

A G E N D A

LINCOLN TON CITY COUNCIL

October 3, 2019

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

October 3, 2019

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. Call to Public Hearing for November 7th meeting:

CUP-2-2019 - Application from Boger City VFD requesting an amendment to CUP-6-2001 (constructing a new fire department in the R-25 District) to allow for construction of a fire training center on the 3.975 acre volunteer fire department site located at 410 McAlister Road, (PID 50587).

CUP-3-2019 - Application from Shu Zheng Zhao requesting a conditional use permit to allow for an amusement, arcade or game room business. The business will be located in the Lincoln Station Shopping Center at 906-920 East Main Street, (PID 87719).

CUZMA-1-2019 - Application from Rebecca Chambers requesting a conditional use rezoning from Medium Density Residential (R-10) to Neighborhood Business Conditional Use (NB-CU) for the purposes of a beauty salon. The business will be located 603 North Flint Street, (PID 18016).

ZTA-3-2019 – Application from the Lincolnton Planning Department requesting the creation of a new chapter (Chapter 98) to the City Ordinances. Focus will be on the creation of an Abandon and Junked Vehicle Ordinance.

AGENDA

October 3, 2019

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3. Call to Public Hearing for November 7th meeting (CONTINUED):
ZTA-4-2019 - Application from the Lincolnton Planning Department requesting an amendment to section 153.057 (D) related to aggregate area of accessory structures permitted on parcel.
4. (R-20-19) Surplus handgun and badge for LPD Officer Rick Hensley Handgun is Model 19, Gen 4 – Serial # YCZ897 to be presented at the October 3rd City Council Meeting
5. (R-21-19) Surplus handgun and badge for LPD Lieutenant Tony Hallman – Handgun is Model 19, Gen 4 – Serial # YCZ903 to be presented at the November 7th City Council meeting

REGULAR AGENDA

PRESENTATIONS

6. Presentation of framed Advanced Law Enforcement Certificate obtained through the NC Training and Standards Commission to Detective Jennifer Greene

Police Chief Rodney Jordan

7. Update on the 2019 Lincoln County Apple Festival

Carole Howell, Coordinator

PUBLIC HEARINGS

(O-07-19)

8. Consideration of proposed revisions – Title XIII: General Offenses – Chapter 130.05 – Special Events and Festivals – *Amend (B)(3) as follows:* Any conduct deemed to be ~~disruptive or~~ dangerous to participants or attendees of the special event. Abusive or threatening language that ~~disrupts a special event or festival or that~~ abuses or threatens another person in a manner likely to cause a fight or brawl at a special event or festival is prohibited. Noise Ordinance 93.016(1) also applies.

Steve Zickefoose, City Manager

AGENDA

October 3, 2019

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PUBLIC HEARINGS

9. ZMA-7-2019 – Application from Helms Security, Inc. requesting the rezoning of approximately 0.294 acres of land from Single-Family Medium Density Residential District R-10 to Central Business Transitional (CBT). The subject property is located at 419 East Sycamore Street (PID00536).

Laura Elam, Planning Director

10. (BIG-02-19) - Application from Marco and Kimberly Gonzalez for Business Incentive Grant for building renovations to expand their retail space to the second floor at 120 East Main Street.

Laura Elam, Planning Director

RESOLUTIONS

(R-22-19)

11. Retirement Resolution for Lincolnton Police Officer Rick Hensley – November 1st, 2019

Mayor Hatley

(R-23-19)

12. Consideration of Resolution to match potential grant funds for gas portable air monitors – NC League of Municipalities Grant (City matching funds = \$ 4,776 if grant is received)

Ryan Heavner, Fire Chief

(R-24-19)

13. Consideration of Resolution to match potential grant funds for Motorola Radios – NC Forestry Grant (City matching funds \$ 4,949.75 if grant is received)

Ryan Heavner, Fire Chief

AGENDA

October 3, 2019

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CONTRACT

(C-18-19)

- 14. Consideration of awarding contract for Lincolnton Dog Park**

Site Grading – Deal Construction for \$ 47,100.00

Fencing – Fister Fence Company - \$ 24,160.00

Asphalt – J.T. Russell & Sons, Inc. - \$ 30,810.75

Nathan Eurey, Recreation Director

BUDGET AMENDMENT

(BA-06-19)

- 15. Consideration of proposed budget amendment to reflect Electricities
Refund to Capital Reserves**

Steve Zickefoose, City Manager

POLICY

(P-02-19)

- 16. Consideration of amendment to the Lincolnton Police Department –
Standard Operating Procedures – rescinding previous policy
concerning part time police officers**

Rodney Jordan, Police Chief

OTHER BUSINESS

- 17. Discussion of One Stop Voting for Municipal Elections**

Mayor Hatley

- 18. Discussion of request from the Lincolnton Tourism Development
Authority regarding membership**

Steve Zickefoose, City Manager

AGENDA

October 3, 2019

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OTHER BUSINESS

19. Discussion about the Homeless

John Hall, Hesed House of Hope

20. Monthly financial report/overtime report

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

CALLS TO PUBLIC HEARING

There are five calls to public hearing as follows:

- **CUP-2-2019** - Application from Boger City VFD requesting an amendment to the previously approved conditional use permit to allow construction of a fire training center on the 3.9 acre fire department site located at 410 McAlister Road.
- **CUP-3-2019** - Application from Shu Zheng Zhao requesting a conditional use permit to allow an arcade room business at the Lincolnton Station Shopping Center at 906-920 East Main Street.
- **CUZMA-1-2019** - Application from Rebecca Chambers requesting a conditional use rezoning from Medium Density Residential (R-10) to Neighborhood Business Conditional Use (NB-CU) to allow a beauty salon at 603 North Flint Street.
- **ZTA-3-2019** – Application from the Lincolnton Planning Department requesting an amendment to the City Code to create an Abandoned and Junked Vehicle Ordinance.
- **ZTA-4-2019** - Application from the Lincolnton Planning Department requesting an amendment to Section 153.057(D) of the Unified Development Ordinance to revise the provisions related to the maximum size of accessory structures permitted on a lot containing a principal residential use.

ITEM #

4

CITY OF LINCOLNTON

CITY COUNCIL
Ed L. Hatley, Mayor
Martin A. Eaddy, Mayor Pro-Tem
Mary Frances White
Jim R. Watson
Roby 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.

RESOLUTION **(R-20-19)**

WHEREAS, pursuant to G.S. 160A-265 the City of Lincolnton may dispose of personal property in the discretion of the City Council; and

WHEREAS, the City of Lincolnton has the following items of personal property issued to the below named City Police Officer:

Police Officer Rick T. Hensley – Model 19, Gen 4
Serial # YCZ897 and Patrol Badge

WHEREAS, the City Manager shall be authorized to dispose of the property by the direction of the City Council and in accordance with City policy;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincolnton that the above mentioned property become surplus and be presented to the above named retiree in honor of their tenure and dedication to the City of Lincolnton.

ADOPTED this the 3rd day of October 2019.

Ed Hatley
Mayor

Attest:

Donna C. Flowers, MMC
City Clerk

ITEM #

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CITY OF LINCOLNTON

CITY COUNCIL
Ed L. Hatley, Mayor
Martin A. Eaddy, Mayor Pro-Tem
Mary Frances White
Jim R. Watson
Roby 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..

RESOLUTION (R-21-19)

WHEREAS, pursuant to G.S. 160A-265 the City of Lincolnton may dispose of personal property in the discretion of the City Council; and

WHEREAS, the City of Lincolnton has the following items of personal property issued to the below named City Police Officer:

Police Lieutenant Tony Hallman – Model 19, Gen 4
Serial # YCZ903 and Patrol Badge

WHEREAS, the City Manager shall be authorized to dispose of the property by the direction of the City Council and in accordance with City policy, \$ 265.00 will be deducted from the \$ 800.00 that he is eligible to receive per City policy;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincolnton that the above mentioned property become surplus and be presented to the above named retiree in honor of their tenure and dedication to the City of Lincolnton.

ADOPTED this the 3rd day of October 2019.

Ed Hatley
Mayor

Attest:

Donna C. Flowers, MMC
City Clerk

ITEM #

6

CITY OF LINCOLNTON POLICE DEPARTMENT

RODNEY JORDAN • CHIEF OF POLICE



PO BOX 617 • 627 EAST MAIN STREET
LINCOLNTON, NORTH CAROLINA 28093-0617
PHONE: (704) 736-8900 • FAX: (704) 736-8904

TO: Steve Zickefoose, City Manager
FROM: Chief R. Jordan *RJ*
SUBJECT: Presentation
DATE: September 18, 2019

The purpose of this memorandum is to request permission to present Detective Jennifer Green with her Advanced Law Enforcement Certificate at the October 3rd City Council Meeting. Detective Green has logged hundreds of hours of training and worked several years to earn this certification. The Advanced Law Enforcement Certificate is the highest award issued by the North Carolina Training and Standards Commission.

Your Consideration is greatly appreciated.

ITEM #

7

Donna Flowers

From: Carole Howell [lcapplefestival1972@gmail.com]
Sent: Monday, August 19, 2019 1:57 PM
To: Donna Flowers
Subject: City Council meeting Oct. 3

Hi Donna! Please put the Apple Festival down for the Oct. 3 meeting to give an update and distribute t-shirts. What do I need to fill out?

Carole



Carole Howell
2018 Apple Festival Coordinator – **704-530-4636**
Facebook: Lincoln County Apple Festival
Web: LincolnCountyAppleFestival.com
Twitter: @AppleLincoln

ITEM #

8

TITLE XIII GENERAL OFFENSES

§ 130.05 SPECIAL EVENTS AND FESTIVALS.

(A) The Chief of Police, or his or her designee, shall define an area within the city for the activities to be conducted and the duration of the activities. He or she shall have the authority to block streets to vehicular traffic, and control the conduct of participants and attendees of special events to the extent necessary to ensure public safety. The area as defined, and the duration of activities shall be clearly marked on maps posted on the barricades erected to block vehicular traffic, and shall be published prior to the events in the publication having general circulation in the Lincolnton/Lincoln County area prior to the event.

(B) During the time and area so designated, the following activities shall be forbidden:

(1) The movement of powered vehicles (except for public safety and public works/utilities vehicles or others as approved for short distance movement on festival grounds while accompanied by law enforcement or festival officials);

(2) Per § 90.06 Animals at Special Events, it shall be unlawful for any owner to take an animal into or allow the animal to enter or remain within the boundaries of a festival, concert or other public gathering (special events). The event boundary shall include any area that is part of the event and shall include any public street, sidewalk or other publicly-owned area within the confines of such event. Animals that are part of an authorized exhibit or attraction approved by the event organizers shall be appropriately confined or restrained and under the physical control of the owner or person in charge of the animal, either by leash or chain; and

(3) Any conduct deemed to be ~~disruptive~~ or dangerous to participants or attendees of the special event. Abusive or threatening language that ~~disrupts a special event or festival or that~~ abuses or threatens another person in a manner likely to cause a fight or brawl at a special event or festival is prohibited. Noise Ord. 93.016(I) also applies.

(C) A violation of this section shall constitute a Class 2 misdemeanor unless it is alleged that the conduct was intentional or was carried out in a way that constituted willful or wanton disregard for the safety of the participants or attendees of the event, in which case it shall constitute a Class 1 misdemeanor.

(Prior Code, § 10-24) (Ord. O-55-97, passed 8-14-1997; Ord. O-18-2017, passed 12-7-2017; Ord. O-09-18, passed 9-4-18) Penalty, see § 10.99

ITEM #

9

MEMO TO: Mayor and City Council Members

FROM: Laura Elam, Planning Director

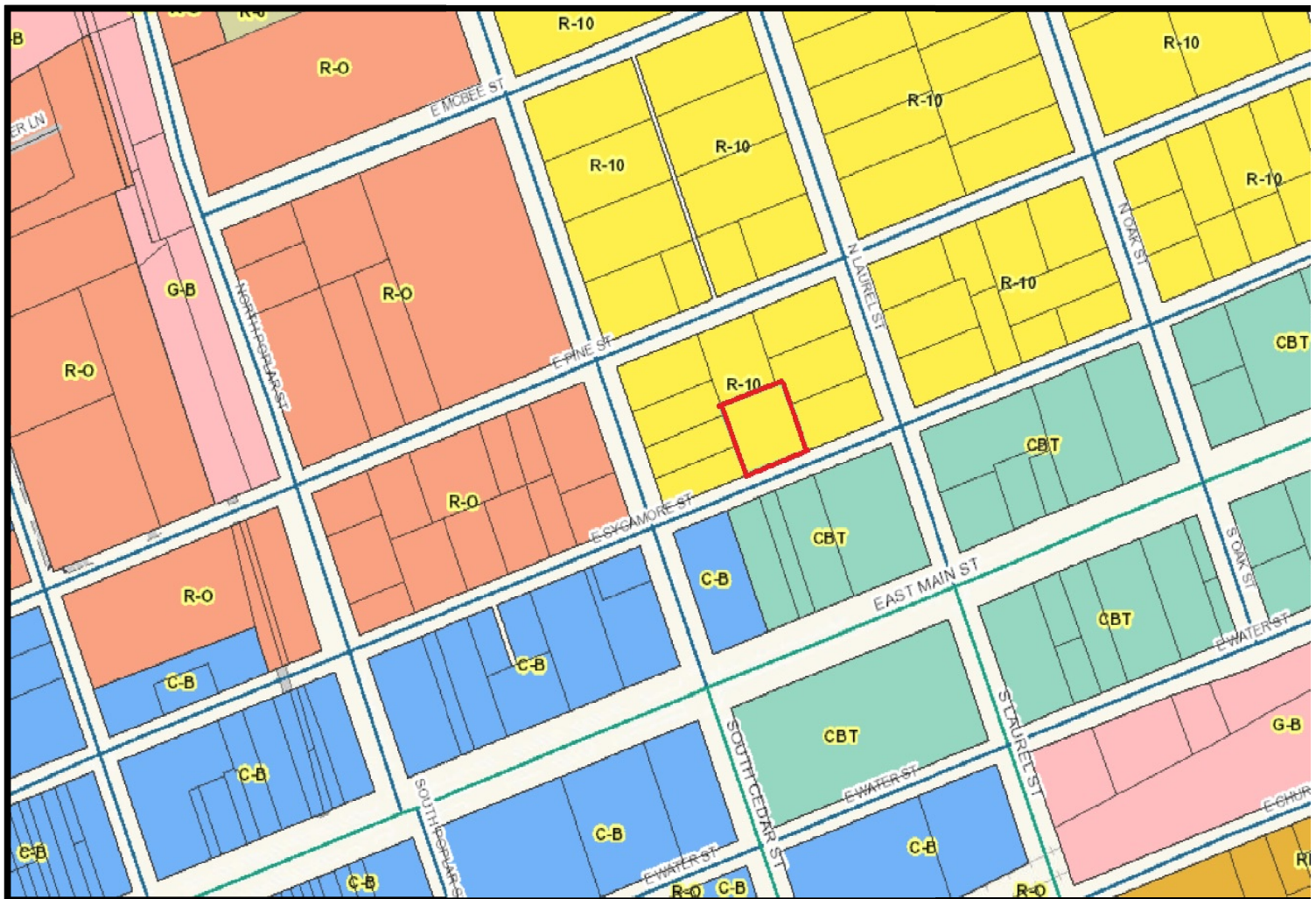
DATE: October 3, 2019

SUBJECT: ZMA-7-2019 – Application from Helms Security, Inc. requesting the rezoning of 0.29 acres from Single-Family Medium Density Residential (R-10) to Central Business Transitional (CBT).

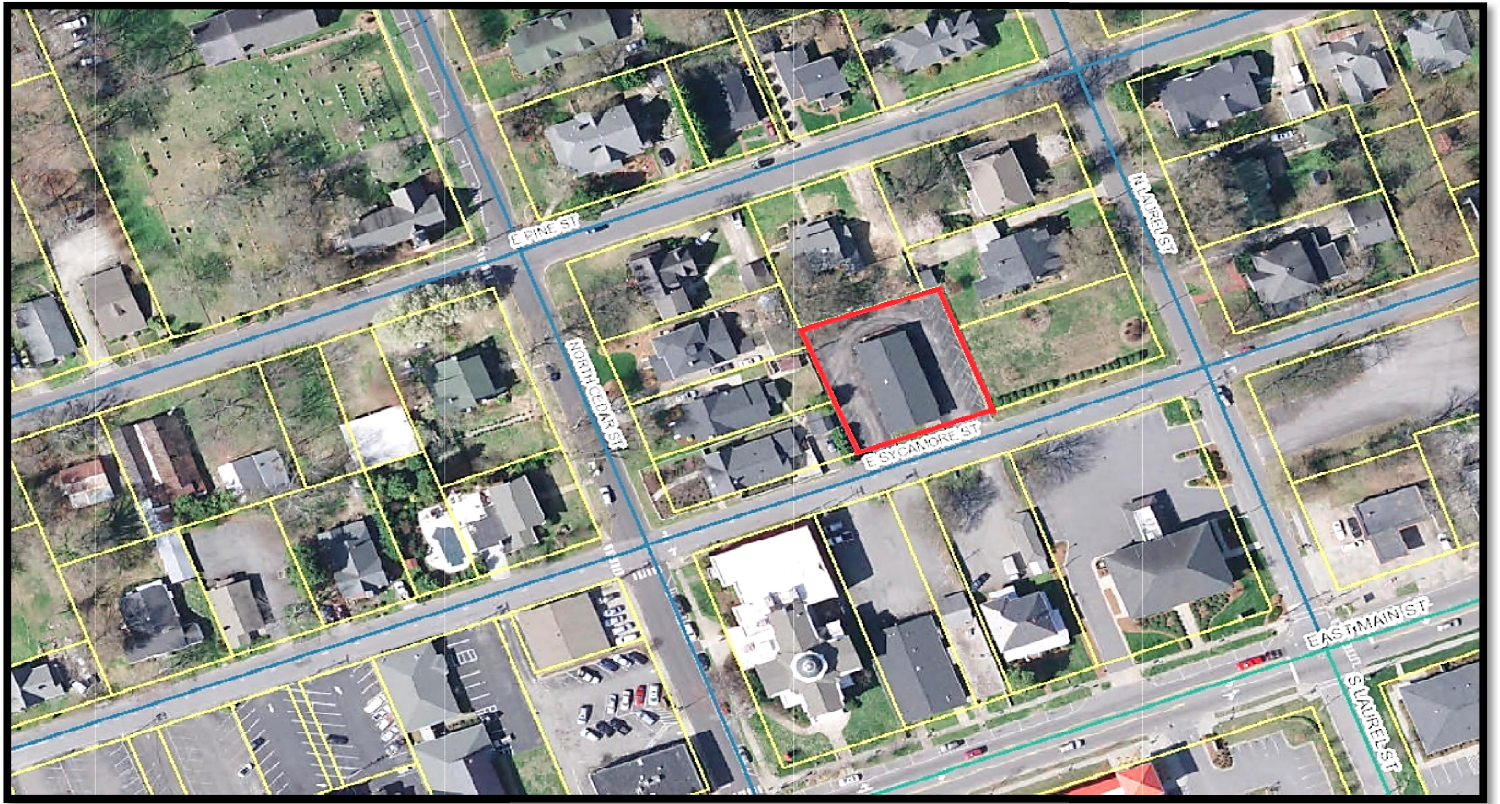
SITE AND AREA DESCRIPTION

The applicant is requesting the rezoning of a parcel totaling approximately 0.29 acres from the Single-Family Medium Density Residential (R-10) district to the Central Business Transitional (CBT) district. The subject property is located at 419 East Sycamore Street, east of the intersection of North Cedar Street and East Sycamore Street.

The subject property and adjoining properties to the west, north and east are zoned R-10. Properties located to the south of East Sycamore Street are zoned C-B and CBT.



The site is commercially developed with offices for Helms Security and Eddie Sigmon & Associates. Surrounding properties are devoted to residential and commercial uses.



REASON FOR REZONING REQUEST

Commercial use of the property dates to approximately 1966 and is legally non-conforming. The zoning regulations allow the commercial use to continue as a legal, non-conforming use but the use is not allowed to expand. The zoning regulations apply similar rules to legal non-conforming signage. Signage that pre-dates zoning can continue but not expand.

The property owner has indicated he would like to have additional wall signage so that Eddie Sigmon and Associates can be identified on wall signage. The requested rezoning would allow wall signage of up to 100 square feet per building wall.

LAND USE PLAN

The Lincolnnton Land Use Plan shows the property in the Traditional Single-Family Planning Area which is described as “older established portions of the community (primarily residential in character and single-family) which should be protected from encroachment of incompatible business and industrial development.”

COMPLIANCE WITH LAND USE PLAN

The request is not in compliance with the Land Use Plan’s residential designation. However, staff views the request as having merit for the following reasons:

- the site is on the outer edge of a residential area,
- the site is located on and oriented to a thoroughfare,
- commercial zoning and land uses are located directly across East Sycamore Street from the site,
- the existing 1966 commercial building on the site and continual commercial use of the building long pre-date zoning regulations,
- the existing building is not likely to ever be converted to residential use, and
- rezoning to the CBT district will better support its continued viable use for commercial purposes.

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 CBT.
3. Amendment of the Land Use Plan to show the property in the Central Business Transitional Planning Area.

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

Case No. ZMA-7-2019

Applicant: Helms Security, Inc.

Parcel ID#: 00536

Location: 419 E. Sycamore Street

Request: Rezone from R-10 to CBT

Proposed Consistency and Reasonableness Statement:

The Lincolnnton Land Use Plan designates this property as part of the Traditional Single-Family Planning Area. Therefore, the proposed rezoning request **is not consistent** with the Land Use Plan. However, the site is adjacent to commercial uses and zoning, is located on and oriented to a thoroughfare and the existing 1966 commercial building long pre-dates both the zoning regulations. The building is not likely to ever be converted to residential use and rezoning to the CBT district will better support its continued viable use for commercial purposes. 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-7-2019

Applicant: Helms Security, Inc.

Parcel ID#: 00536

Location: 419 E. Sycamore Street

Request: Rezone from R-10 to CBT

Proposed Consistency and Reasonableness Statement:

The Lincolnnton Land Use Plan designates this property as part of the Traditional Single-Family Planning Area. Therefore, the proposed rezoning request **is not consistent** with the Lincolnnton Land Use Plan and **denial of the proposed amendment is reasonable and in the public interest.**

ITEM #

10

MEMO TO: City Council Members

FROM: City of Lincoln Planning Department

DATE: October 3, 2019

RE: Business Incentive Grant (BIG-2-2019)

Application for a Business Incentive Grant for building renovations to expand retail space to the second floor at Just Around the Corner, 120 East Main Street.

Project Information

- Location: 120 East Main Street
- Use: Building renovations to expand retail space to the second floor to include the following:
 - Install new HVAC system
 - Replace a section of the ceiling
 - Paint walls and ceiling
 - Restore vinyl composite tile floors
 - Remove stairway wall and door, frame and finish to meet building code
 - Electrical work necessary to meet building code for emergency exit lighting
- Estimated project cost: \$46,480.45
- Anticipated start: October 2019

Anticipated completion: October/November 2019

Request

- \$15,000.00 for building renovations





City of Lincolnton Business Incentive Grant Application
Building Rehabilitations and Renovations
Which Encourage
Economic Development in Lincolnton

DATE:	<u>8-30-19</u>
NAME OF APPLICANT:	<u>MARCO GONZALEZ</u>
PROJECT NAME:	<u>Just Around the Corner</u>
PROJECT DESCRIPTION:	<u>Extending the business to the second floor.</u>
PROJECT ADDRESS:	<u>120 E. Main St.</u>
APPLICANT HOME ADDRESS:	<u>429 N. Oak St.</u>
	<u>Lincolnton NC 28092</u>
EMAIL ADDRESS:	<u>justaroundthecorner120@gmail.com</u>
TELEPHONE:	<u>704-718-2764 Mobile 704-240-9411 Business</u>

If Property Owner differs from Business Owner, complete the following:

NAME OF PROPERTY OWNER:	<u>Kimberly + Marco Gonzalez</u>
ADDRESS:	<u>120 Same as Above</u>
EMAIL ADDRESS:	
TELEPHONE:	

Program Standards

The Secretary of the Interior's Standards for Rehabilitation

The Secretary of the Interior's Standards for Rehabilitation are ten basic principles created to help preserve the distinctive character of a historic building and its site, while allowing for reasonable change to meet new needs. **All facade changes must meet these standards.** An illustrated guide is available for use from the City Planning Department to help property owners meet the standards.

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

I have read and understand these guidelines.


Signature of Applicant

8-30-19
Date

Signature of Property Owner (if different from Applicant)

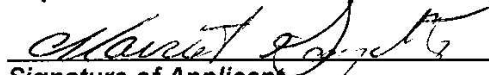
Date

ATTACHMENTS REQUIRED (incomplete applications will be returned to applicant)

1. Provide an itemized cost estimate of all materials, supplies and labor costs of this project. **(Attach to application)**
2. Provide project plans, specifications, sketch or scaled drawing sufficient to accurately describe the proposed work. **(Attach to application)**
3. Provide a current photograph of (1) the building itself and (2) within the context of the streetscape clearly showing the existing conditions of the proposed area of improvement. **(Attach to application)**
4. Written plans for future improvements to the building and proposed time frame for such work. **(Attach to application)**
5. Samples of all exterior paint colors and awning fabrics **(if applicable)**
6. Copy of two-year lease, if leasing.

START DATE: ASAP
ANTICIPATED COMPLETION: 1 to 2 months from start date

I have read and fully understand the requirements and guidelines of the City of Lincolnton Business Incentive Grant Program and agree to comply with all its requirements in full.


Signature of Applicant

PROPERTY OWNER CONSENT

If property owner differs from the business owner, I _____
Owner of the aforementioned property, consent to the proposed work being undertaken
by _____, the business owner. I as the property
owner have read and fully understand the requirements of the City of Lincolnton
Business Incentive Grant Program and agree with all the requirements set forth by the
Grant Application and Guidelines.

Signature of Property Owner (if different from business owner)

August 30, 2019

To whom it may concern,

Kimberly and I (Marco), are the proud owners of "Just Around The Corner" (JATC) at 120 East Main street, Lincolnton, NC. Since opening the store in April 2016 we have been able to purchase the building and property at this location. We currently have 56 vendors at this time and have a long waiting list of other vendors that would love the opportunity to display their things in our location. We are excited and thrilled at the opportunity to extend our business to the second floor of the old BC Moore building. We believe strongly that it will bring a lot of foot traffic to Downtown Lincolnton with the locals as well as the visitors. This will also allow local vendors the opportunity to become entrepreneurs with their artisan abilities as well as make an extra income for themselves and their families. All of the sales from the vendors will be regulated by JATC which is responsible for collecting local and state sales tax. This will in turn increase the sales tax for the state and the County of Lincolnton.

In order for this to occur we are asking for your help financially. In order to open the second floor we would have to perform the following renovations: replacing the HVAC unit, painting the ceiling and walls, replacing a small section of the ceiling, restoring the floors to their original condition by buffing and waxing, and materials for partitioning the booths for the individual vendors.

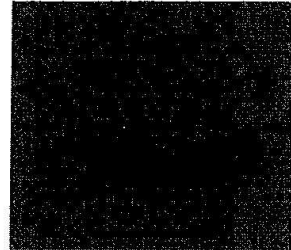
We hope that you will take into consideration our request. We are excited to be a part of the growth and economic development of the City of Lincolnton.

Yours Truly,

Marco and Kimberly Gonzalez

Estimate

Eagles Nest Services
PO Box 322
Mill Spring NC 28756
Phone: 828-817-6328, 828-817-6328
gregshouck7@gmail.com



Marko

Customer number	Document number	Page	Date	Valid to
1003	1001	1 / 1	8/23/19	11/21/19

Clean and finish VCT upstairs
Clean and finish VCT upstairs

Total **\$2,500.00**

The work will be invoiced upon completion.



210 S Piedmont Ave
Kings Mountain, NC, 28086
www.martinelectricnc.com
704-750-3150

Estimate

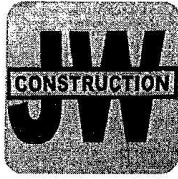
Estimate No: 118
Date: 08/19/2019

For: Gonzalez Properties
justaroundthecorner120@gmail.com
120 E Main St
Lincolnton, NC, 28092

Description	Quantity	Rate	Amount
Installing (3) emergency exit combo units in stairway and upstairs area. installing (1) emergency light in upstairs area. Installing flexible cable, boxes, connectors and test check system per code.	1	\$0.00	\$0.00
Materials, Labor & Permit	1	\$1,340.00	\$1,340.00
Subtotal			\$1,340.00
TAX 6.75%			\$90.45
Total			\$1,430.45
Total			\$1,430.45

Comments

Thank you for your business!



JW CONSTRUCTION

Estimate

Estimate No: 3214 Date: 08/29/2019	150 Jordan Crest Ln. Stony Point, NC 28678
For: Just Around the Corner	

Description	Quantity	Rate	Amount
Remove stairway wall and door. Frame and finish as open stairwell	1	\$2,200.00	\$2,200.00
Remove and replace water damage ceiling tiles	1	\$4,900.00	\$4,900.00
Remove and reframe small protruding wall (Prepare for barn wood boards)	1	\$400.00	\$400.00
Install barn wood style boards 7' high 190' long *** labor only ***	1	\$8,000.00	\$8,000.00
Install wall covering 3' down from ceiling 190' long **** labor only ****	1	\$3,500.00	\$3,500.00

Subtotal	\$19,000.00
Total	\$19,000.00

TOTAL	\$19,000.00
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Lincolnton

Just Around The Corner, LLC

120 E Main Stree
Lincolnton, NC 29092
(701) 240-9411

Ronald Rojas

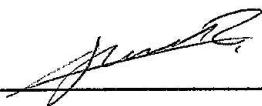
321 McAlister Rd
Lincolnton, NC 28092
Phone: (704) 308-9202
Email: ronaldileana@msn.com

Estimate # 000426
Date 08/16/2019
PO # 00010002

Description			Total
Task description.	Room.	Quantity	\$4,050.00
Paint ceiling	Upper floor.	4.576 SF	
Labor and materials by Ronald Rojas			

Subtotal	\$4,050.00
Total	\$4,050.00

PO #



Ronald Rojas

Just Around The Corner, LLC

Ford's Air Conditioning & Heating, Inc.

133 E. Water St.
Lincolnton, N.C. 28092
License #17438

fordboys133@gmail.com

Estimate

Date	Estimate #
8/9/2019	120 E. Main

Name / Address
Marco Gonzalez 429 N. Oak St. Lincolnton, NC. 28092

Project	
Description	Total
This estimate is for the installation of a heating and cooling system at Just Around the Corner located at 120 E. Main St. The system is to be installed in the upstairs of the building. To install a Ruud 7 1/2 ton heat pump and all new ductwork Honeywell thermostat All materials and labor including the electricians fee	19,500.00
Total	\$19,500.00





ITEM #

11

CITY OF LINCOLNTON

CITY COUNCIL
Ed L. Hatley, Mayor
Martin A. Eaddy, Mayor Pro-Tem
Mary Frances White
Jim R. Watson
Roby 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..

RESOLUTION **(R-22-19)** **Of Appreciation For** **RICK HENSLEY**

WHEREAS, the City of Lincolnton does desire to recognize and honor employees of the City for dedicated and distinguished contributions to our City and its citizens; and

WHEREAS, *Rick Hensley*, has served the City and its citizens as a Master Police Officer-School Resource Officer since 2014; and

WHEREAS, *Rick Hensley*, received his Advanced Certification in 2016, through the Training and Standards Division of the North Carolina Department of Justice. Rick received a letter of commendation for the handling of a situation with an aggressive dog incident in 2017; and

WHEREAS, *Rick Hensley*, has performed his duties as a law enforcement officer well, preventing crimes, responding to emergencies and providing support services to fellow law enforcement. He served as Field Training Officer for the Lincolnton Police Department whereby he was responsible for familiarizing and guiding new officers with duties of a Lincolnton Police Officer;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Lincolnton that appreciation be shown to *Rick Hensley* honoring him on his November 1st, 2019 retirement and that we extend congratulations and best wishes to him for continued success in all his future endeavors.

Adopted and presented this the 3rd day of October 2019.

DONNA C. FLOWERS, MMC
CITY CLERK

ED HATLEY
MAYOR

ITEM #

12

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The PS 500 can be configured to detect up to 5 gases with its electrochemical and catalytic sensors, photo ionisation detectors (PID) and infra red capabilities. "Plug and Play" maximises flexibility by allowing other gases to be detected, by simply inserting a new smart sensor assembly. The PS 500 is effective in noisy environments featuring a 95dB audible alarm with a hi visibility visual alarm. With a robust rubberized casing providing high impact resistance, the PS 500 is ideal for the most demanding industrial environments.

- On-board datalogging feature for event logging, data management, and calibration certificates
- Rubberized case provides high impact resistance
- 95dB audible plus 360-degree high-visibility light bar
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- Detection of a wide range of VOC's using 2 different PID sensors
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BW Gas Alert Micro 5 - Multi Ga
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BW Technologies

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13A Duke Street

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ITEM #

13

VOLUNTEER FIRE ASSISTANCE AWARD PROGRAM

[Information](#) [Eligibility](#) [Documentation](#) [Login/Register](#)

KEY POINTS TO REMEMBER

- Incomplete applications will not be considered. All requested information must be provided.
- Applicant Must be North Carolina Fire Department.
- Applications will not be received after October 31, 2019.
- No single item may have a value of \$5,000.00 or more.
- Items may not be purchase before approval of application.
- Each 40 Hours per week scheduled for part- time employees counts as one paid personnel.
- Purchase Documentation must be received no later than March 27, 2020.
- Documentation will be emailed to NCFS_vfa_grant@ncagr.gov (mailto:NCFS_vfa_grant@ncagr.gov).
- A current year W-9 Tax Form **with signature (see image (w9Image.jpg)) is required with all reimbursement requests.**
- PLEASE VERIFY EMAIL AND PHONE NUMBER SUBMITTED as this is our only means to conduct grant correspondance.

AUTHORIZED USE OF FUNDS

- Equipping wildland engines (tanks, pumps, hose up to 3", hose reels, fittings, nozzles, etc.)
- Wildland PPE (Fire pants/shirts, gloves, brush jackets, nomex jumpsuits, hardhats, safety glasses, hearing protection, etc.) Note: All wildland PPE

purchased must meet NFPA 1977 Standards.

- Wildland Fire Tools (fire rakes, shovels, combination tools, Pulaski's, backpack pumps, chainsaws, leaf blowers, etc.)
- Communications Equipment (radios, pagers, and accessories)

AWARD AMOUNTS

The maximum amount of funds awarded to any fire department shall not exceed \$5,000.00.

Fire Department 50% =	\$5,000
NCFS 50% =	\$5,000 Maximum
Total =	\$10,000

Item Eligibility

FEDMALL (GSA) Purchases will not be allowed. All purchases must be made from the open market.

ITEMS NOT AUTHORIZED INCLUDE: (but are not limited to) drones, laptops or tablets, drop tanks, structural turnout gear, drip torches, Emergency Medical Equipment, or any other item not used in the suppression of or protection from wildland fire. If items are not listed above and you have questions please contact the grant program via email at: NCFS_vfa_grant@ncagr.gov
(mailto:NCFS_vfa_grant@ncagr.gov)

This page updated: Friday August 16, 2019 10:09

Quick Links

My Woodland Plan (https://www.ncforestservice.gov/Managing_your_forest/why_do_i_need_a_plan.htm)

Burning Permits (https://www.ncforestservice.gov/burn_permits/burn_permits_main.htm)

Dupont State Recreational Forest (<https://www.dupontstaterecreationalforest.com/>)

Order Tree Seedlings (<http://nc-forestry.stores.yahoo.net/>)

Situation Report (https://www.ncforestservice.gov/fire_control/sit_report.htm)

Fire Weather (https://www.ncforestservice.gov/fire_control/fire_weather_reports.htm)

Readiness Plans (https://www.ncforestservice.gov/fire_control/fc_rpmap.asp)

Educational State Forests (<https://www.ncesf.org/>)

N.C. Firewise (<https://www.ncfirewise.org/index.htm>)

Strategic Plan (https://www.ncforestservice.gov/strategic_plan/index.htm)

Forest Action Plan (<https://www.ncforestactionplan.com/index.htm>)

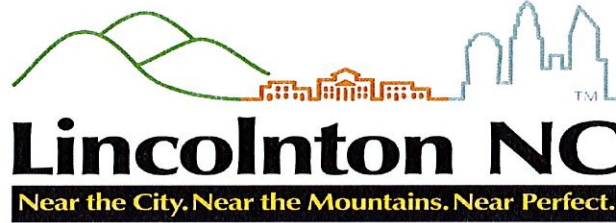
2017 Biennial Report (<http://www.ncforestservice.gov/publications/2017BiennialReport.pdf>)

Private Forestry Service Providers

(http://www.ncforestservice.gov/Managing_your_forest/contract_services.htm)

ITEM #

14



Memo

To: Steve Zickefoose, City Manager/Finance Dir.
From: Nathan Eurey, Parks and Recreation Director
CC: Ritchie Haynes, Assistant City Manager
Donna Flowers, City Clerk
Date: 09/26/19
Re: Recommendations for awarding bids for the Lincolnton Dog Park

On September 3rd, 2019, I requested David Ledford, Land Architect, to obtain quotes for the Lincolnton Dog Park. Below is the listing of companies who submitted bids based on the three (3) project focus areas which are as follows: Site Grading, Fencing, and Asphalt Paving. My recommendations are noted in bold print.

Site Grading

Deal Construction, Inc. of Lincolnton, NC - Deal Construction, Inc. and Long Grading were the only two of three companies to submit bids for this project focus area. Their respective bids are as follows: Deal Construction's proposed bid came in at \$47,100.00. Long Grading's bid came in at \$68,970.00. No bid was received from Vale Grading.

Fencing

Fister Fence Company of Hickory, NC – Fister Fence and Gaston Fence Company, Inc. were the only two of three companies to submit bids for this project focus area. Their respective bids are as follows: Fister Fence's proposed bid came in at \$24,160.00. Gaston Fence Company's bid came in at \$30,635.00. No bid was received from Big Jim's Fence Company.

Asphalt Contractor

J.T. Russell & Sons, Inc. of Conover, NC – J.T. Russell & Sons, Inc. was the only company to submit a bid for this project focus area. Their respective bid is as follows: \$30,810.75.

I recommend that you and the Lincolnton City Council award contracts to the aforementioned companies for the three (3) project focus areas stated above. I would also ask that the City Clerk please place these recommendations on the October agenda for approval.

Copies of submitted bids are attached in the council's packet.

Respectfully Submitted,

Nathan C. Eurey

City of Lincolnton Parks and Recreation Director

Steven Zickefoose

From: David Ledford <jdavidledford@yahoo.com>
Sent: Wednesday, September 25, 2019 7:30 PM
To: Nathan C. Eurey; Steven Zickefoose; Richard Haynes
Subject: Re: Initiation to obtain contractor quotes for the Lincoln Dog Park Project
Attachments: Long Grading Proposal.pdf; Deal Construction Proposal.docx; Gaston Fence Proposal.pdf; Fister Fence Proposal.docx; JT Russell Proposal.pdf

Guys,

Per the request to obtain contractor quotes for the Lincoln Dog Park,
I have received the following bids:

Site Grading Contractors	Bid Amount
Long Grading	\$68,970.00
Deal Construction	\$47,100.00
Vale Grading	No Bid

Fencing Contractors	Bid Amount
Gaston Fence	\$30,635.00
Fister Fence	\$24,160.00
Big Jim's Fence	No Bid

Asphalt Contractor	Bid Amount
TJ Russell	\$30,810.75

The formal proposals for the bids are attached below. Please review
and if you have any questions, feel free to contact me.

Thank You,

David

J. David Ledford, RLA
Landscape Architect
2730 Maiden Highway
Lincolnton, NC 28092
704-530-7880

On Tuesday, September 3, 2019, 04:42:36 PM EDT, Nathan C. Eurey <nathaneurey@ci.lincolnton.nc.us> wrote:

Proposal
Deal Construction, Inc.
Grading Contractor

PO Box 578
Lincolnton NC 28093
Phone: 704-735-1957
Fax: 704-735-6549
Cell: 704-913-5603

Thomas H (Andy) Deal, President

NC License# 51750

Proposal Submitted to: City of Lincolnton
Job Name: Dog Park
Job Location:

Date: 9/16/2019

We hereby submit specifications and estimates for:

Site Work:

Clearing, erosion control, grading, storm drain, concrete pads, and seeding

\$ 47,100.00

Rock: Time and material

Bad soil (undercut): Time and material

If erosion measures are damaged by others, Deal Construction, Inc. will repair with compensation

No estimate for shaping up after utility installation

Not responsible for grass not growing due to weather

If contractor/owner requires work performed in too wet of conditions, then they shall incur extra costs

Not responsible for hazardous material

Due to increasing fuel costs, we will hold to this quote as long as fuel costs do not escalate; this also includes asphalt & concrete prices

Payment will be due every 30 days, progressively

Andy Deal

Thomas H. (Andy) Deal

All work to be completed according to standard practices. Any change from specifications involving extra costs will become an extra charge over and above the estimate. All agreements contingent upon accidents or delays beyond our control. Our workers are fully covered by Worker's Compensation Insurance.

Acceptance of Proposal: _____

signature

P R O P O S A L F O R :

LINCOLN TON DOG PARK

09/18/19

CITY OF LINCOLN TON

ENGINEER: J.DAVID LEDFORD

DATE OF PLANS: 08/16/19

SCOPE OF WORK

EROSION CONTROL	\$	23490.00
DEMOLITION		0.00
EARTH WORK		22000.00
CURB & GUTTER		0.00
STORM SEWER SYSTEM		19080.00
ASPHALT AND STONE		4400.00
SANITARY SEWER & WATER		0.00

T O T A L	\$	68970.00

THIS PROPOSAL MAY BE WITHDRAWN IF NOT ACCEPTED IN 30 DAYS.

BY: _____
LONG GRADING INC.

---EROSION CONTROL---

CONSTRUCTION ENTRANCE	1.00	LS	@	2000.00	2000.00
SILT FENCE	570.00	LF	@	5.00	2850.00
SILT FENCE OUTLETS	3.00	EA	@	300.00	900.00
SILT FENCE J HOOKS	2.00	EA	@	250.00	500.00
SEDIMENT STORAGE	3.00	EA	@	800.00	2400.00
TEMPORARY DITCH	510.00	LF	@	4.00	2040.00
WATTLES	10.00	EA	@	100.00	1000.00
CONCRETE WASHOUT	1.00	EA	@	500.00	500.00
RIP RAP APRON	1.00	EA	@	800.00	800.00
REMOVE EROSION CONTROL	1.00	LS	@	2500.00	2500.00
GRASSING	1.00	LS	@	8000.00	8000.00

SUBTOTAL: 23490.00

---EARTH WORK---

CLEAR AND HAUL OFF SITE	1.00	LS	@	12000.00	12000.00
STRIP 6" TOPSOIL LEAVE ON SITE	1.00	LS	@	1500.00	1500.00
GRADE FOR ASPHALT	1.00	LS	@	5000.00	5000.00
GADE FOR DOG WALK AREAS	1.00	LS	@	3500.00	3500.00

SUBTOTAL: 22000.00

---STORM SEWER SYSTEM---

18"HDPE	20.00	LF	@	30.00	600.00
24" HDPE	180.00	LF	@	36.00	6480.00
JB#1	1.00	LS	@	1800.00	1800.00
JB#2	1.00	LS	@	3200.00	3200.00
4" DRAIN FOR CLEAN UP AREA	2.00	EA	@	3500.00	7000.00

SUBTOTAL: 19080.00

---ASPHALT AND STONE---

10X10 CONCRETE	2.00	EA	@	1000.00	2000.00
6X10 CONCRETE	4.00	EA	@	600.00	2400.00

SUBTOTAL: 4400.00

TOTAL: 68970.00

N O T E S:

EXCLUSION: Fees, permits, surveying, soil testing, rock, removal & replacement of unsuitable materials, hazardous materials, tanks, drying and recompaction of wet material, encounter with utilities. trees and shrubs, mulch, asphalt, water and sewer.



Fister Fence of Hickory, LLC



1702 11th Avenue S. W. Hickory NC 28602
Phone: 828-855-9860 Fax: 828-855-9862
e-mail: fisterfence@charter.net

September 18, 2019

PROPOSAL: CITY OF LINCOLNTON
ATTENTION: RITCHIE HAYNES
RE: LINCOLNTON DOG PARK

Ritchie:

We submit, herewith, our proposal for the above mentioned project.

SMALL DOG & TRAINING AREA ENCLOSURES

532' 4' #9 gauge 2 oz galvanized chain link with 2 1/2" line posts, 1 5/8" top rail, and
Bottom tension wire
23 3" end, corner, and gate posts
4 3" hook-ups
4 4' x 4' single swing gates
2 10' x 4' double swing gates
595' 5' #9 gauge 2 oz galvanized chain link with 2 1/2" line posts, 1 5/8" top rail, and
Bottom tension wire
22 2 1/2" end, corner, and gate posts
4 4' x 5' single swing gates
2 10' x 5' double swing gates
4 3" hook-ups

TOTAL PRICE OF MATERIALS AND LABOR, INSTALLED.....\$24,160.00

NOTE Price is valid for ten (10) days. If there is any variance in quantities and specifications shown by us or in your request, please notify us immediately.

Respectfully Submitted,

Tim Pfister
Commercial Sales

Signature Acceptance _____
Printed Name _____
Date _____

TP/sw



PO Box 575 • 766 FRIDAY PARK RD • DALLAS, NORTH CAROLINA 28034
PHONE (704) 922-8471 • FAX (704) 922-0019 • WWW.GASTONFENCE.COM

SEPTEMBER 13, 2019

#201924

CITY OF LINCOLNTON
ATTN: RICHARD HAYNES

LINCOLNTON DOG PARK

1198' – 5' HIGH GALVANIZED CHAIN LINK
8 – 4' WIDE SINGLE SWING GATES
4 – 10' WIDE DOUBLE SWING GATES
9 GA 1.2OZ 2" MESH WIRE
1 5/8" TOP RAIL
2.5" LINE POST
3" END, CORNER & GATE POST
7 GA BOTTOM TENSION WIRE
TOTAL: \$30,635.00

REGARDS,

Haley Woods CFP
HALEY WOODS, CFP
HALEY@GASTONFENCE.COM



201 Herman Sipe Road Conover, NC 28613
Phone: (828) 464-0328 • Fax: (828) 464-8203

www.jtrussellandsons.com

NC License # 2767

To: City Of Lincolnton Address: Lincolnton, NC	Contact: Phone: Fax:
Project Name: Lincolnton Dog Park Project Location:	Bid Number: Bid Date:

Item #	Item Description
--------	------------------

1	Light Duty Paving @ 900 Square Yards 6" ABC Stone
2	2" S9.5B

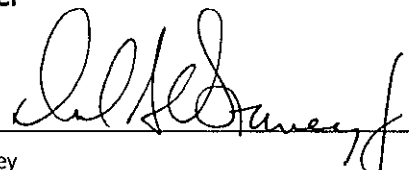
Total Bid Price: \$30,810.75

Notes:

- The above prices do not include Performance and Payment Bond. Add 1% if bond is required.
- Traffic control is NOT included.
- Night work is NOT included.
- Removal & replacement of unsuitables, dewatering, drying and chemical treatment of soils is not included.
- Asphalt pricing based on the NCDOT index for September 2019. Adjustments for increasing index will be made per NCDOT Specifications.
- Pricing is firm for 30 days.
- Proposal includes One mobilization. Additional mobilizations will be charged at \$5,000.00 each.
- Subgrade must be on grade, inspected, tested, and approved prior to installing stone base.

Payment Terms:

Payment due within 7 days after payment is made by Owner.

ACCEPTED: The above prices, specifications and conditions are satisfactory and are hereby accepted. Buyer: _____ Signature: _____ Date of Acceptance: _____	CONFIRMED: JT Russell - Conover Authorized Signature:  Estimator: David Stamey (828) 464-0328 dastamey@jtrussellandsons.com
---	--

ITEM #

15

CITY OF LINCOLNTON

CITY COUNCIL

Ed L. Hatley, Mayor
Martin A. Eaddy, Mayor Pro-Tem
Mary Frances White
Jim Watson
Roby D. Jetton



CITY MANAGER

Steve Zickefoose, MBA

szickefoose@lincolntonnc.org

CITY CLERK

Donna C. Flowers, MMC, NCCMC

donnaflowers@ci.lincolnton.nc.us

CITY ATTORNEY

Thomas J. Wilson, Jr..

(BA-06-19)

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, 2020.

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

<u>DEPARTMENT NUMBER</u>	<u>DEPARTMENT DESCRIPTION</u>	<u>INCREASE</u>	<u>DECREASE</u>
	<u>ELECTRIC</u>		
7200	Contingency (Electricities Capital Refund)	480,752.00	-
		<u>480,752.00</u>	<u>0.00</u>

This will result in a net increase of \$ 1,350,000.00 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>DEPARTMENT NUMBER</u>	<u>DEPARTMENT DESCRIPTION</u>	<u>INCREASE</u>	<u>DECREASE</u>
	<u>OTHER FINANCING SOURCES</u>		
	Miscellaneous Other Revenue	480,752.00	
		<u>480,752.00</u>	<u>0.00</u>

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

Adopted this 3rd day of October, 2019.

Donna C. Flowers
City Clerk

Ed L. Hatley
Mayor

ITEM #

16

<i>Subject</i> Part Time Officers		<i>Effective Date</i> Oct. 2019	<i>Order #</i> 300-08
<i>Distribution</i> All Personnel	<i>Order Category</i> Operational Procedures	<i>Special Instructions</i> Rescinds Previous	

I. Part Time Officers

- A. The Lincolnton Police Department has established a Part-Time Police Officer program to assist the Department in serving our Community. Part-Time officers are sworn police officers and have all powers and responsibilities authorized by the North Carolina General Statutes.
- B. The Chief of Police shall make appointment to the Part-Time Officer program. No person shall be sworn in as a Part-Time Police Officer until all State and Lincolnton City requirements are met, including, educational requirements, law enforcement certification, physical fitness requirements, background investigations, etc.
- C. Uniforms and equipment for Part-Time Officers shall not be distinguishable from full-time police officers.
- D. Part-Time Officers shall successfully complete all Departments and/or State mandated training.
- E. Part-Time Officers are bonded the same as full-time officers.
- F. Part-Time Officers may be assigned to any area of the Department, as needed.
- G. Part-Time officers will be compensated at an hourly rate that falls within the range of a full time officer.
- H. Part-Time Officers may be allowed to work an off duty assignment only after all Full-Time employees have been given first opportunity. Any Off Duty Assignment that has not been accepted or filled by a Full-Time employee may then be offered to the Part-Time employee.

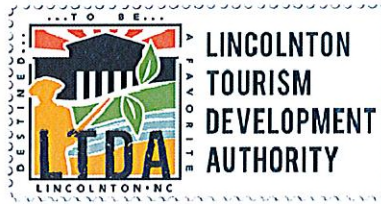
ITEM #

17

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

ITEM #

18



September 25, 2019

TO: Lincolnton City Council

FROM: Carol King, Chairman
Lincolnton Tourism Development Authority
704-477-6259

RE: Resolution Creating the Lincolnton Tourism Development Authority, Dec. 4, 2014

The LTDA has had to cancel several meetings over the past few years because of the lack of a quorum. Because we meet only once a quarter, a missed meeting delays projects and hampers our momentum. Would you please consider amending the resolution which I have attached to reflect a membership of six which would be comprised of the three city residents and three hotel representatives to be chosen by each general manager? The difficulty has stemmed from the general managers' duties and time constraints. This arrangement was suggested by the two hotel managers present at yesterday's rescheduled meeting.

The current resolution was passed and adopted on December 4, 2014 and amended on December 3, 2015. Thank you.

CITY OF LINCOLNTON

CITY COUNCIL

John O. Gilleland, Jr., Mayor
Larry Mac Hovis, Mayor Pro-Tem
Devin Rhyne
Martin A. Eaddy
John Les Cloninger



CITY MANAGER

JEFF EMORY
jeffemory@ci.lincolnton.nc.us

CITY CLERK

DONNA C. FLOWERS, CMC
donnaflowers@ci.lincolnton.nc.us

CITY ATTORNEY

THOMAS J. WILSON, JR.

TO: Mayor & City Council

FROM: Donna C. Flowers, City Clerk/Assistant to City Manager

DATE: November 25, 2015

SUBJECT: Proposed Amendment to the Lincolnton Tourism Development By-Laws and amended resolution

The Lincolnton Tourism Development Authority was restructured in late 2014 changing the budget process, separating the Occupancy Tax fund from the City's budget. This change occurred as a result of notification from the State Treasurer's Office, that original legislation to levy the tax requires separate accounting practices.

From the restructuring, you appointed five new LTDA members which are doing an excellent job serving as good stewards of Occupancy Tax Funds. Two of the five members are to be from the Hotel/Motel industry and three members are City residents as specified in the resolution and by-laws. The concern is with the existing language which allows a Hotel/Motel industry representative, who seem to be constantly changing as currently a "person" is appointed. We would like to propose amending the language where the appointment follows the "position" rather than the "person". Therefore alleviating vacancies throughout the year, maintaining consistency, and ensuring the LTDA has a quorum for their meetings.

During a recent meeting I attended with Mayor-Elect Hatley, the City Manager and City Attorney, Mr. Hatley suggested possibly adding a third member from the Hotel/Motel Industry which would provide equal representation for the three area hotels in the City. If approved LTDA Chair Carol King would notify the three area hotels letting them know that a Hotel/Motel Manager or Assistant Manager would be eligible to serve representing each hotel.

I have attached a copy of the by-laws and resolution with proposed changes highlighted in red. Please feel free to contact me should you have any questions. Thank you.

CITY OF LINCOLNTON

CITY COUNCIL

Ed Halley, Mayor
Martin A. Eaddy, Mayor Pro-Tem
Devin Rhyme
John Les Cloninger
Roby D. Jetton



CITY MANAGER

JEFF EMORY
jeffemory@ci.lincolnton.nc.us

CITY CLERK

DONNA C. FLOWERS, MMC
donnaflowers@ci.lincolnton.nc.us

CITY ATTORNEY

THOMAS J. WILSON, JR.

RESOLUTION AMENDING THE LINCOLNTON TOURISM DEVELOPMENT AUTHORITY

THAT WHEREAS, the City of Lincolnton, North Carolina, is a Municipal Corporation organized and existing under the laws of the State of North Carolina and is authorized by Session Law 2001-439, Senate Bill 92, and more particularly in "Part III. CITY OF LINCOLNTON. Section 3.2" of the aforementioned law, to create a tourism development authority.

THAT WHEREAS FURTHER, it is desired by the City of Lincolnton, North Carolina, to modify the previous resolution to fulfill those purposes and perform those duties as are set out in the aforementioned laws.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lincolnton, North Carolina, assembled in Regular Session on this the 4th day of December, 2014, as follows;

- a. The composition of the Lincolnton Tourism Development Authority is modified as follows; the Authority will consist of **six (6) members**. Of whom at least one-third (1/3) of the members must be individuals who are affiliated with businesses that will collect the room occupancy tax, and at least three-fourth (3/4) of the members must be individuals who are currently active in the promotion of travel and tourism in the City. Members (**Hotel Managers or Assistant Managers**) who are affiliated with businesses that will collect the room occupancy tax are not required to reside within the city limits. The Lincolnton City Council will appoint the Chairman of the Authority, and may appoint a member of Council to serve as an ex-officio member of the authority. The terms of membership will be staggered. The initial members of the Authority will be appointed by the City Council to such terms so that such may be staggering. As the terms of the initial members expire, new appointments will be made for the terms of three (3) years. A member of the Authority may only serve two (2) consecutive terms. The Finance Officer of the City of Lincolnton will be the Ex-Officio Finance Officer of the Authority.

- b. **Vacancies.** Vacancies occurring for reasons other than expiration of term will be filled as they occur by the City Council for the period of the unexpired term.
- c. **Organization.** Within thirty (30) days after appointment, the Authority must meet. It will adopt rules for the transaction of business and will keep a record of the attendance of members and discussions at meetings.
- d. **Meetings.** The Authority will meet at the call of the Chairperson
- e. **Duties.** The Authority will expend the net proceeds of the Room Occupancy Tax as set forth in the Ordinance establishing the Room Occupancy Tax. The Authority will promote travel, tourism, and conventions in the City of Lincolnton, sponsor tourist-related events and activities in the city, and finance tourist-related capital projects.

The Authority will report quarterly and at the close of the fiscal year to the Lincolnton City Council on its receipts and expenditures for the preceding quarter and for the year in such detail as the City Council might require.

PASSED AND ADOPTED, this the 4th day of December, 2014
AMENDED this the 3rd day of December 2015

CITY OF LINCOLNTON, NORTH CAROLINA

BY: 
ED HATLEY, Mayor

Attest:


DONNA C. FLOWERS, City Clerk

(Municipal Seal)

Section 6. Reports to Lincolnnton City Council. The Authority shall report quarterly and at the close of the fiscal year to the Lincolnnton City Council, as to its receipts and expenditures for the preceding quarter and for the year, in such detail as the City Council shall require.

Section 7. Gifts. The Authority may accept any contribution gift, bequest or devise, for any purpose consistent with the objectives and missions of the Authority, and as may otherwise be subject to law. Authority members are subject to the Code of Ethics adopted by the City of Lincolnnton as it pertains to gifts and favors.

ARTICLE VII

ADOPTION

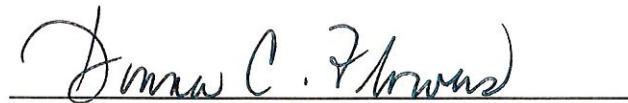
Section 1. Adoption. These by-laws shall become the by-laws of the Lincolnnton Tourism Development Authority, by adoption at a regular or special meeting of the Authority.

ADOPTED, this the **3rd** day of **December**, 2015



CHAIRPERSON

Lincolnnton Tourism Development Authority



Secretary to the

Lincolnnton Tourism Development Authority

ITEM #

19

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

ITEM #

20

Executive Summary

August 2019 Year-To-Date

General Fund	% of					Difference
	Budget 19-20	Actual 19-20	Budget	Budget 18-19	Actual 18-19	
Fund 10 Revenues	11,818,700	1,070,349	9%	11,271,936	946,918	123,431
Fund Balance	-	-	-	964,361	-	-
	11,818,700	1,070,349		12,236,297	946,918	123,431
City Manager/Clerk	277,495	58,405		320,960	58,733	(329)
Human Resources	243,020	48,583		239,060	40,258	8,324
Finance	149,630	93,142		242,790	155,542	(62,400)
General Expense	1,108,160	330,160		1,001,620	253,007	77,153
General Debt Service	424,632	22,935		513,524	22,935	-
Police	3,218,020	516,750		3,115,970	493,747	23,003
Fire	2,255,800	358,973		2,041,650	353,558	5,415
Public Works	44,010	29,183		79,616	15,768	13,415
Street	1,164,325	122,399		1,257,668	140,703	(18,304)
Equipment Services	115,970	26,499		133,270	24,726	1,773
Solid Waste	823,855	97,320		854,228	84,367	12,954
General Services	-	-		-	-	-
Plannin/Zoning	575,420	55,964		379,060	44,190	11,774
Bus & Comm. Dev	133,200	5,900		135,000	17,190	(11,290)
Recreation	1,285,163	175,065		957,520	165,072	9,993
Expenses	11,818,700	1,941,276	16%	11,271,936	1,869,795	71,481
Difference		(870,927)			(922,878)	51,950

Water & Sewer Fund	% of					Difference
	Budget 19-20	Actual 19-20	Budget	Budget 18-19	Actual 18-19	
Fund 61 Revenues	8,616,949	1,370,342	16%	8,378,540	1,381,290	(10,948)
Fund Balance	-	-		526,653		
	8,616,949	1,370,342		8,905,193	1,381,290	(10,948)
Water Treatment	1,506,850	278,734		1,508,450	249,778	28,957
Dist & Collection	1,847,150	252,974		1,748,000	238,643	14,331
Wastewater	1,567,500	175,610		1,544,600	155,004	20,606
W & S Intangibles	3,695,449	146,112		3,577,490	130,982	15,130
Expenses	8,616,949	853,430	10%	8,378,540	774,406	79,024
Difference		516,911			606,884	(89,972)

Electric Fund		% of				
	Budget 19-20	Actual 19-20	Budget	Budget 18-19	Actual 18-19	Difference
Fund 63 Revenues	8,056,350	1,852,333	23%	7,669,264	1,412,910	439,423
Fund Balance	-	-		1,224,483	-	-
	8,056,350	1,852,333		8,893,747	1,412,910	439,423
Electric Dept.	8,056,350	248,767		7,669,264	740,076	(491,309)
Expenses	8,056,350	248,767	3%	7,669,264	740,076	(491,309)
Difference		1,603,566			672,834	930,732

Overtime 80+ hours	43,142	43,637	(495)
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