

A G E N D A

LINCOLNTON CITY COUNCIL



June 25, 2020

7:00 p.m.

Council Chambers

City Hall



**LINCOLNTON CITY COUNCIL
AGENDA
June 25, 2020
7:00 p.m.**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

1. Approval of REGULAR AGENDA

2. Approval of CONSENT AGENDA

All items placed under 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.

2a - Approval of Minutes for the June 04, 2020 Regular Meeting

2b – N.C. Mayor’s Statement on Murder of George Floyd

3. PUBLIC HEARINGS

3a – CUP-2-2020- Application from Lincoln County requesting a conditional use permit to construct a new parking Lot in the Residential-10 (R-10) Zoning District. The subject property is located on the south side of West Main Street approximately 100 feet west of the intersection of West Main Street and South Government Street (Parcel ID 01203)

Laura Elam, Planning Director

3b – CUP-3-2020-Application from Clayton Engineering requesting a conditional use permit to construct mini warehouse and storage units in the NB District. The subject property is located on the north side of East NC 27 Highway approximately 1000 feet east of the intersection of East Main Street and East NC 27 Highway (Parcel ID 87879, 23626 ,26773, 24900)

Laura Elam, Planning Director

3c – ZMA-1-2020-Application from Luis Cordero requesting the rezoning of 0.31 acres of land from the Residential-25 (R-25) District to the Residential-8 (R-8) District. The Subject property is located at 2199 Story Street (Parcel ID 27285).

Laura Elam, Planning Director

3d - ZMA-2-2020- Application from Carpenter Property Group requesting the rezoning of 0.952 acres of land from the Residential-Office (R-O) District to the Central Business (CB) District. The subject property is located at 217 East Pine Street (Parcel ID 20428).

Laura Elam, Planning Director

3e - ZTA-3-2020- Application from the City of Lincolnton requesting an amendment to Section 153.136 (g) of the Unified Development Ordinance in regards to the replacement of nonconforming manufactured homes not located in a manufactured home park

Laura Elam, Planning Director

3f – ZMA-3-2020-Application from Herbilene Shehan requesting the rezoning of 1.092 acres of land from the Office Institutional (O-I) District to the Residential-25 (R-25) District. The subject property is located at 450 Buffalo Shoals Road (Parcel ID 71908).

Laura Elam, Planning Director

**3g – UPDATE TO CLEVELAND GASTON LINCOLN REGIONAL HAZARD
MITIGATION PLAN**

Discussion of update to the Cleveland Gaston Lincoln Regional Hazard Mitigation Plan. City Council will consider adoption of the plan. A copy of the plan is available for public review at the City of Lincolnton Planning Department.

Laura Elam, Planning Director

4. REGULAR AGENDA

4a – Shared Services Agreement- Adding Zoning Enforcement-

Laura Elam, Planning Director & Steve Zickefoose, City Manager

4b – R-14-20 – Minimum Staffing Requirements - Lincolnton Fire Department after Consolidation with the Boger City Volunteer Fire Department

Ryan Heavner, Fire Chief

4c – BA-03-20 – 2019-2020 Year End budget adjustments and authorization to make amendments that may result from adjustments made by auditors to entries, with a report being made to Council at the next scheduled meeting

Steve Zickefoose, City Manager

5. OTHER BUSINESS

5a – Monthly Financial / Overtime Report

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 to be eligible to speak

CLOSED SESSION

**To approve closed session minutes and to
discuss Personnel in accordance with
NCGS 143-318.11 (a)(1) &(6)**

NEWS MEDIA

ADJOURNMENT

ITEM #

1

APPROVAL

OF

REGULAR AGENDA

ITEM #

2

APPROVAL
OF
CONSENT AGENDA

ITEM #

2a

Approval of Minutes for the
June 4th, 2020 Regular Meeting

The Mayor and City Council met in regular session on Thursday, June 4, 2020 at 7:00 p.m. in the Council Chambers of City Hall located at 114 West Sycamore Street, Lincolnton North Carolina.

Mayor Ed Hatley called the meeting to order. He welcomed everyone to the meeting, after which he led the Pledge of Allegiance.

The following were in attendance:

WHITE WATSON EADDY JETTON

Councilwoman White made the motion, unanimously approved, to approve the **REGULAR AGENDA**.

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

- Approval of Minute for the May 7, 2020 meeting
- Retirement Resolution for Patti Lofland as follows:

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, *Patti W. Lofland*, began employment with the City of Lincolnton on October 13, 2015 as the Human Resources Benefits Administrator; and

WHEREAS, *Patti W. Lofland*, can be described as a behind the scenes person, who is dedicated, self-motivated, and displays a great work ethic in the performance of her duties; whereby earning the respect of her coworkers; and

WHEREAS, *Patti W. Lofland*, throughout her tenure has demonstrated such great commitment to her duties and responsibilities in the Human Resources Department, going above and beyond to ensure the employees' and City's best interests were first and protected through her activities.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Lincolnton, that appreciation be shown to *Patti W. Lofland*, honoring her on her upcoming retirement on July 1, 2020, and that we extend congratulations and best wishes to her as she begins the next chapter in her life.

Adopted this the 4th day of June, 2020.

**BUSINESS INCENTIVE GRANT
(BIG-2-2020)**

Application from Untapped Territory for a Business Incentive Grant for building renovation to accommodate an expansion of Untapped Territory into the adjacent building at 124 E. Water Street:

Mayor Ed Hatley opened the public hearing and recognized City Manager Steve Zickefoose who spoke to the item. Mr. Zickefoose gave a brief summary regarding the application from Untapped Territory for a Business Incentive Grant. The requested funds, up to \$15,000.00, will be used for building renovations to accommodate an expansion of Untapped Territory into the adjacent building. He also explained that the expansion will serve two purposes, an event space and also a brewery. Mr. Zickefoose reported that request was unanimously approved by the Steering Committee, and that staff also recommends approval.

Being no further discussion and no other requests to speak to the item, Councilman Watson made a motion, unanimously approved, to close the Public Hearing

MOTION: Councilman Eaddy made a motion, unanimously approved, to approve the Business Incentive Grant

**RESOLUTION
(R-09-20)**

Resolution creating the Lincolnton Small Business Emergency Loan Program under authority from Chapter 166A of the N.C. General Statutes, the Emergency Management Act:

Mayor Ed Hatley opened the Public Hearing. City Manager Steve Zickefoose spoke to this item, stating council action being required to formalize the creation of the Lincolnton Small Business Emergency Loan Program that was put in place, at Councils direction, in response to the Shelter in Place order from Governor Cooper. Mr. Zickefoose informed that eighteen (18) applications have been approved, with approximately \$219,000.00 in

assistance being awarded to local businesses since program was implemented.

Councilman Watson clarified with the City Manager that funds will be repaid over a three (3) year period. Mr. Zickefoose noted that this is an interest bearing loan, at a rate that does not create competition with local banks. Mr. Zickefoose expressed his appreciation to Council for standing behind this program, which is a great help to the community. Councilman Eaddy expressed his appreciation to the city manager for his efforts and timely response to this crisis.

Being no further discussion, Councilman Jetton made a motion, unanimously approved, to close the Public Hearing.

MOTION: Councilman Watson made a motion, unanimously approved, to approve resolution as presented.

**ORDINANCE
(O-09-20)**

Public hearing to receive comment on the proposed 2020-2021 Fiscal Year Budget for the City of Lincoln - total proposed budget \$30,500,391:

Mayor Ed Hatley opened the Public Hearing. City Manager Steve Zickefoose addressed Council requesting approval of the proposed 2020-2021 Fiscal Year Budget. Mr. Zickefoose explained this item would require three separate actions as the Budget Ordinance, the 2020-2021 Schedule of Fees and the 2020-2021 Salary Schedule/Schedule of Budgeted Positions, all require separate council action. Mr. Zickefoose explained that the Budget Ordinance is a summary of the proposed budget presented at the May 7th Council Meeting. He noted that no tax increase or utility rate changes are proposed. He is suggesting that proposed pay increases and/or salary changes not be implemented until January 2021 or until it is economically feasible. Proposed capital projects within the budget are also frozen with the exception of things related to the new Police Department building or a potential Water Plant or Wastewater Plant project that may be necessary for operational purposes. Mr. Zickefoose also made Council aware of changes made to Fund Balance due to the impact of COVID-19, informing that the budget includes approximately \$750,000 out of fund balance to operate without making any utility rate changes. The Budget Ordinance as presented totals \$30,500,391.00.

Mr. Zickefoose concluded saying that budget is still an overall good budget and any cutbacks or changes implemented will not affect the level of service to our customers. He informed that no changes were made to the Schedule of Fees since presented at the budget retreat and any questions regarding the Salary Schedule /Schedule of Budgeted Position will be directed to Tanya Osborne, Human Resources Director.

With no further discussion or question for Mr. Zickefoose and no one wishing to make comments for or against the proposed budget ordinance, Councilman Eaddy made a motion, unanimously approved, to close the Public Hearing.

MOTION: Councilman Jetton made a motion, unanimously approved, to adopt the Budget Ordinance as presented.

MOTION: Councilwoman White made a motion, unanimously approved, to approve the Schedule of Fees

City Manager Steve Zickefoose presented the following resolution for approval:

R E S O L U T I O N

**Adopting Salary Schedule and Schedule of Budgeted Positions
(R-10-20)**

WHEREAS, the proposed 2020-2021 fiscal year budget has been prepared by the City Manager and presented to the Mayor and City Council; and

WHEREAS, the proposed 2020-2021 fiscal year budget includes a recommended salary schedule and schedule of budgeted positions;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Lincolnnton adopts the "Salary Schedule", and "Schedule of Budget Positions:", as attached to this resolution, for the fiscal year beginning July 1, 2020 and ending June 30, 2021.

Adopted this the 4th day of June 2020.

Mr. Zickefoose stated that he would come back before Council before implementing salary increases or changes, but again stressed that no pay adjustment will be made at this time. There has been no increase in

positions except the fire department positions due to the merger with Boger City which will all be 100% funded by the Boger City tax district funding.

MOTION: Councilman Watson made a motion, unanimously approved, to approve the Salary Schedule/ Schedule of Budgeted Positions as presented.

BUDGET AMENDMENT (BA-02-20)

APPROVAL OF BUDGET AMENDMENT - YEAR END BALANCING:

City Manager Steve Zickefoose presented a proposed budget amendment as follows:

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

<u>DEPARTMENT NUMBER</u>	<u>DEPARTMENT DESCRIPTION</u>	<u>INCREASE</u>	<u>DECREASE</u>
4110	CITY MANAGER/CLERK		55,000.00
4120	HUMAN RESOURCES	19,700.00	-
4130	FINANCE		20,000.00
4280	GENERAL EXPENSE	-	5,000.00
4285	DEBT SERVICE	1,000.00	-
4310	POLICE	-	11,000.00
4340	FIRE	86,300.00	
4510	PUBLIC WORKS ADMIN		1,000.00
4520	STREET		1,000.00
4530	EQUIPMENT SERVICES		-
4710	SOLID WASTE		1,000.00
4740	GENERAL SERVICES		
4910	PLANNING & ZONING		
4930	BUSINESS & COMM DEVEL		
6100	PARKS & RECREATION		13,000.00
		<u>107,000.00</u>	<u>107,000.00</u>

This will result in a net change of \$ 0.00 expenditures of the General Fund.

Section 5: To amend the Water & Sewer Fund, the expenditures are to be changed as follows:

<u>DEPARTMENT NUMBER</u>	<u>DEPARTMENT DESCRIPTION</u>	<u>INCREASE</u>	<u>DECREASE</u>
7110	WATER PLANT	-	30,000.00
7100	DISTRIBUTION AND COLLECTION	60,000.00	-
7120	WASTEWATER PLANT	-	30,000.00
7130	INTANGIBLES	-	-
		<u>60,000.00</u>	<u>60,000.00</u>

Section 6: This will result in a net change of \$ 0.00 in the revenues of the Water & Sewer Fund.

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 4th day of June, 2020.

Daphne Ingram
City Clerk

Ed L. Hatley
Mayor

City Manager Steve Zickefoose spoke to this item, stating this being a part of year end balancing. He informed that funds within departments needed to be moved to prevent deficient spending. He assured that this causes no increase or decrease in the budget as funds are only being moved within the departments in the fund. Mr. Zickefoose notified that an additional budget amendment would most likely be needed due to decreased utility and sales tax revenue.

MOTION: Councilman Eaddy made a motion, unanimously approved, to approve the budget amendment.

**PERSONNEL POLICY REVISION
(P-03-20)**

PROPOSED REVISION TO THE PERSONNEL POLICY REGARDING RETIREE INSURANCE:

Tanya Osborne, Human Resources Director spoke to this item as a follow-up to discussions that took place at the work session held in March regarding amending the City's retiree health insurance benefit. The proposed changes were presented as follows:

Proposed Effective 07-01-2020

SECTION 1. INSURANCE BENEFITS:

A. For employees hired prior to July 1, 2012: An employee who retires from the City with 20 or more years of service shall receive the same health insurance coverage provided to full time employees. The employee is responsible for paying the City in advance for any family members' health coverage. The employee is also responsible for paying the City in advance for any dental insurance coverage on themselves or family members. The health insurance coverage on the retired employee will continue until his or her 65th birthday, or until they become eligible for Medicare benefits, whichever is sooner, at which time the City will delete the employee from the group coverage.

An employee who retires from the City with a disability status, and has 10 or more years of service with the City, shall receive insurance benefits in the same manner as employees who retire with 20 or more years of service. The employee must be classified as disabled by the Local Government Employees Retirement System, or the Social Security Commission. The employee will receive coverage until his or her 65th

birthday, or until they become eligible for Medicare benefits, whichever is sooner.

- B. For employee hired on or after July 1, 2012:** An employee who retires from the City with 25 or more years of service shall receive the same health insurance coverage provided to full time employees. The employee is responsible for paying the City in advance for any family members' health coverage. The employee is also responsible for paying the City in advance for any dental insurance coverage on themselves or family members. The health insurance coverage on the retired employee will continue until his or her 65th birthday, or until they become eligible for Medicare benefits, whichever is sooner, at which time the City will delete the employee from the group coverage.

An employee who retires from the City with a disability status, and has 15 or more years of service with the City, shall receive insurance benefits in the same manner as employees who retire with 25 or more years of service. The employee must be classified as disabled by the Local Government Employees Retirement System, or the Social Security Commission. The employee will receive coverage until his or her 65th birthday, or until they become eligible for Medicare benefits, whichever is sooner.

- C. For employees hired on or after July 1, 2020:** Employees hired on or after July 1, 2020 are not eligible to continue the City's health or dental insurance benefit upon retirement.

For employees hired prior to July 1, 2020:

1. For employees who fall under A or B above, benefits remain as outlined.
2. Employees who fall under A or B above, but leave employment with the City of Lincolnton for reasons other than retirement, lose eligibility for retiree health and dental insurance benefits if rehired or reinstated at a later date.

As stated in the Personnel Policy Preface: "These personnel policies are not a binding contract, but merely a set of guidelines for the implementation of personnel policies. The City explicitly reserves the right to modify any of the provisions of these policies at any time and without any notice to employees." As such, the Council has reserved the right to review all city benefits as necessary, and may delete, modify, enhance or otherwise make changes to this policy as in accordance with local, state and federal law.

Mrs. Osborne also directed Councils attention to the word “same” on line two (2) in both section A and B. and recommended that word be changed to “similar” for it to be in line with what is actually in process.

MOTION: Councilman Jetton made a motion, unanimously approved, to approve the proposed revision to retiree insurance as presented.

**RESOLUTION
(R-11-20)**

**PRESENTATION OF RECREATION MASTER PLAN / RESOLUTION TO
REQUEST APPROVAL OF CONSULTING FIRM & COST SHARING WITH
LINCOLN COUNTY:**

Nathan Eurey, Parks and Recreation Director, addressed Council regarding the joint work being done with Lincoln County to update the current Recreation Master Plan this upcoming fiscal year. Mr. Eurey explained that updating the plan allows both entities to prepare for future park projects, future park improvements, and new and continued recreation programming. He stated that it will also enhance eligibility for grants. Mr. Eurey concluded, requesting Councils approval of the selection of McGill and Associates of Hickory, NC as the consulting firm and approval of the cost share of 70% County and 30% City in the final negotiated cost. The following resolution was presented:

**RESOLUTION AUTHORIZING APPROVAL OF CONSULTING FIRM SELECTION
AND COST SHARING WITH LINCOLN COUNTY FOR THE UPDATED
2020- 2021
RECREATION MASTER PLAN**

WHEREAS, the Parks and Recreation departments of Lincoln County and the City of Lincolnton are working jointly to update Recreation Master Plans in 2020-2021; and

WHEREAS, updating both entities’ plans allows for the City and County to prepare for future park projects, future park improvements, new and continued recreation programming and also enhance eligibility for grants; and

WHEREAS, following a request for qualifications, staff from both jurisdictions conducted interviews and have jointly selected McGill and Associates of Hickory, NC to conduct the updates to the plans; and

WHEREAS, additionally, a cost share percentage recommendation of 70/30 between the county and city respectively is proposed for this planning effort, \$62,650 from the county and \$26,850 from the city; and

WHEREAS, McGill and Associates will develop plans for each jurisdiction separately, producing a recreation master plan update document for the City of Lincolnton and a separate recreation master plan update document for Lincoln County, this requiring two separate contracts; and

WHEREAS, action is needed by both the Lincolnton City Council and Lincoln County Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Lincolnton approves the selection of the consulting firm McGill and Associates of Hickory, NC for a joint recreation master plan update and approves of the cost share of 70% County and 30% City in the final negotiated costs.

Adopted this the 4th day of June 2020.

Mr. Eurey informed that this joint effort with the County does result in a cost savings for both entities. There were a few questions generated regarding the number of years the plans are designed to incorporate and if there will be any coordination of shared facilities and/or shared programming. Council also expressed their appreciation for the work done by staff in this joint effort.

MOTION: Councilwoman White made a motion, unanimously approved, to approve Recreation Master Plan with McGill and Associates as the consulting firm and the cost sharing as presented between the City and the County.

**RESOLUTION
(R-12-20)**

**RESOLUTION ADOPTING PAYMENT PLAN FOR WATER AND/ OR
WASTEWATER SERVICES SUBJECT TO EXECUTIVE ORDER 142 ISSUED BY
GOVERNOR COOPER IN RESPONSE TO COVID-19 PANDEMIC ON MARCH 31,
2020:**

City Manager Steve Zickefoose presented a revised resolution to City Council, establishing a payment plan for utility services for customers with unpaid utility bills for services received between March 31st through July 29th, 2020. This payment plan will become effective after Executive Order 142 ends on July 29th unless another extension is granted. This action is being taken to comply with Executive Order 142 that requires providers to suspend disconnections and to suspend assessment of all penalties for late payments of residential service for nonpayment during this time. Mr. Zickefoose explained that this resolution will allow the city to resume collections as usual after July 29th however customers will be offered the opportunity to set up a six month payment plan to pay delinquencies incurred between March 31, 2020 through July 29, 2020. Resolution reads as follows:

**ADOPTING PAYMENT PLAN FOR WATER AND/OR WASTEWATER SERVICES
SUBJECT TO EXECUTIVE ORDER 142 ISSUED BY GOVERNOR COOPER IN
RESPONSE TO COVID-19 PANDEMIC ON MARCH 31, 2020**

WHEREAS, Governor Cooper's Executive Order 142 (EO 142) requires providers of end-user, residential water, wastewater, electric, and natural gas service to, among other things, suspend disconnections of residential service for nonpayment through July 29, 2020, and suspend assessment of all penalties for late payments of monthly service charges incurred from March 31, 2020 through July 29, 2020; and

WHEREAS, EO 142 does not extinguish or waive account balances as customers remain legally responsible to pay all amounts due on your account; and

WHEREAS, EO 142 is currently effective until July 29, 2020. Unless extended by the Governor, normal disconnections and late fee policies will resume after that day; and

WHEREAS, Utility Customers will, however, have at least 6 months to pay any delinquencies they incurred from March 31, 2020 through July 29, 2020.

NOW, THEREFORE, BE IT RESOLVED, in recognition of the financial hardship many now face, the City of Lincolnnton authorizes an approved payment plan to our residential customers who are unable to pay their current account balance and/or who will be unable to pay their account balances between now and July 29, 2020.

Adopted this the 4th day of June 2020

Mr. Zickefoose shared with council members some of the impact this is having, not only on the City of Lincolnnton, but on local governments across the state as a whole. He informed that for the month of April and May, 480 customers did not pay their utility bill, which equates to about \$178,000.00 for each of those months. Additionally, another \$77,000 in default and/or late fees could not and cannot be enforced and collected.

Councilmembers again stressed the need to communicate to citizens that debt is not being forgiven and that they are still responsible for paying their account balance in full. Mr. Zickefoose assured that staff is doing an excellent job making sure this information is being communicated in multiple ways. There was some discussion generated regarding this topic and what is and can be done to assist cities during this time.

MOTION: Councilman Watson made a motion, unanimously approved, to approve the resolution as presented by Mr. Zickefoose.

MONTHLY FINANCIAL / OVERTIME REPORT

City Manager Steve Zickefoose, presented the Executive Summary to Council Members. Mr. Zickefoose briefly spoke to each of the funds, pointing out that next year is when the impact of the decreased sales tax revenue will be reflected. He also acknowledged Water and Sewer Fund revenues being down, as well as a decrease in the Electric Fund. Complete report was submitted as follows:

REGULAR MEETING - June 4, 2020

June 2020 Council Meeting Executive Summary May 2020 Year-To-Date

General Fund	Budget 19-20	Actual 19-20	% of Budget	Budget 18-19	Actual 18-19	Difference
Fund Revenues	11,818,700	10,207,143	86%	11,271,936	10,328,474	(121,331)
Fund Balance	-	-	-	1,138,703	-	-
	11,818,700	10,207,143		12,410,639	10,328,474	(121,331)
City Manager/Clerk	277,495	150,408		308,790	239,871	(89,463)
Human Resources	243,020	204,702		252,890	208,262	(3,560)
Finance	149,630	20,875		278,090	199,642	(178,767)
General Expense	1,108,160	926,445		961,740	821,735	104,710
General Debt Service	424,632	394,832		450,954	379,488	15,344
Police	3,218,020	2,817,669		3,257,980	2,876,045	(58,376)
Fire	2,255,800	2,082,398		2,351,553	2,107,515	(25,117)
Public Works	44,010	(6,529)		40,116	(48,367)	41,838
Street	1,376,325	738,745		1,245,808	749,548	(10,803)
Equipment Services	115,970	95,915		128,670	103,830	(7,915)
Solid Waste	900,855	823,946		854,018	521,395	302,551
General Services	-	-		-	-	-
Plannin/Zoning	557,420	293,414		610,410	246,723	46,691
Bus & Comm. Dev	423,200	183,563		135,000	111,419	72,144
Recreation	1,274,163	1,039,021		1,534,620	1,022,170	16,851
Expenses	12,368,700	9,765,404	79%	12,410,639	9,539,276	226,128
Difference		441,739			789,198	(347,459)

Water & Sewer Fund	Budget 19-20	Actual 19-20	% of Budget	Budget 18-19	Actual 18-19	Difference
Fund Revenues	8,616,949	7,190,516	83%	8,378,540	7,677,256	(486,740)
Fund Balance	-	-		2,418,977	-	-
	8,616,949	7,190,516		10,797,517	7,677,256	(486,740)
Water Treatment	1,526,850	1,041,364		1,552,250	1,287,472	(246,108)
Dist & Collection	3,592,160	2,952,883		4,124,227	1,495,427	1,457,456
Wastewater	1,577,000	1,068,145		1,543,550	1,193,133	(124,988)
W & S Intangibles	4,175,949	4,028,868		3,577,490	3,475,086	553,782
Expenses	10,871,959	9,091,260	84%	10,797,517	7,451,118	1,640,142
Difference		(1,900,744)			226,138	(2,126,882)

Electric Fund	Budget 19-20	Actual 19-20	% of Budget	Budget 18-19	Actual 18-19	Difference
Fund Revenues	8,056,350	6,972,239	87%	7,669,264	7,027,346	(55,107)
Fund Balance	-	-		131,724	-	-
	8,056,350	6,972,239		7,800,988	7,027,346	(55,107)
Electric Dept.	10,267,102	7,208,563		8,510,264	7,451,119	(242,556)
Expenses	10,267,102	7,208,563	70%	8,510,264	7,451,119	(242,556)
Difference		(236,324)			(423,773)	187,449

Over 80+ hours		436,924			441,894	(4,970)
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PUBLIC COMMENT: No one requested to speak under public comment

Mayor Ed Hatley announced a prayer vigil to be held on Wednesday, June 10, 2020 at 7:00 p.m. on the east side of the Court square, welcoming anyone wishing to attend. Mayor Hatley explained the event is being organized by Jamael Farley, who was in attendance. Following direction from the Mayor, Mr. Farley stood and from the audience briefly addressed Council, thanking them for allowing him the opportunity and encouraging everyone to participate and come together and pray for change. Mr. Farley stated that social distancing will be practiced, hand sanitizer will be available. He also requested that everyone wear their mask.

NEWS MEDIA: No comments or question from new media

CLOSED SESSION

After citing of appropriate statute by City Attorney T.J. Wilson, Councilman Jetton made a motion to enter Closed Session to discuss Personnel in accordance with NCGS 143-318.11(1)(6)

Upon returning to Regular Session, Mayor Ed Hatley announced that the City Manager evaluation was completed and was very positive. A new form of evaluation will be used beginning July 1, 2020 which will be more comprehensive. Mayor continued, stating that Council wanted to publicly thank and express appreciation to Mr. Zickefoose for all of the excellent work he has done for the City.

ADJOURNMENT:

Being no further business, Councilman Jetton made the motion, unanimously approved, to adjourn the meeting.
Meeting adjourned at 9:15 p.m.

**DAPHNE INGRAM
CITY CLERK**

**ED HATLEY
MAYOR**

ITEM #

2b

N.C. Mayor's Statement
On Murder of
George Floyd

North Carolina Mayors' Statement on the Murder of George Floyd

As mayors of cities in North Carolina, we have come together to express our abhorrence of the horrific murder of George Floyd, an act of unspeakable violence, cold inhumanity and racism. The photographic evidence of this act speaks for itself. Mr. Floyd was suffocated to death by a Minneapolis police officer while pleading for his life as three other officers knelt or stood by and did nothing to help him, even as he called out, "I can't breathe." As a society, we cannot tolerate this kind of police violence rooted in systemic racism. As mayors, we work closely with the police leadership in our cities, and we know that they also will not tolerate this kind of police violence and racism within their forces. Such acts not only harm innocent people, but they also deeply erode trust in our police forces, despite the good work of so many officers every day—officers who themselves abhor the racism and violence so evident in the death of George Floyd. Our hearts go out to Mr. Floyd and his family. We support Mayor Jacob Frey of Minneapolis in his call for justice and accountability. We expect a full and fair trial of the police officers involved. We also support the rights of those who are peacefully protesting and honoring the memory of George Floyd and countless others that have been victims of systemic racism and police violence. Let's work together to ensure that protests remain peaceful and stay focused on building equitable and just cities for all in North Carolina. And we pledge to make every effort within our power to fight systemic racism within our police forces, cities and this nation.

Mayor Steve Schewel, Durham
Mayor Mary Ann Baldwin, Raleigh
Mayor Vi Lyles, Charlotte
Mayor Nancy Vaughan, Greensboro
Mayor Allen Joines, Winston-Salem
Mayor Mitch Colvin, Fayetteville
Mayor Esther Manheimer, Asheville
Mayor Bill Saffo, Wilmington
Mayor Ian Baltutis, Burlington
Mayor Pam Hemminger, Chapel Hill
Mayor Lydia Lavelle, Carrboro
Mayor Jenn Weaver, Hillsborough
Mayor Dontario Hardy, Kinston
Mayor TJ Cawley, Morrisville
Mayor Karen Alexander, Salisbury
Mayor Bill Dusch, Concord
Mayor Miles Atkins, Mooresville
Mayor Harold Weinbrecht, Cary
Mayor John Byrne, Fuquay-Varina
Mayor Costi Kutteh, Statesville
Mayor Bob Scott, Franklin
Mayor Chuck Allen, Goldsboro
Mayor Carlton Stevens, Wilson

Mayor Walker Reid, Gastonia
Mayor Hank Guess, Hickory
Mayor Jay Wagner, High Point
Mayor Sandy Roberson, Rocky Mount
Mayor Jay Donecker, Reidsville
Mayor Rennie Brantz, Boone
Mayor John Higdon, Matthews
Mayor Harry Baughn, Hayesville
Mayor Terry Mann, Whiteville
Mayor Jackie Sergeant, Oxford
Mayor Patrick Taylor, Highlands
Mayor Mary Hughes O'Brien, Star
Mayor Walt Eccard, Shallotte
Mayor Fred Yates, Winfall
Mayor Winfred Hill Murphy, Garland
Mayor Darrell Hinnant, Kannapolis
Mayor Jerry Medlin, Benson
Mayor Lynda Sossamon, Sylva
Mayor Gloristine Brown, Bethel
Mayor Weyling White, Ahoskie
Mayor Robert Johnson, North Wilkesboro
Mayor Ed Hatley, Lincolnton
Mayor Gary McClure, Rutherford College
Mayor Ben Cahoon, Nags Head
Mayor Brenda Lyerly, Banner Elk
Mayor Bobby Kilgore, Monroe
Mayor Zeb Smathers, Canton
Mayor Steve Little, Marion
Mayor Bobby Wheeler, Creedmoor
Mayor Ronnie Michael, Albemarle
Mayor Jody L. McLeod, Clayton
Mayor Joyce Whichard-Brown, Williamston
Mayor Tina Brown, Robersonville
Mayor Bettie Parker, Elizabeth City
Mayor Don Kington, Duck
Mayor Casey Dover, Stem
Mayor Johnny Berry, Connelly Springs
Mayor Terry Turner, Butner
Mayor Brenda Bozeman, Leland
Mayor Ronnie Currin, Rolesville
Mayor Coley Hunt Rhodes, Stantonsburg
Mayor Newell Clark, Lexington
Mayor Bob Matheny, Zebulon
Mayor James Roberson, Knightdale
Mayor Ken Marshburn, Garner
Mayor Vivian Jones, Wake Forest
Mayor Virginia Gray, Wendell
Mayor Lenny Williams, Gibsonville
Mayor Ed Hooks, Mebane
Mayor David Smith, Asheboro
Mayor Jerry Peterman, Graham
Mayor Tracy Rodes, Webster
Mayor Barbara Mallett, East Spencer
Mayor G. Scott Neisler, Kings Mountain
Mayor Victor Varela, Ronda
Mayor Kelly Allen, Haw River
Mayor Dana Outlaw, New Bern
Mayor Chet Mann, Sanford
Mayor PJ Connelly, Greenville
Mayor Steve Sciascia, Harrisburg
Mayor Raleigh York, Thomasville
Mayor Bryan Hough, Mount Holly

ITEM #

3

PUBLIC
HEARINGS

ITEM #

3a

CUP-2-2020

Application from Lincoln County
for Conditional Use Permit

MEMO TO: Mayor and City Council Members

FROM: Laura Elam, Planning Director

DATE: June 25, 2020

SUBJECT: Conditional Use Permit Application from Lincoln County (CUP-2-2020)

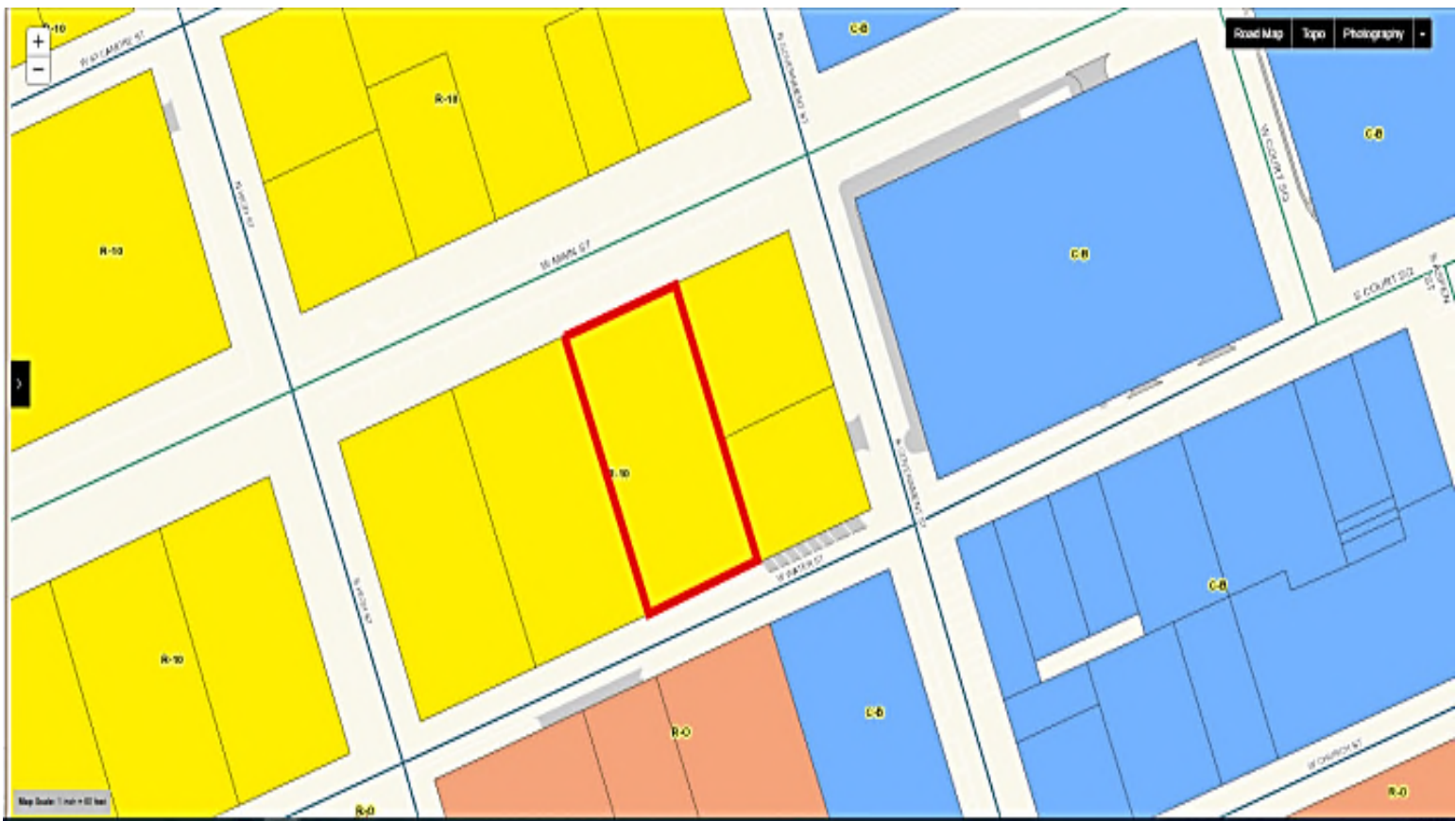
SITE AND AREA DESCRIPTION

The property is located on approximately 0.448 acres of land in the Residential-10 (R-10) District. The property is located on the south side of West Main Street approximately 100 feet west of the intersection of West Main Street and South Government Street (Parcel ID 01203)

The applicant is requesting a conditional use permit in order to construct a 32 space asphalt parking lot for additional county parking. Access would be provided by one driveway on West Water Street.

The site is currently vacant. The subject property and properties located to the east, west, and north are zoned R-10. Properties located to the south are zoned R-O and CB. The property is surrounded by a mixture of commercial and single family residential.

CURRENT ZONING MAP



CURRENT AERIAL VIEW



CURRENT STREET VIEWS







SITE PLAN

The applicant is requesting a conditional use permit in order to construct a 32 space asphalt parking lot for additional county parking. The parking lot will have one entrance onto West Water Street.

Street landscaping will be provided along West Main Street. Parking lot landscaping will be provided around the parking lot, and screening is required on the west side of the property adjacent to the single family dwelling.

Screening is not required along the other boundaries because they are being used for business purposes.

The proposed site plan is below:

WATER SUPPLY WATERSHED

The subject property is located within the WS-IV PA Watershed area. Less than one acre of land is being disturbed so all requirements have been met.

COMPLIANCE WITH CONDITIONAL USE PERMIT APPLICATION REQUIREMENTS

The UDO requires that a conditional use permit application contain specific terms and meet specific requirements. The following items need to be addressed to meet the requirements:

1. Additional screening will be required to meet the following UDO requirements:

Where the boundary of a parking area directly adjoins or is separated by a street from a residential district, screening is required. The screening is required along the outside boundaries of the parking area.

2. Parking lot landscaping plan will need to be updated to show additional large trees and shrubs.
3. An updated landscaping plan will need to be provided showing how the UDO requirements for screening and parking lot landscaping are to be met.

OTHER CONDITIONAL USE PERMIT REQUIREMENTS

The UDO requires that four findings be determined by City Council. They are as follows:

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan, and
2. The use meets all required conditions and specifications, and
3. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity, and
4. The location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the Lincolnton Land Use Plan and other plans for the physical development of the City as officially adopted by the City Council.

COMPLIANCE WITH SECTION 13.4.2

1. It does not appear that the use will endanger the public health or safety.

2. Subject to compliance with the screening and landscaping requirements, the use meets all required conditions and specifications.
3. It does not appear that the use will substantially injure the value of adjoining or abutting property.
4. The use, if approved, should be in harmony with the area.

STAFF REVIEW COMMITTEE COMMENTS

The Staff Review Committee met on June 9, 2020 and had no additional comments on the development.

PLANNING BOARD AND STAFF RECOMMENDATION

Planning Board and Staff recommend approval of the conditional use permit subject to the applicant proving the findings of fact and subject to compliance with the screening and landscaping ordinance requirements noted above.

SUMMARY OF MOTIONS FOR PUBLIC HEARING CUP-2-2020 (Lincoln County)

1. Motion on Finding 1.

The use will not materially endanger the public health or safety if located where proposed and developed according to plan.

2. Motion on Finding 2.

The use meets all required conditions and specifications.

3. Motion on Finding 3.

The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity.

4. Motion on Finding 4.

The location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the Lincoln Land Use Plan and other plans for the physical development of the City as officially adopted by the City Council.

5. Motion to approve the conditional use permit subject to compliance with ordinance requirements **or** motion to deny the request.

ITEM #

3b

CUP-3-2020

Application from Clayton
Engineering for a Conditional
Use Permit

MEMO TO: Mayor and City Council Members

FROM: Laura Elam, Planning Director

DATE: June 25, 2020

SUBJECT: CUP-3-2020- Application from Clayton Engineering, representing Sentry Rentals, requesting a conditional use permit to construct mini warehouses and storage units in the NB District.

SITE AND AREA DESCRIPTION

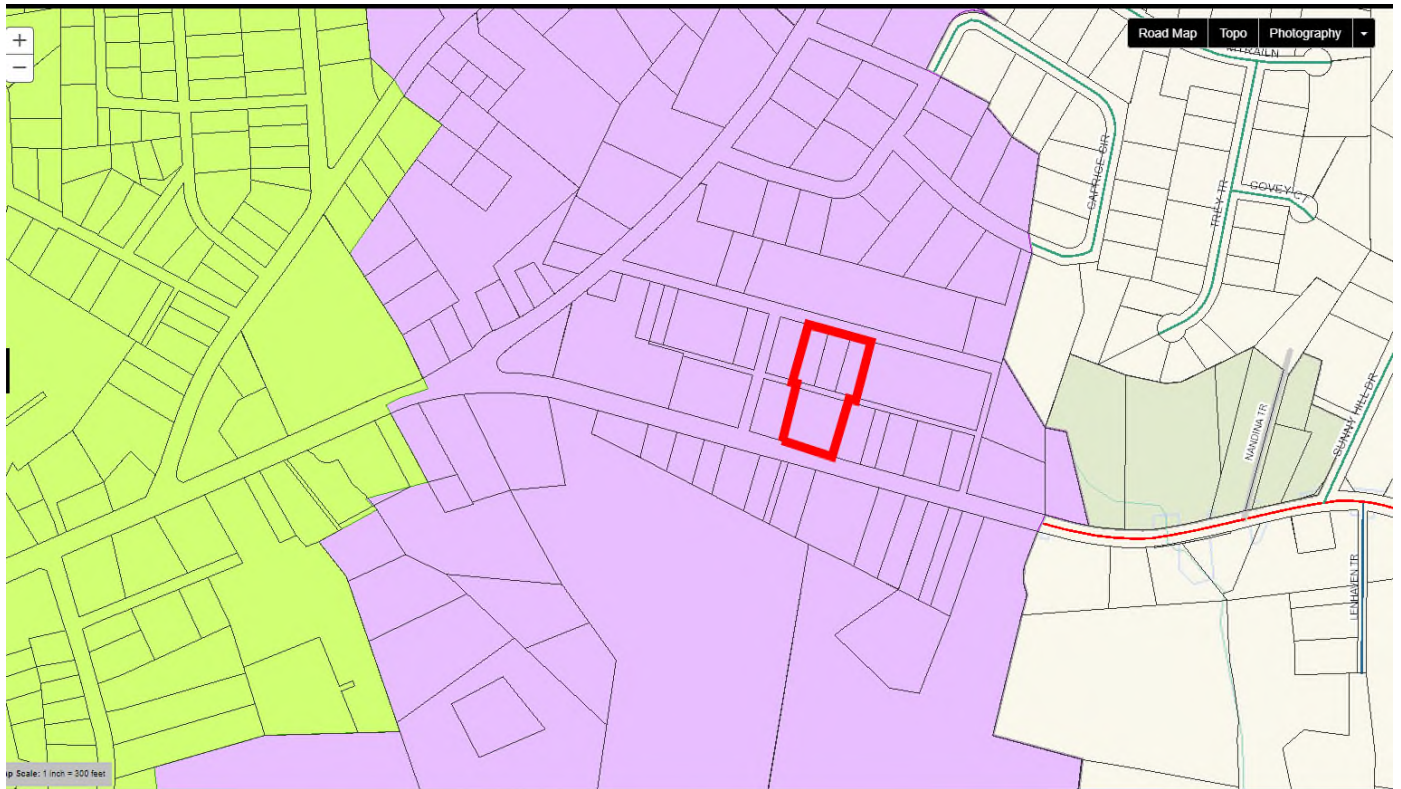
Clayton Engineering, on behalf of Sentry Rentals, is requesting a conditional use permit to construct warehouse, storage, and rental units in the NB District. The subject property is located in the ETJ on the north side of East NC 27 Highway approximately 1000 feet east of the intersection of East Main Street and East NC 27 Highway (Parcel ID 87879, 23626,26773, 24900). The property is made up of four (4) lots totaling 1.94 acres and the site is vacant.

The property surrounding the site is zoned NB with the exception of areas located to the south of the site across Highway 27 and northeast of the site which are zoned R-25. Land uses surrounding the site are a combination of business, church, and residential.

CURRENT ZONING MAP



CITY/ETJ BOUNDARY MAP



CURRENT AERIAL VIEWS



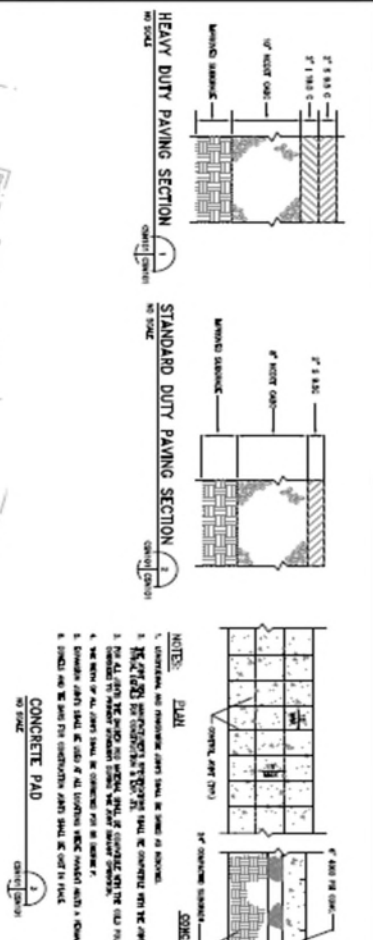
CURRENT STREET VIEWS



REQUEST / PROPOSED SITE PLAN

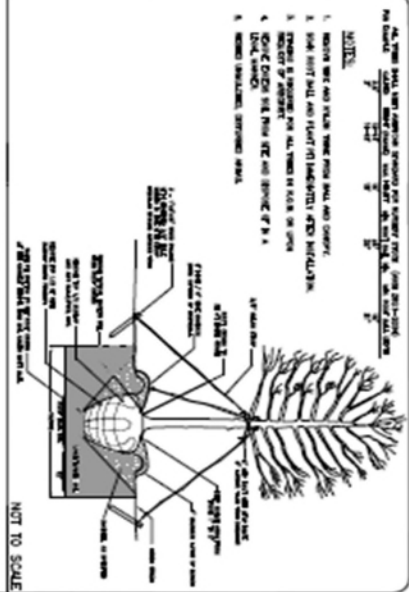
The applicant requests a conditional use permit in order to construct 10,700 square foot warehouse in the front portion of the site and a 15,000 square foot multi-unit storage building in the rear of the site. A loading dock is located in the front of the proposed warehouse. One access point onto NC Highway 27 East is proposed along with six parking spaces.

The site plan proposed by the applicant is below.



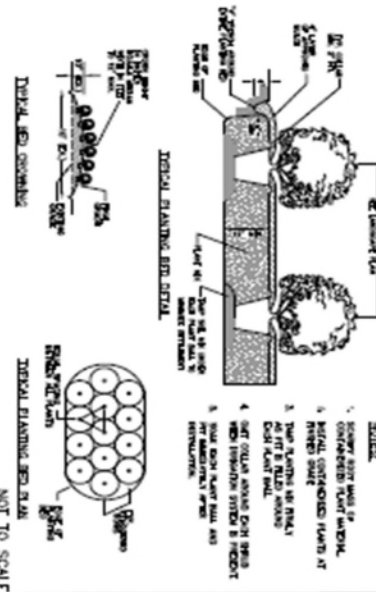
		
CONCRETE PAVING/FIN	HEAVY DUTY ASPHALT	STANDARD DUTY ASPHALT

NOTE THE CURVE



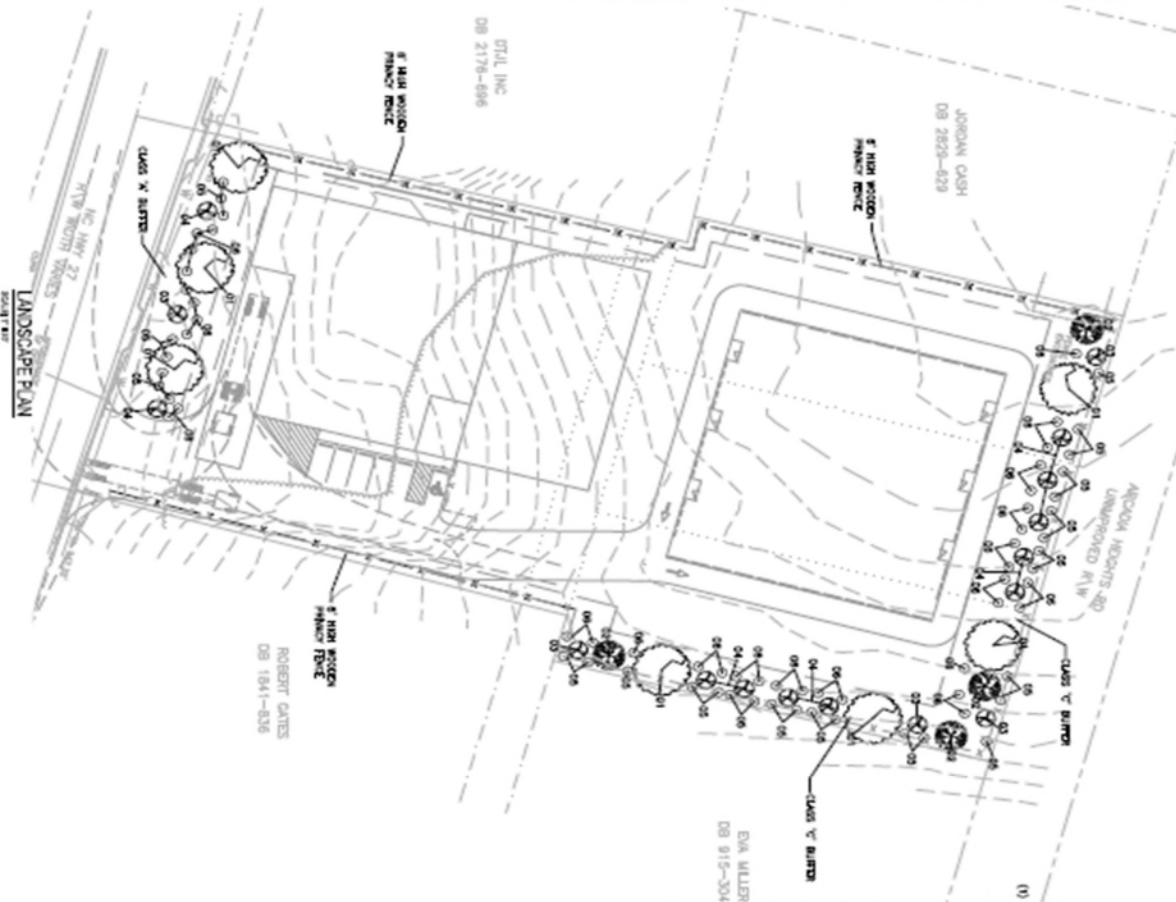
TREE PLANTING
(FOR SINGLE AND MULTI-STEM TREES)

NOT IN SCALE



SHRUB PLANTING BED

TIME OF LOW



LANDSCAPE NOTES:

NEW MATTERS THIS COURT
(A) WHEN SET

- [illegible]

LANDSCAPE LEGEND	
12	QUANTITY
	ITEM NAME (BOTANICAL NAME)
01	7
	NETTING TUB (NETTING TUBS)
02	4
	NETTING TUB (NETTING TUBS)
03	5
	QUICKSTART TREES (QUICKSTART TREES)
04	11
	QUICKSTART TREES (QUICKSTART TREES)
	SHRUBS
05	35
	QUICKSTART TREES (QUICKSTART TREES)
06	35
	QUICKSTART TREES (QUICKSTART TREES)

FOR AGENCY REVIEW



COMPLIANCE WITH CONDITIONAL USE PERMIT APPLICATION REQUIREMENTS

Section 153.236 of the Lincolnton Unified Development Ordinance requires that conditional use permit applications contain specific terms and meet specific conditions. The application meets the requirements with the following exceptions:

1. Landscape plan will need to be updated with additional large trees for screening.
2. Screening will be required along property boundaries that abut a residential district.
3. Driveway access will need to be adjusted to a maximum of 36 feet in width (Also required by NCDOT).
4. Building height needs to be noted on plan.
5. Any signs that will be erected will need to be shown on plan.
6. If the project is done in phases, that will need to be noted on plan.

OTHER CONDITIONAL USE PERMIT REQUIREMENTS

Section 153.237 of the Lincolnton Unified Development Ordinance requires that the City Council make the following findings:

1. The use will not materially endanger the public health or safety if located where proposed and developed according to plan, and
2. The use meets all required conditions and specifications, and
3. The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity, and
4. The location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the Lincolnton Land Use Plan and other plans for the physical development of the city as officially adopted by the City Council.

COMPLIANCE WITH SECTION 153.237

1. The applicant will need to provide evidence that the use will not endanger the public health or safety.
2. The proposed use meets all required conditions and specifications with the exception of those noted above.
3. The applicant will need to provide evidence that the use will not have any negative impacts on the value of adjoining or abutting properties.
4. The use is in conformity with the Lincolnton Land Use Plan.

WATER SUPPLY WATERSHED

The subject property is located within the WS-IV PA Watershed area. The site is allowed up to 70% impervious surface. The site plan shows 67.59% built upon area and is in compliance.

STAFF REVIEW COMMITTEE COMMENTS

The Staff Review Committee met on June 9, 2020 to consider this application and made the following comments:

1. The utility department made the following comments: The sewer line that they are requesting is a force main and will require a pump station that will have to match the design of the pump station force main. This will have to be engineered. Also, the lift station that is connected to this force main is for future industry. So, if the industry requires larger pumps be installed at the Airport, the lift station at Sentry Rentals will have to be engineered and upgraded to match the larger pumps. This will be at the owner's expense. All utility requirements must be coordinated and approved by the utility department prior to development.
2. If the developer so chooses, a septic tank can be installed in lieu of tapping onto the City Sewer provided the septic system is approved by Lincoln County Environmental Health.
3. The City Fire Inspector must approve all plans for fire hydrants, sprinkler systems, and fire equipment access prior to development. The fire inspector recommends a 20 foot wide drive around the buildings for fire access.
4. Detailed building plans must be submitted and approved by the Lincoln County Building and Land Development.
5. All stormwater on the site must be diverted so as not to create a problem for adjoining properties.
6. Erosion and Sedimentation control permits will be required and must be obtained from the Lincoln County Natural Resources Department.
7. NCDOT Driveway permit will be required and approved prior to development. Preliminary comments from NCDOT include driveway width too wide (36 foot Maximum), conflict with utility poles, driveway edge extends beyond property boundary, and information regarding traffic generation will need to be provided.
8. The four lots will need to be recombined into one lot and the unopened alleyway that runs through the property will need to be legally closed.
9. No driveway access allowed onto Acadia Heights Road.

DISCUSSION AT PLANNING BOARD MEETING

The applicant stated that he had just recently obtained cost estimates for the proposed development and would need to phase construction with the proposed mini storage being in a later phase.

The applicant also stated that he plans on switching the two proposed buildings on the site so that the mini storage would be in the front portion of the site and the warehouse would be in the rear. This would allow the loading dock for the proposed warehouse to not be visible from Highway 27.

There was some discussion among Planning Board members about the proposed building design. The applicant stated that the warehouse will be a metal building but that it will include windows, have a mix of different color metals and will be in harmony with the area.

PLANNING BOARD AND STAFF RECOMMENDATION

Planning Board and Staff recommend approval of the conditional use permit subject to the applicant proving the findings of fact, subject to the ordinance requirements listed above and subject to the Staff Review Committee comments.

SUMMARY OF MOTIONS FOR PUBLIC HEARING

CUP-3-2020 (Clayton Engineering)

1. Motion on Finding 1.

The use will not materially endanger the public health or safety if located where proposed and developed according to plan.

2. Motion on Finding 2.

The use meets all required conditions and specifications.

3. Motion on Finding 3.

The use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity.

4. Motion on Finding 4.

The location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the Lincolnton Land Use Plan and other plans for the physical development of the City as officially adopted by the City Council.

5. Motion to approve the conditional use permit subject to compliance with ordinance requirements and Staff Review Committee conditions **or** motion to deny the request.

ITEM #

3c

ZMA-1-2020

Application from Luis Cordero
Requesting a Rezoning

MEMO TO: Mayor and City Council Members

FROM: Laura Elam, Planning Director

DATE: June 25, 2020

SUBJECT: ZMA-1-2020 – Application from Luis Cordero requesting the rezoning of 0.31 acres from R-25 to R-8

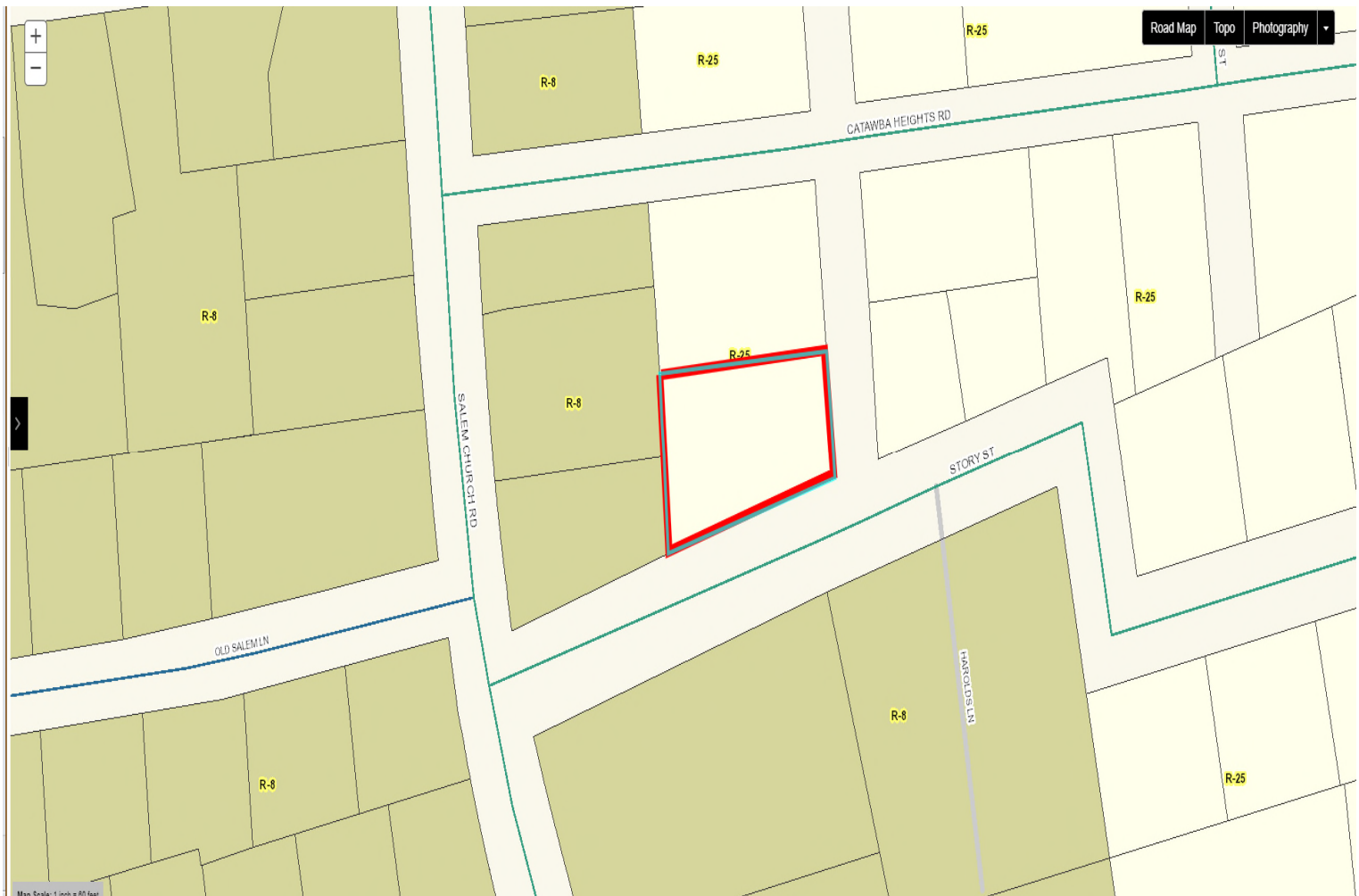
SITE AND AREA DESCRIPTION

The applicant is requesting a rezoning of a parcel totaling approximately 0.31 acres from the Residential-25 (R-25) district to the Residential-8 (R-8) district. The subject property is located at 2199 Story Street. The property is located just outside the City Limits. The abutting property fronting Salem Church Road and the property located across Story Street from the site are in the city limits.

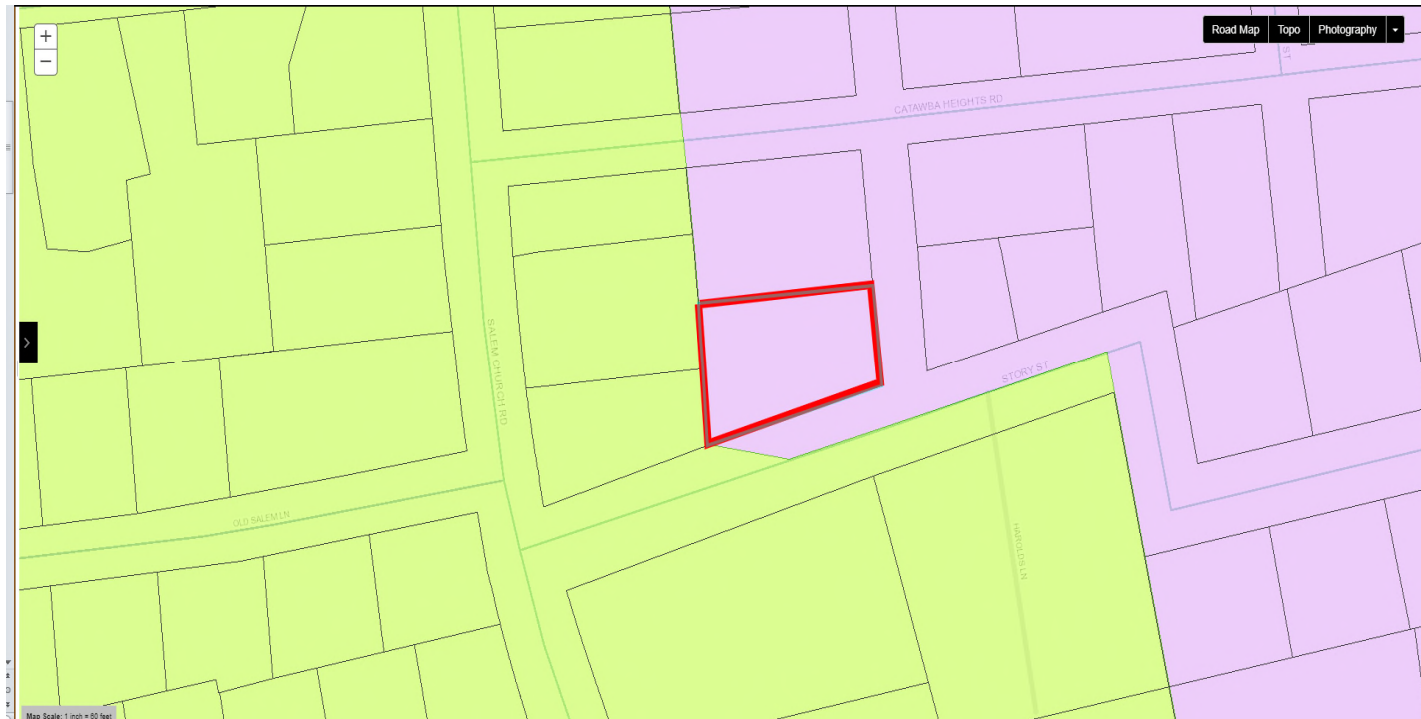
Adjoining properties are zoned a mixture of R-8 (city limits) and R-25 (ETJ).

The subject property has one single family dwelling on the site. Land uses in the area include single-family and multi-family homes.

CURRENT ZONING MAP



CITY/ETJ BOUNDARY MAP



CURRENT AERIAL VIEW





REQUEST

The applicant would like to subdivide the land. The minimum lot size requirement in the R-25 district is 20,000 square feet. This parcel is 13,500 square feet. By rezoning the property to the R-8 district and connecting to City water and sewer, the minimum lot size for a single family home is reduced to 6,000 square feet. Water and sewer are available in the area.

LAND USE PLAN

The land use plan shows the property in the Residential Suburban Planning Area. Neighboring properties are in the Traditional Single Family and Residential Suburban Planning Areas.

COMPLIANCE WITH LAND USE PLAN

The Land Use Plan designates the subject property as Residential Suburban Planning area. These Planning Areas are primarily single family residential in character. Therefore, the proposed rezoning request is consistent with the Land Use Plan.

PLANNING BOARD AND STAFF RECOMMENDATION

Planning Board and Staff recommend approval of rezoning of the property from R-25 to R-8.

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

Case No. ZMA-1-2020

Applicant: Luis Cordero

Parcel ID#: 27285

Location: 2199 Story Street

Request: Rezone from R-25 to R-8

Proposed Consistency and Reasonableness Statement:

The Lincolnton Land Use Plan designates this property as part of the Residential Suburban Planning Area. The proposed rezoning request **is consistent** with the Lincolnton Land Use Plan. 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-1-2020

Applicant: Luis Cordero

Parcel ID#: 27285

Location: 2199 Story Street

Request: Rezone from R-25 to R-8

Proposed Consistency and Reasonableness Statement:

The Lincolnton Land Use Plan designates this property as part of the Residential Suburban Planning Area. Therefore, the proposed rezoning request **is not consistent** with the Lincolnton Land Use Plan and **denial of the proposed amendment is reasonable and in the public interest.**

SUMMARY OF MOTIONS FOR PUBLIC HEARING

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

ITEM #

3d

ZMA-2-2020

Application from Carpenter
Property Group Requesting
Rezoning

MEMO TO: Mayor and City Council Members

FROM: Laura Elam, Planning Director

DATE: June 25, 2020

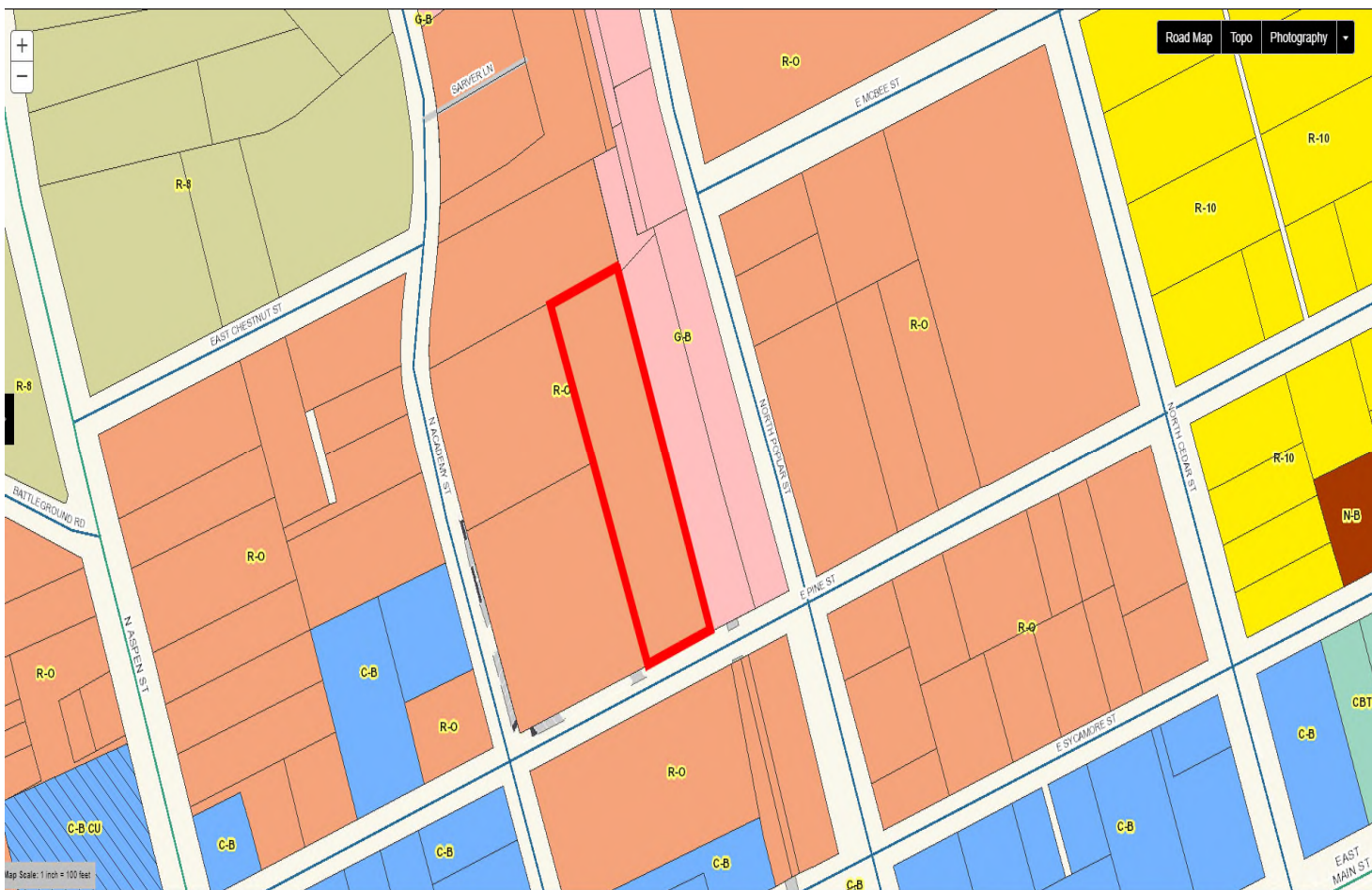
SUBJECT: ZMA-2-2020 – Application from Carpenter Property Group requesting the rezoning of 0.952 acres from R-O to C-B

SITE AND AREA DESCRIPTION

The property requested for rezoning is a 0.952 acre site located at 217 East Pine Street (Parcel ID 20428). The property is developed with three (3) vacant dwelling units and several accessory structures. The applicant is requesting rezoning from Residential-Office (R-O) to the Central Business (C-B) district.

Zoning surrounding the site is a combination of R-O, GB, and CB. Land uses surrounding the site are the EF Drum Funeral Home and First Federal Park to the south, Vacant County Offices to the west, the Marcia H. Cloninger rail trail and Hoyles Hearth and Home to the east, and vacant land to the north.

CURRENT ZONING MAP



CURRENT AERIAL VIEW



CURRENT STREET VIEWS





REQUEST

The primary purpose of the rezoning request is to allow the property to be used for a larger number of permitted uses such as retail, service and professional uses. Any uses approved for the property would have to meet all the requirements for the Central Business District.

LAND USE PLAN

The Lincolnnton Land Use Plan shows the property in the Mixed Use Residential/Commercial Planning Area which is described as “older portions of the City where true urban villages consisting of high density residential uses (both single and multi-family) and associated small-scale and pedestrian oriented office and retail uses may be located.” The Land Use Plan also promotes the adaptive reuse of vacant and under-utilized commercial buildings.

COMPLIANCE WITH LAND USE PLAN

The request is not strictly in compliance with the Land Use Plan’s mixed use designation. However, staff views the request as consistent with the spirit and intent of the Land Use Plan due to the sites proximity to CB zoning and to existing commercial and office uses.

PLANNING BOARD AND STAFF RECOMMENDATION

Planning Board and Staff recommend the following two actions:

1. Approval of rezoning of the property from R-0 to C-B.
2. Amendment of the land use plan to extend the Central Business Planning Area to include the subject property.

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

Case No. ZMA-2-2020

Applicant: Carpenter Property Group

Parcel ID#: 20428

Location: 217 East Pine Street

Request: Rezone from R-O to C-B

Proposed Consistency and Reasonableness Statement:

The Lincolnnton Land Use Plan designates this property as part of the Mixed Use Residential/Commercial Planning Area. Therefore, the proposed rezoning request **is not strictly consistent** with the Land Use Plan. However, the sites proximity to the C-B zoning District and rezoning to C-B better supports the Land Use Plan's goal of adaptive reuse of under -utilized commercial buildings than the current zoning. 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-2-2020

Applicant: Carpenter Property Group

Parcel ID#: 20428

Location: 217 East Pine Street

Request: Rezone from R-O to C-B

Proposed Consistency and Reasonableness Statement:

The Lincolnton Land Use Plan designates this property as part of the Mixed Use Residential/Commercial Planning Area. Therefore, the proposed rezoning request **is not entirely consistent** with the Lincolnton Land Use Plan and **denial of the proposed amendment is reasonable and in the public interest.**

SUMMARY OF MOTIONS FOR PUBLIC HEARING

1. Motion to approve or deny request for rezoning.
2. If rezoning is approved, then:
Motion to approve amendment of land use plan.
3. Motion to approve one of the statements of consistency and reasonableness.

ITEM #

3e

ZTA-3-2020

Application Requesting
Amendment to Unified
Development Ordinance

MEMO TO: Mayor and City Council Members

FROM: Laura Elam, Planning Director

DATE: June 25, 2020

SUBJECT: ZTA-3–2020, Application from Lincolnton Planning Department requesting amendment to Section 153.136, Nonconforming Uses Other Than Manufactured Home Parks, Signs and Junk Yards, of the Unified Development Ordinance to modify the regulations for replacement of nonconforming manufactured homes that are located on their own lot.

BACKGROUND

The city's zoning regulations allow manufactured home parks to be established subject to a rezoning and several standards. The regulations also allow a manufactured home to be installed on an individual lot in the R-25 zoning district subject to several standards. Otherwise, the city's zoning regulations do not allow manufactured homes.

Manufactured homes that predated the establishment of zoning in the City are treated as legal, nonconforming uses and are allowed to continue. In addition, the regulations allow a nonconforming manufactured home on its own lot to be replaced with another manufactured home provided that the replacement occurs within 180 days of the removal of the previous manufactured home and the replacement manufactured home is either a double wide or a single wide with the axles removed and placed on a permanent foundation.

Staff researched the ordinances of several other cities in North Carolina and found a wide range of regulations regarding replacement of non-conforming manufactured homes in zoning districts that don't allow manufactured homes.

There is a range of regulations throughout the state:

- Many cities including Gastonia and Hickory have regulations that mirror Lincolnton's.
- Some cities allow replacement subject to a board approval process:
 - Winston Salem allows replacement subject to a special use permit through the Board of Adjustment.
 - Erwin allows replacement subject to approval by the Board of Commissioners.
- Several cities, including China Grove, Conover, Mooresville and Spencer, do not allow replacement of a non-conforming manufactured home with another manufactured home.

A summary of the results of the research is attached.

PROPOSED AMENDMENT

The amendment would allow replacement of a non-conforming manufactured home with another manufactured home in the R-25 district only.

In all other zoning districts, a nonconforming manufactured home could only be replaced with a structure that conforms to both the local zoning regulations and the state building code.

PLANNING BOARD AND STAFF RECOMMENDATION

Planning Board and Staff recommend approval of the amendment.

**An Ordinance to Amend the City of Lincolnton
Unified Development Ordinance
to Amend Regulations Related to
Replacement of Nonconforming Manufactured Homes**

Section 1. Amend Section 153.051(A), One Principal Building, as follows. Newly adopted language is underlined and **highlighted in yellow**. Language to be deleted is ~~struck through~~ and ~~red~~.

- (A) No more than one principal residential structure shall be located on a lot, except as a part of multi-family development. A lot with two Class A or Class B manufactured homes that existed at the time of the adoption of this amendment (May 6, 1999) may continue and the manufactured homes on the lot may be replaced provided that the replacement homes meet the minimum requirements of ~~this chapter~~, **Section 153.136 (G)**.

Section 2. Amend Section 153.136 (G), Nonconforming Uses Other Than Manufactured Home Parks, Signs and Junk Yards, as follows.

- (G) Notwithstanding any other provision of this section, a nonconforming manufactured home not located in a manufactured home park may be replaced with another manufactured home **in the R-25 district only and** provided:

- (1) The replacement manufactured home either:
 - (a) Meets all the minimum requirements for a Class A manufactured home; or
 - (b) Meets all the minimum requirements for a Class B manufactured home plus division (4) of a Class A manufactured home, as set forth in the definition located in § 153.031 of this chapter;
- (2) The replacement manufactured home is placed on the lot in a manner which meets all the setback requirements of the zoning district in which it is to be located or the requirements of the R-8 District, whichever is greater;
- (3) The replacement manufactured home is placed on the lot within 180 days following removal of the existing manufactured home;
- (4) Upon replacement of the existing manufactured home, the property will conform to § 153.051(A) of this chapter; and
- (5) The property is not located in any HO-Historic Overlay District.

Section 3. That this ordinance shall become effective upon its adoption.

RESEARCH SUMMARY
REGULATIONS REGARDING REPLACEMENT OF
MANUFACTURED HOMES ON INDIVIDUAL LOTS

JURISDICTION	ORDINANCE ALLOWS REPLACEMENT OF NONCONFORMING MANUFACTURED HOMES NOT LOCATED IN MANUFACTURED HOME PARK	IF REPLACEMENT ALLOWED, TIME LIMIT ON REPLACEMENT	IF REPLACEMENT ALLOWED, LIMIT ON AGE OF REPLACEMENT HOME
Lincolnton	Yes subject to conditions	180 days following removal of the previous manufactured home	Replacement manufactured home has to be constructed after July 1, 1976
Lincoln County	Yes subject to conditions	180 days following removal of the previous manufactured home	Replacement manufactured home must have been manufactured at a later date then the previous manufactured home
China Grove	No		
Concord	Yes with double wide only and subject to design standards		Replacement manufactured home can't be older than 1976
Conover	No		
Davidson	Yes subject to conditions		5 years
Erwin	Yes subject to conditions and approval by Board of Commissioners		

Gastonia	Yes subject to conditions	90 days following removal of the previous manufactured home	Replacement manufactured home has to be constructed after July 1, 1976
Hickory	Yes subject to conditions	180 days following removal of the previous manufactured home	Replacement manufactured home has to be constructed after July 1, 1976
Mooreville	No		
Morganton	Yes with double wide only, rezoning to Manufactured Home Overlay and subject to design standards		Replacement manufactured home has to be constructed after July 13, 1994
Newton	Yes subject to conditions	180 days (If a nonconforming use ceases for a total of more than 180 days in any consecutive two year period, subsequent use must conform.)	Replacement manufactured home has to be constructed after July 1, 1976
Shelby	Yes subject to conditions		
Spencer	No		
Statesville	Yes.	1 year following removal of previous manufactured home	
Troutman	Yes with double wide only and subject to design standards		Replacement manufactured home has to be constructed after June 15, 1976

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

Case No. ZTA-3-2020

Applicant: City of Lincoln Planning Department

Request: Application requesting amendment to Section 153.136, Nonconforming Uses Other Than Manufactured Home Parks, Signs and Junk Yards, of the Unified Development Ordinance to modify the regulations for replacement of nonconforming manufactured homes that are located on their own lot.

Proposed Consistency and Reasonableness Statement:

The proposed amendment is not addressed by the adopted Lincoln Land Use Plan. **Approval of the amendment is reasonable and in the public interest** in that it will limit replacement manufactured homes to the Rural Residential (R-25) zoning district and help to protect property values in more urban residential areas.

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

Case No. ZTA-3-2020

Applicant: City of Lincolnnton Planning Department

Request: Amend Section 153.057 (Accessory Structures) of the Unified Development Ordinance
to modify accessory structure size requirements

Proposed Consistency and Reasonableness Statement:

The proposed amendment is not addressed by the adopted Lincolnnton Land Use Plan. **Denial of the proposed amendment is reasonable and in the public interest** in that it will continue to allow legal, nonconforming manufactured homes to be replaced with other manufactured homes.

SUMMARY OF MOTIONS FOR PUBLIC HEARING

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

ITEM #

3f

ZMA-3-2020

Application from Herbilene
Shehan Requesting Rezoning

MEMO TO: Mayor and City Council Members

FROM: Laura Elam, Planning Director

DATE: June 25, 2020

SUBJECT: ZMA-3-2020 – Application from Herbilene Shehan requesting the rezoning of 1.09 acres from O-I to R-25

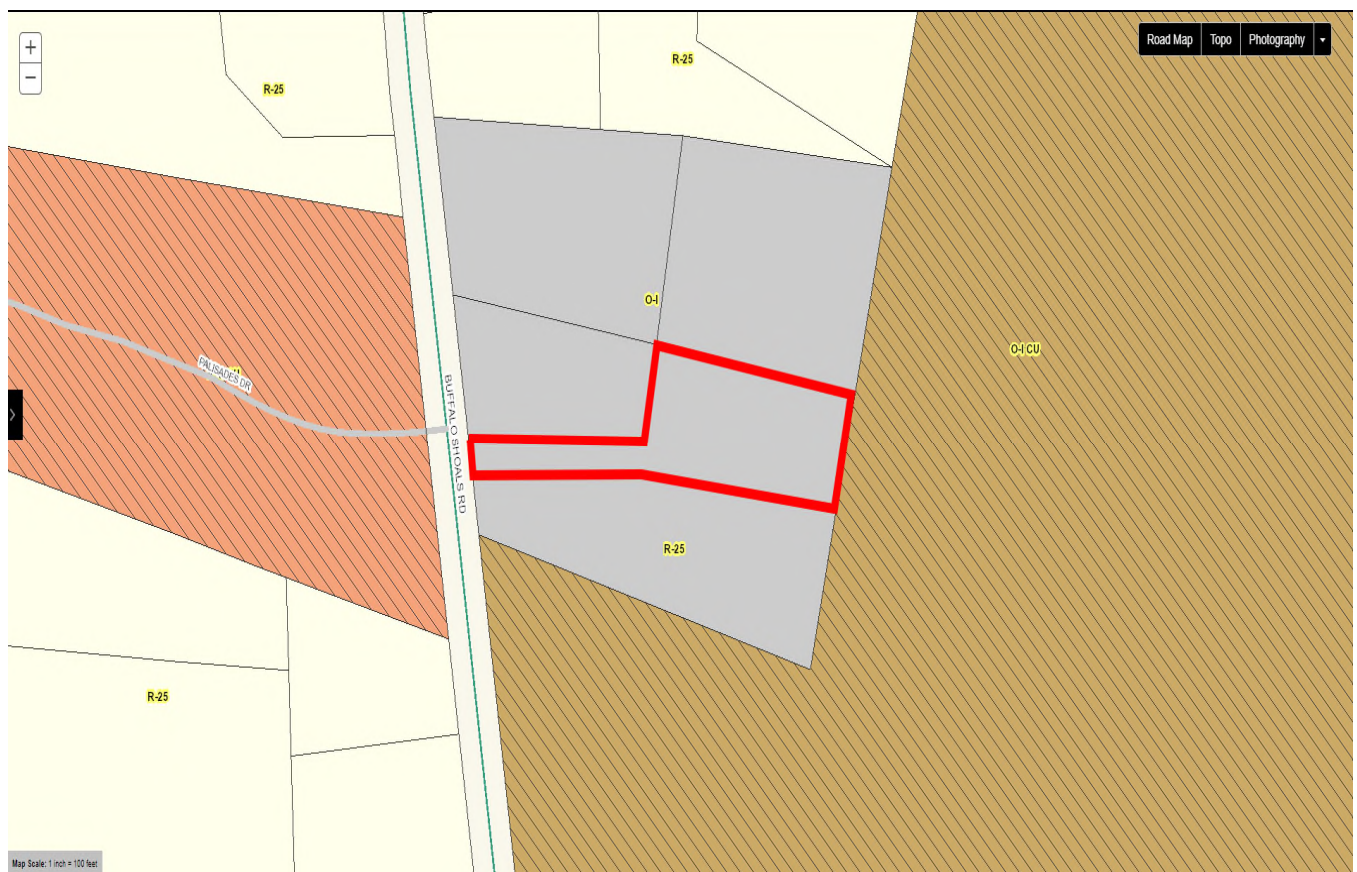
SITE AND AREA DESCRIPTION

The applicant is requesting a rezoning for a parcel totaling approximately 1.09 acres from the Office Institutional (O-I) district to the Residential-25 (R-25) district. The subject property is located on the east side of Buffalo Shoals Road across from the Palisades Apartments. The address of the property is 450 Buffalo Shoals Road (Parcel ID 71908)

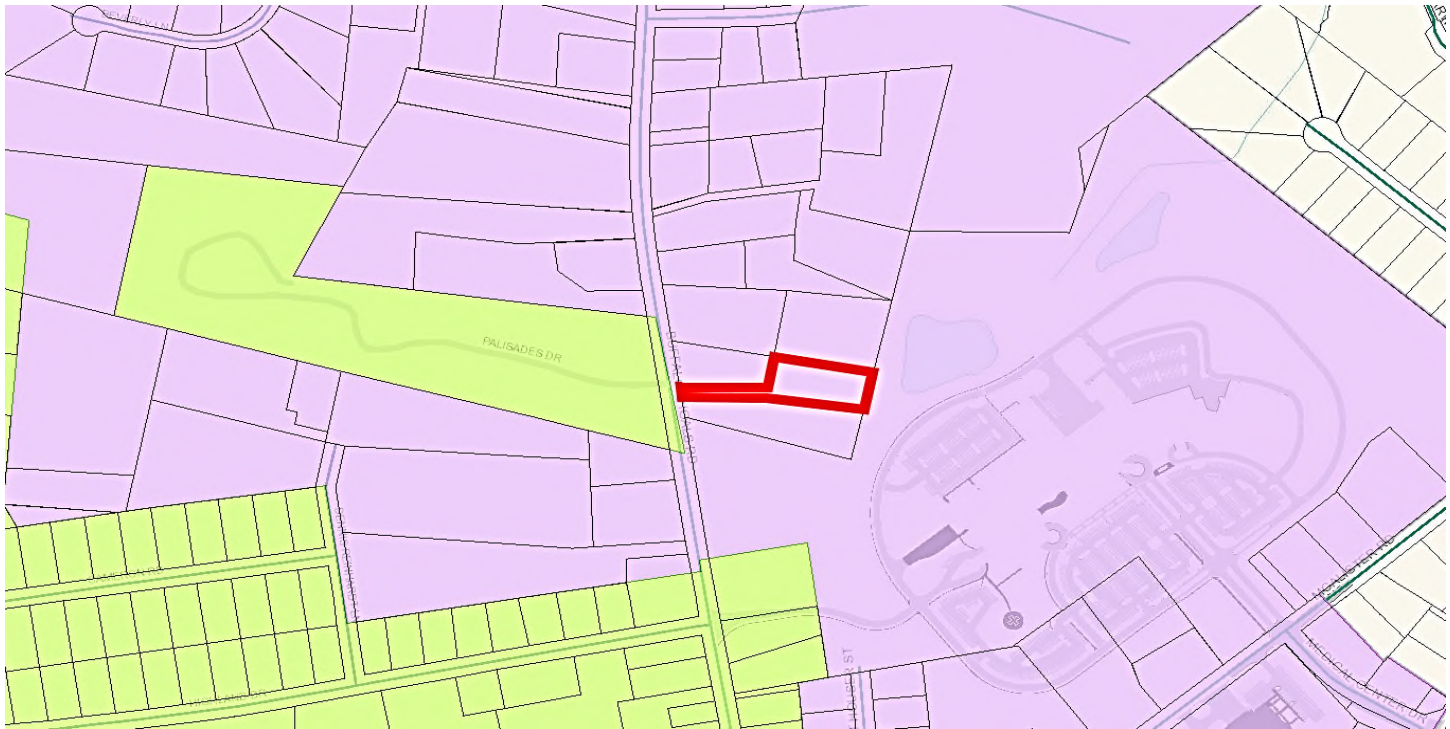
The subject property and properties to the north are zoned O-I. The property was rezoned from R-25 to O-I in 2009 at the request of the property owner at that time. Surrounding properties are zoned rural residential, residential office and office institutional.

The subject property has a single family dwelling located on it. Land uses in the area include single-family and multi-family homes. Atrium Health Lincoln hospital is adjacent to the property to the east.

CURRENT ZONING MAP



CITY/ETJ BOUNDARY MAP



CURRENT AERIAL VIEW



CURRENT STREET VIEWS



LAND USE PLAN

The originally adopted Lincolnnton Land Use Plan designated the subject property and all surrounding properties along this section of Buffalo Shoals Road as a Residential Suburban Planning Area. With the 2009 rezoning of the site from R-25 to O-I, the Land Use Plan was amended to designate the property within an Institutional / Office Planning Area.

COMPLIANCE WITH LAND USE PLAN

The Land Use Plan designates the subject property as an Institutional / Office Planning area. 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 original designation of the area as a Residential Suburban area.

PLANNING BOARD AND STAFF RECOMMENDATION

Planning Board and Staff recommend the following two actions:

1. Approval of rezoning of the property from O-I to R-25.
2. Amendment of the land use plan to show the property in the Residential Suburban Planning Area.

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

Case No. ZMA-3-2020

Applicant: Herbilene Shehan

Parcel ID#: 71908

Location: Buffalo Shoals Road

Request: Rezone from O-I to R-25

Proposed Consistency and Reasonableness Statement:

The Lincolnton Land Use Plan designates this property as part of the Institutional-Office Planning Area. Therefore, the proposed rezoning request **is not consistent** with the Lincolnton Land Use Plan. However, the request is viewed as consistent with the spirit and intent of the Land Use Plan's original designation of this section of the Buffalo Shoals Road corridor as a Residential Suburban Planning Area. 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-3-2020

Applicant: Herbilene Shehan

Parcel ID#: 71908

Location: Buffalo Shoals Road

Request: Rezone from O-I to R-25

Proposed Consistency and Reasonableness Statement:

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

MOTIONS FOR PUBLIC HEARING

1. Motion to approve or deny request for rezoning.
2. If rezoning is approved, then:
Motion to approve amendment of land use plan.
2. Motion to approve one of the statements of consistency and reasonableness.

ITEM #

3g

Update to Cleveland -
Gaston -Lincoln Regional
Hazard Mitigation Plan

MEMO TO: Mayor and City Council Members

FROM: Laura Elam, Planning Director

SUBJECT: **CONSIDERATION OF ADOPTION OF UPDATE OF
CLEVELAND GASTON LINCOLN REGIONAL HAZARD
MITIGATION PLAN**

DATE: June 25, 2020

Background

Staff has been working along with representatives from Cleveland, Gaston and Lincoln Counties on an update to the Cleveland Gaston Lincoln Regional Hazard Mitigation Plan.

FEMA requires state and local governments to develop and adopt hazard mitigation plans in order to be eligible to receive certain types of disaster assistance including:

- Hazard Mitigation Grants,
- Pre-Disaster Mitigation Assistance,
- Flood Mitigation Assistance and
- Rehabilitation of High Hazard Potential Dams Grants.

Jurisdictions are required to update their hazard mitigation plans and submit them for state and federal approval every five years to maintain eligibility.

Public Input

A public input session on the draft plan was held on November 15, 2018 and a regional public survey was conducted in early 2019.

Action Plan

Attached is a copy of the portion of the updated Cleveland Gaston Lincoln regional hazard mitigation plan that outlines the city's action plan.

Action Requested

Approval of the attached Resolution of Adoption of the Cleveland Gaston Lincoln Regional Hazard Mitigation Plan.

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



CITY MANAGER
Steve Zickefoose, MBA
szickefoose@lincolntonnc.org

CITY CLERK
Daphne Ingram
d Ingram@lincolntonnc.org

CITY ATTORNEY
Thomas J. Wilson, Jr.

(R-14-20)

**RESOLUTION TO ADOPT THE
CLEVELAND GASTON LINCOLN
REGIONAL HAZARD MITIGATION PLAN**

WHEREAS, the City of Lincolnton is vulnerable to an array of natural hazards that can cause loss of life and damages to public and private property; and

WHEREAS, the City of Lincolnton desires to seek ways to mitigate situations that may aggravate such circumstances; and

WHEREAS, the development and implementation of a hazard mitigation plan can result in actions that reduce the long-term risk to life and property from natural hazards; and

WHEREAS, it is the intent of the City of Lincolnton to protect its citizens and property from the effects of natural hazards by preparing and maintaining a local hazard mitigation plan; and

WHEREAS, it is also the intent of the City of Lincolnton to fulfill its obligation under North Carolina General Statutes, Chapter 166A: North Carolina Emergency Management Act and Section 322: Mitigation Planning, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act to remain eligible to receive state and federal assistance in the event of a declared disaster affecting the City of Lincolnton; and

WHEREAS, the City of Lincolnton, in coordination with Cleveland, Gaston and Lincoln Counties and the participating municipalities within those Counties has prepared a multi-jurisdictional hazard mitigation plan with input from the appropriate local and state officials;

WHEREAS, the North Carolina Division of Emergency Management and the Federal Emergency Management Agency have reviewed the Cleveland Gaston Lincoln Regional Hazard Mitigation Plan for legislative compliance and have approved the plan pending the completion of local adoption procedures;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lincolnton hereby:

1. Adopts the Cleveland Gaston Lincoln Regional Hazard Mitigation Plan; and
2. Agrees to take such other official action as may be reasonably necessary to carry out the proposed actions of the Plan.

Adopted on June 25, 2020.

Ed Hatley, Mayor

ATTEST:

Daphne Ingram, City Clerk

City of Lincolnton Mitigation Action Plan

Action #	Description	Hazard(s) Addressed	Relative Priority	Lead Agency/ Department	Potential Funding Sources	Implementation Schedule	Implementation Status (2020)
Prevention							
P-4	Promote a policy that encourages business create inclement weather policies that allow telecommuting.	Winter Storm and Freeze	High	LEDA	Local	2025	The City continues to examine this policy. It will be implemented in the future if it is determined to be needed/feasible. It will be reviewed on an annual basis.
P-7	Designate sites for the disposal of debris.	Winter Storm and Freeze, Tornado, Hurricane, Thunderstorm	High	Public Works, Emergency Management	Local	2025	This is a goal of the City going forward. No new debris sites were identified during the last 5 years.
P-8	Annual meetings with critical services, agencies and utilities.	All	High	Emergency Management	Local	Annually	City staff meets at least annually with critical services, agencies and utilities and have done so over the past 5 years.
P-9	Determine alternative water sources.						The City will continue to determine alternate water sources as needed. This action will be revisited during the next plan update.
P-12	Consider adoption of regulations that would restrict development on or near steep slopes.	Drought	High	Public Works	Local, Grants	2025	This action is incomplete pending funding and staff time. Over the past 5 years, these regulations were not developed. Pending funding and staff time.
P-13	Coordinate the mapping and tracking of data associated with hazard events.	Landslide	High	P&ID	Local	2025	Requires further data Mining/Digitizing. Over the past 5 years, tracking hazards was done to some extent, but more work is needed to complete.
		All	High	Emergency Management, GIS	Local, Grants	2025	

SECTION 9: MITIGATION ACTION PLAN

Action #	Description	Hazard(s) Addressed	Relative Priority	Lead Agency/ Department	Potential Funding Sources	Implementation Schedule	Implementation Status (2020)
P-14	Participate in FEMA's Community Rating System to further flood mitigation strategies and to help lower Flood Insurance rates for residents.	Flood	Medium	P&ID	Local	2025	The City has not yet completed this action but will evaluate the feasibility of joining the program in the future. This action will be revisited during the next plan update. Pending funding and staff time.
P-15	Organize regular meetings with local fire officials and the North Carolina Division of Forest Resources.	Wildfire	High	Emergency Management, County Forester	Local	2025, Annually	The County EM holds monthly meetings with local fire officials and NC Div of Forest Resources staff and the City participates as invited/feasible.
P-16	Include references to hazard mitigation strategies in relevant public policy documents and plans.	All	High	County	Local	2025	Ongoing. Over the past 5 years, some references have been made to mitigation in public policy documents, but much more is necessary.
P-17	Increase the number of USGS streamflow gauges in the county.	Flood	Medium	USGS	Grants, Federal	2025	USGS continues to try to install additional streamflow gauges across the state but no new gauges in Lincoln County over the past 5 years. This is not a responsibility of the City of Lincoln but we will do what we can to support this effort.
P-18	Increase monitoring of precipitation and ground/surface water supplies.	Drought	Medium	Public Works	Local, Grants	2025	Incomplete, little progress over the past 5 years, pending funding. Currently not funded, but we will continue to pursue funding.

SECTION 9: MITIGATION ACTION PLAN

Action #	Description	Hazard(s) Addressed	Relative Priority	Lead Agency/ Department	Potential Funding Sources	Implementation Schedule	Implementation Status (2020)
P-19	Solicit the support of local representatives to advocate for the support of the General Assembly to include drought as a declarable natural hazard under that Stafford Act.	Drought	Medium	County	Local	2025	Implementing this action is a goal of the County's LEPC. The LEPC has been advocating this over the past 5 years, but no change has been made yet. The City will continue to support the efforts of the County's LEPC.
Property Protection							
PP-1	Purchase property located in repetitively flooded areas	Flood	Low	County	Grants	As funds are made available	This action is incomplete but the City will continue to try to implement this action in the future as the need arises.
Emergency Services							
ES-1	Initiate road clearing efforts early in storms. Especially near critical facilities.	Winter Storm and Freeze, Hurricane, Thunderstorm	High	NCDOT	Local	Implement directly after storm event	For City roads, this action is implemented through existing City policies and procedures. Additionally, NCDOT initiates road clearing efforts for NCDOT roads as early as possible and plans to continue to do so. The City will work with the County, as requested, to support development of plans for backup fuel and power generation.
ES-2	Assist in development of plans for backup fuel and power generation.	Winter Storm and Freeze, Tornado, Hurricane, Thunderstorm	High	Emergency Management	Local	2025	Pending funding. Although funding is not always available, NCDOT continues to attempt to address repetitive problem areas and has done so in some cases over the past 5 years.
Structural Projects							
S-1	Repave, re-grade or reconstruct stream crossings that are repetitively submerged under flood water.	Flood	Medium	NCDOT	State	Apply annually for funding to complete projects	

SECTION 9: MITIGATION ACTION PLAN

Action #	Description	Hazard(s) Addressed	Relative Priority	Lead Agency/ Department	Potential Funding Sources	Implementation Schedule	Implementation Status (2020)
S-3	Maintain interconnected water systems with other local municipalities for transfer of water resources.	Drought	High	Public Works	Local	2025	As of 2019, currently active w/ Lincoln County, exploring other opportunities going forward.
Public Education and Awareness							
PEA-1	Educate property owners whose property lies within Special Flood Hazard Areas of the dangers of modification of those areas.	Flood	Medium	P&ID	Local, Grants	2025, Re-educate as new maps are produced	This activity will be continued periodically as necessary. Future Educational Outreach Opportunities to be explored.
PEA-2	Notify all property owners with structures located in the 100-year flood plain of the importance of flood insurance.	Flood	Low	P&ID	Local, Grants	2025, Re-educate as new maps are produced	This activity will be continued periodically as necessary. Future Educational Outreach Opportunities to be explored.
PEA-3	Encourage purchase of Weather Alert Radios. Encourage the removal of trees and branches that could down power lines.	All	Medium	Emergency Management	Local, Grants	2025 with Annual review and update	Ongoing pending funding.
PEA-6		Winter Storm and Freeze, Tornado, Hurricane, Thunderstorm	High	Emergency Management	Local	2025, Annual review and update of outreach strategies	Ongoing pending funding Local Power Companies conduct survey of all power lines annually. Outreach has been performed through a number of mediums including TV, radio, print, and internet, but new mediums will be evaluated.
PEA-7	Publicize and properly sign the location of emergency shelters.	Winter Storm and Freeze, Tornado, Hurricane, Thunderstorm	High	Emergency Management	Local	2025, Annual review and update of outreach strategies	Ongoing pending funding All shelter locations are responsibility of the Red Cross. Outreach has been performed through a number of mediums including TV, radio, print, and internet, but new mediums will be evaluated.

SECTION 9: MITIGATION ACTION PLAN

Action #	Description	Hazard(s) Addressed	Relative Priority	Lead Agency/ Department	Potential Funding Sources	Implementation Schedule	Implementation Status (2020)
PEA-8	Educate public of road clearing priorities through use of a map.	Winter Storm and Freeze	Medium	NCDOT	State	2025	Ongoing pending funding Although a map is not available, an explanation of how prioritization works is available on NCDOT's website. Outreach has been performed through a number of mediums including TV, radio, print, and internet. A map is in the works.

ITEM #

4

REGULAR AGENDA

ITEM #

4a

Shared Services Agreement
- Zoning Enforcement

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



CITY MANAGER
Steve Zickefoose, MBA
szickefoose@lincolntonnc.org
CITY CLERK
Daphne Ingram
[dingram@lincolntonnc.org](mailto:d Ingram@lincolntonnc.org)
CITY ATTORNEY
Thomas J. Wilson, Jr..

MEMORANDUM

TO: City Council

FROM: Steve Zickefoose, City Manager
Laura Elam, Planning and Zoning Director

SUBJECT: Code Enforcement Shared Services

DATE: June 18, 2020

Presently, the City is contracting with Centralina Council of Government (CCOG) to provide code enforcement services. We receive approximately 6 hours per week of onsite time for investigation services. We are paying \$29,640 for this service. I am expecting this price to increase. City staff is handling intake, mailings and recording in our software program.

The County reached out to the City to see if there would be interest in having the County provide this service as an addition to our Interlocal Services Agreement. After multiple meetings, the County and City feel that this is a great cost savings opportunity for both.

The County is offering to provide turnkey Code enforcement services by the Lincoln County Planning & Inspections Department on behalf of the City of Lincolnton within city limits and applicable ETJ areas. This includes intake, processing, enforcement, mailings and record keeping. The nature of work would be between 8 and 12 hours per week. This is double the time spent on site by CCOG. This would also save considerable staff time spent on clerical functions.

The cost will be \$29,000. This is less than what we are paying CCOG for what will be double the time on site.

The Commissioners will be formally reviewing the agreement at their July 20th meeting. However, the County Manager has indicated that they could begin services July 1 by doing a canvassing of Commissioners prior to their meeting.

City Council would formally review the agreement at the August meeting with a retroactive date of July 1.

Laura and I will talk about this at the June 25th Council meeting.

ITEM #

4b

R-15-20

Minimum Staffing
Requirements After
Consolidation



C. Ryan Heavner
FIRE CHIEF

FIRE
DEPARTMENT

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

To: Mayor and City Council Members

From: C. Ryan Heavner

Subject: Minimum Staff Resolution

Date: June 18th, 2020

As you already know July 1st the Lincolnton Fire Department will be consolidating with the Boger City Fire Department. Within the first two weeks of consolidation the North Carolina Department of Insurance will visit us to check the status of our services. This visit is to insure that we have not stopped services or interrupted coverage to the Boger City fire district. For our department to be able to pass along our ISO 2 rating to the newly consolidated area one of the requirements is to have a resolution from our governing body expressing what our anticipated minimum staff level will be at the end of our 1 year agreement. I realize that we will not have a council meeting in July so in order to have this document for the inspector I would like to request this resolution to be on the June 25th agenda.

C. Ryan Heavner

CITY OF LINCOLNTON

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



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Daphne Ingram
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CITY ATTORNEY
Thomas J. Wilson, Jr..

RESOLUTION **Minimum Staffing, Lincolnton Fire Department** **(R-15-20)**

WHEREAS, the Lincolnton City Council Recognizes public safety as a top priority; and

WHEREAS, the Lincolnton Fire Department is tasked with protecting the lives and property of the citizens and visitors of Lincolnton; and

WHEREAS, many studies, including one performed internally, have shown that increasing firefighter staffing levels has a positive impact on safety and efficiency during Fire Department Operations.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Lincolnton, that minimum staffing requirements for the City of Lincolnton Fire Department after the consolidation with the Boger City Volunteer Fire Department will be 11 firefighters on duty, and

BE IT FURTHER RESOLVED, in efforts to meet the Lincolnton Fire Department minimum staffing standards, the Lincolnton Fire Department will pay overtime where appropriate.

Adopted and presented this the 25th day of June, 2020.

Daphne Ingram, City Clerk

Ed Hatley, Mayor

ITEM #

4c

BA-03-20

2019 - 2020 Year End Budget
Amendment

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



CITY MANAGER
 Steve Zickefoose, MBA
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CITY ATTORNEY
 Thomas J. Wilson, Jr.

BA-03-20

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

<u>DEPARTMENT NUMBER</u>	<u>DEPARTMENT DESCRIPTION</u>	<u>INCREASE</u>	<u>DECREASE</u>
4110	CITY MANAGER/CLERK	-	-
4120	HUMAN RESOURCES	-	-
4130	FINANCE	-	-
4280	GENERAL EXPENSE	-	-
4285	DEBT SERVICE	5,000.00	-
4310	POLICE	16,000.00	-
4340	FIRE	22,600.00	-
4510	PUBLIC WORKS ADMIN	-	-
4520	STREET	-	46,100.00
4530	EQUIPMENT SERVICES	7,000.00	-
4710	SOLID WASTE	9,000.00	-
4740	GENERAL SERVICES	-	-
4910	PLANNING & ZONING	-	-
4930	BUSINESS & COMM DEVEL	-	-
6100	PARKS & RECREATION	-	13,500.00
		<u>59,600.00</u>	<u>59,600.00</u>

This will result in a net change of \$ 0.00 expenditures of the General Fund.

Section 8: This will result in a net increase of \$ 0.00 in the revenues of the Electric Fund.

<u>DEPARTMENT NUMBER</u>	<u>DEPARTMENT DESCRIPTION</u>	<u>INCREASE</u>	<u>DECREASE</u>
7200	ELECTRIC SALES	-	200,000.00
7200	APPROPRIATION FROM FUND BALANCE	200,000.00	-
		<u>200,000.00</u>	<u>200,000.00</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 25th day of June, 2020.

 Daphne Ingram
 City Clerk

 Ed L. Hatley
 Mayor

ITEM #

5

OTHER BUSINESS

ITEM #

5a

Monthly
Financial/Overtime
Report

Executive Summary

May 2020 Year-To-Date

General Fund		% of					
Fund 10		Budget 19-20	Actual 19-20	Budget	Budget 18-19	Actual 18-19	Difference
Revenues		11,818,700	10,292,893	87%	11,271,936	9,530,838	762,055
Fund Balance		-	-	-	964,361	-	-
		11,818,700	10,292,893		12,236,297	9,530,838	762,055
City Manager/Clerk		277,495	150,409		320,960	239,872	(89,463)
Human Resources		243,020	204,702		239,060	208,263	(3,561)
Finance		149,630	20,875		242,790	199,643	(178,767)
General Expense		1,108,160	926,545		1,001,620	821,736	104,810
General Debt Service		424,632	394,832		513,524	379,488	15,344
Police		3,218,020	2,817,670		3,115,970	2,876,045	(58,376)
Fire		2,255,800	2,082,398		2,041,650	2,107,515	(25,117)
Public Works		44,010	(6,529)		79,616	(48,367)	41,838
Street		1,164,325	738,746		1,257,668	749,549	(10,803)
Equipment Services		115,970	95,915		133,270	103,830	(7,915)
Solid Waste		823,855	823,946		854,228	521,396	302,550
General Services		-	-		-	-	-
Plannin/Zoning		575,420	293,415		379,060	246,724	46,691
Bus & Comm. Dev		133,200	183,563		135,000	111,420	72,143
Recreation		1,285,163	1,039,021		957,520	1,022,171	16,851
Expenses		11,818,700	9,765,509	83%	11,271,936	9,539,283	226,226
Difference			527,384			(8,446)	535,830

Water & Sewer Fund		% of			
Fund 61	Revenues	Budget 19-20	Actual 19-20	Budget	Difference
	Fund Balance	-	-	84%	(2,388,585)
		8,616,949	7,198,041	8,378,540	9,586,626
				526,653	
		8,616,949	7,198,041	8,905,193	9,586,626
					(2,388,585)
	Water Treatment	1,506,850	1,041,365	1,508,450	1,287,472
	Dist & Collection	1,847,150	2,952,883	1,748,000	1,495,427
	Wastewater	1,567,500	1,068,145	1,544,600	1,193,134
	W & S Intangibles	3,695,449	4,097,407	3,577,490	3,475,086
	Expenses	8,616,949	9,159,800	8,378,540	7,451,120
	Difference		(1,961,759)		2,135,507
					(4,097,266)

Electric Fund		% of			
Fund 63	Revenues	Budget 19-20	Actual 19-20	Budget	Difference
	Fund Balance	-	-	87%	(717,956)
		8,056,350	6,976,727	7,669,264	7,694,683
				1,224,483	-
		8,056,350	6,976,727	8,893,747	7,694,683
					(717,956)
	Electric Dept.	8,056,350	7,257,612	7,669,264	6,166,533
	Expenses	8,056,350	7,257,612	7,669,264	6,166,533
	Difference		(280,885)		1,528,150
					(1,809,035)

Overtime 80+ hours	436,924	441,894	(4,970)
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PUBLIC COMMENT

CLOSED SESSION

To approve closed session minutes and to discuss Personnel in accordance
with NCGS 143-318.11(a)(1)(6)

NEWS MEDIA

ADJOURNMENT