

A G E N D A

LINCOLN TON CITY COUNCIL

August 3, 2017

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

August 3, 2017

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 of the following meetings:

June 29th 2017 – Regular Meeting

4. Calls to Public Hearing for the September 7th meeting:

- **CUP-5-2017-** Application from Roberta Borden Wilson requesting a conditional use permit to operate an indoor/outdoor venue (weddings, rehearsal dinners, dinner parties, graduation parties, birthday parties, retirement parties, bridal showers, baby showers, luncheons and similar uses) in the Residential-15 (R-15) District. The subject property is located at 1200 General Hoke Drive (Parcel ID 15867).
- **ZMA-2-2017 –** Application from Floyd Dean requesting the rezoning of approximately one acre of land from Residential-25 (R-25) to Planned Business (PB) District. The subject property is located west side of West NC 150 Highway approximately 500 feet south of the intersection of West NC 150 Highway and West NC 27 Highway (Parcel ID 21438)

5. Request from the Lincolnton Fire Department to dispose of records in accordance with NC Dept of Cultural Resources – Records Retention Policy (additional items since June 1st City Council Meeting)

AGENDA

August 3, 2017

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REGULAR AGENDA

RECOGNITIONS

6. **Presentation to Mr. Wesley “Dale” Punch for his service of twenty + Years assisting in various capacities with the Lincolnton-Lincoln County July 4th Celebration**

Mayor Ed Hatley

7. **Presentation to LFD Firefighter Isaiah Herndon by the Lincolnton Fire Department for heroic actions on June 10, 2017 that resulted in saving both a life and a home, while assisting another Department while off duty from our Fire Department**

Ryan Heavner, Lincolnton Fire Chief

PUBLIC HEARINGS

8. **CUP-4-2017 – Application from Bob Colvard requesting renewal of a conditional use permit issued in 2015 to construct mini warehouse units in the NB District. The subject property is located at the northwest corner of West NC Highway 150 and Hilltop Road. The address of the property is 944 West NC Highway 150 (Parcel ID 22706)**

Laura Elam, Planning Director

(O-13-17)

9. **Consideration of amending the City’s Code of Ordinances in accordance with Senate Bill 155 entitled “An Act to Make Various Changes to the Alcoholic Beverage Control Commission Laws, which allow alcohol sales beginning at 10:00 am on Sundays” – Adding this language, as approved by the Senate, under Business Regulations – Title XI – Chapter 116**

**Tommy Huskey, City Resident
Representing Area Restaurants**

AGENDA

August 3, 2017

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PUBLIC HEARING

(O-14-17)

- 10. Consideration of amending the City's Code of Ordinances – Title IX General Regulations – Chapter 93 – Health & Sanitation –Declaration of Nuisance – discussing the definition of “Natural Areas”**

**Steve Zickefoose, City Manager
Laura Elam, Planning Director**

CONTRACTS

(C-12-17)

- 11. Consideration of a contract between the City and Lincoln County for Technology Services in the amount of \$ 70,000**

Steve Zickefoose, City Manager

(C-13-17)

- 12. Consideration of contract between the City and Lawndale Sand for repairs to drainage issues on Phase III of rail trail in the amount of \$ 75,000**

Steve Peeler, Public Works & Electric Utilities

BUDGET AMENDMENT

(BA-03-17)

- 13. Proposed Budget Amendment to reflect necessary changes amending the General Fund, Powell Bill Fund, Water & Sewer Fund and Fund Balance for various projects/carry-overs etc for the 2017-18 proposed budget.**

Steve Zickefoose, City Manager

APPOINTMENT

(APPT-02-2017)

- 14. Consideration of appointing David Lowe to serve as the City Representative to the Lincoln-Lincoln County Airport Authority**

Mayor Hatley

AGENDA

August 3, 2017

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OTHER BUSINESS

- 15. Consideration of request from Lincolnton-Lincoln County Chamber of Commerce to hold a Small Business Street Fair on East Main Street**

**Jeremy Lantz, Lisa Ormsby,
John Dancoff, Lou Ann Cain
Lincolnton-Lincoln County Chamber of Commerce**

- 16. Update from Hesed House of Hope – What they do, where they are trying to go, and how the City could possibly help to assist in their goal to be open year round**

**Alex Patton, Hesed House of Hope
Board of Directors**

- 17. Update from Lincolnton Tourism Development Authority**

**Carol King Chair
LTDA**

- 18. Update from the Lincolnton Steering Committee**

Fred Jarrett, Chair

- 19. Update on the East Main Street/Generals Blvd Intersection**

Steve Zickefoose, City Manager

- 20. Update on Dilapidated Structures**

Laura Elam, Planning Director

AGENDA

August 3, 2017

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OTHER BUSINESS

21. Official action to set the filling fees for Municipal candidates the
2018 Election

Donna C. Flowers, City Clerk

22. Monthly Financial Report/Overtime Report

(Please reference report provided in agenda packet)

Steve Zickefoose, City Manager

PUBLIC COMMENT

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

You must sign in with the City Clerk 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 - JUNE 29, 2017

The Mayor and City Council met in regular session on Thursday, June 29, 2017 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:

SMITH BLACK EADDY JETTON

Mayor Hatley called the meeting to order and led the Pledge of Allegiance.

Councilman Eaddy made the motion unanimously approved the REGULAR AGENDA.

Councilman Jetton made the motion unanimously approved the CONSENT AGENDA as follows:

- Approved of Minutes of June 1st Regular Meeting
- Approved the following calls to Public Hearing for the August 3rd
- meeting:
 - CUP-4-2017-Application from Bob Colvard requesting renewal of a conditional use permit issued in 2015 to construct mini warehouse units in the NB District. The subject property is located at the northwest corner of West NC Highway 150 and Hilltop Road. The address of the property is 944 West NC Highway 150 (Parcel ID 22706).
- Approved an Editorial Correction to the 2017-18 Budget Ordinance – Tax Rate was stated as .55 per one hundred dollar valuation instead of .56 – Amended ordinance attached (*BA-02-2017-Amended*)

REGULAR AGENDA

APPLICATION FROM HUGO LEVIA COTO 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):

REGULAR MEETING - JUNE 29, 2017

CUP-3-2017

Mayor Hatley opened the Public Hearing. The City Clerk administered the oath to all those wishing to speak for or against the issue. Laura Elam, Planning Director, reviewed the above stated request from Hugo Levia Coto.

She said the project would utilize an existing space within the shopping center that is approximately 4,600 square feet and was formerly used as a church. The space would include seating areas, a stage, kitchen and required bathrooms. The area around the shopping center is mostly commercial in nature with a few single family homes and the Colonial Village Apartments nearby. Laura concluded recommending approval contingent upon the following staff review committee comments being met:

1. If alcohol is to be served on site, requirements as outlined by the State ABC Commission must be met and all permits obtained.
2. A change of tenant Permit must be approved by the Lincoln County Inspections Department.
3. If the kitchen is used for commercial purposes, a grease trap must be put in meeting all the City of Lincoln and State Building Code Standards.
4. Any permits required by the Lincoln County Environmental Health Department must be obtained prior to opening.

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

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

Findings of Fact:

1. Councilman Eaddy made the motion unanimously approved that the use would not materially endanger the public health or safety if located where proposed and developed according to plan.
2. Councilman Black made the motion unanimously approved that the use meets all required conditions and specifications.
3. Councilman Black made the motion unanimously approved that the use would not substantially injure the value of adjoining or abutting property or the use is a public necessity.
4. Councilman Eaddy made the motion unanimously approved that the location and character of the use, if developed according to plan as

REGULAR MEETING - JUNE 29, 2017

submitted and approved, would be in harmony with the area in which it is to be located and would be in general conformity with this ordinance.

Councilman Smith made the motion unanimously approved to approve the conditional use permit contingent upon the above stated Staff Review Committee Comments being met.

APPLICATION FROM GREEN BRANCH LLC FOR SMART GROWTH INCENTIVE GRANTS FOR RENOVATION FOR NEW COMMERCIAL USE AT 114 E MAIN STREET:

SGIG-01-2017

Mayor Hatley opened the Public Hearing. Laura Elam, Planning Director, reviewed the request from Green Branch LLC for a Smart Growth Incentive Grant. The above said grant meets the criteria for eligibility for the Smart Growth Incentive Grant, per the Planning Director. 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.

Laura described the Project Information as follows:

Project Information

- Location: 114 East Main Street
- Proposal: Renovation and upfit for new restaurant use
- Cost estimate: \$50,000.00
- Current tax value: \$72,741
- Current City Taxes:\$407.35
- Rough estimate of post construction tax value:\$120,000
- Rough estimate of City taxes post construction:\$672
- Rough estimated of net gain: \$265

Reimbursement of Increase in City Property Taxes

The estimated investment of \$50,000.00 would be eligible to receive the grant on an incremental scale as follows:

Year One:	100%	-	\$265
Year Two:	75%	-	\$198.75
Year Three:	75%	-	\$198.75
Year Four:	50%	-	\$132.50
Year Five:	50%	-	\$132.50
Total:			\$927.50

REGULAR MEETING - JUNE 29, 2017

Councilman Eaddy made the motion to close the Public Hearing. Councilman Black made the motion unanimously approved to award the grant as recommended by the Planning Director and the Steering Committee.

APPLICATION FROM PIEDMONT COMPANIES LLC FOR SMART GROWTH INCENTIVE GRANT FOR NEW RESIDENTIAL DEVELOPMENT - INTERSECTION OF EAST PINE AND NORTH ASPEN STREETS (ASPEN STATION)

SGIG-02-2017

Mayor Hatley opened the Public Hearing. Laura Elam, Planning Director, reviewed the request from the above said applicant for a smart growth incentive grant. Laura told Council 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.

Laura gave the following outline of the project information and reimbursement of increase in City Property Taxes:

Project Information

- Location: Intersection of North Aspen and West Pine Streets
- Proposal: Development of 13 townhomes
- Cost estimate: \$2,085,000
- Current tax value: \$102,337
- Current City Taxes:\$573.09
- Rough estimate of post construction tax value:\$2,200,000
- Rough estimate of City taxes post construction:\$12,320
- Rough estimate of net gain: \$11,747

Reimbursement of Increase in City Property Taxes

The proposed estimated investment of \$2,085,000 would be eligible to receive 100 percent of the grant as follows:

Year One:	100%	-	\$11,747
Year Two:	100%	-	\$11,747
Year Three:	100%	-	\$11,747
Year Four:	100%	-	\$11,747
Year Five:	100%	-	\$11,747
Total:			\$58, 735

REGULAR MEETING - JUNE 29, 2017

Laura concluded noting on behalf of the Planning Department and the Steering Committee the project meets the criteria for eligibility for the Smart Growth Incentive grant.

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

Councilman Eaddy made the motion unanimously approved to award the grant as recommended by the Planning Director and the Steering Committee.

PUBLIC HEARING TO RECEIVE INPUT ON A PROPOSED AMENDMENT TO THE CITY'S CODE OF ORDINANCES – TITLE V: PUBLIC WORKS – CHAPTER 50: SOLID WASTE COLLECTION AND DISPOSAL – SECTIONS 50.05, 50.07, AND OTHERS WITHIN THIS SECTION AS THEY PERTAIN TO REQUIRED REFUSE CONTAINERS AND PICK UP:

(O-07-17)

Mayor Hatley opened the Public Hearing. Steve Zickefoose, City Manager, reviewed the proposal for an amendment to the City's Code to Solid Waste Collection.

He said, "Based on discussions during the budget work sessions, staff identified the need to standardize services and be consistent with implementation of our solid waste and collection program. In addition, the implementation of using automated garbage trucks must be considered as well. Comparisons were made with neighboring municipalities to establish a services baseline. The largest difference we found is in the area of commercial and nonprofit sites being serviced. Other municipalities either do not provide or they charge for commercial and nonprofits.

There are 238 commercial sites and 57 nonprofit sites being served now. Under our proposed plan, 85% of these sites will have no change. However, the City will potentially save \$200,000 plus in operating costs and also be able to increase residential services to include TV's and Electronics on a limited schedule and to offer bulk pick up of previously non allowed items such as toilets, sinks, tubs, etc. for a minimal disposal fee."

REGULAR MEETING - JUNE 29, 2017

A summary of the operational changes are listed below:

- Bags, boxes or other smaller containers outside of the cart will not be picked up
- Containers shall be placed at curbside for pickup and must be accessible by the automated arm
- Carts must be 3 feet from another cart, parked car, mailbox, pole, etc.
- City will provide and service up to 6 roll outs per parcel.
- Collection limited to one day per week.
- Parcels such as Shopping Centers, Apartments, etc. will be evaluated on a case by case basis considering accessibility, liability and size concerns subject to the following criteria:
 - * Apartments- Max of 6 roll outs per parcel or 1 roll out per 2 doors (max of 20) in an area designated by the City. Complex with over 40 units not eligible for service.
 - * Shopping Centers- Class A (under 10,000 sq ft)- Max of 6 roll outs per parcel or 1 roll out per door (max of 10) in an area designated by the City
 - * Shopping Centers- Class B (10,000 – 50,000 sq ft) or C- 6 (over 10,000 Max of 6 roll outs per parcel or 1 roll out per door (max of 15) in an area designated by the City
 - * Shopping Centers- Class C (over 50,000 sq ft)- No service provided
- Downtown commercial and nonprofit solid waste services shall be determined on an individual basis considering site limitations for automated pickup.
- Leaves- No bagging. Shall not be placed on any street or sidewalk that will obstruct free passage of persons and/or vehicles.
- TV's and Electronics- Change current policy so that these items are allowed to be picked up. To be picked up on limited schedule.
- Bulk- Consider pick up of non allowed items such as toilets, sinks, tubs, etc. as an optional service for a set disposal fee.

The effective date of the changes will be October 1st

REGULAR MEETING - JUNE 29, 2017

Councilman Eaddy questioned the 96 gallon roll out being very heavy for some of the elderly residents. Ritchie Haynes told him to have citizens that have trouble with rolling the carts out curbside to contact him at City Hall.

Councilman Smith wanted to make sure arrangements could be made to have them picked up if a person could not get their roll out curbside.

After further discussion, Councilman Jetton made the motion unanimously approved to close the Public Hearing.

Councilman Eaddy made the motion unanimously approved to amend the City's Code of Ordinances as recommended by the City Manager.

CONSIDERATION OF A CONTRACT BETWEEN THE CITY AND LINCOLN COUNTY FOR TECHNOLOGY SERVICES:

(C-12-17)

Steve Zickefoose, City Manager, requested that Council table this item as the City did not have a draft of the proposed contract to date. While he has had discussions with both Kelly Atkins and Dante Patterson, he said he would like to wait until he receives and reviews the proposed agreement.

Councilman Eaddy made the motion unanimously approved to table this item and place it on the August 3rd regular City Council meeting agenda, provided the City has a draft of the contract.

CONSIDERATION OF AWARDING A BUSINESS INCENTIVE GRANT (BIG- 7-2017) APPLICATION FROM BRIAN AND JANE ROLLINS FOR BUSINESS INCENTIVE GRANT FOR BUILDING RENOVATIONS FOR NEW PIZZERIA AND BAKERY AT 209 N ASPEN STREET:

Laura Elam, Planning Director, reviewed the application from Brian and Jane Rollins for Business Incentive Grant for building renovations for new pizzeria and bakery at 209 N Aspen Street.

Project Information

- Location: 209 N. Aspen Street

REGULAR MEETING - JUNE 29, 2017

- Use: Building renovations for new restaurant including:
 1. Removal, replacement and rebuilding of roof
 2. Interior up fit of electrical, mechanical and plumbing
- Total project cost estimate: \$63,000
- Anticipated start: June 2017
- Anticipated Completion: November 2017

Request

- \$15,000 for building renovations

Councilman Jetton made the motion unanimously approved to award the grant as recommended by the Planning Director and the Steering Committee.

CONSIDERATION OF AWARDING A BUSINESS INCENTIVE GRANT (BIG- 8-2017) APPLICATION FROM THE SOUND FACTORY STUDIOS, LLC FOR BUSINESS INCENTIVE GRANT FOR BUILDING RENOVATIONS FOR NEW MUSIC STUDIO AT 128 EAST MAIN STREET:

Laura Elam, Planning Director, reviewed the application from the Sound Factory Studios, LLC for Business Incentive grant as follows:

Project Information

- Location: 128 East Main Street
- Use: Building renovations for new music studio on upper level including:
 - Installation of new HVAC system
 - Installation of new electrical system doors
 - Installation of new flooring,
 - Installation of new doors,
 - Installation of soundproofing for studio

NOTE: A remote viewing area will be at street level

- Total project cost estimate: \$50,500
- Anticipated start: June 2017
- Anticipated Completion: November 2017

Request

- \$15,000 for building renovations

REGULAR MEETING - JUNE 29, 2017

Councilman Black made the motion unanimously approved to award the grant as recommended by the Planning Director and the Steering Committee.

CONSIDERATION OF SETTING FILING FEES FOR A 2017 MUNICIPAL ELECTION:

Donna Flowers, City Clerk, said the General Assembly through the passage of HB 504 (Session Law 2017-62) moved Lincolnton's regular Municipal Elections from odd numbered years to even numbered years and extended the Mayoral term to a four year term rather than a two year term. Also with two current appointees filling unexpired terms of former Council members, both Ward 1 and Ward 2, legislation states that the Ward 2 seat would on the ballot in 2018 for a two year term, then again in 2020 for a four year term. The Mayor's seat will now run with Ward 1 and Ward 3 in the General Election cycles in the future.

She said, "In the 2018 Municipal Election cycle, the City will have Wards, 1,2 and 3 along with the Mayor on the ballot. She suggested the Council take a look at their City Charter and recommend any changes in accordance with the recent legislation, to be recommended to the General Assembly in the near future.

UPDATE ON THE EAST MAIN STREET-GENERALS BLVD INTERSECTION PROJECT:

Steve Zickefoose, City Manager, told Council that the electrical work for the intersection has been the driver for the complications for the project. He said, "NCDOT is more than willing to work with Mr. Fletcher with this design, and we are looking at all angles to come up with solutions.

Laura Elam told Council, "Staff and Leonard Fletcher of TGS met with Mark Stafford, the NCDOT Division 12 Engineer earlier this month. Mr. Fletcher and Mr. Stafford discussed in detail how TGS could minimize the scope of the project while also providing enough improvements for pedestrians so that the project qualifies for federal CMAQ funding.

Mr. Fletcher and Mr. Stafford also discussed if and how the project could provide those pedestrian improvements while also complying with ADA regulations without rebuilding existing intersecting driveways and existing curb and gutter."

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Key points she noted were:

- how to ensure adequate drainage of the redesigned intersection without having to change the grade,
- how to ensure safe movement of vehicles and pedestrians, and
- how best to locate the new traffic signal poles so that as little as possible of the existing sidewalk, curb and gutter is impacted.

Laura concluded saying, “Mr. Fletcher is in the process of re-working the design plan to try to limit the project scope as much as possible while meeting all those objectives.”

Councilman Eaddy questioned if NCDOT, Division 12 is making these individual interpretations. Steve said he feels the dialogue has been open and honest thus far, as there is a better understanding of what needs to be done.

MONTHLY FINANCIAL & OVERTIME REPORT:

Steve Zickefoose, City Manager, told Council he was pleased with this month's financials as the state tax and franchise tax amounts are up in the general fund. He reviewed all funds including water & sewer, electric and the overtime for employees which is down \$ 58,470.00 from this time last year. *(There is a detailed report in the Finance Department for the month with break downs for review)*

Mayor and Council thanked the City Manager for providing the report.

CITY MANAGER PERFORMANCE EVALUATION:

Mayor Hatley said, “An evaluation of Steve was conducted at the June 1st regular meeting in Closed Session, and we wanted to report out in open session; The City Council is very pleased with the City Manager, Steve got a very positive review, an excellent evaluation. All City Council members expressed a high rating and members expressed pleasure with how he has managed the budget and the City departments.” Mayor Hatley said, “We are happy with the direction the City is going; organizing the steering committee and pulling together for a common cause.” Mayor Hatley noted several of the major accomplishments of the City Manager in the last year and said his management has been a very positive for the City. Employee benefits have improved while he has been City Manager and has moved the City to the State Health Plan for a cost savings for employee health insurance of over 1 million dollars.” Councilman Eaddy said, “That was Steve's idea and I applaud him

REGULAR MEETING - JUNE 29, 2017

for implementation of this plan and for saving the City money while still providing a great benefit.” “Consolidating Incentive Grants has been a positive making things easier and more efficient for the citizens.”

Mayor Hatley said he and the City Council were also very pleased with how the Assistant City Manager has been developed and utilized. Mayor Hatley reiterated that he and Council are very pleased with Mr. Zickefoose’s performance and very pleased with the direction the City is being taken.

Steve thanked the Mayor and Council for their positive comments. He said, “It’s an absolute honor and privilege to have this position. I enjoy my job and all the people I work with. It is a very rewarding job, and it’s nice to be able to work with Council that has the same insight and direction to help move the City forward.”

He said, “I have reviewed Councils’ comments on my performance evaluation and feel that they are an accurate representation of the past year and a half while serving in those roles. My time serving as City Manager as well as the Finance Director has been very busy and productive. The first year was especially challenging until the hiring of an Assistant Manager. We have been successful in several reorganizational changes that have had a positive impact on the efficiency of operations.

My focus has been on implementing the goals identified by Council as part of the Strategic Planning Process. These goals include: Infrastructure, Employee Benefits, Downtown Development and Recreation.

A highlight of accomplishments in each goal area is as follows:

Infrastructure

- Water, Sewer, Sidewalk improvements in downtown area
- Lift Station upgrades
- Electrical Substation improvements
- Mobile 311 automated work order program

Employee Benefits

- Change to State Health Plan- \$1.2 million savings
- Pay and Class Study and Implementation
- Employee Benefits Program – Pierce Group Benefits
- Changes to Holiday Pay, Overtime calculations, Longevity pay and

REGULAR MEETING - JUNE 29, 2017

- Supplemental Service pay
- Downtown Development
- Creation of Steering Committee
- Incentive Grant Program
- Aesthetics- murals, light poles, trash cans
- Planters
- Additional parking spaces

PUBLIC COMMENT:

No one spoke under the public comment portion of the meeting.

NEWS MEDIA:

There were no questions from the news media.

ADJOURNMENT:

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

DONNA C. FLOWERS, MMC
CITY CLERK

ED HATLEY
MAYOR

ITEM #

4

Donna Flowers

From: Mark Carpenter
Sent: Monday, July 24, 2017 3:12 PM
To: Donna Flowers
Cc: Laura Elam; Jean Q. Derby
Subject: Calls to Public Hearing for August 3, 2017 Meeting

Donna,

Today is the deadline for applications. I have received the following applications to be called to public hearing:

- CUP-5-2017- Application from Roberta Borden Wilson requesting a conditional use permit to operate an Indoor/outdoor venue (weddings, rehearsal dinners, dinner parties, graduation parties, birthday parties, retirement parties, bridal showers, baby showers, luncheons and similar uses) in the Residential-15 (R-15) District. The subject property is located at 1200 General Hoke Drive (Parcel ID 15867).
- ZMA-2-2017- Application from Floyd Dean requesting the rezoning of approximately one acre of land from Residential-25 (R-25) to Planned Business (PB) District. The subject property is located west side of West NC 150 Highway approximately 500 feet south of the intersection of West NC 150 Highway and West NC 27 Highway (Parcel ID 21438).

If I receive any additional items by 5:00 p.m. today I will send them to you in the morning.

Thanks

Mark A. Carpenter
City of Lincolnton
Zoning Administrator
114 West Sycamore Street
P.O. Box 617
Lincolnton, NC 28093
704-736-8930



ITEM #

5

North Carolina Department of Cultural Resources
Division of Archives and History
Records Services Branch
REQUEST AND APPROVAL OF UNSCHEDULED RECORDS DISPOSAL

Date: _____

TO: Assistant Records Administrator
N.C. Division of Archives and History
Records Services Branch
109 E. Jones Street
Raleigh, NC 27601-2807

FROM: _____

In accordance with the provisions of G.S. 121 and 132, approval is requested for the destruction of records listed below. These records have no further use or value for official or administrative purposes.

RECORDS TITLE	DESCRIPTION	INCLUSIVE DATES	QUANTITY	MICROFILMED	RETENTION PERIOD
	FD Budget Presentation	2002-2012	10	No	5yrs
	Finance Dept 10-11 Budget Retiree	2010-2011	1		
	HR Budget Presentation	2010-2011	1		
	Parks & Rec Budget Retiree	2010	1		
	FD Budget Considerations	1990-1999	9		
	Copies FD Annual Report	1982-2009	30+		
	Col Budgets	1999-2005	7		
	Requisition	2013-2014	100+		1yr
	Purchase Orders	2013	100+		3yrs
	Medical Clearance letters	2011-2013	100+		3yrs?
	Fire Safety Fair	1992-2005	100+		3yrs?

Requested by: C. R. Kerner Fire Chief 7-24-17
Signature Title Date

Approved by: _____
Signature Mayor/Head of Governing Board Date

Concurred by (except as indicated):

Assistant Records Administrator
N.C. Division of Archives and History Date

North Carolina Department of Cultural Resources
Division of Archives and History
Records Services Branch
REQUEST AND APPROVAL OF UNSCHEDULED RECORDS DISPOSAL

Date: _____

TO: Assistant Records Administrator
N.C. Division of Archives and History
Records Services Branch
109 E. Jones Street
Raleigh, NC 27601-2807

FROM: _____

In accordance with the provisions of G.S. 121 and 132, approval is requested for the destruction of records listed below.
These records have no further use or value for official or administrative purposes.

RECORDS TITLE	DESCRIPTION	INCLUSIVE DATES	QUANTITY	MICROFILMED	RETENTION PERIOD
	Certificates of Liability	2001-2012	100+	No	1yr

Requested by: C. R. Heaner Fire Chief 7-24-17
Signature Title Date

Approved by: _____
Signature Mayor/Head of Governing Board Date

Concurred by (except as indicated):

Assistant Records Administrator
N.C. Division of Archives and History Date

North Carolina Department of Cultural Resources
Division of Archives and History
Records Services Branch
REQUEST AND APPROVAL OF UNSCHEDULED RECORDS DISPOSAL

Date: _____

TO: Assistant Records Administrator
N.C. Division of Archives and History
Records Services Branch
109 E. Jones Street
Raleigh, NC 27601-2807

FROM: _____

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RECORDS TITLE	DESCRIPTION	INCLUSIVE DATES	QUANTITY	MICROFILMED	RETENTION PERIOD
	FD Budget Presentation	2002-2012	10	No	5yrs
	Finance Dept 10-11 Budget Retiree	2010-2011	1		
	HR Budget Presentation	2010-2011	1		
	Parks & Rec Budget Retiree	2010	1		
	FD Budget Considerations	1990-1999	9		
	Copies FD Annual Report	1982-2009	30+		
	Col Budgets	1999-2005	7		
	Requisition	2013-2014	100+		1yr
	Purchase Orders	2013	100+		3yrs
	Medical Clearance letters	2011-2013	100+		3yrs?
	Fire Safety Fair	1992-2005	100+		3yrs?

Requested by: C. R. Hanner Fire Chief 7-24-17
Signature Title Date

Approved by: _____
Signature Mayor/Head of Governing Board Date

Concurred by (except as indicated):

Assistant Records Administrator
N.C. Division of Archives and History Date

North Carolina Department of Cultural Resources
Division of Archives and History
Records Services Branch
REQUEST AND APPROVAL OF UNSCHEDULED RECORDS DISPOSAL

Date: _____

TO: Assistant Records Administrator
N.C. Division of Archives and History
Records Services Branch
109 E. Jones Street
Raleigh, NC 27601-2807

FROM: _____

In accordance with the provisions of G.S. 121 and 132, approval is requested for the destruction of records listed below.
These records have no further use or value for official or administrative purposes.

RECORDS TITLE	DESCRIPTION	INCLUSIVE DATES	QUANTITY	MICROFILMED	RETENTION PERIOD
	Certificates of Liability	2001-2012	100+	No	1yr

Requested by: C. R. Heaner Fire Chief 7-24-17
Signature Title Date

Approved by: _____
Signature Mayor/Head of Governing Board Date

Concurred by (except as indicated):

_____, Assistant Records Administrator
N.C. Division of Archives and History Date

ITEM #

6



Presented to

Dale Punch

In recognition of

his many years of

Outstanding Service

to the

Lincolnton July 4th

Celebration Committee

August 3, 2017

ITEM #

7

C. Ryan Heavner
FIRE CHIEF



FIRE
DEPARTMENT

P.O. BOX 617·116 WEST SYCAMORE STREET· TELEPHONE 704.736.8920 • FACSIMILE 704.736.8929
LINCOLNTON, NORTH CAROLINA 28093-0617

June 10th, 2017

Isaiah Herndon
Will Schronce Road
Fire Alarm Incident

Mayor and Council,

As dedicated servants to the public it is often difficult to distinguish between day to day service and above and beyond the call of duty. I feel this is due to our many members who possess an amazing work ethic and tend to always put others before themselves.

One such example of this was exemplified on the afternoon of June 10th by Isaiah Herndon, a Lincolnton Firefighter, who was driving to a family member's home with his girlfriend. Isaiah heard a fire alarm dispatched to South Fork Fire Department just seconds away from his location and decided to assist. "I told my girlfriend there is a fire alarm on the road we are about to turn on and I'm going to stop and make sure everything is ok" and he did just that. As soon as he arrived he noticed light smoke coming from the roof, he immediately proceeded to the front door where he knocked and announced, "Fire Department." Seconds later a lady answered the door stating she didn't know why the fire alarm was sounding. Isaiah could see and smell smoke inside the home and knew he had to act quickly if he was going to make a difference. Firefighter Herndon assisted the lady outside to a shady spot while he further investigated. After donning his PPE he went inside the home, staying low and out of the smoke, he located the origin of the fire and extinguished most of it with his gloved hands. As the smoke continued to intensify he knew he had to exit where he found other firefighters arriving to the scene. Isaiah could hear sirens approaching as he briefed other members of his actions.

As if he hadn't done enough, he gathered equipment from the first arriving apparatus and proceeded back inside where he finished extinguishing the fire and assisted with smoke removal. During this time others from South Fork and Boger City Fire Departments had arrived allowing Firefighter Herndon to continue on with his plans for the afternoon. He checked on the lady he had previously ushered outside, then removed his PPE. He departed from the scene like so many times before thinking in the back of his mind how lucky he was to be able to help.

As Fire Chief I would never condone entering a dangerous incident alone however I realize through experience, every situation encountered is different and we often react to do what we hope others would do for us. Because of Firefighter Herndon's decisions on June 10th, a family's home was saved, fire and smoke didn't claim another victim. We owe thanks to those who serve and make split second decisions to help others and Firefighter Isaiah Herndon deserves many of those thanks!

ITEM #

8

MEMO TO: Mayor and City Council Members

FROM: Laura Elam, Planning Director

SUBJECT: CUP-4-2017 Conditional Use Permit application renewal from Bob Colvard

DATE: August 3, 2017

BACKGROUND

In April 2010, the Lincolnton City Council issued a conditional use permit to Bob Colvard to construct a mini-warehouse complex with 105 units on property located at the northwest corner of West NC Highway 150 and Hilltop Road. The address of the property is 944 West NC Highway 150 (Parcel ID 22706). (See attached map).

The City Council extended the permit for 24 months in 2013 and 2015. The permit expired in June, 2017 and the applicant is asking for an additional 24 month extension.

The Lincolnton Unified Development Ordinance states that the applicant has a period of 24 months from the date of issuance of the conditional use permit to secure a building permit for the project. If the applicant does not obtain a building permit within the time allowed, the Zoning Administrator notifies the applicant and within 60 days, the Planning Board is to make a recommendation concerning rescinding or extending the conditional use permit to the City Council. The City Council, after having conducted a public hearing to consider the matter, may extend the life of the conditional use permit for a specified period of time.

ACTIONS BY APPLICANT SINCE 2015

Since the renewal of the conditional use permit in 2015, no activity has taken place and no building permits have been issued. The owner has applied for an extension asking that the permit be renewed and extended so that he would be allowed to build the mini warehouse units.

RECOMMENDATION

Planning Board and Staff recommend that the permit be extended for a period of two (2) years.



Map Features

Road Easement
Conflict Line
(cont)

Major Rivers,
Creeks
Creeks
Interior Lot Line
(cont)

Drainage Easement
Utility Easement
Right-of-Ways
(cont)

Roads
Railroads
Public Walkway

Parcels
2015 State Ortho



Google Earth

feet 20
meters 6

April 5, 2010

Bob Colvard
PO Box 1615
Lincolnton, NC 28093

Dear Mr. Colvard:

The Lincolnton City Council held a public hearing on April 1, 2010 to consider your request for a conditional use permit to construct mini warehouse units in the NB District at 944 West NC Highway 150.

After consideration by the Council, your request was approved with the following conditions:

1. Setback of buildings will need to be altered due to right of way of street and adjoining residential properties.
2. Proposed use and gross floor areas and height of each building must be shown on plan.
3. Approximate completion time of the building must be identified on the plan.
4. Parking and Circulation plans. Showing type of surfacing to be used on property.
5. Detailed landscaping plan, including street trees, parking lot landscaping, and screening information must be provided.
6. Driveway access into property must be a minimum of 24 feet wide and a maximum of 36 feet wide. The Hilltop Drive access will likely need to be moved further north to comply with NCDOT requirements.
7. Need to show wooded areas that will remain on site.
8. Specific impervious surface amount needs to be shown on site plan to make sure water supply watershed standards are met.

9. Driveway permits must be obtained from NCDOT for access onto both Hilltop Road and NC 150.
10. All utilities must be shown. Both existing and proposed.
11. All storm water on site must be diverted so as not to affect adjacent property owners or street.
12. Erosion control permit must be obtained from Lincoln County.
13. All building and fire code standards must be met.
14. No sidewalks will be required.

Please contact me at 704-736-8930 so that we can arrange a time to meet concerning these conditions.

Sincerely,

Mark Carpenter,
Zoning Administrator

Cup210f1

ITEM #

9

July 26, 2017

Office of the Lincolnton City Council
Attn: The Honorable Ed Hatley
114 W. Sycamore Street
Lincolnton, NC 28092

Dear City Council Members:

On behalf of the interests of the 18,000 restaurants and 1,800 lodging establishments in North Carolina, and especially those located in your area, we write to you today, to urge the adoption of the "Brunch Bill" ordinance in your municipality.

S.B. 155, more commonly referred to as the "Brunch Bill," was recently signed into law by Gov. Roy Cooper. The law allows Sunday alcohol sales to begin at 10 a.m. instead of noon. However, to be effective, local cities and/or counties must "opt-in" by adopting an ordinance. Local governments across the state are moving quickly to adopt the language, and we hope that Lincolnton is next.

More than 55 million people visit North Carolina each year, many of which spend time visiting Lincolnton, enjoying all that it has to offer. The majority of North Carolina's guests come from countries or other states where there are no blue laws restricting alcohol service, leaving visitors confused and disappointed when restaurateurs have to explain the situation.

There are several local area restaurants and lodging establishments that stand to benefit from the ordinance. Lincolnton boasts a strong local economy, building up local entrepreneurs to succeed. This ordinance, will further help achieve that; allowing local businesses to truly flourish; as starting Sunday alcohol service just two hours earlier helps the hospitality industry to better meet guests' needs, generate additional revenue and create more jobs.

Local businesses are not the only ones who stand to benefit from adopting the ordinance; local patrons will have a greater selection of brunch venues, while increased sales will generate more tax revenue for both local and state governments. The positive impact of this ordinance will only grow as brunch continues to become an increasingly popular setting for families to celebrate weddings, anniversaries and other special occasions and in integral part of people's travel experience.

BOARD OF DIRECTORS

Michael Martino, Chair
Sheraton Imperial Hotel & Convention Center

Scott Brewton
Pinehurst Resort & Spa

Phil Friedman
Salsarita's Fresh Cantina

Gary Froeba
The Omni Grove Park Inn

Bill Gant
Concord Hospitality Enterprises

Joel Griffin
Griffin Stafford Hospitality, LLC

Peter Grills
The Ballantyne Hotel & Lodge

Alan Hilton
S & D Coffee, Inc.

Burney Jennings
Biscuitville Fresh Southern

Randy Kolls
Washington Duke Inn & Golf Club

Scott Maitland
Top of the Hill Restaurant, Brewery & Distillery

Amber Moshakos
LM Restaurants

Robert M. O'Halloran
East Carolina University

Rashmikan "Haji" Patel
ex-officio
Asian American Hotel Owners Asso

Nishith Patel
Beacon IMG, Inc.

Vinay Patel
SREE Hotels, LLC

Tom Sasser
Harper's Restaurant Group

Billy Sewell
Platinum Corral, LLC

Steve Thanhauser
Angus Barn, Ltd.

Charles Thompson
The Inn on Biltmore Estate

Lance Trenary
Golden Corral Corporation

Sterling F. Webster IV
Hilton Garden Inn, Outer Banks
Kitty Hawk & Ramada Plaza,
Nags Head

Crissy Wright
Charlotte Marriott City Center



NC Restaurant
& Lodging Association

Please help keep Lincolnton a competitive place to work and visit by adopting an ordinance allowing earlier Sunday alcohol sales.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lynn D. Minges".

Lynn D. Minges
President & CEO
NCRLA

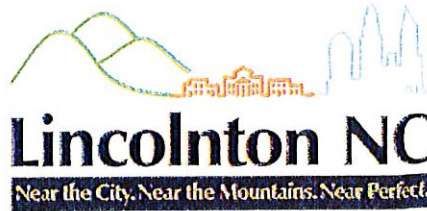
A handwritten signature in blue ink, appearing to read "Mike Martino".

Mike Martino
Chairman of the Board
NCRLA

Brunch Bill Fact Sheet

- Before passage of S.B. 155, North Carolina was one of only three states with no on-premise Sunday morning alcohol sales.
 - Twenty-one other states permit earlier Sunday sales uniformly through state law.
 - The remaining twenty-six either regulate Sunday morning alcohol sales entirely at the local level or allow local governments to opt-in or opt-out of a state law allowing for the earlier sales.
- Less than a month after SB 155 became law, more than 44 cities and 4 counties have already adopted the Brunch Bill ordinance.
- NCRLA anticipates that cities and counties who take advantage of this new bill will see boosts in local restaurant sales on Sunday mornings. By starting sales just two hours earlier, participating restaurants are projected to see an estimated \$25,000 increase in sales revenue per operation.
 - On Wilmington's first Sunday of earlier sales, BlackfinnAmeripub reported selling over 650 mimosas alone. This figure does not include any other type of drink ordered.
 - Paul Verica, chef and owner at Heritage Food and Drink in Waxhaw, reported that the average morning **check balance is around \$15 for Sunday brunch before noon** (pre enactment of an ordinance). While tickets after 12 p.m., when alcohol could be purchased, **increased to \$22-\$26 per person.**
<http://www.charlotteobserver.com/news/politics-government/article157441804.html>
- More than 55 million people travel to North Carolina annually, many of which are from countries and states that do not have laws restricting alcohol service on Sundays. This leaves guests confused when our members have to refuse service until noon.
 - Adopting the ordinance will help keep North Carolina cities and towns competitive destinations for business and leisurely travel, while offering local citizens a greater variety of brunch venues.
- Allowing earlier Sunday alcohol sales will allow the hospitality industry to better meet guests' needs, generate additional revenue and create more jobs, all while helping to bring in additional tax dollars for local and state governments.

CITY COUNCIL
Ed L. Hatley, Mayor
Martin A. Eaddy, Mayor Pro-Tem
David M. Black
Roby D. Jetton
Tim Smith



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.

(O-13-2017)

**An Ordinance To Allow the Sale of Alcoholic Beverages Before Noon on Sundays
at Licensed Premises**

WHEREAS, on June 29, 2017, the North Carolina General Assembly enacted Senate Bill 155, entitled "An Act to Make Various Changes to the Alcoholic Beverage Control Commission Laws"; and

WHEREAS, Section 4 of Ratified Senate Bill 155 authorizes city and county governments to adopt an ordinance to allow alcohol sales beginning at 10 am on Sundays; and

WHEREAS, Ratified Senate Bill 155 was signed into law by Governor Roy Cooper on the 30th day of June, 2017 and became effective on that date (Session Law 2017, Chapter 87); and

WHEREAS, by enacting Senate Bill 155, North Carolina joins 47 other States in allowing alcohol service before noon on Sunday; and

WHEREAS, Sunday morning alcohol service will allow the hospitality community and retail merchants in our community to meet the needs of their customers; and

WHEREAS, Sunday morning alcohol service will benefit our small business community, bring people into business districts earlier in the day, and generate increased tax revenues; and

WHEREAS, our community has a diverse and growing population with different religious beliefs, each of which has various times and multiple days for worship;

NOW, THEREFORE, BE IT ORDAINED by the Lincolnton City that:

Section 1. Pursuant to the authority contained in G.S. 160A – 205.3, the sale of malt beverages, unfortified wine, fortified wine, and mixed beverages is allowed within the corporate limits of the City of Lincolnton beginning at 10 A.M. on Sunday pursuant to the licensed premises' permit issued under G.S. 18B – 1001.

Section 2. This ordinance shall become effective upon adoption.

Adopted this ____ day of _____, 2017.

ATTEST:

DONNA C. FLOWERS, MMC
CITY CLERK

ED HATLEY
MAYOR

ITEM #

10

CITY COUNCIL
Ed L. Hatley, Mayor
Martin A. Eaddy, Mayor Pro-Tem
David M. Black
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Tim Smith



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..

TO: Mayor and Council

FROM: Steve Zickefoose, City Manager

A handwritten signature in black ink, appearing to read "Steve", is written over the name "Steve Zickefoose" in the "FROM:" line.

SUBJECT: Nuisance Ordinance

DATE: August 3, 2017

Based on recent questions regarding the City's Declaration of Nuisance Ordinance 93.047, staff has met and reviewed similar policies from nearby municipalities including Charlotte, Conover, Gastonia, Greensboro, Hickory, Lenoir, Mooresville, Morganton, Oak Ridge, Pleasant Ridge and Shelby. A brief summary is attached.

One of the questions that has come up deals with the term "Natural Areas" and what that means. This term includes, but is not limited to, a wide range of features areas such as wetlands, public open spaces, wooded areas and lots, stormwater detention, rain gardens and wild flower restoration. These areas are exempt from the 12 inch height limit on weeds and grass. Natural areas are different from things such as noxious weeds, grass, animal or vegetable matter, rubbish, trash, junk etc. that threaten to cause rats, snakes, vermin of any kind which are dangerous to public health or safety.

What we found, is that Lincolnton's ordinance is very much in line with what others are doing. "Natural areas" are referred to in some of the other city's ordinances as well.

Staff understands that there may be differences of opinions on determinations of what meets the established criteria of a "natural area". Staff has been consistent in applying our interpretations the same for all residents. Multiple staff members review complaints that may need more in depth consideration.

Based on the number of nuisance complaints filed since January 2016, only 3 out of 224 complaints are currently unresolved. Of these 3 complaints, one relates to a temporary stormwater detention area within a subdivision. A developer plans to remove the temporary stormwater detention area within the next few weeks in order to create a buildable lot and then later build a home. A neighbor has complained about the vegetation in the detention area. In stormwater management facilities, plants are necessary to prevent erosion and slow water movement, hold or convert pollutants, and enhance infiltration. The staff determination is that while this area is still serving a stormwater detention purpose, the vegetation needs to remain in place. Once the detention area is removed in the coming

weeks, the lot will look like any other vacant lot in the subdivision and the neighbor's concerns should be resolved.

The remaining 2 complaints relate to vegetation. In one case, the complaint relates to bushes / shrubbery on a lot. The complaint is that the bushes constitute a nuisance and the City should require their removal. The other complaint relates to vines on a shed in a rear yard.

Through the years, Staff and the City Attorney have researched this issue, discussed options and have come to the conclusion that it would be unreasonable and unrealistic for the City to get into the business of mandating removal of bushes/shrubbery/vines on buildings or setting specific grooming or manicuring standards for bushes, shrubbery or vines unless there is also an associated public health or safety threat.

The State enabling legislation that allows local nuisance ordinances is based on protection of public health, safety and welfare and the purpose of nuisance ordinances is to protect the public from the negative effects of conditions or activities that are dangerous or prejudicial to the public health or safety. The State enabling legislation regarding nuisances does not speak to a requirement that landscaping on private property be manicured to a certain standard nor does it include language that would specifically support such a local ordinance. It is the Staff and City Attorney's view that the City should not require removal or trimming of bushes, shrubbery, hedges, vines etc on private property unless there is a related public health or safety threat. In addition, such a city-wide enforcement/abatement effort would be costly and likely be viewed as offering limited benefit by most citizens.

With just the above 3 out of 224 complaints not being closed out and fully resolved, this is an excellent indicator that the ordinance is successful.

Residents that are not satisfied with nuisance enforcement decisions may request to appear before Council to discuss changes to the ordinance in question.

[Print](#)

Lincolnton, NC Code of Ordinances

§ 93.047 DECLARATION OF NUISANCE.

The existence of any of the following conditions on any vacant lot or other parcel of land within the corporate limits is hereby declared to be dangerous and prejudicial to the public health or safety and to constitute a public nuisance:

- (A) The uncontrolled growth of noxious weeds or grass to a height in excess of 12 inches causing or threatening to cause a hazard detrimental to the public health or safety;
- (B) Any accumulation of animal or vegetable matter that is offensive by virtue of odors or vapors or by the inhabitation therein of rats, mice, snakes or vermin of any kind which is or may be dangerous or prejudicial to the public health;
- (C) Any accumulation of rubbish, trash or junk causing or threatening to cause a fire hazard, or causing or threatening to cause the accumulation of stagnant water, or causing or threatening to cause the inhabitation therein of rats, snakes or vermin of any kind which are dangerous or prejudicial to the public health; and/or
- (D) Any condition detrimental to the public health which violates the rules and regulations of the County Health Department.
- (E) The maximum height restrictions set out in this section shall not apply to the following:
 - (1) Natural areas including, but not limited to, wetland areas, public open spaces, wooded areas and lots, stormwater detention areas, rain gardens or wild flower restoration areas;
 - (2) Land located within 50 feet of natural or altered creeks, rivers and stream corridors, including riparian buffer strips that convey water;
 - (3) Land used for agriculture including, but not limited to pastures that are fenced and contain animals;
 - (4) Temporary erosion control measures; as shown on an approved erosion control plan,
 - (5) Ornamental grasses grown as ornamental plants; or
 - (6) Utility rights-of-way.

(Prior Code, § 7-22) (Ord. —, passed 9-12-2013) Penalty, see § 93.999

Cross-reference:

Disposal of building debris, § 50.10

Refuse in cemetery, § 91.02

Statutory reference:

Littering, see G.S. § 14-399

NUISANCE ORDINANCE EXAMPLES

<u>City</u>	<u>Ht Limit Grass/Weeds</u>	<u>Exceptions/Additional Standards</u>	<u>Appeal</u>
Charlotte	1 foot	• Vacant lots adjacent to improved property, except heavily wooded, shall be cut 3 times/year • Vacant lots over one acre and adjacent to improved properties shall be cut within 100 ft. of improved property • Vacant lots over 1 acre not adjacent to improved property shall have a 100 ft buffer area cut adj to nearest properties and shall be cut at least 3 times / yr	• Any person who has been assessed a civil penalty may request a hearing with the Neighborhood Development KBE. Request to be made in writing, filed within 30 days of the notice of assessment, and state the reasons why the civil penalty should not have been assessed. • A person requesting a hearing must post a bond equal to the amount of the civil penalty before an appeal hearing will be scheduled. Once the bond is posted, the hearing will be scheduled within 15 business days. • Any person against whom a decision of the hearing officer is made may seek judicial review of the decision by filing a written petition within 30 calendar days after receipt of the notice of the decision, with superior court. The proceedings in superior court to be in the nature of certiorari.
Conover	1 foot	• Does not apply to wooded lots or property that consists of ravines, creek banks or severe slope	• Within the time period stated in the notice to abate, the owner or occupant of the property where the nuisance exists may appeal the findings of the code enforcement officer to the chief of police by appearing before the chief of police at the appeal hearing date and time given on said notice, such appeal to stay the abatement of the nuisance by the code enforcement officer until a final determination is made by the chief of police.
Gastonia	1 foot	• 1 foot provision applies within 100 feet of any structure • Weeds, grasses, or other plants or bushes, noxious growth or over hanging shrubbery that threatens to become a fire hazard, harboring place for rats, mice, snakes or other vermin, or otherwise poses a danger to the public health or safety not permitted.	• Prior to end of 15-day abatement period, the respondent may request a hearing before the city manager to appeal the finding of the code enforcement officer that a public nuisance exists. • Any request for a hearing must be in writing and must be filed in the office of the city manager. The city manager to schedule hearing, and the initial abatement order shall be temporarily suspended upon such filing, pending the hearing. • Hearing to be within 31 calendar days of receipt of the request for hearing. At the hearing, the individual affected by the order shall be given the opportunity to present evidence to refute the findings which supported the abatement order. Manager may either revoke the initial order, issue a final order which differs from the initial order. or reinstate the initial order as a final abatement order.
Greensboro	1 foot	Exceptions for ornamental grasses such as switch grass, pampas grass, fountain grass, bamboo	• Prior to end of 10-day abatement day period, the respondent may appeal the findings of the enforcement officer to the minimum housing

		Exceptions for lots exceeding one acre or lots covered with trees: • These lots to be maintained to a depth of 20 ft from the road for all dense growth and noxious vegetation where the main trunk, main stem or main shaft of vegetation is less than one inch in thickness • If adjacent property is occupied by a dwelling or other structure, lots exceeding 1 acre, vacant undeveloped lots, or lots covered with trees shall be maintained to a depth of 20 feet from the side and rear property lines for all dense growth and noxious vegetation where the main trunk, main stem or main shaft of vegetation is less than 1 inch in thickness • Natural landscape areas and wooded lots are allowed subject to not creating a condition that poses a health hazard for the public • Natural landscape vegetation can't overhang into r/w or adjacent property • Natural landscape areas shall use borders to define the areas	standards commission. • An appeal stays the abatement of the nuisances until a final determination by the commission.
Hickory	1 foot	• Does not apply to lots over 1 acre or to lots covered with trees • Lots exceeding 1 acre or lots covered with trees to be maintained to a depth of 20 feet from property lines if adjacent property is occupied by a structure located within 50 feet of such structure. • Does not apply to property consisting of ravine, creek bank or other severe slope	
Lenoir	1 foot	• Exception for Lots >1 acre • Lots >1 acre required to be maintained to a standard if and only if adjacent property is occupied by a dwelling, commonly used structure or building and said structure is within 100 feet of the adjacent property line. If this occurs, then the owner must maintain within 20 foot border along occupied lots and street frontage. • This provision does not apply to wooded vacant lots that are more than 75% covered with mature trees, or property that consists of ravines, creek banks, or severe slopes. Also does not apply to vacant lots >3 acres.	• Within the 15 day abatement period, the owner of the property may request in writing a review of the nuisance determination by the chief of police. • Such written request shall stay the abatement of the nuisance by the city until the completion of the review, unless the inspector making the determination and notice certifies in writing to the chief of police and to the offender that, because of the facts stated in the certificate, a stay would cause imminent peril to life or property or that, because the violation is transitory in nature, a stay would seriously interfere with the effective enforcement. In that case, abatement proceedings shall not be stayed except by order of the chief of police or a court, issued on application of the party seeking the stay, for due cause shown. • The chief of police may reverse the findings or may, in his sole discretion, refer the review of any notice of violation to the city council rather than conduct the review himself when he finds good cause for such review by the council.
Lincolnton	1 foot	Exceptions for	

		- Natural areas including, but not limited to, wetland areas, wildflower restoration areas, public open spaces, wooded areas and lots, storm water retention areas or rain gardens - Land located within 50 ft of natural or altered creeks, rivers and stream corridors including riparian buffer strips that convey water - Land used for agriculture including, but not limited to, pastures that are fenced and contain animals - Temporary erosion control measures - Ornamental grasses grown as ornamental plants or - Utility rights-of-way	
Mooreville	1 foot	Exceptions for - Natural areas including, but not limited to, wetland areas, wildflower restoration areas, public open spaces, wooded areas and lots, storm water retention areas or rain gardens - Land located within 50 ft of natural or altered creeks, rivers and stream corridors including riparian buffer strips that convey water - Land used for agriculture including, but not limited to, pastures that are fenced and contain animals - Temporary erosion control measures - Ornamental grasses grown as ornamental plants or - Utility rights-of-way Grass, undergrowth or overgrown vegetation exceeding 18 inches located within a 50 ft. buffer on undeveloped property, when such undeveloped property adjoins or abuts property upon which a dwelling or business is located, is not permitted.	
Morganton	10 Inches	Exceptions for: - Woods - Natural areas - Planted areas along creeks, greenways, public parks and natural areas required by zoning ordinance for screening or as a buffer area or habitat intended to be left natural or protected - Cultivated areas - Managed vegetation under state and federal laws or for other lawful purposes	- Any tenant/occupant or property owner aggrieved by order of abatement may file written appeal to city manager within 10 days from order. Notice to state grounds for appeal and a statement explaining why the conditions are not a nuisance. - Hearing before either the city manager or the city council based upon the following: (1) If the appeal raises issues involving the manner or method of abatement of the nuisance, or involves solely a determination as to whether the conditions constituting the nuisance fall within those definitions of a nuisance, the hearing shall be before the city manager, or (2) All other appeals, including appeals from an order of abatement

			involving the removal of unattractive conditions which do not threaten the public safety or pose a general threat to the health, safety and general welfare, to be scheduled for hearing before the city council. (3)Further, at the direction of the city council, the enforcement of any order of abatement issued by the code enforcement officer or affirmed by the city manager may be scheduled for hearing by the city council but decision is discretionary and is not an appeal as a matter of right. At the hearing, the city manager or the city council may receive and consider evidence in the form of testimony, affidavits, etc or other written proof, including any report by the code enforcement officer, and the property owner, tenant, occupant shall have the right to appear and to show cause why the conditions are not a nuisance or ought not to be abated. The hearing shall be informal and strict rules of evidence shall not apply. After the hearing, the city manager or the city council, as appropriate, shall enter an order either affirming the original order of abatement, modifying the order of abatement or vacating the original order of abatement as may be determined to be appropriate under the facts presented.
Oak Ridge	1 foot	Exceptions for: Active farming or agricultural use Those lands dedicated and accepted by town as floodplain and open space established to preserve natural greenways and/or natural connecting networks along floodways, streams and creeks	
Pleasant Ridge	18 inches	Exceptions for: Active farming or agricultural use Trees and ornamental shrubs, cultured plants, flowers and growing and producing vegetable plants, Those lands dedicated and accepted by town as floodplain and open space established to preserve natural greenways and/or natural connecting networks along floodways, streams and creeks, Grass, weeds or other noxious vegetation that is not part of a lawn is exempt.	
Shelby	18 Inches	Exceptions for grass, weeds, undergrowth and rank vegetation more than 150 feet from any building, structure, recreational area (not including the width of any intervening street) or to grass, weeds, undergrowth and rank vegetation more than 125 feet from a street right-of-way	- Prior to end of 15-day abatement period, the respondent may request a hearing before the city manager to appeal the finding of the code enforcement officer that a public nuisance exists. - Any request for a hearing must be in writing and must be filed in the office of the city manager. The city manager to schedule hearing, and the initial abatement order shall be temporarily suspended upon such filing, pending the hearing.

			• Hearing to be within 31 calendar days of receipt of the request for hearing. At the hearing, the individual affected by the order shall be given the opportunity to present evidence to refute the findings which supported the abatement order. Manager may either revoke the initial order, issue a final order which differs from the initial order, or reinstate the initial order as a final abatement order.
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ITEM #

11

CITY COUNCIL
Ed L. Hatley, Mayor
Martin A. Eaddy, Mayor Pro-Tem
David M. Black
Roby D. Jetton
Tim Smith



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..

MEMORANDUM

TO: Mayor and Council

FROM: Steve Zickefoose, City Manager *Steve*

SUBJECT: County/City Technology Services Agreement

DATE: June 21, 2017

I have been working with the County regarding the possibility of a shared service agreement for providing technology services to the City. Kelly Atkins, Dante Patterson and I have come up with what we feel is a win/win situation for both the City and County.

One of the challenges that the City faces is a byproduct of our size. We are not large enough to need a multiple position department. The issue now is that we do not have the ability to guarantee 24/7 service coverage in the event of absences and/or vacancies. The City does have IT in house needs such as our city specific software, webpage, phones, Everbridge, etc., that will be done by our part time employee. However, we still have day to day needs for basic IT support services such as workstations, printers, servers, wireless access and windows software and others.

The Technology Services agreement with the County will provide the City 24/7 coverage for the identified areas of need. The County benefits by being able to add an additional staff person that can also assist with their needs. In simple terms, we both pay for the position, but with the City having access to the full County IT department.

The agreement opens the door for additional savings that will be possible by the sharing of network equipment, VOIP phone system, email software, data backup and internet service, etc.

The base cost for the agreement is \$70,000. Parts and supplies will be invoiced at cost.

Please let me know if you have any questions.

STATE OF NORTH CAROLINA

COUNTY OF LINCOLN

**INTERGOVERNMENTAL SERVICES AGREEMENT FOR INFORMATION
TECHNOLOGY SERVICES**

This Intergovernmental Services Agreement for Information Technology Services, hereinafter referred to as the “Agreement,” is entered into this ____ day of _____, 2017, by and between **LINCOLN COUNTY**, a body corporate and politic authorized by the laws of the State of North Carolina, having a mailing address of 115 W. Main St, Lincolnton, NC 28092, hereinafter referred to as the “County” and **THE CITY OF LINCOLNTON**, a North Carolina municipal corporation having a mailing address of 114 W. Sycamore St., Lincolnton, North Carolina 28092, hereinafter referred to as the “City”.

W I T N E S S E T H

WHEREAS, the County operates an Information Technology Office for the purpose of strategically performing various technical functions related to the maintenance and support of the County's Information Technology (“IT”) infrastructure, performing routine audits and maintenance of hardware and software, installing and configuring new hardware and software, software selection, testing, and installation, providing end-user technical support and training opportunities to all departments and staff, and other related duties, and

WHEREAS, the City previously operated its own Information Technology Department, providing similar services and operating in a similar manner, and

WHEREAS, the City desires to contract with the County, and the County desires to contract with the City, to provide assistance through its respective Information Technology Department to aid each other with services related to aforementioned services and functions, and

WHEREAS, the County, as a government, is authorized by the Interlocal Cooperation Act, N.C. Gen. Stat. § 160A-460 through § 160A-466 to enter into intergovernmental services agreements; and

WHEREAS, the County is authorized to make and execute contracts with municipalities in the same county where the City of Lincolnton is located;

NOW THEREFORE, in consideration of the mutual conditions, covenants, and performances called for herein, the parties hereto agree:

A. Services Provided. The County will provide to the City, on an as-needed and as-available basis, Information Technology support assistance to include, but not be limited to, the following, as directed by the County Manger and/or City Manager or their designated personnel:

1. Joint projects including server maintenance for Windows Servers;
2. LAN, WAN, Internet and Security Network Support and upkeep;
3. Help desk support including on-site and remote problem resolution. All calls will be routed to the next available technician, which may require a return call. Some issues may require escalation to a higher-level IT staff member and might require a technician to visit the site to provide additional technical expertise;
4. Microsoft Windows support including servers, workstations, network printers, and similar not already covered under existing support agreements;
5. Tools, software (as allowed by licensing agreements), and equipment management and routine maintenance;
6. Project consulting for additional networking, systems growth planning, and new objectives and goals for the City;
7. Network design, troubleshooting, and management including switching, firewalls, and VPN connections;
8. Management systems including an asset inventory and work request tracking and reporting system;
9. Support for City-owned smartphones and tablets. As it relates to the City's network the Lincoln County Information Technology Office will provide basic troubleshooting, connectivity, email support and local application support will be included;
10. Support for City of Lincolnton's Toshiba MFP hardware, contracts and connectivity;
11. Implementing IT Governmental best practices; and
12. Performing other duties as mutually agreed to by the parties.

B. Response Times.

1. The Lincoln County Information Technology Office will respond to work requests issued on an as needed and prioritized basis to support the above items. Work requests will be prioritized by assigning them to one of the following categories for resolution:

PRIORITY LEVEL	DESCRIPTION
P1 Critical	This is an EMERGENCY condition that prevents critical business operations.
P2 High	This is a condition that significantly impairs the use of one or more applications or systems to perform any critical business operations.
P3 Medium	One or more applications or systems are affected, but the impact on business operations is not severe.
P4 Low	The reported issue does not substantially impact business operations.

Additionally, the Lincoln County Information Technology Office will coordinate scheduled dates and times with the City to perform regularly scheduled updates and maintenance of the above items.

2. The Lincoln County Information Technology Office will work to achieve response times to work requests (i.e. server failure, back-up failure, etc.) on a schedule similar to the one below. The following table outlines the response times for each priority level associated with incidents:

ACTION	P1 CRITICAL	P2 HIGH	P3 MEDIUM	P4 LOW
Service Availability	8 x 5 x 260	8 x 5 x 260	8 x 5 x 260	8 x 5 x 260
Acknowledgement	2 hours	4 hours	24 hours (Bus Hours)	48 hours (Bus Hours)
Status Updates	4 hours	4-6 hours	Upon Request	Upon Request
Resolution	< 24 hours (Bus Hours)	< 48 hours (Bus Hours)	< 1 week	< 2 weeks

Support for the scope options listed above pertains to software and computing devices that meet established corporate standards. The Lincoln County IT Office will work with the City to determine these standards during the initial network assessment. Support for devices and software that do not meet corporate standards will be provided on a best-effort basis.

C. Review Process.

1. After the first six-months of service, an evaluation process may be performed in order to adjust any agreement provisions and to make sure all goals and objectives are being met.
2. Beyond the initial review, a bi-monthly update to the County and City Manager will be provided for services rendered.
3. Optionally the opportunity for a monthly planning and status meeting or phone conference with the City Manager and/or County Manager will be provided.

D. Sharing of Services. Where practical and beneficial to the City and/or the County, opportunities for sharing resources and joint projects may be offered when applicable. Opportunities for cost reduction and cost avoidance for City and County residents will be a priority of this Agreement.

E. Compensation for Services Delivered.

1. The City agrees to pay to the County as compensation for providing the IT services described in Section A above, pursuant to those rates described in Exhibit "A" attached hereto and incorporated by reference herein. Billing for services described in Section A above shall be on a quarterly basis in accordance with the rates as shown on Exhibit "A," as said rates may be amended from time to time by the County-agreement of the parties.

2. The County will provide the City with a quarterly statement for services rendered, to include any accrued mileage. The City will submit payments due in a timely manner, but in any event no later than thirty (30) days after the County submits a statement therefor.

F. IT Staffing and Availability. It is further understood that there may be times when the County will be unable to provide the said assistance services due to vacation and sick days, current or pressing projects, or an unforeseen circumstance. If such an event occurs, the County will make every effort to provide appropriate staffing assistance.

G. Termination. This Agreement shall automatically renew on June 30, 2021, for one-year extensions unless terminated in writing by either party in writing prior to the anniversary of renewal. This Agreement may be terminated by either party upon the following terms and conditions:

1. Notice must be provided in writing, and
2. Notice must include a termination date of no less than thirty (30) days from the date of notification.

H. Exclusions. Services not included in this Agreement are listed below:

1. No employee owned equipment will be covered within this Agreement;
2. The cost of replacement parts, equipment, or shipping charges of any kind;
3. The cost of software licensing, software renewals, and any upgrade fees including associated services;
4. The cost of manufacture maintenance and support agreements of any kind. The Lincoln County IT Office further recommends the City to provide manufacturer maintenance on all equipment;
5. New technology implementations and migrations;
6. Training and Project Management services of any kind;
7. The cost of any 3rd party vendors, manufacturer support, or other outside parties;
8. Infrastructure upgrades required to meet performance standards;
9. Data backup is the responsibility of the City unless it is otherwise specified in writing. Lincoln County IT will not be responsible for any data loss on City workstations or servers. Data loss due to equipment failure not related to Lincoln County IT Offices effort is not the responsibility of Lincoln County; and
10. The City shall not engage or hire a Lincoln County IT employee as a computer or networking support professional for a period of 18 months following said employee's termination, dismissal, or leave of absence from the County without expressed written consent of the County Manager.

I. Liability.

1. To the extent allowed by law, the City shall indemnify, defend and hold harmless the County, its elected and appointed officers, and its duly authorized agents, servants, and employees from any and all costs, expenses, or liabilities (including costs, expenses or liabilities to third parties and attorney's fees) which are caused by or arise from the City's breach of this Agreement or the negligent or willful acts or omissions of the City or its agents, servants, employees or subcontractors provided such cost, expenses or liabilities do not arise as a result of the negligent or willful acts or omissions of the County.
2. To the extent allowed by law, the County shall indemnify, defend and hold harmless the City, its elected and appointed officers, and its duly authorized agents, servants and employees from any and all costs, expenses or liabilities (including costs, expenses or liabilities to third parties and attorney's fees) which are caused by or arise from the

County's breach of this Agreement or the negligent or willful acts or omissions of the County or its agents, servants, employees or subcontractors provided such costs, expenses or liabilities do not arise as a result of the negligent or willful acts or omissions of the City.

J. Notice. All notices given pursuant to the terms of this Agreement shall be in writing and delivered in person or transmitted by certified mail, return receipt requested, postage prepared, to the following entities:

City: Lincolnton City Manager
 114 W. Sycamore St.
 Lincolnton, North Carolina 28092

County: Lincoln County Manager
 115 W. Main St.
 Lincolnton, North Carolina 28092

K. Miscellaneous Provisions.

1. This Agreement embodies the entire Agreement between the parties in connection with this transaction, and there are no oral or parol agreements, representations or inducements existing between the parties relating to this transaction, which are not expressly set forth herein and covered hereby. This Agreement may not be modified, released or waived except by a written agreement signed by all of the parties hereto.
2. Nothing contained herein shall be construed to place the parties in the relationship of partners or joint venturers, and neither party shall have the power to obligate or bind the other party in any manner whatsoever.
3. No written waiver by any party at any time of any breach of any other provision of this Agreement shall be deemed a waiver of a breach of any provision herein or a consent to any subsequent breach of the same or any other provisions. If any action by any party shall require the consent or approval of another party, such consent or approval of such action on any occasion shall not be deemed a consent to or approval of such action on any subsequent occasion or a consent to or approval of any other action on the same or any subsequent occasion.
4. The various rights, powers and remedies herein contained and reserved to either the County or the City shall not be considered as exclusive of any other right, power or remedy, but the same shall be construed as cumulative and shall be in addition to every other right, power or remedy now or hereafter existing at law, in equity or by statute. No delay or omission of a party to exercise any right, power or remedy arising from any

omission, neglect or default of the other party shall impair any such right, power or remedy or shall be construed as a waiver of any such default or and acquiescence therein.

5. In the event either of the parties receives notice of or undertakes the defense or the prosecution of any actions, claims, suits, administrative or arbitration proceedings or investigations in connection with this Agreement, the party receiving such notice or undertaking such prosecution shall give the other party timely notice of such proceedings and will inform the other party in advance of all hearings regarding such proceedings.

6. The captions, section numbers and article numbers appearing in this Agreement are inserted only as a matter of convenience and do not define, limit, construe or describe the scope of such paragraphs or articles of this Agreement nor in any way affect this Agreement.

7. This Agreement shall be governed by and interpreted in accordance with the laws of the State of North Carolina.

8. Time shall be of the essence of this Agreement and each and every term and condition thereof.

9. Words of any gender used in this Agreement shall be held to include any other gender, and words in the singular number shall be held to include the plural, when the sense requires.

10. This Agreement may be executed in any number of counterparts, each of which when so executed and delivered shall be deemed an original, and it shall not be necessary in making proof of this Agreement to produce or account for more than one such fully-executed counterpart.

11. Both the County and the City acknowledge and stipulate that this Agreement is the product of mutual negotiation and bargaining and that it has been drafted by respective counsel for both the County and the City. As such, the doctrine of construction against the drafter shall have no application to this Agreement.

12. If any provision under this Agreement or its application to any person or circumstance is held invalid by any court of competent jurisdiction, such invalidity does not affect any other provision of this Agreement or its application that can be given effect without the invalid provision or application.

13. In the event of a dispute arising from this Agreement, the parties agree to take the following actions as conditions precedent to any party hereto filing an action arising from the Agreement:

i. The Lincolnnton City Manager and the Lincoln County Manager shall meet in an attempt to informally mediate the dispute; and

ii. If said Managers are unable to successfully mediate said dispute, the Lincolnnton Mayor and Lincolnnton City Manager shall attempt to mediate the dispute with the Lincoln County Manager and the Chairman of the Lincoln County Board of Commissioners.

If the parties, after taking the steps provided hereinabove, are unable to successfully mediate their dispute, then either party may file an action in the Lincoln County Superior Court for a determination of the parties' respective rights and liabilities therein.

In witness, whereof, the parties have executed this Agreement by day and year above first written.

SIGNATURES APPEAR ON THE FOLLOWING PAGE

CITY OF LINCOLNTON,

A North Carolina Municipal Corporation

ATTEST: (SEAL)

By: _____

Ed Hatley, Mayor

Donna Flowers, City Clerk

This document has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Steve Zickefoose, Finance Director

City of Lincolnton

Approved as to form on behalf of the City of Lincolnton.

Thomas J. Wilson, Jr., Attorney for the City of Lincolnton

LINCOLN COUNTY,

A North Carolina Body Corporate and Politic

By: _____

Bill Beam, Chairman of the Board of Commissioners

ATTEST: (SEAL)

Amy Atkins, County Clerk

This document has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Deanna Rios, Finance Director

Lincoln County, North Carolina

Approved as to form on behalf of Lincoln County

Wesley L. Deaton, Attorney for Lincoln County

STATE OF NORTH CAROLINA

COUNTY OF LINCOLN

I, _____ a Notary Public of said County and State, certify that -
_____ personally came before me this day and acknowledged that she is City Clerk of
the City of Lincolnton, a North Carolina Municipal Corporation, and that by authority duly given and as
the act of the City Council of the City of Lincolnton, the foregoing instrument was signed in its name and
by its City Manager, sealed with its corporate seal and attested by her as its City Clerk.

Witness my hand and seal this _____ day of _____, 2017.

Notary Public

(SEAL)

My Commission Expires: _____

STATE OF NORTH CAROLINA

COUNTY OF LINCOLN

I, _____ a Notary Public of said county and state, certify
that Amy Atkinson personally came before me this day and acknowledged that she is the County
Clerk of Lincoln County, North Carolina, a body corporate and politic in nature, and that by
authority duly given and as the act of the Board of Commissioners of Lincoln County, North
Carolina, the foregoing instrument was signed in its name and by its Chairman of the Board,
sealed with its corporate seal and attested by her as its County Clerk.

Witness my hand and seal this _____ day of _____, 2017.

Notary Public

(SEAL)

My Commission Expires: _____

EXHIBIT “A”

(Rates)

\$70,000.00 per year, paid in quarterly installments on the first of July, October, January and April of each year, together with the pass-through costs of all hardware and software purchased by the County for the benefit of the City.

ITEM #

12



To: Richard Haynes, Assistant City Manager
From: Steve Peeler, Public Works & Electric Utilities Director
Date: July 12, 2017
Subject: Rail Trail Culvert Repair

I attach bids that were received for the replacement of the compromised drainage culvert under the Rail Trail just south of Dixon Street. You had requested a bid from John Jenkins, in Gastonia, but got no response. This gave us 4 bids.

The low bid in the amount of \$75,000 was received from Lawndale Sand, LLC. Other bids were:

F & S Contractors (Ronnie Franklin) in the amount of \$110,000
Brushy Mountain Builders in the amount of \$199,524
John Jenkins of Gastonia - no response

I would request that this item be placed on the August 3, 2017 City Council Meeting Agenda for an Authorization to Proceed for Lawndale Sand, LLC.

attachments



LAWNDALE SAND, LLC

804-C N. Lafayette St.
Shelby, NC 28150
Phone (704) 47-0003
Fax (704) 476-0024
License #57340

August 31, 2015

Mr. Steve Peeler
City of Lincolnton – Public Works & Utilities
PO Box 617
Lincolnton, NC 28093

RE: Rail Trail Culvert Replacement

Mr. Peeler:

We have completed our estimate for the subject culvert pipe replacement. Our lump sum price for Design and Construction, including all materials and labor is **\$75,000**. This includes all mobilization, layout, excavation, removal of existing pipe, removal and resetting of existing fence, stone foundation, culvert pipe, concrete headwall on upstream end, rip rap, select backfill material, borrow excavation, aggregate base course, and seeding and mulching.

Our price does not include asphalt paving and striping. Our price is based upon the city obtaining easements.

Thank you,

Ray W. Spangler

Stephen H. Peeler

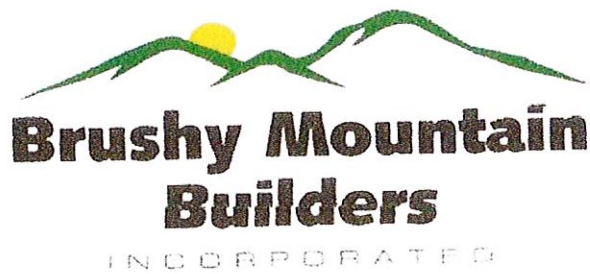
From: Stephen H. Peeler
Sent: Monday, April 24, 2017 11:59 AM
To: Richard Haynes
Subject: FW: RaiTraill

This is the verbal quote I received from
Ronnie Franklin in a phone conversation
last week.

From: Stephen H. Peeler
Sent: Thursday, April 20, 2017 1:43 PM
To: Stephen H. Peeler
Subject: RaiTraill

Ronnie Franklin estimate is \$110,000, not including any sewer work.

Sent from my Verizon Wireless 4G LTE DROID



August 18, 2015

Dear Mr. Peeler,

Thank you for the opportunity to quote the repair work on the walking trail in Lincolnton. The price for replacing the pipe under the trail and restore the area is \$199,524.00.

Thanks again for the opportunity and please don't hesitate to let me know if you have any questions.

Thank You,

Jason Beard

Brushy Mountain Builders, Inc.

(828) 292-7198

ITEM #

13

CITY OF LINCOLNTON

CITY COUNCIL

Ed L. Hatley, Mayor
Martin A. Eaddy, Mayor Pro-Tem
Devin Rhyné
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-02-2017

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, 2018.

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>FIRE</u>		
10-10-4340-500	Fire Engine- Balance Due	93,655.00	
<u>ACCOUNT NUMBER</u>	<u>DEPARTMENT/ACCOUNT DESCRIPTION</u>	<u>INCREASE</u>	<u>DECREASE</u>
	<u>BUSINESS & COMMUNITY DEVELOPMENT</u>		
10-40-4930-682	CBD Enhancements (Incentives Carryover)	24,173.00	-
	<u>PARKS AND RECREATION</u>		
10-80-6100-500	First Federal Park Project	128,083.00	-
			-
		<u>245,911.00</u>	<u>0.00</u>

This will result in a net increase of \$ 245,911.00 expenditures of the General Fund. To balance the adjustments to the budget, the following revenues have also been changed with a corresponding net effect.

<u>ACCOUNT NUMBER</u>	<u>DEPARTMENT/ACCOUNT DESCRIPTION</u>	<u>INCREASE</u>	<u>DECREASE</u>
	<u>ISSUANCE OF DEBT</u>		
10-00-3910-900	Financing- Fire Engine	<u>93,655.00</u>	<u>0.00</u>
	<u>APPROPRIATION FUND BALANCE</u>		
10-00-3991-900	Appropriation from Fund Balance (Carryover from 2016-17 projects)	<u>152,256.00</u>	<u>0.00</u>
		<u>245,911.00</u>	<u>0.00</u>

114 WEST SYCAMORE STREET • P.O. BOX 617 • LINCOLNTON, NORTH CAROLINA 28093-0617
PHONE (704) 736-8980

Section 3: To amend the Powell Bill Fund, the expenditures are to be changed as follows:

<u>ACCOUNT NUMBER</u>	<u>DEPARTMENT/ACCOUNT DESCRIPTION</u>	<u>INCREASE</u>	<u>DECREASE</u>
27-20-4550-585	321 Intersection Project	111,736.00	
27-20-4550-586	Downtown Infrastructure Project	47,000.00	
27-20-4550-588	First Federal Park Project	100,000.00	
27-20-4550-589	Culvert Repairs- Rail Trail	85,000.00	
27-20-4550-590	Fence- Sycamore St. Sidewalk	2,645.00	0.00
		<u>346,381.00</u>	<u>0.00</u>

This will result in a net increase of \$ 346,381.00 in the expenditures of the Powell Bill Fund. To balance the adjustments to the budget, the following revenues have also been changed with a corresponding net effect.

<u>ACCOUNT NUMBER</u>	<u>DEPARTMENT/ACCOUNT DESCRIPTION</u>	<u>INCREASE</u>	<u>DECREASE</u>
	<u>OTHER FINANCING SOURCES</u>		
27-20-3991-900	Appropriation from Fund Balance (Carryover from 2016-17 projects)	<u>346,381.00</u>	

Section 5: To amend the Water & Sewer 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>DISTRIBUTION AND COLLECTION</u>		
61-91-7110-500	Downtown Infrastructure Project	19,778.00	0.00
61-91-7110-500	Capital Projects- Water Line- Heather Drive	62,000.00	0.00
	<u>WASTEWATER TREATMENT PLANT</u>		
61-91-7120-500	Oxidation Bearings Project	19,750.00	0.00
		<u>101,528.00</u>	<u>0.00</u>

This will result in a net increase of \$ 101,528.00 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>ACCOUNT NUMBER</u>	<u>DEPARTMENT/ACCOUNT DESCRIPTION</u>	<u>INCREASE</u>	<u>DECREASE</u>
	<u>OTHER FINANCING SOURCES</u>		
61-91-3991-900	Appropriation from Fund Balance (Carryover from 2016-17 projects)	<u>101,528.00</u>	
		<u>101,528.00</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>
63-93-7200-500	<u>ELECTRIC</u> Substation Improvements	224,483.00	-
		<u>224,483.00</u>	<u>0.00</u>

This will result in a net increase of \$ 224,483.00 in the expenditures of the Electric Fund. At the same time, adjustments have been made to the following revenues with a corresponding net change.

<u>ACCOUNT NUMBER</u>	<u>DEPARTMENT/ACCOUNT DESCRIPTION</u>	<u>INCREASE</u>	<u>DECREASE</u>
63-93-3991-900	<u>OTHER FINANCING SOURCES</u> Appropriation from Fund Balance (Carryover from 2016-17 projects)	224,483.00	
		<u>224,483.00</u>	<u>0.00</u>

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 day of August, 2017.

Donna C. Flowers
City Clerk

Ed L. Hatley
Mayor

ITEM #

14

Donna Flowers

From: Amy Atkins [aatkins@lincolncounty.org]
Sent: Monday, July 24, 2017 4:23 PM
To: Donna Flowers
Subject: FW: Proposed Airport Board

-----Original Message-----

From: Martin [<mailto:moakes@lincolncounty.org>]
Sent: Monday, July 24, 2017 1:40 PM
To: David Lowe
Cc: Joe Tate; Kelly Atkins; Amy Atkins
Subject: Proposed Airport Board

The legislature just passed and the governor signed the bill revising the Airport Authority membership. It includes term limits -- 2 terms max.

And two of the members first terms expired in January and should be renewed. Therefore I'm recommending the following:

Appoint John Anderson as a county appointee who lives in the city to a term expiring June 30, 2018. (on the board now as a city appointee)

Re-Appoint Chuck Boyle as a county appointee to a term expiring Dec 1, 2019 (to be consistent with his previous term)

Re-Appoint Jamie "Alan" Brown as a county appointee to a term expiring Jan 1, 2020 (to be consistent with his previous term)

Appoint Tom Anderson as a county appointee to a term BEGINNING Oct 1, 2017 and expiring Oct 1, 2020, replacing Walt Krupowitz, whose second term expires Oct 1, 2017.

==

I expect the city to appoint David Lowe as their representative, and once that happens, the county should appoint him chair for one year.

The one year is from the original legislation, which was just amended.

The legislation calls for "staggered" terms, so I've tried to do that.

Martin

DISCLAIMER: Pursuant to the Freedom of Information-Privacy Acts (FOIPA) and North Carolina General Statutes Chapter 132, Public Records, this electronic mail message and any attachments hereto, as well as any electronic mail message(s) sent in response to it may be considered public record and as such subject to request and review by anyone at any time.

DISCLAIMER: Pursuant to the Freedom of Information-Privacy Acts (FOIPA) and North Carolina General Statutes Chapter 132, Public Records, this electronic mail message and any attachments hereto, as well as any electronic mail message(s)

sent in response to it may be considered public record and as such subject to request and review by anyone at any time.

ITEM #

15



City of Lincolnton

AGENDA REQUEST FORM

Please Print

Name Jeremy Lantz
Address 101 East Main Street, Post Office Box 1617 Phone 704-735-3096
Lincolnton, NC 28092 EMAIL: lincolnchambernc@bellsouth.net

Name of Firm or Corporation (if applicable) Lincolnton-Lincoln County Chamber of Commerce

Other Persons Accompanying Speaker Lisa Ormsby, John Dancoff, Lou Ann Cain

Purpose of Request to Appear to request a contract with the City to do a Small Business
Street Fair

Council Meeting date you wish to appear August 3rd

Amount of time required for Presentation 5 - 10 minutes

Date form submitted to the City Clerk June 28, 2017

Signature of Requesting Party

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

101 East Main Street
Lincolnton, NC 28092
Post Office Box 1617
Lincolnton, NC 28093-



&
Visitor's Information Center

Phone 704-735-3096
Fax 704-735-5449
Email
connect@lincolinchambernc.org
Website
www.lincolinchambernc.org

MEMORANDUM

August 3, 2017

To: City Council

Re: Shop Local Street Fair

The Lincolnton-Lincoln County Chamber of Commerce is replacing our Business Expo with a "Shop Local Street Fair".

The street fair will incorporate business and retail booths. We hope to have arts & crafts vendors, specialty vendors, retail vendors, and food and beverage trucks. We will also have a kid's area and farmer's market area. We are looking to showcase local businesses as well as providing a means for people to come out and see all that Lincolnton and Lincoln County has to offer.

The following items will be sent as we receive the approvals:

- The Special Events application has been approved. Once we get approval from City Council we will submit the fees to the City.
- Chief Jordan is unavailable this week and we will meet with him hopefully next week to get his endorsement.
- Richie Haynes has the NCDOT application and he will submit it.
- The ABC permit will be sent once we receive approval from City Council
- We have insurance in place and will bind the coverage naming the City of Lincolnton as an additional insured once we receive approval from City Council.
- Our committee will meet with the businesses downtown that will be affected by the road closure to inform them of the event and encourage them to participate.
- A layout map showing proposed locations for vendors, food and beverage trucks and porta-a-jons will be provided as soon as possible.

If you have additional questions please do not hesitate to contact us.

Lisa Ormsby
Office Manager'

Shop Local Street Fair 2017

CONTRACT

**STATE OF NORTH CAROLINA
COUNTY OF LINCOLN**

THIS CONTRACT AND AGREEMENT made and entered into on this the 3rd day of August, 2017, by and between the Lincolnton-Lincoln County Chamber of Commerce, a corporation existing and doing business under the laws of the State of North Carolina, party of the first part, (hereinafter referred to as CHAMBER) and the CITY OF LINCOLNTON, a municipal corporation created and existing under the laws of the State of North Carolina, party of the second part, (hereinafter referred to as CITY);

WITNESSETH:

The parties to this Contract hereby recite and declare that:

- a. Section 10-2 of the Code of Ordinances of the City of Lincolnton was so amended by the Lincolnton City Council as its regular meeting on April 4th, 2002 to allow the City to authorize and regulate the possession and consumption of malt beverages and unfortified wine on the public streets, alleys, and parking lots which have been temporarily closed to regular traffic for special events.**
- b. The Chamber is the sponsor, promoter, and operator of the event known as the "Shop Local Street Fair", which will be staged in downtown Lincolnton on October 21st, 2017.**
- c. At the request of the Chamber, the City Council agreed to subject to the provisions and conditions hereinafter set forth, to allow the Chamber to administer the sale of malt beverages and unfortified wine to the public within the designated event area between Court Square and Laurel Street from various wineries and breweries and to supervise and monitor the consumption of said alcoholic beverages at and during the "Shop Local Street Fair" event in downtown Lincolnton in 2017.**

NOW, THEREFORE, in consideration of the reasons and facts recited above, the mutual promises and covenants of the parties as herein set out and for other good and valuable consideration, the receipt of which is hereby respectively acknowledged by the parties, the parties agree as follows:

1.

That in accordance with and subject to the terms and conditions herein set forth, the Chamber is authorized to administer the sale of malt beverages and unfortified wine to the public from various wineries and breweries at its "Shop Local Street Fair" event in 2017, which are scheduled to be held on Saturday, October 21st, 2017.

II.

That all alcoholic beverages sold and served at the event will be sold and consumed Within the confines of the designated event area, the location of which must be approved by the City. The Chamber agrees to obtain, pay for, and comply with all governmental permits and licenses necessary for the sale and consumption the alcoholic beverages.

The Chamber agrees to provide at its expense capable and competent personnel to administer, and monitor the sale and consumption of alcoholic beverages for the duration of the event. The Chamber agrees that its personnel will exercise all due care and circumspection to refuse service or sale of alcoholic beverages to any minor or to any person who may appear to be under the influence of alcohol or any controlled substance.

The Chamber will not sell or allow the consumption of any alcoholic beverage before 11:00 a.m. or after 7:00 p.m. on the day of the event.

III.

That the Chamber hereby agrees to indemnify and hold the City and its employees harmless from any claims, causes of action, loss of injury resulting from the sale of alcoholic beverages and subsequent consumption thereof by the public at the "Shop Local Street Fair" event. That the Chamber agrees to defend the City against any such claims of loss or injury filed against the City.

IV.

That the Chamber will obtain and pay for liability insurance coverage (in an amount satisfactory to the City) for itself and the City as a result of the sale of alcoholic beverages on the streets of the City during the "Shop Local Street Fair" event. That the Chamber will promptly provide a copy of said insurance policy (ies) to the City. All policies will designate the City as a named insured.

V.

That the City reserves the exclusive right to modify, cancel, and rescind this Contract at any time hereafter if, in its sole discretion, the sale and consumption of alcoholic beverages at any "Shop Local Street Fair" event has resulted in problems that are detrimental to the health, welfare, or well-being of the City or its citizens.

VI.

That it is further understood and agreed by both parties that no promises or agreements not herein expressed have been made to or by either party hereto, and that this Contract contains the entire agreement between the parties hereto, and that the terms and conditions of the Contract are contractual and not a mere recital.

VII.

That this Contract may be amended only by written instrument signed and executed by the parties hereto.

IN WITNESS WHEREOF, the party of the first part has caused this instrument to be signed in its corporate name by its duly-authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, and the party of the second part has caused this instrument to be signed by its Mayor and attested by its Clerk, the day and year first above written.

LINCOLN-TON-LINCOLN COUNTY CHAMBER OF COMMERCE

By: _____
Chairman

Attest:

Treasurer

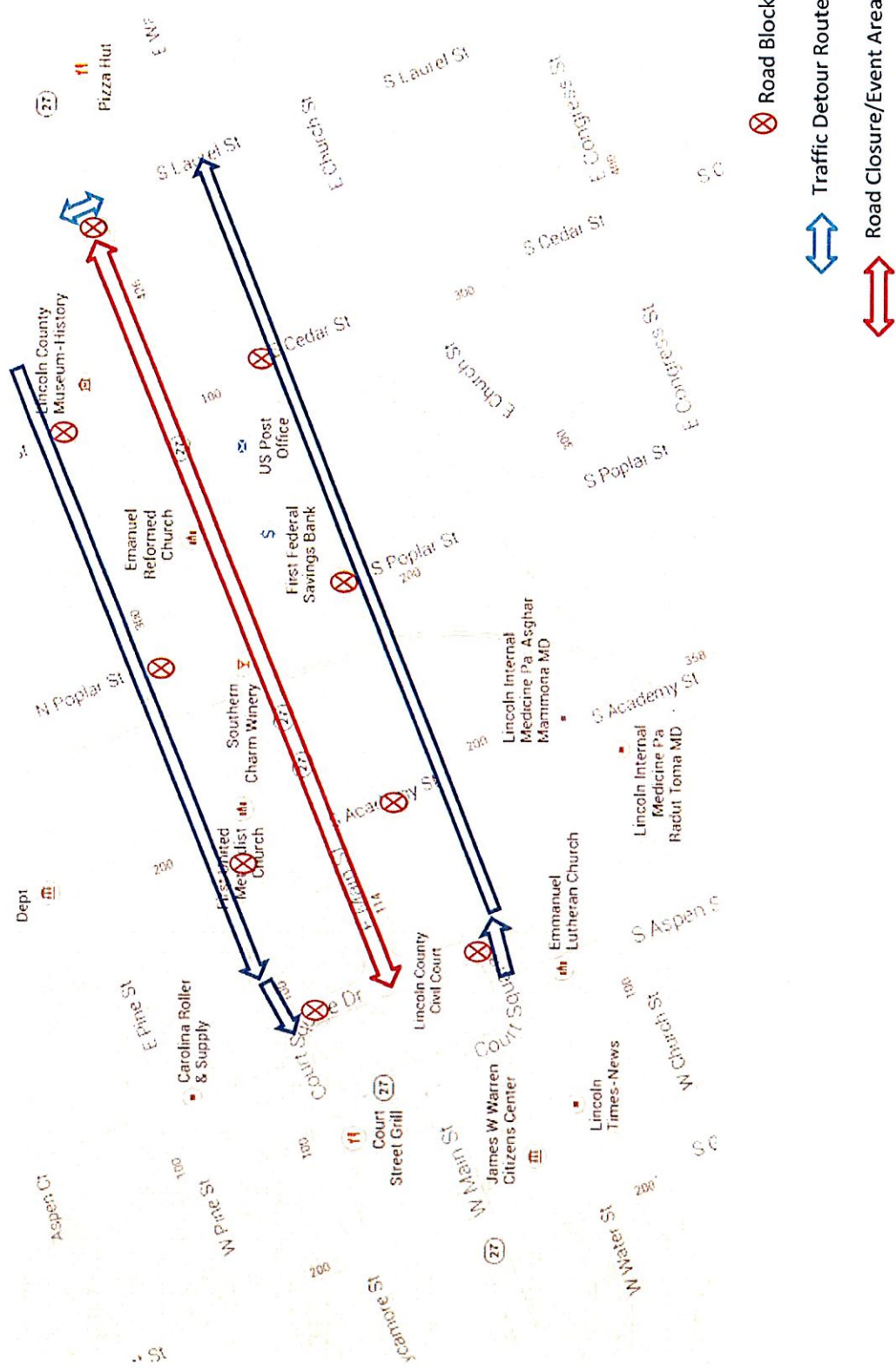
CITY OF LINCOLN-TON

By: _____
Ed Hatley, Mayor

Attest:

Donna C. Flowers, City Clerk (Municipal Seal)

2017 Small Business Street Fair



ITEM #

16



City of Lincolnton

AGENDA REQUEST FORM

Please Print

Name Alex Patton

Address 2740 Gold Rush Drive Phone 704-689-3251

Name of Firm or Corporation (if applicable) Hesed House

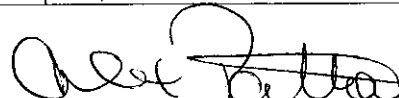
Other Persons Accompanying Speaker _____

Purpose of Request to Appear Short Presentation on what we do and where we are trying to get to
and how the city could help us. We are proposing to go year round
and need the city's help if possible.

Council Meeting date you wish to appear August 3rd

Amount of time required for Presentation 15 minutes

Date form submitted to the City Clerk 7/11/17


Signature of Requesting Party

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

ITEM #

17

LINCOLNTON TOURISM DEVELOPMENT AUTHORITY

REPORT TO CITY COUNCIL

AUGUST 3, 2017

Attached is a copy of notification of funding letter dated July 10, 2017

Attached are copies of two letters to NCDOT regarding gateway signage and landscaping dated July 11, 2017

Attached is a copy of letter to City Council and NCDOT regarding activity on green "Welcome To" signage dated Aug. 3, 2017

LTDA meetings for 2017 have been held on Feb. 23 and June 22. The LTDA adopted the 2017-18 budget at the June meeting. Our next meeting will be scheduled for mid September.

Listed below are on-going meetings, actions, and activities involving members of our board:

- Two from the LTDA attended the Main Street Conference in Shelby and the NC Tourism Conference in Greenville, NC in March.
- We purchased a Mobile Town Guide app with the web address being www.visitlincolntonnc.com. It is in progress and will be available to publicize soon.
- We have had small add-on banners imprinted with the app web address. These banners were purchased by the City at the same time as the banners currently displayed on Main Street. LTDA will purchase another set of banners to use during the holiday season which will be imprinted with the app web address as well.
- In April we formed a Lincoln Quilt Trail committee after receiving inquiries from an interested party followed by a "Discovery Meeting". An independent committee has been formed and the LTDA will fund the first eight quilt squares which will be located in some public buildings downtown. These will start appearing in the next months.
- The LTDA has been active in the City's Steering Committee and has committed with the other support organizations to coordinate efforts to the common good of the City of Lincolnton. This is an important avenue to keep the groups from duplicating efforts- with each one contributing to a common goal using the various capabilities and tools unique to each organization.
- In May we held a "Discovery Meeting" regarding interest in a river launch project. This idea began with the Main Street Conference where we were told that communities located in the mountains, at the coast, or have a river running through them have a greater advantage in marketing themselves. This was communicated at a Steering Committee meeting where the LEDA representative shared information about a past interest. We hosted a meeting in the LEDA conference room and invited City, County, and other parties who may be interested in hearing a presentation. Members of this group have kept up discussions and a follow up meeting may be scheduled soon.

- LTDA funded a Walking Tour of Lincolnton booklet which is at the printers. This is a revised version of an existing booklet. Many thanks to Jason Harpe for making these revisions.
- We are in the process of having a logo created for LTDA.
- We continue to work with NCDOT on Gateway signs, Welcome To signs, and Exit 24 landscaping conversations. Visual Inceptions is currently redrawing our gateway sign to make use of breakaway materials as specified by DOT for safety reasons. As far as landscape maintenance at the Hwy 321 exits right of way, DOT does not have a maintenance agreement with the City. We would like to recommend that the City review and reconsider this agreement as it puts control of public perception of our appearance and value in our hands.

Do you have any questions?

LINCOLNTON TOURISM DEVELOPMENT AUTHORITY

DATE: JULY 10, 2017
FROM: LTDA
TO: LINCOLN COUNTY HISTORICAL ASSOCIATION
APPLE FESTIVAL
DDA
ARTS COUNCIL
RE: FUNDING REQUESTS

During the June 22 meeting of the LTDA the following financial requests were discussed and awarded:

- Lincoln County Historical Association: \$15,000 to be used for permanent signage at the Ramseur's Mill battleground and repair of existing permanent signage / site improvements at the battlefield.
- Apple Festival: \$3000 to be used for Golden Delicious sponsorship.
- DDA: \$1,600 to be used for festival promotions.
- Arts Council: \$3,200 to be used for event promotions.

The LTDA discussed the most appropriate and effective uses of revenues received each year from the city's hospitality industry. It is our unanimous desire to use a greater portion of available funds to make an visible and notable impact on our city's possible tourism attractions and year 'round draws. Previous funding for First Federal Park in downtown is an example.

TO: NCDOT
FROM: LINCOLNTON TOURISM DEVELOPMENT AUTHORITY
RE: GATEWAY SIGN, US HWY 321 EXIT 24
DATE: JULY 11, 2017

The Lincolnton Tourism Development Authority first began inquiring about gateway signage at exit 24 on US HWY 321 in late 2015. Signage regulations were supplied by Mr. Michael Poe who was in the Lincolnton NCDOT office at that time. An architectural rendering was created by Mr. Dennis Williams of Williams Design, PA, and was submitted after DOT regulations were reviewed.

Inquiries of progress on the request have continued to the present date. For a good period of time locations in the DOT right of way were selected as the preferred sites for the signage and the "Welcome to Gaston County" brick and mortar sign on the southbound lane just past the Lincolnton exits was offered as an example. It was later suggested that right of way areas were not for that purpose citing safety issues and the Gaston County sign should not be a precedent. We have since suggested a location in the gore areas of both north and southbound exits. We have also retained a contractor to recreate our architectural drawing using approved break-away building materials.

The LTDA was not given a formal application form or presented with a list of specific instructions other than NCDOT signage regulations as to how to proceed. I have spoken on several occasions with both Mr. Tim Anderson and Mr. Mike Watson in the Lincolnton office who have been most professional and helpful and I have continued to proceed as they advised. Yet, we are still uninformed as to the progress of our request or as to further application or request processes. I would ask on behalf of Lincolnton Tourism Development Authority to be updated on progress and process to include a timeline of request to approved status. Thank you.

Carol King, Chair
Lincolnton Tourism Development Authority
csking0919@gmail.com
lincolntontourism@gmail.com

Carol King, Chair
Cindy Kohler
Lisa Hampton



Lou Ann Cain
Amy Grant
Jaimina Desai

TO: NCDOT

FROM: LINCOLNTON TOURISM DEVELOPMENT AUTHORITY

RE: US HWY 321, EXIT 24

DATE: July 11, 2017

On behalf of Lincolnton Tourism Development Authority, I would like to bring to your attention the above mentioned exit 24 on Hwy 321, more specifically the northbound exit. The exit ramps on Hwy 321 from I 85 to I 40 have all been thoughtfully landscaped with the exception of exit 24. There is landscape design including shrubbery, color, and maintenance at the other exits.

If one would assume that the listings on the blue signs indicate the value of each exit, one would be notice that there are very few listings on the blue signs at the other exits. Exit 24 offers three lodging listings, one attraction listing, twelve food listings and six fuel listings- twenty-two in all. These listings represent a good deal of financial investment from the business locations at exit 24.

While exit 24 southbound has a pleasing grade and good visibility, there is no color here. The yellow Stella de Oro daylilies and the red drift roses at the other exits can be seen a good way off. We would like this is type of landscape design at our north and southbound exits which promotes the activity, order, and value of this community. Exit 24 is the main exit to Lincolnton, our county seat. This is the exit where the business, history and culture of this expanse of highway are located.

I submit this appeal to NCDOT on behalf of the Lincolnton Tourism Development Authority, to reevaluate the design and potential improvements to US Hwy 321 Exit 24 both northbound and southbound. Thank you.

Carol King, Chair
City of Lincolnton - Tourism Development Authority
csking0919@gmail.com
lincolntontourism@gmail.com

LINCOLNTON TOURISM DEVELOPMENT AUTHORITY
P.O. BOX 617 • LINCOLNTON, NORTH CAROLINA 28093-0617
PHONE (704) 736-8980

TO: NCDOT / CITY COUNCIL
FROM: LINCOLNTON TOURISM DEVELOPMENT AUTHORITY
RE: "WELCOME TO" SIGN, US HWY 321 EXIT 24
DATE: AUGUST 3, 2017

Correspondence has been underway between Lincolnton Tourism Development Authority and the Lincolnton office of NCDOT regarding "welcome to" signage at or near the city limits. The purpose of this letter is to review these conversations so that we can move forward in like mind with the same understandings of our Lincolnton needs.

signage. We have submitted a file of the new Lincolnton logo text to be used and have asked DOT for a quote from the recommended vendors. A conversation on July 11 with Mr. Tim Anderson of the Lincolnton NCDOT office informed me that the request was being reviewed in the Raleigh office regarding its designation as a logo or branding. I have not yet received any notification of costs.

We have an encroachment form from NCDOT to be completed when so instructed. Please see below a copy of the text we wish to use on our green "Welcome to Lincolnton" signs. These would be made using white reflective tape with the "city" and slogan in yellow reflective tape. Thank you.



Carol King, Chair
Lincolnton Tourism Development Authority
csking0919@gmail.com
lincolntontourism@gmail.com

ITEM #

18



3rd Quarter Steering Committee Update

08-03-17

Prepared by Fred Jarrett, Chairman

Talking Points:

Talking Points:

1. Review - Timeframe of Steering Committee Implementation:

- June 6, 2016 the City Manager convened a joint meeting of the City, DDA, LEDA, CoC, LTDA and other vested parties to determine how the different organizations could work together most effectively and become a team with focus on establishing dialogue and synergy among the organizations for downtown revitalization.
- July 29, 2016 meeting discussed ground rules for meetings, short/long term goals, what kind of a committee (i.e., going to be a steering committee, an advisory committee, joint committee, etc.), initiated development of a committee charter, scheduled future meetings (2/month for an hour), began action item process for monitoring committee synergy and progress.
- November 9, 2016 meeting prepared final draft charter for presentation to Council.

2. Time flies...it has been one year and in my opinion the Steering Committee has been effectively assisting City government in aligning committees, groups, and goals of allied support organizations (ASO) to improve communications, remove duplicated efforts and align them with the City of Lincolnton's Strategic Plan to accomplish the unified goal of a prosperous Lincolnton.

3. Continuing with the progress made over the year's time.

- Membership has increased from:
 - CITY OF LINCOLNTON
 - LINCOLNTON-LINCOLN COUNTY CHAMBER OF COMMERCE (LLCCOFC)
 - DOWNTOWN DEVELOPMENT ASSOCIATION (DDA)
 - LINCOLNTON TOURISM BOARD (LTB)
 - LINCOLN ECONOMIC DEVELOPMENT ASSOCIATION (LEDA)

To include:

- LINCOLN CURTURAL ARTS CENTER (LCAC)
 - LINCOLN COUNTY HISTORICAL ASSOCIATION (LCHA)
 - LINCOLN COUNTY HOME BUILDERS ASSOCIATION
- We have been performing due diligence for the Business Incentive Grants and then recommending to the City Manager whether to take the grants to Council for approval.

- We developed the City of Lincoln Steering Committee Charter which was presented to Council at the 01/06/17 Council meeting.
- We formally reviewed the Charter in June to see if any changes were needed and realized we failed to include the Committee's Sponsor responsibilities and revised and added those responsibilities:
 - Ensuring that the committee need is valid;
 - Ensuring that the committee is properly launched;
 - Resolving issues that are beyond the control of the chairman;
 - Resolving conflict and removing obstacles to progress;
 - Ensuring that the committee remains a viable proposition for downtown revitalization;
 - Ensuring changes to the committee are properly managed;
 - Ensuring risks are managed;
 - Evaluating the committee organization, roles and reporting structure;
 - Ensuring the committee is under control;
 - Approving key committee deliverables; and
 - Initiating committee reviews and supporting the process of review.
- 4. Today I feel that the Steering Committee has accomplished becoming a team with a focus on establishing dialogue and synergy among the various organizations that have a vested interest in the Downtown Central Business District.
- 5. At the 05/04/17 Council meeting update I noted that we have been focusing on the City's Strategic Plan Goal 3 - Downtown Development and determining how the Committee can support and 'get it done.' We found an organization that had a comprehensive approach to downtown revitalization - N.C. Main Street Center, a branch of N.C. Dept of Commerce, and they committed to help us develop a Central Business District Strategic Plan.
- 6. We held a Central Business District (CBD) Strategic Economic Planning Coalition meeting on May 24, 2017.
 - We brought together stakeholders interested in the economic, social and physical growth of the City of Lincoln's downtown central district and began the formal process of developing a CBD Strategic Plan (SP).
 - That meeting determined the interest of stakeholders in supporting and participating in establishing a CBDSP.
 - We got our measure for support which was overwhelming.
- 7. From that meeting two subcommittees were established, one worked to create a more comprehensive list of stakeholders and the other to lead the efforts of crafting a CBDSP.
 - Plan is to change the CBDSP subcommittee to a standing committee.
- 8. On July 18th a Community Vision Coalition meeting was held at the FUMC Fellowship Hall.
 - Purpose: Kick-off CBDSP by establishing partnerships/buy-in with stakeholders and for them to help craft the Vision Statement for the CBDSP. Also they were asked provide ideas, suggestions and goals that we can incorporate into the CBDSP.
 - There were ~65 participants.
 - Mayor and Marty were in attendance - ask for their input.

- At the meeting input was gathered on where you would like to see the CBD in five years, and what do you feel needs to be accomplished.
 - Small groups worked together based on established parameters to craft vision statements that the Steering Committee will use in the overall development of the CBDSP Vision Statement with review being obtained from stakeholders and then presented to Council.
9. Where we are in the CBDSP process:
- DDA will own and facilitate development and sustainability of the CBDSP.
 - Steering Committee will provide guidance, monitoring and oversight in plan development and execution.
 - Partnered with Main Street Center for CBDSP review and feedback.
 - Vision Statement and two strategies are in draft form. (refer to page 3 **Strategic Economic Development Statements**).
 - Draft CBDSP including Vision, Strategies, Goals and Objectives is targeted for end of September with Stakeholder review.
 - CBDSP in-place by year end with implementation occurring (that's the goal maybe sooner or later).
10. A few additional items:
- Since the May update where it was noted that 8 action items had been established and all but 2 were closed, we are now up to 22 action items with 9 open.
 - Meeting Attendance - approximately 80% organizational attendance.
 - Also included are the July 12th meeting minutes to provide better insight of the Steering Committee's efforts.

This concludes the quarterly update for the major activities of the Steering Committee.

Any questions?

City of Lincolnton
Downtown Strategic Plan
Community Vision Form
July 18th, 2017

Strategic Economic Development Statements:

1. Lincolnton, NC is a charming community rich in culture, **history** and diversity. We offer a safe walkable environment, close to **restaurants**, entertainment and **affordable** living. Lincolnton presents favorable circumstances of a larger international city with a warm hometown feel.
2. **Near mountains, near city, "near perfect"** Stroll through Lincolnton and see historical buildings with unique shops and the entrepreneurial spirit of the local community. **Enjoy the handiwork of the historical Catawba Valley Potters.** Spend your time walking through the crossroads of history and modern day tradition here in Lincolnton. (7 red dots)
3. **Find yourself in downtown Lincolnton**, a thriving affordable conveniently located small town community. Rich in **Arts** and **History**, where potter Burlon Craig meets a vibrant main street. A hidden gem of opportunity for a unique and diverse group of entrepreneurs nestled between the **banks of the South fork River and the shores of Lake Norman.** (14 red dots)
4. **A pause in life between the lake, city and the mountains.** Where you can stretch your legs on the **rail trail**, stroll through downtown, view our **pots**, shop for antiques, while reliving **history** from pirates to the civil war. All along the way enjoying our **culinary** fares. (3 red dots)
5. Downtown Lincolnton is the center of a thriving visual and performing **arts** district with flourishing galleries and theatres, supported by destination worthy **local restaurants** and a **small business district** that is continually evolving with a forward thinking perspective. (5 red dots)
6. Historic Lincolnton is an international center of commerce nestled at the **foothills of the Appalachian mountains** that **bridges community living** with culture, recreation and unique **retail** opportunities for all ages. (1 red dot)
7. As a culturally diverse community, Lincolnton is the focal point between the rolling hills of the Blue Ridge Mountains and the glow of lights from the city of Charlotte. With a **small town feel**, Lincolnton is the destination for opportunity. (9 red dots)
8. Downtown Lincolnton is a growing and thriving hub of **arts** and entertainment attractions offering opportunities for urban living and events and attractions for **children of all ages, families and tourists.** (2 red dots)
9. Rising from a rich **historical** heritage, Lincolnton is molding a future of **arts**, opportunity, and vision for prosperity and progress for families, businesses and all who live and visit. (2 red dots)

DOWNTOWN STEERING COMMITTEE MINUTES

Meeting Date / Time: July 12, 2017 / 8:00a.m. **Meeting Location:** LFD – Training Room

Members Present:

x	Keith Gaskill		Brett Hicks	x	Steve Zickefoose
x	Carol King	x	Änd Lynn	x	Laura Elam
x	Lou Ann Cain		Anita McCall	x	Richard Haynes
x	Rhonda Hunter		Cathy Davis	x	Jean Derby
x	Cliff Brumfield		Jason Harpe		Deanna McGinnis
x	Fred Jarrett		Marsha Jordan		Angela Lovelace

Note: 'X' indicates member present.

Agenda:

Topic / Item	Presenter	Time
1. Greetings Fred noted that there is a new secretary. Steve introduced Jean Derby as the new secretary of the Steering Committee. Jean is also the new administrative assistant to the City Manager's Office.	Fred	8:00
2. Take A Minute – Safety/Facility Layout	Fred	8:01
3. 06/28/17 Meeting Minutes Review 06/28/17 minutes were reviewed and there being no corrections/revisions to the 06/28/17 minutes to be filed as submitted.	Fred	8:03
4. Review and Disposition of Action Items	Fred	8:06
A. 17-13 Brett facilitate a subcommittee consisting of Keith, Cliff, and Änd to pull together the needs identified in the 'NCMS Strategic Planning Template' Spreadsheet.	Brett	8:07
Discussion Notes: Änd indicated they had 42 RSVPs for the 75 available spots for the forum for developing a Strategic Plan for The Central Business District. They are currently looking for additional people to invite. Suggestions were made to make sure that every board member of every committee represented on the Steering Committee was sent an invitation. Änd stated that they were going to do a Facebook post to open it to the public as a way to fill spots. The meeting is on July 18' 2017 from 6-8 in the fellowship hall of First United Methodist Church. A follow up meeting for the group leaders is scheduled for July 19, 2017 at 8:00 am.		
Action: N/A		
B. 17-14 Anita and Brett to determine if GIS can be used to acquire the property information.	Brett/ Anita	8:10
Discussion Notes: Fred stated this is coming together.		
Action: Continue.		
C. 17-15 Brett chair a subcommittee consisting of Änd and Laura to lead the development of CBD Strategic Plan.	Brett	8:13
Discussion Notes: Änd stated this was continuing.		
Action: Continue.		

D. 17-17 Fred to contact County Commissioner Chairman and ask that the BOC appoint a commissioner to represent the BOC on the Downtown Steering Committee.	Fred	8:18
Discussion Notes: Fred indicated they will let him know what Bill is going to do.		
Action: Continue.		
E. 17-18 Laura to coordinate state-wide publicity for local merchants/ restaurants at the annual Electricities meeting in August with Chamber.	Laura	8:19
Discussion Notes: Laura reported that she spoke to Electricities and they do not want the Chamber to send an e-mail blast. She did however agree to let Brett do an e-mail blast. Due to the short notice, Brett was unable to complete that task.		
Action: Closed		
F. 17-19 Steve to refer West Water St consideration for one-way street to Parking Committee.	Steve	8:20
Discussion Notes: Steve noted that they do not have a committee meeting date yet.		
Action: Continue.		
G. 17-20 Steering Committee to pursue a 'useful purpose' for the small strip of land John Anderson owns beside the Rail Trail.	All	8:22
Discussion Notes: Steve suggested that this be included in the overall strategic plan for ideas. There was some discussion as to the exact location of the strip of land. Ritchie stated that in order to utilize this we would need to build a higher retaining wall.		
Action: Reassign action item ownership to CBD Strategic Plan Subcommittee; continue.		
5. Current Downtown Improvement Items by Organization Update	Fred	8:25
A. Lincolnton Lincoln County Chamber	Keith	8:26
Discussion Notes: Keith stated that the Chamber did not meet this month but they will be meeting to replace Ken.		
Action: N/A		
B. Lincolnton Tourism Development Authority	Carol/ Lou Ann	8:29
Discussion Notes: Carol reported that they have 500 waking tour booklets being printed. Once they have a logo for LTDA, they will print additional booklets. Carol stated that in regards to the gateway sign, she was still struggling with DOT. She has been e-mailing consistently with no result. Carol also has an invoice for the design of the breakaway stand from Travis Dellinger at Visual Inceptions. Additionally, Carol sent a letter to the DOT regarding the landscaping at exit 24 and how it compares to the other exits. In regards to the gateway sign, Fred suggested that Carol send the information to Jason Saine to follow up with our state representatives. Lou Ann stating that she is waiting to hear back from Mobile Town Guide and once she did, we would need a training class. Lou Ann said that we would need someone to take ownership of the app. And asked if the new Event & Facility Coordinator that we hire could take that responsibility. Steve stated that he felt that would be a good fit.		
Action: 17-21 Steve to assign Mobile Town Guide App ownership to Event & Facility Coordinator upon hiring.		

C. Downtown Development Association	Änd/Brett/ Anita	8:32
Discussion Notes: Änd indicated that Brett went to 30 businesses and was doing write-ups as well as working heavily on the Main Street Strategic Plan. They have already met with Steve and the Mayor and have plans to meet with City Council. Steve complimented Änd on the last Alive after Five event. Additionally, Änd reported that Deanna had obtained an additional \$550 towards the fence. There was some discussion about the fence. Ritchie stated that the fence would need to wait until the final inspection of the Federal Park was complete.		
Action: N/A		
D. Lincoln Economic Development Association	Cliff/ Rhonda	8:35
Discussion Notes: Rhonda noted that Eric in County planning has completed an interactive map of the river. Justin was doing some canoe/kayak trips and to contact him if you wanted to do that. She will e-mail the interactive map to the steering committee. Cliff reported that they are focusing on harnessing residents and trying to keep them in Lincoln to work resulting in better lifestyles for the residents and subsequently, more dollars being spent locally.		
Action: 17-22 Rhonda e-mail the interactive river map to the Steering Committee.		
E. City Planning	Laura	8:38
Discussion Notes: Laura reported they are working on future to connect the Rail Trail to South Fork River Trail. They are currently working with owners to coordinate. One parcel is an issue and there was some discussion about that.		
Action:		
F. City	Steve	8:41
Discussion Notes: Steve indicated they are interviewing for an Events & Facility Coordinator. He reported that the City will receive a state grant in the amount of \$150,000 specific to improving Betty Ross Park. He is developing a plan to apply for matching funds. Additionally, he reports that we have ordered the parking signs and there are 8 way finding signs that will be a benefit to finding specific locations within the City. City Council took action on the solid waste plan. Ritchie noted that it doesn't affect the CBD. He stated that businesses can have 6 cans and 1 day per week pickup. This goes into effect October 1st and they will be going door to door next month to explain the new solid waste plan. Ritchie indicated it would be a transition but would result in huge cost savings to the City by taking one truck off the road and making routes more efficient.		
Action:		
G. Lincoln County Historical Association (LCHA)	Jason	8:44
Discussion Notes: No update.		
Action: N/A		
H. Lincoln County Home Builders Association (LCHBA)	Angela	8:47
Update provided by Angela 07/20/17 Discussion Notes: Update on Quilt Trail. Application has been approved by TJ Wilson, thanks to Steve. Funding has been received for 8 Quilt Squares and LOGO. Thanks to City and Carol King. Turbyfill working on 1st Quilt Square for LEDA. And we have added Jason Bolton to committee. Action: Meeting with Megan Byrd (MSB Design) on LOGO design. Meeting on Tuesday, July 20 at 10am. Schedule sometime in August to meet with Deanna McGinnis (Art Council). 1st quilt square should be up around September 1st.		

Action: 17-22 Angela meet with Megan Byrd (July) on LOGO design and meet with Deanna McGinnis (August).		
I. Lincoln Cultural Center (LCC)	Cathy	8:50
Discussion Notes: No update.		
Action: N/A		
J. Lincoln County Arts Council	Deanna	8:53
Discussion Notes: No update.		
Action: N/A		
6. Other		8:56
Discussion Notes: None.		
Action: N/A		
7. Meeting Plus/Delta	Fred	8:58
Discussion Notes: None.		
Action: Next meeting scheduled for July 26, 2017 at 8:00.		
8. Adjourn	Fred	9:00

OPEN DOWNTOWN STEERING COMMITTEE ACTION ITEMS

Action Item #	Action Item Description	Opened	Due Date	Closed	Results
2017					
17-14	Anita and Brett to determine if GIS can be used to acquire the property information.	6/8/2017	6/14/2017	7/12/17	06/14/17 Brett reported with Anita's help GIS was able to provide property information needed for CBD Strategic Plan. 06/24/17 Brett updated committee on progress in completing Main Street inventory spreadsheet. 07/12/17 Working on getting data into spreadsheet. Continue
17-15	Brett chair a subcommittee consisting of And and Laura to lead the development of CBD Strategic Plan.	6/14/2017	TBD		06/24/17 Brett updated committee on progress. 07/12/17 And updated committee on progress. Continue
17-17	Fred to contact County Commissioner Chairman and ask that the BOC appoint a commissioner to represent the BOC on the Downtown Steering Committee.	6/14/2017	6/24/2017		06/24/17 Fred contacted Kelly Atkins but he was on vacation. His secretary said she would provide information to Kelly or Amy. 07/12/17 Fred reported that BOC Chair is determining who will serve on committee and will let Fred know. Continue
17-18	Laura to coordinate state-wide publicity for local merchants/restaurants at the annual Electricities meeting in August with Chamber.	6/28/2017	7/26/2017	7/12/17	Action completed.
17-19	Steve to refer West Water St consideration to Parking Committee.	6/28/2017	7/26/2017		07/12/17 Steve reported that committee has not met. Continue
17-20	Steering Committee to pursue a 'useful purpose' for the small strip of land John Anderson owns beside the Rail Trail.	6/28/2017	8/23/2017		07/12/17 Reassign action item ownership to CBD Strategic Plan Subcommittee. Continue

ITEM #

19

CITY COUNCIL
Ed L. Hatley, Mayor
Martin A. Eaddy, Mayor Pro-Tem
David M. Black
Roby D. Jetton
Tim Smith



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..

MEMORANDUM

TO: Mayor and Council

FROM: Steve Zickefoose, City Manager *Steve*

SUBJECT: Generals Boulevard Intersection Project

DATE: July 25, 2017

As you are aware, the Generals Boulevard Project has been an ongoing discussion for several years. The project centers on replacement of the traffic signal poles and wire with steel mast arms and pedestrian improvements. After numerous design and redesign attempts, we are faced with the same problem of not having adequate funds to do the project.

The original project construction estimate was approximately \$700,000 which did not include the City's costs to relocate or bury the electrical lines. NCDOT requirements for reconstruction of existing sidewalk and subsequent upgrade of the drainage system along with purchase of construction easements were not anticipated and not included in the original estimate. Those requirements along with several more minor items increased the construction estimate to \$1,200,000. The approved project design has an estimated cost of \$1,566,000 including burial of electrical lines. The available State and Federal Funds are \$915,000. This leaves a local cost of \$650,000. Staff feels this is an unrealistic amount for the City to spend on this project and is not the best use of available funds. Therefore, our recommendations are as follows:

- Place the project on hold until NCDOT is able to fund a project to widen the intersection.
- In the meantime, the City will work with NCDOT to pursue clean up of the intersection, including the possibility of raised islands and relocation of the signal junction box.
- The City will ask our State legislators to move the 321 Bridge Sidewalk contingency fund (\$100,000) back to the sidewalk project.

321 /Generals Boulevard Intersection Project Summary

Original Plan- \$700,000

- Estimate Did not include
 - ROW \$70,000
 - Temporary Signals \$40,000
 - Inspection \$30,000
 - Traffic Control \$125,000
 - Underground Electrical \$235,000

NCDOT Approved Plan- \$1,566,000

- Underground Electrical Required
- Curbing/Sidewalks Required
- Storm Water/Drainage Required

Amended Plan- Reduce Scope \$???

- There are no practical alternatives to doing underground service, which creates the same issues as with the approved plan

ITEM #

20

MEMO TO: Laura Elam

FROM: Mark Carpenter

SUBJECT: Dilapidated Structure Update

DATE: July 25, 2017

The update comprises 18 different structures that we have been working on from March 2017 until present.

STRUCTURES DEMOLISHED

The following structures have been demolished or currently under demolition:

- 2235 East Main Street (Structure Demolished, Behind Magic Cleaners on Huss Street)
- 1119 East Lincoln Street (Structure Demolished)
- 903 East Sycamore Street (2 structures Demolished behind Carolina Trust Bank)
- 506 Monroe Street (Currently under demolition, should be completed by Mid August)

STRUCTURES UNDER ENFORCEMENT

The following structures are under enforcement and have deadlines for compliance:

- 615 South Grove Street (Deadline for Compliance July 26, 2017)
- 1221 East Pine Street (Deadline for Compliance is August 1, 2017)
- 702 North Grove Street (Deadline for Compliance is September 26, 2017)
- 115 Chavis Lane (Deadline for Compliance September 26, 2017)
- 117 Chavis Lane (Deadline for Compliance September 26, 2017)
- 119 Chavis Lane (Deadline for Compliance September 26, 2017)

STRUCTURES ON LIST THAT ARE BEING FORECLOSED ON BY LINCOLN COUNTY TAX DEPARTMENT

The following structures have unpaid taxes and are being foreclosed on by Lincoln County:

- 1216 East Pine Street
- 1220 East Pine Street
- 1537 South Aspen Street

STRUCTURES THAT CITY ATTORNEY IS WORKING ON

The following structures are being checked on by the City Attorney due to a legal matter:

- 107 North Grove Street (Owner refuses to let us inspect interior)
- 215 Bonview Avenue (Owner refuse to let us inspect interior)
- 1015 East Pine Street (Heir property with multiple owners)
- 2203 Weaver Street (Heir property with multiple owners)
- 144 Ross Street (Property is tied up in bankruptcy proceedings)

Let me know if you have questions or need additional information.

ITEM #

21

CITY COUNCIL
Ed L. Hatley, Mayor
Martin A. Eaddy, Mayor Pro-Tem
David M. Black
Roby D. Jetton
Tim Smith



CITY MANAGER
Steve Zickefoose, MBA
szickefoose@lincolntonnc.org
CITY CLERK
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donnaflowers@ci.lincolnton.nc.us
CITY ATTORNEY
Thomas J. Wilson, Jr..

TO: Mayor & City Council

FROM: Donna C. Flowers, City Clerk

DATE: July 28, 2017

SUBJECT: Filing Fees / Update from Board of Elections

In talking with Bradley Putnam at the Board of Elections the timeline for the upcoming election in November of 2018 is as follows:

Monday, February 12th – 12 noon – Filing for Office Begins
Monday, February 28th – 12 noon - Filing for Office Ends

Should there be a need for a primary for this election that would be held on Tuesday, May 8th. The General Election will be on Tuesday, November 6th, 2018.

Current filing fees are \$ 48.00 for the Mayoral race and \$ 36.00 for a Council Member. Per state statute City Council can set the fees up to 1% of the current salary for both the Mayor and City Council members.

This election will include the Mayor's seat, elected for a four year term; Ward 1 – elected for a four year term; Ward 2 – elected for a 2 year term and Ward 3 – elected for a four year term. The Mayor's seat, in accordance with recently approved legislation, will run with Ward 1 and Ward 3 in all future election cycles. Once action is taken and filing fees are set, I will send written notification to the Board of Elections Director. Should you have any questions please feel free to contact me.

ITEM #

22

August 2017 Council Meeting
Executive Summary
June 2017 Year-To-Date

General Fund		<u>Budget 16-17</u>	<u>Actual 16-17</u>	<u>% of Budget</u>	<u>Budget 15-16</u>	<u>Actual 15-16</u>	<u>Difference</u>
Fund 10	Revenues	10,662,262	9,648,594	90%	10,761,373	10,124,392	(475,798)
	Fund Balance	1,366,107	-	-	1,107,312	-	-
		<u>12,028,369</u>	<u>9,648,594</u>	80%	<u>11,868,685</u>	<u>10,124,392</u>	<u>(475,798)</u>
	City Manager/Clerk	309,730	251,701		225,958	214,765	36,936
	Human Resources	215,848	193,489		209,463	166,173	27,316
	Finance	273,609	153,379		340,321	278,505	(125,126)
	General Expense	878,154	713,836		863,428	710,614	3,223
	General Debt Service	425,535	395,364		316,954	283,307	112,057
	Police	3,153,942	2,923,072		3,152,901	2,839,306	83,766
	Fire	2,206,450	1,955,049		2,385,641	2,115,221	(160,172)
	Public Works	246,538	81,721		178,542	97,669	(15,948)
	Street	1,534,891	924,453		890,573	740,362	184,091
	Equipment Services	157,819	145,819		140,061	119,183	26,636
	Solid Waste	820,485	674,014		1,564,210	1,344,430	(670,416)
	General Services	212,559	183,282		209,004	163,881	19,401
	Plannin/Zoning	276,258	225,471		208,627	177,058	48,413
	Bus & Comm. Dev	160,693	81,482		207,570	187,153	(105,671)
	Recreation	1,155,858	966,592		975,432	700,653	265,939
	Expenses	<u>12,028,369</u>	<u>9,868,724</u>	82%	<u>11,868,685</u>	<u>10,138,278</u>	<u>(269,554)</u>
	Difference		(220,130)			(13,886)	(206,244)

Water & Sewer Fund		Budget 16-17	Actual 16-17	% of Budget	Budget 15-16	Actual 15-16	Difference
Fund 61	Revenues	7,867,135	8,063,093	102%	7,920,872	8,471,149	(408,056)
	Fund Balance	1,265,399	-	-	1,394,717		
		9,132,534	8,063,093	88%	9,315,589	8,471,149	(408,056)
	Water Treatment	1,476,528	1,318,593		1,546,673	1,319,915	(1,322)
	Dist & Collection	2,390,175	2,118,895		2,480,865	1,567,013	551,882
	Wastewater	1,648,076	1,411,171		1,634,023	1,483,432	(72,260)
	W & S Intangibles	3,617,755	3,610,508		3,654,028	3,647,595	(37,087)
	Expenses	9,132,534	8,459,167	93%	9,315,589	8,017,955	441,213
	Difference		(396,074)			453,194	(849,269)

Electric Fund		Budget 16-17	Actual 16-17	% of Budget	Budget 15-16	Actual 15-16	Difference
Fund 63	Revenues	8,000,000	7,873,019	98%	7,666,628	7,788,140	84,879
	Fund Balance	79,000	-	-	74,975	-	-
		8,079,000	7,873,019	97%	7,741,603	7,788,140	84,879
	Electric Dept.	8,079,000	7,565,195		7,741,603	7,562,003	3,192
	Expenses	8,079,000	7,565,195	94%	7,741,603	7,562,003	3,192
	Difference		307,824			226,137	81,687

Overtime 80+ hours	247,593	322,602	(75,009)
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