

A G E N D A

LINCOLN TON CITY COUNCIL

August 2, 2018

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 2, 2018

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 7th 2018 – Regular Meeting

June 28th 2018 – Special Meeting

June 28th 2018 – Regular Meeting

4. Calls to Public Hearing for the September 6th meeting:

Proposed amendments to the City's Code of Ordinances – Regarding Animals at Special Events

5. Request from the following City Departments to dispose of records in accordance with NC Dept of Cultural Resources – Records Retention Policy (Note: If approved by City Council, requests will be sent to NCDCCR for final approval before destruction)

City Clerks Office

Planning Department

Fire Department

Utility Billing Department

Police Department

Recreation Department

Water Treatment Plant

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REGULAR AGENDA

RECOGNITION

6. **Presentation to Mr. David E. Lowe for his service to the City and its Citizen's for his time on the Lincolnton-Lincoln County Airport Authority**

Mayor Ed Hatley

PUBLIC HEARING

7. **ZMA-01-2018 – Application from Jack E. Carswell requesting the rezoning of approximately .952 acres of land from residential-10 (R-10) to neighborhood Business (N-B) District. The subject properties are in the northwest quadrant of North Grove Street and West Main Street Extension.**

Laura Elam, Planning Director

CONTRACTS

(C-11-18)

8. **Consideration of a contract between the City and Chamber of Commerce for alcohol sales for the Lincolnton Day of Commerce to be held Saturday, October 6, 2018 from 11 am to 3 pm**

**Eddie Sigmon, Lisa Fournier
LLC-Chamber of Commerce**

(C-12-18)

9. **Consideration of contract between the City and Downtown Development Association for alcohol sales for the Vintage Market Day Festival to be held Saturday, October 13, 2016 from 10 am to 5 pm**

Tommy Huskey, DDA Chair

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BUDGET AMENDMENT

(BA-05-18)

10. Consideration of Budget Amendment – Carryover Projects & Grants

Steve Zickefoose, City Manager

OTHER BUSINESS

11. Update on Recycling Options

Ritchie Haynes, Assistant City Manager

12. Discussion of additional ordinance – Title XIII: General Offenses – Chapter 130. Offenses against Peace and Safety – Section 130.07 Prevention from pursuing lawful business or occupation that would protect businesses from disruption due to public content (Note: After discussion, should Council choose to pursue, action would be to hold a Public Hearing at our September 6th meeting)

Mayor Hatley

13. 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 7, 2018

The Mayor and City Council met in regular session on Thursday, June 7th 2018 at 7:00 p.m. in the Council Chambers of City Hall, located at 114 West Sycamore Street, Lincolnton NC.

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

Mayor Hatley thanked everyone for attending, he said, “It is good to see everyone have this much interest in City government”. Council members in attendance were:

SMITH BLACK EADDY JETTON

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

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

- Approved the following meeting minutes:
 - March 23, 2018 Budget Retreat
 - May 3, 2018 – Regular Meeting
 - May 22, 2018 – Special Meeting
- Approved the following Calls to Public Hearing for the June 28th Meeting:
 - (BIG-03-2018) Consideration of a Business Incentive Grant to John Anderson to expand his building, located at 235 East Main Street, currently housing Southern Charm Winery
 - (O-07-2018) Revisions to the City’s Code – Regarding the Nuisance Ordinance
- Approved a contract (C-09)-18) between the City and Mark Knuckles Associates, Inc. for Annual Compliance Watch Consultation Services
- Approved a service contract (C-10-18) between the City and the Lincolnton Housing Authority for Community Policing

REGULAR MEETING – JUNE 7, 2018

REGULAR AGENDA

PRESENTATION TO LPD OFFICER TERRY POSEY - “LIFE SAVING MEDAL” FOR HIS MERITORIOUS SERVICE ON DECEMBER 13, 2017:

Mayor Hatley called on Chief Rodney Jordan for the presentation of a Life Saving Medal. Chief Jordan said, “On December 13th, 2017 Officer Posey was driving to work when he heard a call on the radio of a male who had accidentally shot himself in the leg. Officer Posey responded to the scene and found the subject with a self inflicted gunshot wound to the leg and bleeding profusely. The bullet had severed three arterial arteries in the right leg. The subject’s friend had tried to help by applying a belt around the leg but Officer Posey realized it was not tight enough and broke while trying to tighten further. Officer Posey ran out to a vehicle and retrieved a tourniquet and applied it properly to the leg within two minutes of the receiving the call. The actions of Officer Posey saved the victim’s leg and most likely his life.”

Chief Jordan concluded noting the command staff of the department felt it appropriate, as did he, to present Officer Posey this medal at a Council meeting.

PRESENTATIONS TO OFFICERS TERRY POSEY AND TONY POTTS FOR RECEIPT OF THEIR ADVANCED LAW ENFORCEMENT CERTIFICATES AND OFFICERS RANDY CARROLL AND ROBERT (TREY) HAYES FOR RECEIPT OF THEIR INTERMEDIATE LAW ENFORCEMENT CERTIFICATIONS:

Mayor Hatley called on Rodney Jordan, Chief of Police, to present Randy Carroll, K-9 Officer, with his Advanced Law Enforcement Certificate, noting this is the second highest award issued by hundreds of hours of continuing education and worked several years to obtain these certifications. He then called on both officers Terry Posey and Tony Potts for presentation of their Advanced Law Enforcement Certificates, which is the highest award issued by the North Carolina Training and Standards Commission.

Mayor Hatley thanked Chief Jordan for including he and City Council on these presentations.

REGULAR MEETING – JUNE 7, 2018

QUARTERLY UPDATE FROM THE LINCOLNTON STEERING COMMITTEE:

Fred Jarrett, Chair of the Steering Committee, presented the following quarterly report to Council:

1. Performed due diligence on two BIG applications:
 - BIG-2-2018 - building renovations for a new restaurant serving craft beer, fine wine, coffee, etc at the 411-B E. Main Street building.
 - BIG-3-2018 - building renovations/expansion of Southern Charm Winery at the Anderson Building at 117 N. Poplar Street.Committee recommended both be submitted to Council for approval.
2. Action Item - Additional pet waste stations in downtown area
DDA funded and worked with City to locate and install.
3. Action Item - Evaluate the Appalachian Mural Trail on-line application
DDA submitted as an agenda item. Committee discussed and Lincolnton Tourism and Development Association took action to evaluate. LTDA reported would help Lincolnton gain focus, Committee agreed and LTDA funded. Now three of Lincolnton's beautiful murals are part of the Appalachian Mural Trail. Threshing Grain, The Rail Trail Train and the Madison-Derr Iron Furnace murals beautifully depict Lincolnton's history and our community's heritage. The advantage for becoming part of the Appalachian Mural Trail is to draw high quality visitors from the Blue Ridge Parkway into the mural communities where the visitors will eat, sleep and purchase from local businesses.
LTN Article - May 2, 2018
4. Action Item - Dogs at Special Events
Formed subcommittee to review ordinances for dogs at special events. Currently working with County. County reviewing and revising their Code of Ordinances. Committee wants to have congruent ordinances.
5. Action Item - Historical Building Walking Tour Plaque Project
DDA, LTDA and City looking into possibilities for funding and installation.
6. Action Item - Established subcommittee (Cultural Center, DDA, and LEDA) to clarify roles and responsibilities for the Main Street Face Jugs/Pots on Parade.
7. Action Item - Central Business District Strategic Plan (CBDSP) Update
 - Refocused on CBDSP last meeting in April.
 - Gave membership homework assignments.

REGULAR MEETING – JUNE 7, 2018

- Held two 4 hr meetings in May and getting closer to having the plan developed.
- Unfinished part tasks to accomplished the plan objectives.
- Step through plan which follows:

Fred concluded offering to answer any questions from Council regarding his report. Dr. Eaddy and Councilman Jetton thanked Roby for his continued efforts on working with the Steering Committee for the betterment of Lincolnnton.

CONSIDERATION OF REVISIONS TO THE CITY'S BUSINESS INCENTIVE GRANT PROGRAM GUIDELINES:

Mayor Hatley opened the Public Hearing. Laura Elam, Planning Director, reviewed the following request for revisions to the Business Incentive Grant guidelines:

Background

The City's business incentive grant program has been in place for a couple years and City staff has identified the need for some relatively minor revisions to the program guidelines and application along with a couple of minor clarifications. The proposed changes are intended to provide for a more clear and simple application process while also adding in some needed design standards for downtown properties.

Recommended Revisions and Clarifications

Staff's recommended revisions and clarifications are outlined below:

	Current Application	Proposed Application
Application Requirements	Complete business plan	Brief summary of business plan
Number of criteria considered for approval	5	2

Clarification Needed	One grant per business per year	One grant per business
Ineligible Properties Specifically Identified		• Tax delinquent • Not in good standing with City utilities • National franchises • Retail chains • Primarily residential • Tax exempt
Application Form	One application for entire city	Separate applications for Downtown vs. Non-Downtown properties
Design Standards	Not addressed	Secretary of Interior Standards for Downtown

NOTE: The proposed revised business incentive grant application is attached with the edits shown through track changes. Attachment A is the proposed application for property located in the downtown area and Attachment B is the proposed application for property located within the City and outside of downtown.

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Recommendation from Steering Committee & Action requested:

Laura concluded recommending on behalf of the Planning Staff and the Downtown Steering Committee approval of the revisions as presented.

After some discussion, Councilman Black made the motion unanimously approved to close the Public Hearing.

Councilman Eaddy made the motion unanimously approved to adopt the revisions to the Business Incentive Grant Guidelines as recommended. He thanked both the Planning Department and the Steering Committee for the

CONSIDERATION OF A BUSINESS INCENTIVE GRANT APPLICATION FROM ERIKA THOMPSON FOR BUILDING RENOVATIONS FOR A NEW RESTAURANT AT 411-B EAST MAIN STREET

(BIG-2-2018)

Mayor Hatley opened the Public Hearing. Laura Elam, Planning Director, reviewed the request as follows:

Project Information

- Location: 411-B East Main Street
- Use: Building renovations for new restaurant to include the following:
 - Open up two walls and add moldings
 - Repair floors
 - Add closet
 - Install new doors
 - Add second bathroom
 - Paint walls
 - Install new window in kitchen
 - Relocate and replace electrical and add outlets throughout
 - Install new lighting
 - Restore entry doorways
 - Relocate and update ductwork
 - Install insulation in attic
 - Relocate and replace water heater
 - Install custom built, built-in bar in front room

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- Total project cost estimate: \$19,440.78
- Anticipated start: June 2018
- Anticipated completion: August 2018

Request

- \$9721 for building renovations

Laura concluded recommending on behalf of the Planning Board, and endorsement of the Steering Committee, approval of the incentive grant.

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

Councilman Eaddy made the motion unanimously approved to award the grant, in the amount of \$ 9,721.00 for building renovations as recommended.

CONSIDERATION OF APPROVAL THE PROPOSED 2018-19 FISCAL YEAR BUDGET FOR THE LINCOLNTON-LINCOLN COUNTY REGIONAL AIRPORT:

Mayor Hatley opened the Public Hearing. Steve Zickefoose, City Manager, explained the recent changes due to FAA regulations to the Lincolnton-Lincoln County Airport Authority. It was determined that both the City and Lincoln County would be the requesting sponsors for any grant funding for the airport. Steve said that both the City and Lincoln County, as sponsors, are now required to approve a budget for the airport and this requires holding a public hearing, to allow any public input for the Airport's proposed budget.

Steve told Council that \$ 918,000.00 was the total budget presented. The City's contribution would be based on the agreement that the City and County entered into several months ago, based on the sales tax distribution, which is 87% County and 13% City, which would cap our contribution to \$ 15,600.00.

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

Councilman Black then made the motion unanimously approved to approve the budget contingent upon no matching grant funds included and City funding would be based on proportionate share of sales tax distribution.

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PUBLIC HEARING TO RECEIVE COMMENT ON THE PROPOSED 2018 – 2019 FISCAL YEAR BUDGET FOR THE CITY OF LINCOLNTON – TOTAL PROPOSED BUDGET IS \$ 27,735,740.00:

(O-05-18)

Mayor Hatley opened the Public Hearing. Steve Zickefoose, City Manager, reviewed the budget highlights as follows:

General Fund 11,271,936

- No tax rate increase
- Reduced fund balance appropriation by \$150,000 (\$785,301 vs 635,770)
- Health Insurance additional costs: Retirees- \$67,000 ; Active- \$55,000
- Continue K-9 program by adding a third team
- RMS program for Police Department
- Fire Department Grant for 3 firefighters- City cost \$32,000
- Purchase automated garbage truck
- Implement Building Inspections program
- Providing year three funding for DDA administrative position
- \$150,000 from NCMVT for street paving
- Year Two of Program for Fleet Management with Enterprise to replace 13 vehicles
- Continue restructuring solid waste program to improve efficiencies and cost savings
- Budgeted \$183,000 for capital projects
- Budgeted \$66,100 for equipment needs
- Budgeted \$103,000 for building improvements
- Budgeted \$285,000 for vehicles
- A 2% Cost of Living Adjustment to employees

Water and Sewer Fund 8,378,540

- No rate increase
- Water Plant repairs
- Health Insurance additional costs: Retirees- \$94,000 ; Active- \$19,000
- Wastewater Plant repairs
- Decrease Distribution and Collection funds \$60,000 for system maintenance

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- Purchase Vac Truck to maintain sewer lines: Using system maintenance savings for payments
- Meter replacements for efficiency
- Replacing 1 vehicle as part of Fleet Management program
- Budgeted \$341 ,450 for capital projects
- Budgeted \$41,0 0 0 for equipment needs
- Budgeted \$20,0 0 0 for building improvements
- Budgeted \$398,50 0 for vehicles
- A 2% Cost of Living Adjustment to employees

He concluded recommending Council approve the \$ 27,735,740.00 budget for the 2018-19 fiscal year. *NOTE: Action on this item, after closing the Public Hearing, includes adopting the Budget Ordinance (O-05-18)) and 2018-19 schedule of fees*

Fred Jarrett spoke commending the City for all the good things with no tax increase or increase in utility rates. He thanked them for being good stewards of the tax payer's money.

Having no others speak during the Budget Public Hearing, Councilman Black made the motion unanimously approved to close the Public Hearing.

Councilman Eaddy made the motion unanimously approved to adopt the 2018-19 proposed budget as presented.

PUBLIC HEARING TO CONSIDER THE FOLLOWING AMENDMENT TO THE CITY'S CODE OF ORDINANCES, REGARDING TRAFFIC:

(O-06-18)

Mayor Hatley opened the Public Hearing. City Manager Steve Zickefoose reviewed the following proposed revisions to the City's Code:

Chapter 74 TRAFFIC SCHEDULES -

Schedule I: – STOP INTERSECTIONS –

ADD: S. Academy/East Rhodes St

East Park Drive/East Rhodes

West Park Drive/East Rhodes

REMOVE: East Rhodes/South Poplar

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Schedule II: – TRAFFIC CONTROL SIGNAL LIGHT LOCATIONS

ADD: South Poplar/East Rhodes

REMOVE: South Academy/East Park Drive and East Rhodes
(gymnasium intersection)

Schedule VII: - SPEED LIMITS ON CITY MAINTAINED STREETS

REDUCE SPEED: Forney Avenue from 35 mph to 25 mph (Victor
St to Bonview Avenue)

Green Street from 35 mph to 25 mph (East Main to Huss St)

Schedule IX: NO RIGHT TURN ON RED –

ADD: East Rhodes and South Poplar Street

Chapter 75 - PARKING SCHEDULES

Schedule I: - PARKING PROHIBITED AT ALL TIMES –

ADD: East Pine Street from Aspen St to Oak Street (South Side)
South Poplar Street/East Rhodes Street – from intersection
curb edges extending thirty five feet – ALL sides

The City Manager further reviewed several changes since the above revisions were documented. Chief Jordan spoke to several proposed changes in Chapter 74, telling Council some were a result of citizens requesting reducing the speed limit on two City streets.

After some discussion, Councilman Black made the motion unanimously approved to close the Public Hearing.

Councilman Jetton made the motion unanimously approved to adopt the changes with the revisions reviewed by the City Manager. The City Manager is to get the City Clerk a copy of the correct revisions so she can submit to American Legal to update the City's online version of the Code of Ordinances and the hard copy version.

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**CITY OF LINCOLNTON – 2018– 2019 SALARY SCHEDULE /
SCHEDULE OF BUDGETED POSITIONS**

(R-06-18)

Tanya Osborne, HR Director, requested Council consider adopting the following resolution:

WHEREAS, the proposed 2018-19 fiscal year budget has been prepared by the City Manager and presented to the Mayor and City Council; and

WHEREAS, the proposed 2018-19 fiscal year budget includes a recommended salary schedule and schedule of budgeted positions;

NOW, THEREFORE, BE IT RESOLVED, that the City of Lincolnton adopts the “Salary Schedule”, and “Schedule of Budgeted Positions”, as attached to this resolution, for the fiscal year beginning July 1, 2018 and ending June 30, 2019.

Adopted this the 7th day of June 2018.

Councilman Eaddy made the motion unanimously approved to adopt the resolution as presented, setting the salary schedule and list of budgeted positions for 2018-19 fiscal year.

**RESOLUTION AUTHORIZING THE LINCOLNTON FIRE
DEPARTMENT TO APPLY FOR A FEMA (SAFER) GRANT THAT
WOULD ALLOW THE CITY TO EMPLOY THREE (3) GRANT
FUNDED FIREFIGHTER POSITIONS -**

(R-07-18)

Ryan Heavner, Fire Chief, requested that Council consider adopting the following resolution:

RESOLUTION OF INTENT
TO PROVIDE MATCHING FUNDS
FOR A POTENTIAL GRANT FROM THROUGH
FEMA (SAFER GRANT) TO PROVIDE ADDITIONAL STAFFING
FOR ADEQUATE FIRE & EMERGENCY RESPONSE

(R-07-18)

WHEREAS, the Lincolnton Fire Department desires to improve staffing levels to be more aligned with nationwide standards of safe staffing for the fire service; and

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WHEREAS, the Lincolnton Fire Department has researched various opportunities that may provide financial assistance and or additional personnel to the department; and

WHEREAS, the Mayor and City Council, through this resolution, approve submittal of a grant application to the SAFER program operated and managed through the Federal Emergency Management Association (FEMA) for three (3) grant funded firefighter positions;

NOW, THEREFORE BE IT RESOLVED by the Mayor and City Council, that should the grant be awarded, the City would provide matching funds over a three (3) year time frame, with the first and second year requiring a 25 % match or \$ 33,100.00 per year. The third year would require a 35% match or \$ 85,890.00. After the three (3) year period the City would be responsible for 100% of the employees' salaries and benefits.

Adopted this the 7th day of June, 2018.

Councilman Jetton made the motion unanimously approved to adopt the resolution, endorsing the grant application submittal for the three new firefighter positions, as recommended.

RESOLUTION AUTHORIZING THE CITY TO ENGAGE IN ELECTRONIC PAYMENTS-(BOTH THE USE OF AND RECEIPT OF FUNDS FOR PAYMENTS WITH CREDITS CARDS)

(R-08-18)

Steve Zickefoose, City Manager, recommended City Council adopt the following resolution:

A RESOLUTION OF THE CITY OF LINCOLNTON, NORTH
CAROLINA

AUTHORIZING TO ENGAGE IN ELECTRONIC PAYMENTS AS
DEFINED BY G.S. 159-28 OR G.S. 115C-441

(R-08-18)

WHEREAS, it is the desire of the City Council that the City of Lincolnton is authorized to engage in electronic payments as defined by G.S. 159-28 or G.S. 115C-441;

WHEREAS, it is the responsibility of the Finance Officer, who is appointed by and serves at the pleasure of the City Manager, to adopt a written policy outlining procedures for pre-auditing obligations that will be incurred by electronic payments as required by NC Administrative Code 20 NCAC 03 .0409;

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WHEREAS, it is the responsibility of the Finance Officer, who is appointed by and serves at the pleasure of the City Manager, to adopt a written policy outlining procedures for disbursing public funds by electronic transaction as required by NC Administrative Code 20 NCAC 03 .0410;

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

Section 1. Authorizes the City of Lincolnton to engage in electronic payments as defined by G.S. 159-28 or G.S. 115C-441;

Section 2. Authorizes the Finance Officer to adopt a written policy outlining procedures for pre-auditing obligations that will be incurred by electronic payments as required by NC Administrative Code 20 NCAC 03 .0409;

Section 3. Authorizes the Finance Officer to adopt a written policy outlining procedures for disbursing public funds by electronic transaction as required by NC Administrative Code 20 NCAC 03 .0410; and

Section 4. This resolution shall take effect upon adoption.

Councilman Smith made the motion unanimously approved to adopt the resolution as recommended by the City Manager.

CONSIDERATION OF ADDITION TO THE ADMINISTRATIVE POLICY MANUAL – UNIFORM GUIDANCE PROCUREMENT; AS IT RELATES TO THE USE OF FEDERAL FUNDS UTILIZING FEDERAL GUIDELINES:

(P-02-18)

Steve Zickefoose, City Manager, recommended that Council adopt the following policy as outlined in Section three of the above resolution approved by City Council: **Uniform Guidance Procurement Policy**

For North Carolina Local Governments

Comment: When spending federal grant and loan award funds, local governments are required to adopt written procurement policies that confirm to applicable federal law and the Uniform Guidance. (2 C.F.R. § 200.318(a)) This sample policy contains language found in the relevant sections of the Uniform Guidance, 2 C.F.R. Part 200, relating to procurement requirements. Local governments should review their own local policies and consult with their attorneys to make modification as needed to conform to local purchasing practices (such as approval processes and use of purchasing cards and purchase orders) when adopting this policy. For individual contracts, local governments also should consult their

REGULAR MEETING – JUNE 7, 2018

grant award documents and with their federal grantor agency to determine whether additional procurement requirements apply.

I. Purpose

The purpose of this Policy is to establish guidelines that meet or exceed the procurement requirements for purchases of goods (apparatus, supplies, materials, and equipment), services, and construction or repair projects when federal funds are being used in whole or in part to pay for the cost of the contract.

II. Policy

A. **Application of Policy.** This policy applies to contracts for purchases, services, and construction or repair work funded with federal financial assistance (direct or reimbursed). The requirements of this Policy also apply to any sub recipient of the funds.

All federally funded projects, loans, grants, and sub-grants, whether funded in part or wholly, are subject to the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for federal awards (Uniform Guidance) codified at 2 C.F.R. Part 200 unless otherwise directed in writing by the federal agency or state pass-through agency that awarded the funds.

B. **Compliance with Federal Law.** All procurement activities involving the expenditure of federal funds must be conducted in compliance with the Procurement Standards codified in 2 C.F.R. § 200.317 through § 200.326 unless otherwise directed in writing by the federal agency or state pass-through agency that awarded the funds. City of Lincoln] will follow all applicable local, state, and federal procurement requirements when expending federal funds. Should the City of Lincoln have more stringent requirements, the most restrictive requirement shall apply so long as it is consistent with state and federal law.

C. **Contract Award.** All contracts shall be awarded only to the lowest responsive responsible bidder possessing the ability to perform successfully under the terms and conditions of the contract.

REGULAR MEETING – JUNE 7, 2018

- D. **No Evasion.** No contract may be divided to bring the cost under bid thresholds or to evade any requirements under this Policy or state and federal law.
- E. **Contract Requirements.** All contracts paid for in whole or in part with federal funds shall be in writing. The written contract must include or incorporate by reference the provisions required under 2 C.F.R. § 200.326 and as provided for under 2 C.F.R. Part 200, Appendix II.
- F. **Contractors' Conflict of Interest.** Designers, suppliers, and contractors that assist in the development or drafting of specifications, requirements, statements of work, invitation for bids or requests for proposals shall be excluded from competing for such requirements.
- G. **Approval and Modification.** The administrative procedures contained in this Policy are administrative and may be changed as necessary at the staff level to comply with state and federal law.

III. General Procurement Standards and Procedures:

Either the Purchasing Department or the Requesting Department shall procure all contracts in accordance with the requirements of this Section of the Policy.

- A. **Necessity.** Purchases must be necessary to perform the scope of work and must avoid acquisition of unnecessary or duplicative items. The Purchasing Department and/or the Requesting Department should check with the federal surplus property agency prior to buying new items when feasible and less expensive. Strategic sourcing should be considered with other departments and/or agencies who have similar needs to consolidate procurements and services to obtain better pricing.
- B. **Clear Specifications.** All solicitations must incorporate a clear and accurate description of the technical requirements for the materials, products, or services to be procured, and shall include all other requirements which bidders must fulfill and all other factors to be used in evaluating bids or proposals. Technical requirements must not contain features that restrict competition.

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- C. Notice of Federal Funding.** All bid solicitations must acknowledge the use of federal funding for the contract. In addition, all prospective bidders or offerors must acknowledge that funding is contingent upon compliance with all terms and conditions of the funding award.
- D. Compliance by Contractors.** All solicitations shall inform prospective contractors that they must comply with all applicable federal laws, regulations, executive orders, and terms and conditions of the funding award.
- E. Fixed Price.** Solicitations must state that bidders shall submit bids on a fixed price basis and that the contract shall be awarded on this basis unless otherwise provided for in this Policy. Cost plus percentage of cost contracts are prohibited. Time and materials contracts are prohibited in most circumstances. Time and materials contracts will not be used unless no other form of contract is suitable and the contract includes a “Not to Exceed” amount. A time and materials contract shall not be awarded without express written permission of the federal agency or state pass-through agency that awarded the funds.
- F. Use of Brand Names.** When possible, performance or functional specifications are preferred to allow for more competition leaving the determination of how to reach the required result to the contractor. Brand names may be used only when it is impractical or uneconomical to write a clear and accurate description of the requirement(s). When a brand name is listed, it is used as reference only and “or equal” must be included in the description.
- G. Lease versus Purchase.** Under certain circumstances, it may be necessary to perform an analysis of lease versus purchase alternatives to determine the most economical approach.
- H. Dividing Contract for M/WBE Participation.** If economically feasible, procurements may be divided into smaller components to allow maximum participation of small and minority businesses and women business enterprises. The procurement cannot be divided to bring the cost under bid thresholds or to evade any requirements under this Policy.

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- I. Documentation.** Documentation must be maintained by the Purchasing Department and/or the Requesting Department detailing the history of all procurements. The documentation should include the procurement method used, contract type, basis for contractor selection, price, sources solicited, public notices, cost analysis, bid documents, addenda, amendments, contractor's responsiveness, notice of award, copies of notices to unsuccessful bidders or offerors, record of protests or disputes, bond documents, notice to proceed, purchase order, and contract. All documentation relating to the award of any contract must be made available to the granting agency upon request.
- J. Cost Estimate.** For all procurements costing \$150,000 or more, the Purchasing Department and/or Requesting Department shall develop an estimate of the cost of the procurement prior to soliciting bids. Cost estimates may be developed by reviewing prior contract costs, online review of similar products or services, or other means by which a good faith cost estimate may be obtained. Cost estimates for construction and repair contracts may be developed by the project designer.
- K. Contract Requirements.** The Requesting Department must prepare a written contract incorporating the provisions referenced in Section II.C of this Policy.
- L. Debarment.** No contract shall be awarded to a contractor included on the federally debarred bidder's list.
- M. Contractor Oversight.** The Requesting Department receiving the federal funding must maintain oversight of the contract to ensure that contractor is performing in accordance with the contract terms, conditions, and specifications.
- N. Open Competition.** Solicitations shall be prepared in a way to be fair and provide open competition. The procurement process shall not restrict competition by imposing unreasonable requirements on bidders, including but not limited to unnecessary supplier experience, excessive or unnecessary bonding, specifying a brand name without allowing for "or equal" products, or other unnecessary requirements that have the effect of restricting competition.

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O. Geographic Preference. No contract shall be awarded on the basis of a geographic preference.

IV. Specific Procurement Procedures

Either the Purchasing Department or the Requesting Department shall solicit bids in accordance with the requirements under this Section of the Policy based on the type and cost of the contract.

A. Service Contracts (except for A/E professional services) and **Purchase Contracts costing less than \$3,500** shall be procured using the Uniform Guidance “micro-purchase” procedure (2 C.F.R. § 200.320(a)) as follows:

1. The contract may be awarded without soliciting pricing or bids if the price of the goods or services is considered to be fair and reasonable.
2. To the extent practicable, purchases must be distributed among qualified suppliers.

B. Service Contracts (except for A/E professional services) and **Purchase Contracts costing \$3,500 up to \$90,000** shall be procured using the Uniform Guidance “small purchase” procedure (2 C.F.R. § 200.320(b)) as follows:

1. Obtain price or rate quotes from an “adequate number” of qualified sources (a federal grantor agency might issue guidance interpreting “adequate number,” so the Requesting Department should review the terms and conditions of the grant award documents to confirm whether specific guidance has been issued).
2. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as required under 2 C.F.R. § 200.321.
3. Cost or price analysis is not required prior to soliciting bids.
4. Award the contract on a fixed-price basis (a not-to-exceed basis is permissible for service contracts where obtaining a fixed price is not feasible).
5. Award the contract to the lowest responsive, responsible bidder.

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C. Service Contracts (except for A/E professional services) and **Purchase Contracts costing \$90,000 and above** shall be procured using a combination of the most restrictive requirements of the Uniform Guidance “sealed bid” procedure (2 C.F.R. § 200.320(c)) and state formal bidding procedures (G.S. 143-129) as follows:

1. Cost or price analysis is required prior to soliciting bids.
2. Complete specifications or purchase description must be made available to all bidders.
3. The bid must be formally advertised in a newspaper of general circulation for at least seven full days between the date of the advertisement and the date of the public bid opening. Electronic-only advertising must be authorized by the governing board. The advertisement must state the date, time, and location of the public bid opening, indicate where specifications may be obtained, and reserve to the governing board the right to reject any or all bids only for “sound documented reasons.”
4. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as required under 2 C.F.R. § 200.321.
5. Open bids at the public bid opening on the date, time, and at the location noticed in the public advertisement. All bids must be submitted sealed. A minimum of 2 bids must be received in order to open all bids.
6. Award the contract to the lowest responsive, responsible bidder on a fixed-price basis. Governing board approval is required for purchase contracts unless the governing board has delegated award authority to an individual official or employee. Any and all bids may be rejected only for “sound documented reasons.”

D. Service Contracts (except for A/E professional services) **costing \$150,000 and above** may be procured using the Uniform Guidance “competitive proposal” procedure (2 C.F.R. § 200.320(d)) when the “sealed bid” procedure is not appropriate for the particular type of service being sought. The procedures are as follows:

1. A Request for Proposals (RFP) must be publicly advertised. Formal advertisement in a newspaper is not required so long as the method of advertisement will solicit proposals from an “adequate number” of qualified firms.
2. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as provided under 2 C.F.R. § 200.321.

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3. Identify evaluation criteria and relative importance of each criteria (criteria weight) in the RFP.
4. Consider all responses to the publicized RFP to the maximum extent practical.
5. Must have a written method for conducting technical evaluations of proposals and selecting the winning firm.
6. Award the contract to the responsible firm with most advantageous proposal taking into account price and other factors identified in the RFP. Governing board approval is not required.
7. Award the contract on a fixed-price or cost-reimbursement basis.

E. Construction and repair contracts costing less than \$3,500 shall be procured using the Uniform Guidance “micro-purchase” procedure (2 C.F.R. § 200.320(a)) as follows:

1. The contract may be awarded without soliciting pricing or bids if the price of the goods or services is considered to be fair and reasonable.
2. To the extent practicable, contracts must be distributed among qualified suppliers.

F. Construction and repair contracts costing \$3,500 up to \$150,000 shall be procured using the Uniform Guidance “small purchase” procedure (2 C.F.R. § 200.320(b)) as follows:

1. Obtain price or rate quotes from an “adequate number” of qualified sources (a federal grantor agency might issue guidance interpreting “adequate number,” so the requesting department should review the terms and conditions of the grant award documents to confirm whether specific guidance has been issued).
2. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as required under 2 C.F.R. § 200.321.
3. Cost or price analysis is not required prior to soliciting bids, although price estimates may be provided by the project designer.
4. Award the contract on a fixed-price or not-to-exceed basis.
5. Award the contract to the lowest responsive, responsible bidder. Governing board approval is not required.

G. Construction and repair contracts costing \$150,000 up to \$500,000 shall be procured using the Uniform Guidance “sealed bid” procedure (2 C.F.R. § 200.320(c)) as follows:

REGULAR MEETING – JUNE 7, 2018

1. Cost or price analysis is required prior to soliciting bids (this cost estimate may be provided by the project designer).
2. Complete specifications must be made available to all bidders.
3. Publically advertise the bid solicitation for a period of time sufficient to give bidders notice of opportunity to submit bids (formal advertisement in a newspaper is not required so long as other means of advertising will provide sufficient notice of the opportunity to bid). The advertisement must state the date, time, and location of the public bid opening, and indicate where specifications may be obtained.
4. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as provided under 2 C.F.R. § 200.321.
5. Open the bids at the public bid opening on the date, time, and at the location noticed in the public advertisement. All bids must be submitted sealed. A minimum of 2 bids must be received in order to open all bids.
6. A 5% bid bond is required of all bidders. Performance and payment bonds of 100% of the contract price is required of the winning bidder.
7. Award the contract on a firm fixed-price basis.
8. Award the contract to the lowest responsive, responsible bidder. Governing board approval is not required. Any and all bids may be rejected only for “sound documented reasons.”

H. Construction and repair contracts costing \$500,000 and above shall be procured using a combination of the most restrictive requirements of the Uniform Guidance “sealed bid” procedure (2 C.F.R. § 200.320(c)) and state formal bidding procedures (G.S. 143-129) as follows:

1. Cost or price analysis is required prior to soliciting bids (this cost estimate should be provided by the project designer).
2. Complete specifications must be made available to all bidders.
3. Formally advertise the bid in a newspaper of general circulation for at least seven full days between the date of the advertisement and the date of the public bid opening. Electronic-only advertising must be authorized by the governing board. The advertisement must state the date, time, and location of the public bid opening, indicate where specifications may be obtained, and reserve to the governing board the right to reject any or all bids only for “sound documented reasons.”

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4. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as provided under 2 C.F.R. § 200.321.
5. Open the bids at the public bid opening on the date, time, and at the location noticed in the public advertisement. All bids must be submitted sealed and in paper form. A minimum of 3 bids must be received in order to open all bids.
6. A 5% bid bond is required of all bidders (a bid that does not include a bid bond cannot be counted toward the 3-bid minimum requirement). Performance and payment bonds of 100% of the contract price is required of the winning bidder.
7. Award the contract on a firm fixed-price basis.
8. Award the contract to the lowest responsive, responsible bidder. Governing board approval is required and cannot be delegated. The governing board may reject and all bids only for “sound documented reasons.”

I. Construction or repair contracts involving a building costing \$300,000 and above must comply with the following additional requirements under state law:

1. Formal HUB (historically underutilized business) participation required under G.S. 143-128.2, including local government outreach efforts and bidder good faith efforts, shall apply.
2. Separate specifications shall be drawn for the HVAC, electrical, plumbing, and general construction work as required under G.S. 143-128(a).
3. The project shall be bid using a statutorily authorized bidding method (separate-prime, single-prime, or dual bidding) as required under G.S. 143-129(a1).

J. Contracts for Architectural and Engineering Services costing under \$150,000 shall be procured using the state “Mini-Brooks Act” requirements (G.S. 143-64.31) as follows:

1. Issue a Request for Qualifications (RFQ) to solicit qualifications from qualified firms (formal advertisement in a newspaper is not required). Price (other than unit cost) shall not be solicited in the RFQ.
2. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as provided for under 2 C.F.R. § 200.321.

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3. Evaluate the qualifications of respondents based on the evaluation criteria developed by the Purchasing Department and/or Requesting Department.
4. Rank respondents based on qualifications and select the best qualified firm. Price cannot be a factor in the evaluation. Preference may be given to in-state (but not local) firms.
5. Negotiate fair and reasonable compensation with the best qualified firm. If negotiations are not successfully, repeat negotiations with the second-best qualified firm.
6. Award the contract to best qualified firm with whom fair and reasonable compensation has been successfully negotiated. Governing board approval is not required.

K. Contracts for Architectural and Engineering Services costing \$150,000 or more shall be procured using the Uniform Guidance “competitive proposal” procedure (2 C.F.R. § 200.320(d)(5)) as follows:

1. Publically advertise a Request for Qualifications (RFQ) to solicit qualifications from qualified firms (formal advertisement in a newspaper is not required). Price (other than unit cost) shall not be solicited in the RFQ.
2. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as provided under 2 C.F.R. § 200.321.
3. Identify the evaluation criteria and relative importance of each criteria (the criteria weight) in the RFQ.
4. Proposals must be solicited from an “adequate number of qualified sources” (an individual federal grantor agency may issue guidance interpreting “adequate number”).
5. Must have a written method for conducting technical evaluations of proposals and selecting the best qualified firm.
6. Consider all responses to the publicized RFQ to the maximum extent practical.
7. Evaluate qualifications of respondents to rank respondents and select the most qualified firm. Preference may be given to in-state (but not local) firms provided that granting the preference leaves an appropriate number of qualified firms to compete for the contract given the nature and size of the project.
8. Price cannot be a factor in the initial selection of the most qualified firm.

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9. Once the most qualified firm is selected, negotiate fair and reasonable compensation. If negotiations are not successfully, repeat negotiations with the second-best qualified firm.
10. Award the contract to best qualified firm with whom fair and reasonable compensation has been successfully negotiated. Governing board approval is not required.

V. Exceptions

Non-competitive contracts are allowed **only** under the following conditions and with the written approval of the federal agency or state pass-through agency that awarded the federal funds:

- A. Sole Source.** A contract may be awarded without competitive bidding when the item is available from only one source. The Purchasing Department and/or Requesting Department shall document the justification for and lack of available competition for the item. A sole source contract must be approved by the governing board.
- B. Public Exigency.** A contract may be awarded without competitive bidding when there is a public exigency. A public exigency exists when there is an imminent or actual threat to public health, safety, and welfare, and the need for the item will not permit the delay resulting from a competitive bidding.
- C. Inadequate Competition.** A contract may be awarded without competitive bidding when competition is determined to be inadequate after attempts to solicit bids from a number of sources as required under this Policy does not result in a qualified winning bidder.
- D. Federal Contract.** A contract may be awarded without competitive bidding when the purchase is made from a federal contract available on the U.S. General Services Administration schedules of contracts.
- E. Awarding Agency Approval.** A contract may be awarded without competitive bidding with the express written authorization of the federal agency or state pass-through agency that awarded the federal funds so long as awarding the contract without competition is consistent with state law.

REGULAR MEETING – JUNE 7, 2018

MONTHLY FINANCIAL & OVERTIME REPORT:

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

June 2018 Council Meeting Executive Summary April 2018 Year-To-Date

General Fund		Budget 17-18	Actual 17-18	% of Budget	Budget 16-17	Actual 16-17	Difference
Fund 10	Revenues	10,252,739	8,717,708	79%	10,662,262	8,433,542	284,166
	Fund Balance	785,301	-	-	1,366,107	-	-
		11,038,040	8,717,708		12,028,369	8,433,542	284,166
	City Manager/Clerk	333,365	242,792		309,730	183,732	59,060
	Human Resources	235,030	171,964		215,848	155,562	16,402
	Finance	279,012	139,270		273,609	64,914	74,356
	General Expense	809,520	746,871		878,154	611,503	135,368
	General Debt Service	463,524	371,363		425,535	313,861	57,502
	Police	3,344,770	2,674,227		3,153,942	2,496,023	178,204
	Fire	2,030,690	1,695,281		2,206,450	1,651,614	43,666
	Public Works	181,356	61,878		246,538	44,943	16,934
	Street	1,229,141	579,112		1,534,891	703,973	(124,861)
	Equipment Services	132,120	102,732		157,819	121,464	(18,731)
	Solid Waste	718,328	474,865		820,485	579,959	(105,094)
	General Services	-	-		212,559	161,063	(161,063)
	Plannin/Zoning	277,060	210,592		276,258	183,338	27,253
	Bus & Comm. Dev	132,454	140,826		160,693	72,930	67,896
	Recreation	871,670	822,902		1,155,858	667,437	155,466
	Expenses	11,038,040	8,434,674	76%	12,028,369	8,012,316	422,358
	Difference		283,034			421,226	(138,192)
Water & Sewer Fund		Budget 17-18	Actual 17-18	% of Budget	Budget 16-17	Actual 16-17	Difference
Fund 61	Revenues	7,449,995	6,894,169	88%	7,867,135	6,767,559	126,611
	Fund Balance	390,000	-	-	1,265,399	-	-
		7,839,995	6,894,169		9,132,534	6,767,559	126,611
	Water Treatment	1,501,500	1,163,446		1,476,528	1,091,972	71,474
	Dist & Collection	1,356,250	1,079,232		2,390,175	1,944,160	(864,928)
	Wastewater	1,537,900	1,085,562		1,648,076	1,112,298	(26,736)
	W & S Intangibles	3,444,345	3,374,033		3,617,755	3,508,814	(134,781)
	Expenses	7,839,995	6,702,273	85%	9,132,534	7,657,244	(954,971)
	Difference		191,896			(889,685)	1,081,581
Electric Fund		Budget 17-18	Actual 17-18	% of Budget	Budget 16-17	Actual 16-17	Difference
Fund 63	Revenues	7,791,714	6,885,798	88%	8,000,000	6,843,269	42,529
	Fund Balance	-	-	-	79,000	-	-
		7,791,714	6,885,798		8,079,000	6,843,269	42,529
	Electric Dept.	7,791,714	6,003,950		8,079,000	5,757,623	246,328
	Expenses	7,791,714	6,003,950	77%	8,079,000	5,757,623	246,328
	Difference		881,848			1,085,647	(203,799)

Overtime	80+ hours	301,131	*	267,676	33,455
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- * 3 January Paydays
- * Snow Removal
- * Frozen Water Lines

REGULAR MEETING – JUNE 7, 2018

DISCUSSION OF TERM LIMITS:

Mayor Hatley called on Councilman Jetton to discuss his proposal for the City to consider term limits for municipal elected officials. The draft proposal was as follows:

WHEREAS, term limits improve citizen access to office; and

WHEREAS, term limits broaden the level of experience in a political body; and

WHEREAS, term limits assure that elected officials are responsive to the citizens; and

WHEREAS, term limits allow council members to focus on issues instead of re-election;

NOW THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of Lincolnton are proponents of term limits in Municipal offices:

BE IT FURTHER RESOLVED that a copy of this Resolution be recorded in the official meeting minutes of the City of Lincolnton and a copy be provided to the State and Local Government II, House Standing Committee Members:

Councilman Jetton said this is something he has believed in all his life and he asked that Council consider placing this item on the June 28th meeting for consideration. Councilman Smith said the General Assembly would have to request a change to the constitution before this could be considered for approval. After some discussion Mayor Hatley suggested placing this item on the June 28th agenda for public input and consideration of adoption.

CLOSED SESSION –

Councilman Black made the motion unanimously approved to enter into Closed Session to discuss Personnel in accordance with NCGS 143.318.11(a)(1)(5) and to discuss Property.

Councilman Eaddy made the motion unanimously approved to return to Regular Session.

During the closed session property acquisition was discussed and consensus was taken on approving the following resolution (R-09-18) authorizing the City Manager to negotiate on behalf of the City, the purchase of real property located at 701 East main Street:

REGULAR MEETING – JUNE 7, 2018

RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND PURCHASE CERTAIN PROPERTY (R-09-18)

WHEREAS, the Mayor and City Council of the City of Lincolnton desires to allow the City Manager to negotiate and or purchase real property, located at 701 East Main Street, Lincolnton North Carolina on behalf of the Lincolnton City Council;

1. The Lincolnton City Council, on May 22nd, 2018, by unanimous vote authorized the Lincolnton City Manager to bid electronically place a bid on said property described below in accordance with NCGS 143-318.11(a)(1)(5).

BEGINNING at a point located N 02 59'18" E 49.30' from the center of a sanitary sewer manhole located in the centerline intersection of East Main Street and North Flint Street, being the point and place of beginning; running thence with the easterly margin of North Flint Street, N 20 30'00" W 204.57' to a point on the southerly margin of East Sycamore Street; then with the southerly margin of East Sycamore Street N 70 24'36" E 250. 19' to a point; thence with the property of Neills Music Center (Deed Book 503, Page 808) S 19 52'51" E 207.36' to a point on the northerly margin of East Main Street; thence with the northerly margin of East Main Street S 71 02'36" W 248.01" to the point and place of beginning. Said parcel containing 1.178 acres +/-.
(see attached map)

2. The City Manager, at the direction of the Lincolnton City Council, submitted a successful bid through the live auction process, held on Thursday, May 24th, acquiring the above said real property. The Lincolnton City Council hereby authorizes the City Manager to transfer funds in the amount of \$ 690,000.00, plus the Purchaser's Premium for a total amount equal to \$ 759,000.00, to SPIRIT EK Lincolnton, LLC f/k/a Cole EK Lincolnton NC, LLC, a Delaware limited liability company.

REGULAR MEETING – JUNE 7, 2018

3. The Lincolnton City Council further resolves that the City Manager be authorized to conclude this transaction and any other paperwork necessary to finalize the sale.

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

CONSIDERATION OF BUDGET AMENDMENT – ELECTRIC FUND:

(BA-03-2018)

Steve Zickefoose, City Manager, reviewed the following budget amendment as a result of the closed session discussion:

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>GENERAL EXPENSE</u>		
10-00-4280-991	Contingency		30,000.00
<u>ACCOUNT NUMBER</u>	<u>DEPARTMENT/ACCOUNT DESCRIPTION</u>	<u>INCREASE</u>	<u>DECREASE</u>
	<u>POLICE</u>		
10-10-4310-505	Police Building	1,000,000.00	0.00
	<u>PARKS AND RECREATION</u>		
10-80-6100-121	Salaries	22,000.00	-
10-80-6100-126	Part Time Salaries	8,000.00	-
		<u>1,030,000.00</u>	<u>30,000.00</u>

This will result in a net increase of \$ 1,000,000.00 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>MISCELLANEOUS</u>		
10-00-3911-900	Loan Proceeds	1,000,000.00	0.00
		<u>1,000,000.00</u>	<u>0.00</u>

Councilman Black made the motion unanimously approved to adopt the budget amendment, allocating a loan from the electric fund to the general fund to purchase and renovate the property discussed above for the Lincolnton Police Department.

REGULAR MEETING – JUNE 7, 2018

PUBLIC COMMENT:

Chief Jordan, on behalf of the police officers, thanked City Council for the action taken to purchase property and allow for a new location for the Lincoln Police Department.

NEWS MEDIA:

Wayne Howard of the Lincoln Herald asked Council when they felt the Police Department would be able to move into the new building, and a timeframe for renovations.

Mayor Hatley and Councilman Eaddy said there should be a design team appointed, of management and Police Personnel, and hopefully after a design is complete maybe within one year. Wayne also asked about the savings to the City with no longer renting a separate building for the detectives division. Steve Zickefoose said there would be a substantial monthly savings once the department is combined again into the renovated facility.

ADJOURNMENT:

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

DONNA C. FLOWERS, MMC
CITY CLERK

ED HATLEY
MAYOR

SPECIAL MEETING - JUNE 28, 2018

The Mayor and City Council met in special session on Thursday, June 28, 2018 at 5:00 p.m. in the Council Chambers of City Hall, located at 114 West Sycamore Street, Lincolnton NC.

Mayor Ed Hatley called the meeting to order.

The following Council members were in attendance:

SMITH BLACK EADDY JETTON

Mayor Hatley called on City Manager Steve Zickefoose to introduce the two architects that were being interviewed for the potential renovations of the City owned property, located at 701 East Main Street, to house the Lincolnton Police Department.

Steve Zickefoose, City Manager introduced Randy Baker from Pinnacle Architecture. Steve Zickefoose noted that Mr. Baker did a walk-through of the Rite Aid building with Steve, Ritchie Haynes and Chief Jordan prior to the City making the purchase. In addition, Pinnacle Architecture had already looked at potential renovations of the current police department so he has some familiarity with the project.

Randy Baker of Pinnacle Architecture reviewed his ideas for the up fit of the Rite Aid Building. He feels that the building is a perfect shell for the police department. He stated there were no load bearing walls that would cause issues. He stated he would need more interviews with the police department to ascertain their exact needs. He stated that his company had done the LEDA building. He is excited about the potential of the new police department. He reported the up fit costs would be around \$750,000.00. Mr. Baker noted parking is in good shape; mechanical would be the most expensive part and some security issues need to be met. There was some discussion about different items that need to be addressed mainly HVAC.

Steve Zickefoose, City Manager, introduced Dennis Williams of Williams Design. He stated that Dennis Williams had done a full project on potentially renovating the current police department so was very familiar with the police department and their needs.

Dennis Williams gave an extensive summary of his background and projects in the area. He stated he has done about 150 projects for the county and went into detail about some of the bigger projects. He stated Williams Design has vast experience with renovations and extensive experience with our police department. He noted that due the proximity of his home and office to the jobsite, he is the best person for the job. He reported that the Rite Aid Building would need a full-blown structural analysis because it would be

SPECIAL MEETING - JUNE 28, 2018

changing from a Risk Level 2 to a Risk Level 4 building. He said the HVAC would need to be replaced and the duct system reworked to accommodate an individual office type layout. Mr. Williams stated his ballpark estimate is 1.5 million dollars to renovate and that it would take about a year to complete.

Councilman Eaddy made a motion unanimously approved to adjourn the Special Called Meeting. The Regular meeting of City Council is scheduled to begin at 7:00 pm this evening.

(NOTE: Jean Derby, Administrative Assistant, sat in for the City Clerk)

DONNA C. FLOWERS, MMC

ED HATLEY, MAYOR

REGULAR MEETING - JUNE 28, 2018

The Mayor and City Council met in regular session on Thursday, June 28, 2018 at 7:00 p.m. in the Council Chambers of City Hall, located at 114 West Sycamore Street, Lincolnton NC.

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

The following Council members were in attendance:

SMITH BLACK EADDY JETTON

Councilman Black made a motion unanimously approved to amend the agenda to include an approval of an architect as item number 10.

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

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

- Approved the following Call to Public Hearing for the August 2nd regular City Council meeting: ZMA-01-2018 – Application from Jack E. Carswell requesting the rezoning of approximately .952 acres of land from residential-10 (R-10) to Neighborhood Business (N-B) District. The subject properties are in the northwest quadrant of North Grove Street and West Main Street Extension. The addresses are West main Street Extension (PIN 55464), 107 North Grove Street (PIN 2100) and 408 West Main Street (PIN 20999)

REGULAR AGENDA:

CONSIDERATION OF A BUSINESS INCENTIVE GRANT TO JOHN ANDERSON TO EXPAND HIS BUILDING, LOCATED AT 235 EAST MAIN STREET, CURRENTLY HOUSING SOUTHERN CHARM WINERY:

(BIG-03-2018)

Mayor Hatley opened the Public Hearing. Laura Elam, Planning Director reviewed a Business Incentive Grant Application from John Anderson to renovate a portion of his building to allow Southern Charms Winery to expand. She stated that the total project cost estimate was submitted at \$35,044.09 making Mr. Anderson eligible for the full \$15,000.00. The project is due to start in August of 2018 and a completion in December 2018. She stated that the Steering Committee had reviewed and recommended that Council approve.

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

Councilman Black made the motion unanimously approved to award the grant as recommended.

REGULAR MEETING - JUNE 28, 2018

CONSIDERATION OF REVISIONS TO THE CITY'S CODE OF ORDINANCES REGARDING THE NUISANCE ORDINANCE – SECTIONS 93.066, 93.068 TO MAKE MINOR CHANGES TO THE PROVISIONS FOR NOTICE, HEARING, ORDER TO ABATE AND FAILURE OF OWNER TO ABATE.

(O-07-2018)

Mayor Hatley opened the Public Hearing. Laura Elam, Planning Director reviewed the above stated changes.

She provided some background information as follows:

The City's Nuisance Ordinance outlines the below process the city staff is to use in making determinations of ordinance violations:

- If it appears that nuisance conditions exist, city staff notifies the owner of the reasons why the conditions may constitute a violation and that a hearing will be held not less than 10 and not more than 30 days after the notice.
- Owner has right to file an answer to the notice and appear in person or otherwise and give evidence at hearing.
- After the hearing, if city staff determines that the conditions constitute a nuisance, the city notifies owner of the conditions constituting the nuisance and orders abatement within 15 days from the notice.
- If owner fails to abate nuisance conditions within 15 days of notice, the city is to cause the condition to be removed or otherwise remedied.

She proposed the following amendment:

The proposed amendment is modeled after the City of Gastonia's ordinance and would change the process so that violations of the Nuisance Ordinance that are related solely to unmowed grass could be handled differently than other types of nuisance ordinance violations.

For violations related solely to unmowed grass, the revised process would provide for a 10- day abatement period and no hearing would be offered or provided. After the expiration of the 10-day period, staff could initiate abatement of the nuisance without additional notification.

For all other types of nuisance conditions, the process would provide for a hearing only upon the request of the property owner and the abatement period would continue to be 15 days.

If a hearing were requested, the hearing would be held within 31 days. Subsequent to the hearing, the city could 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. If the hearing results in either a final order with modifications or the reinstatement of the initial order as a final order, the owner would have 15 days to address the violation. If the violation is not addressed within the 15-day period, the city could then initiate abatement.

If no hearing is requested and the owner fails to abate the nuisance within 15 days, the city could initiate abatement.

REGULAR MEETING - JUNE 28, 2018

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

Councilman Black made the motion unanimously approved to change the ordinance as recommended.

RECOGNITION OF THE CITY'S WATER TREATMENT PLANT RECEIVING THE "GOLD STAR" HONOR FOR SYSTEMS THAT HAVE RECEIVED THE PRESTIGIOUS NC AREA WIDE OPTIMIZATION AWARD FOR 10 CONSECUTIVE YEARS OF MORE. LINCOLNTON IS ONE OF FOUR FACILITIES TO EARN THIS RECOGNITION, AND HAS RECEIVED THIS AWARD SINCE 2002.

Mayor Hatley asked Steve Zickefoose, City Manager, to speak about the award.

Steve Zickefoose stated that each year North Carolina recognizes water treatment plants that pass Federal and State drinking water standards. This past year there were 69 plants recognized including Lincolnton. However, Lincolnton is separated by the rest because the State awards the Gold Star award for plants that receive the award for ten consecutive years. Lincolnton has far exceed the ten year mark. Out of the entire state of North Carolina, Lincolnton is one of only three that qualify for the Gold Star. He asked Robert Pearson to speak more about the Gold Star award.

Robert Pearson stated that the "Area Wide Optimization Program takes into account how much dirt is in your water and how much is removed. Ours is pretty high before it is ever filtered. We exceed most people's capabilities. Our turbidity is extremely low and that takes a lot of hard work. Our process surpasses anybody's. If one of our processes fails within 45 seconds, we are up and running another process. It is seamless. We are always anticipating weather, rain, heat, cold, it is ever changing. They guys work hard to put the puzzle pieces together. It is a great accomplishment. We are one in only three that are still consecutive."

Mayor Hatley presented to Mr. Pearson and his staff a framed copy of the award and stated he would like to thank Robert Pearson and his staff. Mayor Hatley asked that Mr. Pearson pass along to his staff, the gratitude of the City Council for all of the hard work they do.

CONSIDERATION OF RESOLUTION SUPPORTING TERM LIMITS, WHICH IS APPROVED WOULD BE SUBMITTED TO THE NC GENERAL ASSEMBLY (R-10-18)

Mayor Hatley asked the Council to entertain a motion to approve the following resolution. He stated that the resolution would be submitted to the General Assembly. The Council had discussed termed limits at the previous meeting and since that time discovered that they cannot just take a vote to pass. It requires the General Assembly to make a change to the State Constitution. The resolution is to take a stance on term limits.

WHEREAS, term limits improve citizen access to office; and

WHEREAS, term limits broaden the level of experience in a political body; and

REGULAR MEETING - JUNE 28, 2018

WHEREAS, term limits assure that elected officials are responsive to the citizens; and

WHEREAS, term limits allow council members to focus on issues instead of re-election;

NOW THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of Lincolnnton are proponents of term limits in Municipal offices:

BE IT FURTHER RESOLVED that a copy of this Resolution be recorded in the official meeting minutes of the City of Lincolnnton and a copy be provided to the State and Local Government II, House Standing Committee Members:

Councilman Jetton made the motion unanimously approved to adopt the resolution as drafted.

UPDATE ON RECYCLING OPTIONS

Ritchie Haynes stated that in the last three weeks he had talked to all of the surrounding towns to get feedback on their recycling process and issues. He stated that whether the City collects the recycling or a contractor collects the recycling, it is going to cost more money in the future. He is presently looking at a range of options from continuing curbside through another vendor, private contract, modified pick up schedule and recycling centers. He is still researching and gathering data. He plans to bring a range of options to the next council meeting for review. He did state no matter what option is picked our cost will increase.

Councilman Eaddy asked if we could use Everbridge system to notify citizens that may not have gotten the notice about recycling.

UPDATE ON BUILDING INSPECTIONS

Steve Zickefoose, City Manager, stated the process had been challenging and a learning experience.

Tanya Osborne, HR Director, reported that they started the recruitment process on March 7, 2018. She stated they received less than 20 applications. Most of the candidates were not qualified. There was one qualified candidate but due to current market demand, we were not able to recruit him. She feels that we may need a different strategy and that it will be difficult to find a candidate that meets the requirements.

Steve Zickefoose, agreed with Tanya's assessment. He stated that we are caught in the middle of a market demand and a limited ability to afford to bring someone in. He asked Laura Elam to talk about the positives that resulted from this process and some shared services that have come about.

Laura Elam, Planning Director, stated that during this process communications with the County have greatly improved. They have listened to concerns that their department is stretched thin due to development in Denver. They have also instituted a formal appeal process. The primary building inspector has made himself available to prospective businesses in downtown Lincolnnton and really expedited the process for them. Laura Elam, stated that she is getting a lot of positive feedback about the County. She stated that chasing the idea of a City Inspections Department would be addressing a problem that no longer exists. She stated that the expense would not be worth the effort.

REGULAR MEETING - JUNE 28, 2018

Steve Zickefoose stated that there is a sincere desire by the County to make things better for the downtown area. Steve noted that the County stated that having Wayne Godfrey as a consultant with the City had been very helpful in helping with communications between citizens and the County. Steve reported that the County has been very helpful with the City's mapping. Laura Elam stated that the County digitized our water and sewer lines for the City at no cost and the project would have been \$250,000.00 to 300,000.00. Steve stated that the Distribution and Collections Department can now go out and pull up on their tablet or smart phone the locations of all the water and sewer lines that have been mapped. Steve also noted that we are very close to being able to have them map our electrical lines. Steve said that his biggest concern is to provide good service to the citizens of Lincolnton with respect to inspections and there has been a definite improvement. Steve stated that our biggest roadblock is having sufficient funding to hire a qualified individual. He stated we can keep trying or we can wait and see how this progresses with the County. He stated Wayne Godfrey was key to the having continued success.

ARCHITECT SELECTION FOR THE LINCOLNTON POLICE DEPARTMENT:

Mayor Hatley stated that prior to the meeting they had interviewed a few architects that were interested. He stated that they had preliminary discussion. Mayor Hatley asked the Council to entertain a motion to approve an architect selection.

Councilman Black made a motion to select Pinnacle Architecture. Approved by Councilman Jetton and Councilman Smith. Councilman Eaddy did not approve.

PUBLIC COMMENT:

There was no public comment.

NEWS MEDIA:

There were no questions from the News Media.

ADJOURNMENT:

Councilman Black made the motion unanimously approved to adjourn the meeting go into a closed session.

5:00 closed session

Councilman Eaddy made a motion unanimously approved to enter closed session.

Councilman Eaddy made a motion unanimously approved to recess.

After Session

REGULAR MEETING - JUNE 28, 2018

Councilman Jetton made the motion unanimously approved to adjourn the meeting go into a closed session.

Councilman Smith made the motion unanimously approved to return to Regular Session.

ITEM #

4

***NO BACK UP
NECESSARY
FOR THIS ITEM***

ITEM #

5

***NO BACK UP
NECESSARY
FOR THIS ITEM***

ITEM #

6

***NO BACK UP
NECESSARY
FOR THIS ITEM***

ITEM #

7

MEMO TO: Mayor and City Council Members

FROM: Laura Elam, Planning Director

SUBJECT: ZMA-1-2018 – Application from Jack Carswell requesting the rezoning of 0.952 acres from R-10 to N-B

DATE: August 2, 2018

SITE AND AREA DESCRIPTION

The applicant is requesting the rezoning of three parcels totaling approximately 0.95 acres from Residential-10 (R-10) to Neighborhood Business (N-B) District. The subject property includes three parcels located on the northwest corner of North Grove Street and West Main Street.

The subject property and surrounding properties north of West Main Street are zoned R-10. Properties located along West Main Street and Riverside Drive to the west of North Grove Street are zoned N-B.



The subject property is vacant with the exception of a single family residence. A convenience store is located across West Main Street and a car sales lot is located to the southwest across West Main Street Extension. Land uses to the north are primarily single family residential.



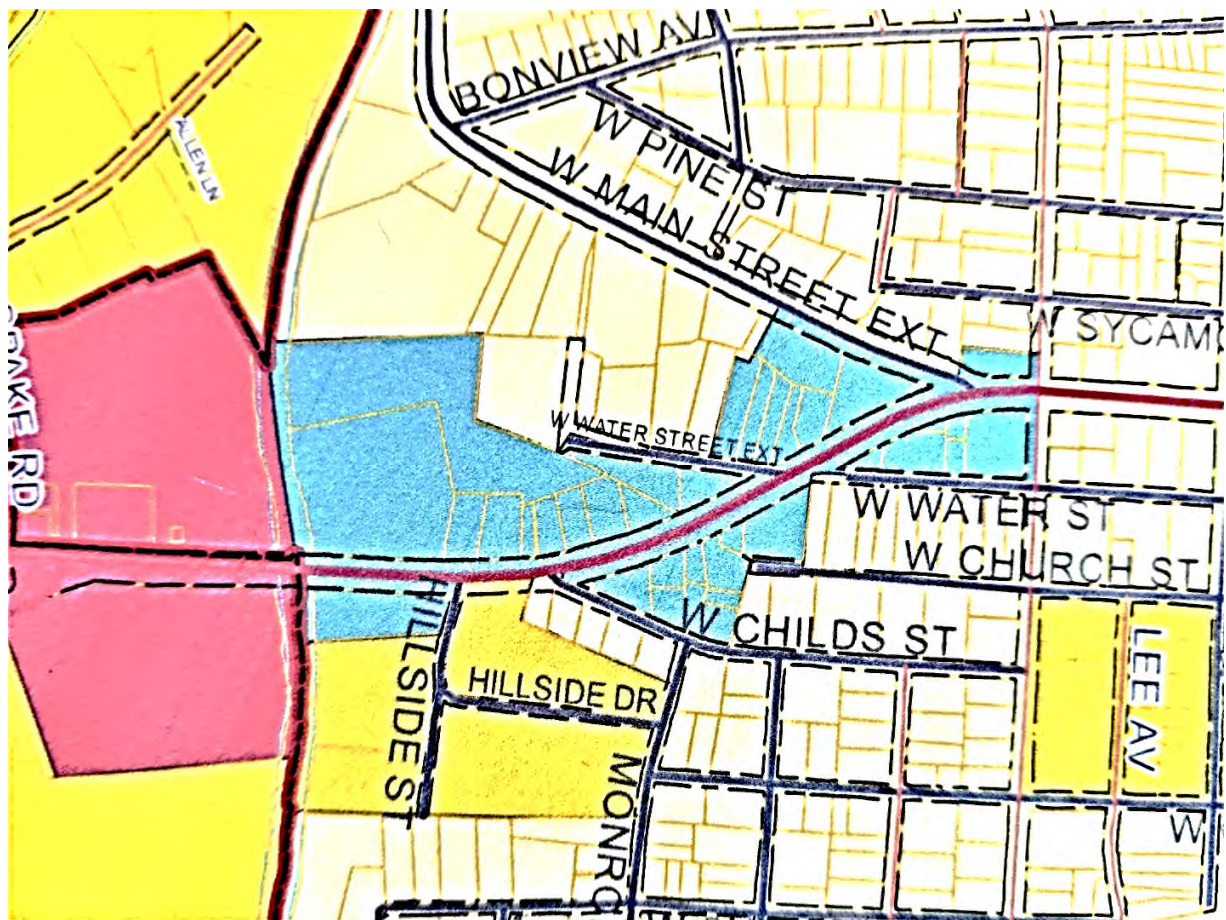
LAND USE PLAN

The Lincoln Land Use Plan designates properties located along West Main Street and Riverside Drive from Grove Street to the South Fork River as a Neighborhood Business Planning Area. The portion of the subject property comprised of the parcel located on the northwest corner of West Main Street and North Grove Street is included in that Planning Area.

The Land Use Plan notes the following regarding Neighborhood Business planning areas:

- They are for small business clusters that cater to the needs of a relatively small trading area and are appropriate for smaller-sized stores and establishments.
- They are designed to be compact in nature and located at key road intersections.
- They are to be located on at least two separate lots or a lot having an area of at least two acres.

The Land Use Plan includes the remainder of the subject property in a Traditional Single Family planning area.



NEIGHBORHOOD BUSINESS ZONING DISTRICT DESCRIPTION

The Unified Development Ordinance notes that the Neighborhood Business zoning district is designed primarily for local business centers for retailing of merchandise such as groceries, drugs, and household items and for furnishing certain personal, business and professional services.

The UDO notes the following regarding the N-B zoning district:

- Unlike some of the other commercial zones, this district is established to serve local neighborhoods and other relatively small trading areas.
- The standards established for these business areas are designed to promote sound, permanent business development and also to protect abutting or surrounding residential areas from undesirable aspects of nearby business developments.
- These districts are located at accessible places with respect to traffic circulation in order to conveniently serve the trading population and to promote the grouping of several places of business at locations so designated.
- Since this district is established to provide for small neighborhood oriented businesses, limitations on gross floor areas are established for certain uses.

COMPLIANCE WITH LAND USE PLAN

The Land Use Plan designates properties located along West Main Street and Riverside Drive as a Neighborhood Business planning area. The portion of the subject property located on the corner of West Main Street and North Grove Street is included in that Neighborhood Business planning area and the two other parcels are designated as residential. Therefore, the proposed rezoning request is not entirely consistent with the Land Use Plan.

However, staff views the request as consistent with the spirit and intent of the Land Use Plan's designation of the West Main Street / Riverside Drive corridor as a Neighborhood Business area with small scale commercial establishments catering to the needs of the nearby residential community for the following reasons:

- Almost all of the properties located along West Main Street and Riverside Drive from Grove Street to West Highway 150 are recommended for commercial land uses.
- The corner parcel is 0.308 acres. Commercial development options on a site that small would be extremely limited.
- Once the required setbacks are provided, there would be virtually no remaining area available for development.
- The Land Use Plan's designation of the corner parcel alone for Neighborhood Business is not consistent with the Plan's recommendation for Neighborhood Business areas to be located on at least two separate lots or a lot having an area of at least two acres.

PLANNING BOARD AND STAFF RECOMMENDATION

Planning Board and Staff recommend the following three actions:

1. Approval of attached statement of consistency and reasonableness for approval of application.
2. Approval of rezoning of the property from R-10 to N-B.
3. Amendment of the Land Use Plan to extend the Neighborhood Business Planning Area to include the northern and western parcels.

Zoning Amendment
Staff's Proposed Statement of Consistency and Reasonableness
for APPROVAL of Application

Case No. ZMA-1-2018

Applicant: Jack Carswell

Parcel ID#: 55464, 21000 and 20999

Location: Northwest corner of West Main Street and North Grove Street

Request: Rezone from R-10 to N-B

Proposed Consistency and Reasonableness Statement:

The Lincolnnton Land Use Plan designates properties located along the West Main Street/ Riverside Drive corridor as a Neighborhood Business planning area. The portion of the subject property located on the corner of West Main Street and North Grove Street is included in the Neighborhood Business planning area while the other two parcels are designated as residential. Therefore, the proposed rezoning request **is not entirely consistent** with the Lincolnnton Land Use Plan. However, the request is viewed as consistent with the spirit and intent of the Land Use Plan's designation of the West Main Street / Riverside Drive corridor as a Neighborhood Business area with small scale commercial establishments catering to the needs of the nearby residential community. Therefore, **approval of the proposed amendment is reasonable and in the public interest.**

Zoning Amendment
Staff's Proposed Statement of Consistency and Reasonableness
for **DENIAL of Application**

Case No. ZMA-1-2018

Applicant: Jack Carswell

Parcel ID#: 55464, 21000 and 20999

Location: Northwest corner of West Main Street and North Grove Street

Request: Rezone from R-10 to N-B

Proposed Consistency and Reasonableness Statement:

The proposed amendment **is not entirely consistent** with the Lincolnnton Land Use Plan in that a portion of the subject property is part of an area designated by the Plan as residential. Denial of the proposed amendment **is reasonable and in the public interest** in that portions of the surrounding area are primarily residential in character and should be protected from encroachment of incompatible commercial development.

MOTIONS FOR PUBLIC HEARING

- 1. Motion to approve one of the statements of consistency and reasonableness.**
- 2. Motion to approve or deny request for rezoning.**

If rezoning is approved, then:

- 3. Motion to approve amendment of Land Use Plan.**

ITEM #

8

LCom, LTown's Day of Commerce Festival, 2018

CONTRACT

**STATE OF NORTH CAROLINA
COUNTY OF LINCOLN**

THIS CONTRACT AND AGREEMENT made and entered into on this the 2nd day of August, 2018, by and between **THE LINCOLNTON-LINCOLN COUNTY CHAMBER OF COMMERCE, INC.**, a corporation existing and doing business under the laws of the State of North Carolina, party of the first part, (hereinafter referred to as LLCCC), 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);

W I T N E S S E T H:

The parties to this Contract hereby recite and declare that:

- a. Section 131.01 of the Code of Ordinances of the City of Lincolnton was so amended by the Lincolnton City Council at 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 LLCCC is the sponsor, promoter, and operator of the event known as the "LCom, LTown's Day of Commerce" event, which will be staged in downtown Lincolnton on Saturday, October 6, 2018 from 11:00am – 4:00pm.
- c. At the request of the LLCCC, the City Council agreed, subject to the provisions and conditions hereinafter set forth, to allow the LLCCC to administer the sale and sampling of malt beverages, unfortified wine and distilled spirits to the public within the designated event area between Court Square and Cedar Street at designated location(s) and to supervise and monitor the consumption of said alcoholic beverages at and during the "LCom, LTown's Day of Commerce" events in downtown Lincolnton in 2018.

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:

I.

That in accordance with and subject to the terms and conditions herein set forth, the LLCCC is authorized to administer the sale of malt beverages, unfortified wine and distilled spirits to the public at its "LCom, LTown's Day of Commerce" event in 2018, which is scheduled to be held on Saturday, October 6, 2018.

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 LLCCC agrees to obtain, pay for, and comply with all governmental permits and licenses necessary for the sale and consumption of the alcoholic beverages.

That LLCCC 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 LLCCC 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.

That LLCCC will not sell or allow the consumption of any alcoholic beverage before 11:00 a.m. or after 4:00 p.m. on the day of the event.

III.

That LLCCC hereby agrees to indemnify and hold the City and its employees harmless from any claims, causes of action, loss or injury resulting from the sale of alcoholic beverages and subsequent consumption thereof by the public at the “LCom, LTown’s Day of Commerce” event. That LLCCC agrees to defend the City against any such claims of loss or injury filed against the City.

IV.

That LLCCC 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 “LCom, LTown’s Day of Commerce” event. That LLCCC 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 “LCom, LTown’s Day of Commerce” 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.

THE LINCOLNTON-LINCOLN COUNTY CHAMBER OF COMMERCE, INC.

By: _____
Eddie Sigmon, Board Chairman

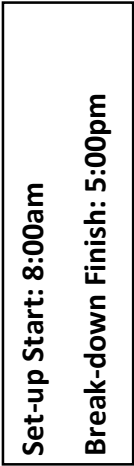
CITY OF LINCOLNTON

By: _____
Ed Hatley, Mayor

Attest:

Donna C. Flowers, City Clerk **(Municipal Seal)**

Saturday, 10/6/18, 11a-4p



Barricades

HARD BLOCK



Detour Routes



Road Closure

ITEM #

9

Lincolnton Antique & Vintage Market Day Festival 2018

CONTRACT

**STATE OF NORTH CAROLINA
COUNTY OF LINCOLN**

THIS CONTRACT AND AGREEMENT made and entered into on this the 2nd day of August, 2018, by and between **THE DOWNTOWN DEVELOPMENT ASSOCIATION OF LINCOLNTON, INC.**, a corporation existing and doing business under the laws of the State of North Carolina, party of the first part, (hereinafter referred to as DDA), 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);

W I T N E S S E T H:

The parties to this Contract hereby recite and declare that:

- a. Section 131.01 of the Code of Ordinances of the City of Lincolnton was so amended by the Lincolnton City Council at 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 DDA is the sponsor, promoter, and operator of the event known as the “Lincolnton Antique & Vintage Market Day Festival” event, which will be staged in downtown Lincolnton on Saturday, October 13, 2018 from 10:00am to 5:00pm.
- c. At the request of the DDA, the City Council agreed, subject to the provisions and conditions hereinafter set forth, to allow the DDA to administer the sale and sampling of malt beverages, unfortified wine and distilled spirits to the public within the designated event area between Court Square and Poplar Street at designated location(s) and to supervise and monitor the consumption of said alcoholic beverages at and during the “Lincolnton Antique & Vintage Market Day Festival” events in downtown Lincolnton in 2018.

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:

I.

That in accordance with and subject to the terms and conditions herein set forth, the DDA is authorized to administer the sale of malt beverages, unfortified wine and distilled spirits to the public at its “Lincolnton Antique & Vintage Market Day Festival” event in 2018, which is scheduled to be held on Saturday, October 13, 2018.

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 DDA agrees to obtain, pay for, and comply with all governmental permits and licenses necessary for the sale and consumption of the alcoholic beverages.

That DDA 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 DDA 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.

That DDA will not sell or allow the consumption of any alcoholic beverage before 10:00 a.m. or after 5:00 p.m. on the day of the event.

III.

That DDA hereby agrees to indemnify and hold the City and its employees harmless from any claims, causes of action, loss or injury resulting from the sale of alcoholic beverages and subsequent consumption thereof by the public at the “Lincolnton Antique & Vintage Market Day Festival” event. That DDA agrees to defend the City against any such claims of loss or injury filed against the City.

IV.

That DDA 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 “Lincolnton Antique & Vintage Market Day Festival” event. That DDA 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 “Lincolnton Antique & Vintage Market Day Festival” 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.

DOWNTOWN DEVELOPMENT ASSOCIATION OF LINCOLNTON, INC.

By: _____
Tommy Huskey, Board Chair

Attest:

Betty Flohr, Board Member & Festival Coordinator

CITY OF LINCOLNTON

By: _____
Ed Hatley, Mayor

Attest:

Donna C. Flowers, City Clerk **(Municipal Seal)**

ITEM #

10

CITY OF LINCOLNTON

CITY COUNCIL

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



CITY MANAGER

Steve Zickefoose, MBA
szickefoose@lincolntonnc.org

CITY CLERK

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

CITY ATTORNEY

Thomas J. Wilson, Jr..

BA – 05-19

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, 2019.

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>DEBT SERVICES</u>		
10-00-4285-730	Interfund Loan Prin Payment	77,930.00	-
10-00-4285-745	Interfund Loan Interest Payment	19,500.00	-
10-00-4285-735	Bank Loan Principal		90,000.00
	<u>GENERAL EXPENSE</u>		
10-00-4280-693	Airport Operation Fund	-	44,000.00
10-00-4280-731	Enterprise Vehicle Lease	100,000.00	
	<u>POLICE</u>		
10-10-4310-121	Salaries	44,000.00	-
10-10-4310-505	Police Building	541,000.00	
	<u>FIRE</u>		
10-10-4340-500	SCADA Equipment	203,000.00	-
10-10-4340-352	Equipment Repairs		4,000.00
	<u>STREET MAINTENANCE</u>		
10-20-4520-352	Equipment Repairs		6,000.00
	<u>SOLID WASTE</u>		
10-30-4710-121	Salaries		60,000.00
10-30-4710-181	FICA		4,000.00
10-30-4710-183	Health Insurance		11,930.00
10-30-4710-182	Retirement		4,500.00
10-30-4710-200	Supplies		3,000.00
10-30-4710-212	Uniforms		2,000.00
10-30-4710-251	Gas and Oil		3,000.00
10-30-4710-352	Equipment Repairs		5,000.00
10-30-4710-599	Miscellaneous Equipment		4,000.00

<u>ACCOUNT NUMBER</u>	<u>DEPARTMENT/ACCOUNT DESCRIPTION</u>	<u>INCREASE</u>	<u>DECREASE</u>
	<u>PLANNING & ZONING</u>		
10-40-4910-353	Hazardous Project Tasks	150,000.00	
10-40-4910-354	Petroleum Project Tasks	150,000.00	
	<u>PARKS AND RECREATION</u>		
10-80-6100-500	Capital Projects	536,600.00	-
	(River Launch \$150,000)		-
	(Pickle Ball Courts \$61,600)		
	(Flag Football Fields \$325,000)		
		<u>1,822,030.00</u>	<u>241,430.00</u>

This will result in a net increase of \$ 1,580,600.00 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>GRANTS</u>		
10-00-3315-300	State Grants	528,000.00	-
10-00-3330-300	Grants- Other	61,600.00	-
10-00-3301-300	Federal Grants	300,000.00	
	<u>MISCELLANEOUS</u>		
10-00-3911-900	Loan Proceeds	300,000.00	0.00
	<u>APPROPRIATION FUND BALANCE</u>		
10-00-3991-900	Appropriation from Fund Balance		-
	(River Launch Carryover \$150,000)	150,000.00	
	(Police Building Carryover \$241,000)	241,000.00	
	(Police Project Loan Payment to Electric Fund)	0.00	-
		<u>1,580,600.00</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>WATER TREATMENT PLANT</u>		
61-91-7100-500	Capital		5,500.00
	<u>WASTEWATER TREATMENT PLANT</u>		
61-91-7120-731	Enterprise Vehicle Lease	5,500.00	0.00
		<u>5,500.00</u>	<u>5,500.00</u>

This will result in a net change of \$0.00 in the expenditures of the Water & Sewer Fund.

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

<u>ACCOUNT NUMBER</u>	<u>DEPARTMENT/ACCOUNT DESCRIPTION</u>	<u>INCREASE</u>	<u>DECREASE</u>
	<u>ELECTRIC</u>		
63-93-7200-505	Loan to General Fund	300,000.00	-
		300,000.00	0.00

This will result in a net increase of \$ 300,000.00 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>
	<u>INVESTMENT INCOME</u>		
	<u>OTHER FINANCING SOURCES</u>		
63-93-3991-900	Appropriation from Fund Balance	300,000.00	
		300,000.00	0.00

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 2nd day of August, 2018.

Donna C. Flowers
City Clerk

Ed L. Hatley
Mayor

ITEM #

11

CITY OF LINCOLNTON

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: Steve Zickefoose, City Manager

FROM: Ritchie Haynes, Assistant City Manager

SUBJECT: Recycling Options

DATE: 7/25/18

I have attached a worksheet with the recycling options that have been discussed over the last month. Since the suspension of our curbside program, Steve Peeler and I have met with Republic Services and Lincoln County Solid Waste concerning future recycling options. Fortunately, for us, Lincoln County has four Convenience Sites near our city limits that will provide our citizens an option for their recyclables. During the past month we have explored multiple options. The worksheet attached goes into detail on the yearly cost of each option. In addition, some options involve first year capital needs that should be taken into consideration during the evaluation process. Due to the "volatility of the recycling market", I feel that we should be very cautious when exploring any options involving capital expenditures.

Below I have briefly described the different options and method used to calculate the estimated cost:

OLD ROUTE (2 MAN CREW)

- We would utilize the same route and 2 man crew as before
- Every week pick-up
- Utilize existing equipment
- Utilize existing recycling bins
- Utilize a single stream pick-up as before
- Single Stream would be taken to Republic's MRF once a week
- Tipping Fee is estimated at \$75.00 per ton (per Republic)
- 15 year capital is based on a replacement truck valued at \$225,000.00

- No funds needed for 1st Year Capital Needs, but will need to purchase a truck within an estimated time of 2-3 years
- Participants and tonnage is based on former study
- Yearly cost would be \$153,064.71

OLD ROUTE (1 MAN CREW)

- We would utilize the same route with a 1 man crew and a new truck designed for entry/exit on either side
- Every week pick-up
- Utilize existing recycling bins
- Utilize single stream pick-up as before
- Single Stream would be taken to Republic's MRF once a week
- Tipping Fee is estimated at \$75.00 per ton (per Republic)
- 15 year capital is based on a replacement truck valued at \$180,000
- Requires \$180,000 for 1st Year Capital Needs
- Participants and tonnage is based on former study
- Yearly cost would be \$104,758.75

NEW ROUTES (CONTRACTOR)

- Contractor would take over curbside pick-up
- Every other week pick-up
- 18 gal. bins would be replaced with a 95 gal. rollout
- Utilize single stream pick-up as before
- Contractor would charge a flat fee per door
- Additional fees would be charged if contamination of the waste stream goes above 5% by weight
- Participants and tonnage is based on information given by the vendor
- Yearly cost would be \$270,000.00

RECYCLING CENTER (MANNED)

- The back half of the existing Police Department's parking lot would be fenced in to create a New Recycling Center
- The Recycling Center would be open on Friday and Saturday from 9:00am - 5:00pm
- Would be staffed with part-time employees
- Recyclables would be sorted
- 6 metal containers would be purchased for \$8,000 a piece (2 for Cardboard, 1 each for glass, aluminum cans, mixed paper, and plastic)
- Lincoln County Solid Waste would pick-up the bins for emptying as needed, estimated cost is \$15,600
- We could see a credit for materials in the future
- Containers, fencing, automatic gates, a prefab building, signage, and cameras have been included in the \$91,500 for the 1st Year Capital Needs

- Participants and tonnage are based on an estimated 10 percent usage, consideration was given to the numbers provided by the former study and possible participation from businesses and non-profits
- Yearly cost would be \$33,210.00

RECYCLING CENTER (UNMANNED)

- The back half of the existing Police Department's parking lot would be fenced in to create a New Recycling Center
- The Recycling Center would operated under the City of Lincolnton's Parks Schedule
- Would not be staffed
- Lincolnton Public Works would be responsible for day-to-day clean-up
- Single stream would be utilized
- 3 metal containers would be purchased for \$8,000 a piece
- Lincolnton Public Works would deliver recyclables to Republic's MRF as needed
- Tipping Fee is estimated at \$75.00 per ton (per Republic)
- Containers, fencing, automatic gates, signage, and cameras have been included in the \$47,500 for the 1st Year Capital Needs
- Participants and tonnage are based on an estimated 10 percent usage, consideration was given to the numbers provided by the former study and possible participation from businesses and non-profits
- Yearly cost would be \$6,692.00

RECYCLING CENTER (TEMPORARY)

- Temporary Recycling Center to help calculate possible participation and tonnage
- Center would be open on Saturday from 9:00am - 5:00pm for a 3 to 6 month trial run
- Utilize an existing truck to collect, store, and deliver
- Utilize existing staff, we are estimating overtime will be used
- Utilize the parking area at City Park or Betty Ross Park
- Estimates given are based on a yearly amount
- Lincolnton Public Works would deliver recyclables to Republic's MRF as needed
- Tipping Fee is estimated at \$75.00 per ton (per Republic)
- Participants and tonnage are based on an estimated 10 percent usage, consideration was given to the numbers provided by the former study and possible participation from businesses and non-profits
- Yearly cost would be \$15,111.00

UTILIZE COUNTY CONVENIENCE SITES

- No additional cost

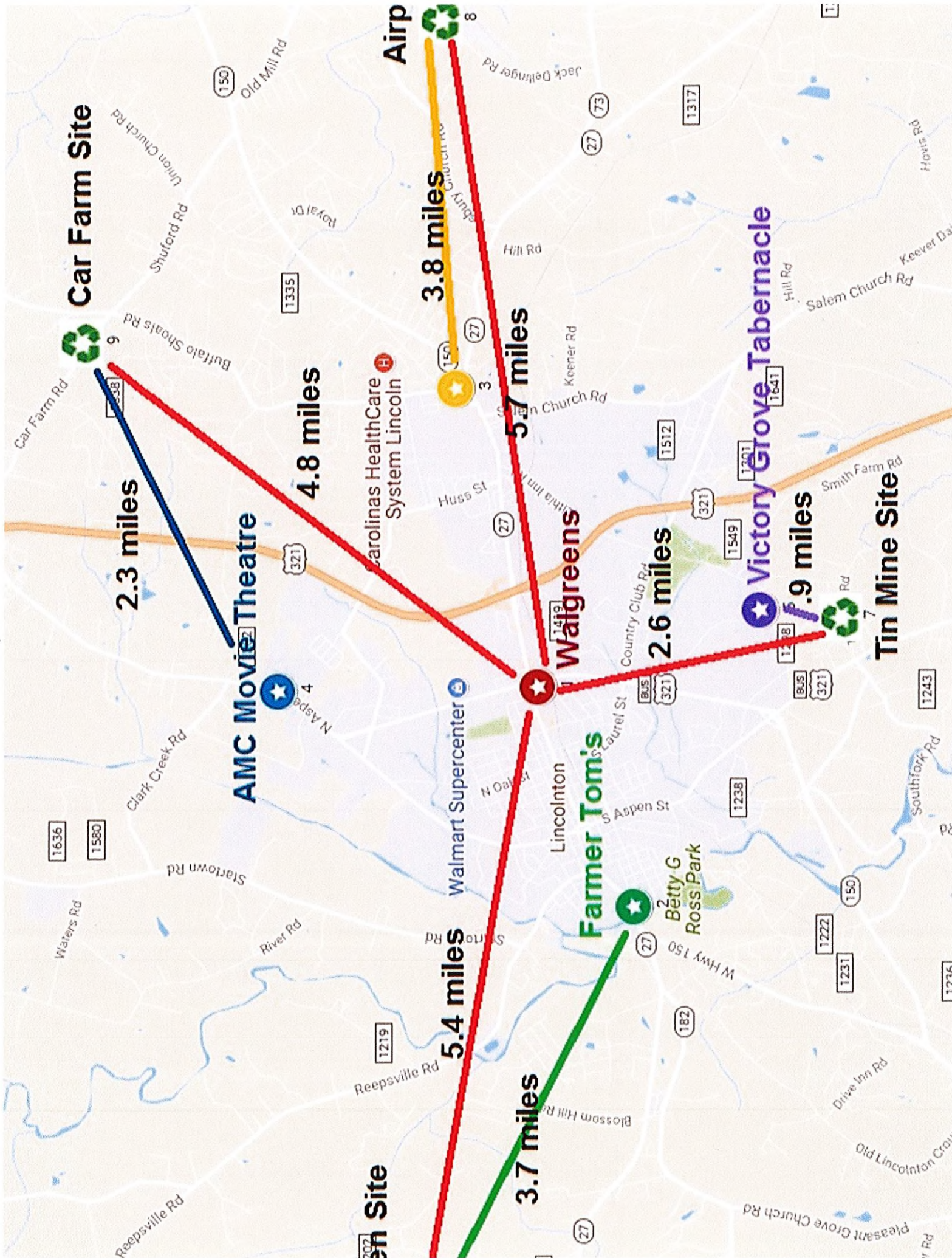
I have also included a map that shows the four Convenience Sites and the driving distance from them to Walgreens (located in the center of the city limits) and other sites located on the outer edges of the city. As you can see, some of our citizens would have a shorter drive to the Convenience Sites than to a centrally located recycling center.

If you have any questions concerning the information provided please let me know.

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

RECYCLING OPTIONS

	OLD ROUTE (2 MAN CREW)	OLD ROUTE (1 MAN CREW)	NEW ROUTES (CONTRACTOR)	RECYCLING CENTER (MANNED)	RECYCLING CENTER (UNMANNED)	RECYCLING CENTER (TEMPORARY)	COUNTY SITES
SALARY	\$71,021.39	\$37,853.59	N/A	\$10,810.00	N/A	\$12,636.00	N/A
INSURANCE	\$17,518.32	\$10,580.16	N/A	N/A	N/A	N/A	N/A
SUPPLIES/EQUIP.	\$9,500.00	\$8,000.00	N/A	\$250.00	\$50.00	\$100.00	N/A
REPAIRS	\$11,500.00	\$11,500.00	N/A	\$250.00	\$500.00	\$100.00	N/A
FUEL	\$5,000.00	\$5,000.00	N/A	N/A	\$750.00	\$250.00	N/A
CAPITAL (15YR. AVG.)	\$15,000.00	\$12,000.00	N/A	\$6,100.00	\$3,167.00	N/A	N/A
CONTRACT COST	N/A	N/A	\$270,000.00	\$15,600.00	N/A	N/A	N/A
OTHER	\$7,400.00	\$3,700.00	N/A	\$200.00	\$200.00	N/A	N/A
TIPPING FEE (\$75)	\$16,125.00	\$16,125.00	N/A	N/A	\$2,025.00	\$2,025.00	N/A
TOTAL	\$153,064.71	\$104,758.75	\$270,000.00	\$33,210.00	\$6,692.00	\$15,111.00	\$0.00
ESTIMATE PARTICIPANTS	925	925	1,225	92	92	92	TBD
ESTIMATE TONS	215	215	284	21	21	21	TBD
COST PER PARTICIPANT	\$165.47	\$113.25	\$220.40	\$360.97	\$72.73	\$164.25	\$0.00
COST PER TON	\$711.92	\$487.25	\$950.70	\$1,581.42	\$318.66	\$719.57	\$0.00
1ST YEAR CAPITAL NEEDS	N/A	\$180,000.00	N/A	\$91,500.00	\$47,500.00	N/A	N/A



Car Farm Site

2.3 miles

AMC Movie Theatre

4.8 miles

5.7 miles

Walgreens

5.4 miles

3.8 miles

Airp

2.6 miles

Victory Grove Tabernacle

1.9 miles

Tin Mine Site

Farmer Tom's

3.7 miles

ITEM #

12

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

A handwritten signature in black ink that reads "Steve".

SUBJECT: Ordinance Discussion

DATE: July 17, 2018

Dr. Eaddy presented information that provides for an additional ordinance that will protect businesses from disruption due to public conduct. This is based on a ruling from the Supreme Court Case **Chaplinsky v. New Hampshire (1942)**. The following opinion of the court was delivered:

"No person shall address any offensive, derisive or annoying word to any other person who is lawfully in any street or other public place, nor call him by any offensive or derisive name, nor make any noise or exclamation in his presence and hearing with intent to deride, offend or annoy him, or to prevent him from pursuing his lawful business or occupation."

Observing the disruption of business, the harassment of customers, and responding to business/customer complaints provides police officers additional clear enforceable guidelines to protect the rights of businesses and customers.

A draft ordinance amendment is listed below:

Title XIII: GENERAL OFFENSES

Chapter 130. OFFENSES AGAINST PUBLIC PEACE AND SAFETY

Section 130.07 Prevention from pursuing lawful business or occupation

Individuals have the constitutional right to pursue their lawful business or occupation.

No person shall address any offensive, derisive or annoying word to any other person who is lawfully in any street or other public place, nor call him by any offensive or derisive name, nor make any noise or exclamation in his presence and hearing with intent to deride, offend or annoy him, or to prevent him/her from pursuing his lawful business or occupation.

Penalty, see § [93.999](#)

ITEM #

13

Executive Summary

June 2018 Year-To-Date

General Fund		Budget 17-18	Actual 17-18	% of		Budget 16-17	Actual 16-17	Difference
Fund 10	Revenues	10,252,739	11,187,249	101%		10,662,262	9,648,594	1,538,655
	Fund Balance	785,301	-	-		1,366,107	-	-
		11,038,040	11,187,249			12,028,369	9,648,594	1,538,655
	City Manager/Clerk	333,365	301,066			309,730	251,701	49,365
	Human Resources	235,030	208,602			215,848	193,489	15,114
	Finance	279,012	225,347			273,609	153,379	71,968
	General Expense	809,520	848,921			878,154	713,836	135,085
	General Debt Service	463,524	451,505			425,535	395,364	56,141
	Police	3,344,770	3,889,868			3,153,942	2,923,072	966,796
	Fire	2,030,690	1,993,043			2,206,450	1,955,049	37,995
	Public Works	181,356	101,082			246,538	81,721	19,361
	Street	1,229,141	749,942			1,534,891	924,453	(174,511)
	Equipment Services	132,120	127,034			157,819	145,819	(18,786)
	Solid Waste	718,328	568,420			820,485	674,014	(105,594)
	General Services	-	-			212,559	183,282	(183,282)
	Plannin/Zoning	277,060	257,194			276,258	225,471	31,723
	Bus & Comm. Dev	132,454	156,854			160,693	81,482	75,372
	Recreation	871,670	1,013,954			1,155,858	966,592	47,362
	Expenses	11,038,040	10,892,833	99%		12,028,369	9,868,724	1,024,109
	Difference		294,416				(220,130)	514,546

* Police Building Loan \$1,000,000

Water & Sewer Fund		Budget 17-18	Actual 17-18	% of Budget	Budget 16-17	Actual 16-17	Difference
Fund 61	Revenues	7,449,995	8,133,917	104%	7,867,135	8,063,094	70,823
	Fund Balance	390,000	-		1,265,399		
		7,839,995	8,133,917		9,132,534	8,063,094	70,823
	Water Treatment	1,501,500	1,353,423		1,476,528	1,318,593	34,829
	Dist & Collection	1,356,250	1,213,275		2,390,175	2,118,895	(905,620)
	Wastewater	1,537,900	1,328,362		1,648,076	1,411,171	(82,810)
	W & S Intangibles	3,444,345	3,458,802		3,617,755	3,610,508	(151,706)
	Expenses	7,839,995	7,353,861	94%	9,132,534	8,459,167	(1,105,306)
	Difference		780,056			(396,074)	1,176,130
Electric Fund		Budget 17-18	Actual 17-18	% of Budget	Budget 16-17	Actual 16-17	Difference
Fund 63	Revenues	7,791,714	7,834,409	101%	8,000,000	7,873,020	(38,611)
	Fund Balance	-	-		79,000	-	-
		7,791,714	7,834,409		8,079,000	7,873,020	(38,611)
	Electric Dept.	7,791,714	7,769,292		8,079,000	7,565,195	204,097
	Expenses	7,791,714	7,769,292	100%	8,079,000	7,565,195	204,097
	Difference		65,117			307,824	(242,708)
Overtime	80+ hours		352,262			332,602	19,660