104.03		64,072.47	3,031.56
	Current Obligations	127,619.45		122,594.05	5,025.40
	Fixed Charges	54,712.37		78,901.60	(24,189.23)
	Capital Outlay	418,127.54		84,707.78	333,419.76
	Contracts/Grants	206,640.62		197,431.45	9,209.17
	Debt Service	27,524.64		4,974.64	22,550.00
	Expenses	2,963,828.28	30.87%	2,795,067.37	168,760.91
	Difference	856,430.00		1,319,585.59	(463,155.59)

Water & Sewer Fund		16-17	% of Budget	15-16	Difference
Fund 61	Revenues	2,186,256.56	24.94%	2,301,664.77	(115,408.21)
	Personal Services	505,164.91		522,998.62	(17,833.71)
	Supplies & Materials	95,402.14		94,589.95	812.19
	Current Obligations	110,908.55		122,678.51	(11,769.96)
	Fixed Charges	17,423.66		25,540.63	(8,116.97)
	Capital Outlay	539,317.92		51,644.87	487,673.05
	Contracts/Grants	100,632.94		92,388.37	8,244.57
	Inv.,Interfund	94,773.99		94,773.99	-
	Expenses	1,463,624.11	25.90%	1,004,614.94	459,009.17
	Difference	722,632.45		1,297,049.83	(574,417.38)

Electric Fund		16-17	% of Budget	15-16	Difference
Fund 63	Revenues	2,081,569.27	26.67%	2,166,281.73	(84,712.46)
	Personal Services	120,721.62		141,515.59	(20,793.97)
	Supplies & Materials	3,479.46		18,990.92	(15,511.46)
	Current Obligations	1,378,443.15		1,352,286.19	26,156.96
	Fixed Charges	12,910.44		4,699.45	8,210.99
	Capital Outlay	35,095.60		3,289.49	31,806.11
	Contracts/Grants	-		-	-
	Inv.,Interfund	6,493.74		6,493.74	-
	Expenses	1,557,144.01	22.66%	1,527,275.38	29,868.63
	Difference	524,425.26		639,006.35	(114,581.09)

Overtime 80+ hours 80,987.00 * Extra Payday 86,078.00 (5,091.00)

Personal Services	Salaries and Benefits
Supplies & Materials	Supplies, Materials, Uniforms, Gas
Current Obligations	Building Maint, Repairs, Phone, Data, Travel
Fixed Charges	Insurance, Safety
Capital Outlay	Equipment, Vehicles, Construction
Contracts, Grants	Donations, Airport, 911, Animal, Fireworks, Drug Enforcement, Contracted Services
Debt Service	Bonds and Loans Payments