

A G E N D A

LINCOLNTON CITY COUNCIL



March 4, 2021

7:00 p.m.

Council Chambers

City hall



**LINCOLNTON CITY COUNCIL
AGENDA
MARCH 4, 2021
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 February 4, 2021 meeting

(C-02-21)

2b. – Approval of Contract with East Coast Pyrotechnics for 2021 Fireworks Display

2c. – Revised Incentive Package for Willowbrook Project

3. PUBLIC HEARINGS

3a. – ZMA-1-2021 – Application from Tom Engle requesting a rezoning of 3.67 acres of land from the Residential-25 (R-25) District to the General Business (GB) District. The subject property is located on the south side of Clarks Creek Road approximately 250 feet west of the intersection of Clarks Creek Road and North Aspen Street/Maiden Highway (Parcel ID 21504)

Laura Elam, Planning Director

AGENDA

March 4, 2021

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(O-05-21)

3b. – ZTA-1-2021 – Application from Lincolnton Planning Department requesting an amendment of the City of Lincolnton Unified Development Ordinance, Chapter 153 of the City Code, to comply with recently adopted state enabling legislation (Chapter 160D)

Laura Elam, Planning Director

3c. – Proposed Community Development Block Grant Economic Development (CDBG-ED) Presentation

Lincoln Economic Development Association

4. REGULAR AGENDA

(C-03-21)

4a. – Sidewalk Dining Agreement between the NCDOT and the City of Lincolnton

Laura Elam, Planning Director

4b. – Request permission for use of City logo for marketing purposes.

John Brinsfield, BrickTree Brewing Company

(BA-01-21)

4c. – Budget Amendment – Transfers to balance departmental budgets

Ritchie Haynes, City Manger

5. OTHER BUSINESS

5a. – Request to continue discussions regarding the purchase of a new ABC store to replace current second location (on west end of town).

Tommy Huskey, ABC Board Chairman

AGENDA

March 4, 2021

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APPT-02-21

5b. – Appointment of Chair for the Lincolnton Tourism Development Authority (LTDA)

Ed Hatley, Mayor

5c. – Manager's Report/Activity Update

Ritchie Haynes, City Manger

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

NEWS MEDIA

ADJOURNMENT

ITEM #

1

APPROVAL

OF

REGULAR AGENDA

ITEM #

2

APPROVAL
OF
CONSENT AGENDA

ITEM #

2a

Approval of Minutes for the
February 4th, 2021 Regular
Meeting

REGULAR MEETING - February 4, 2021

The Mayor and City Council met in regular session on Thursday, February 4, 2021 at 7:00 p.m. using a hybrid format in-person and via Zoom. City Council Members participated virtually, while staff and others wishing to attend the meeting in person, met in Council Chambers.

The following were in attendance:

WHITE POINSETTE EADDY JETTON

Mayor Ed Hatley called the meeting to order, asking all in attendance to join in reciting the pledge of allegiance.

Councilwoman Poinsette made the motion to approve the **REGULAR AGENDA**.
Members voted 4-0 in favor of the motion.

Due to the hybrid (virtual and in-person) platform being used, voting was conducted via roll call.

Councilwoman White made the motion to approve the **CONSENT AGENDA** as follows:

- Minutes for the January 7, 2021 Regular Meeting
- Retirements Effective March 1st, 2021:

Debra Tunstall - Waste Water Treatment Pretreatment Coordinator

Julie Holbrooks – Sr. Administrative Support Assistant *(Certificates of Recognition are attached to and made a part of these minutes)*

Members voted 4-0 in favor of the motion.

PUBLIC HEARINGS

CUP-1-2021

**APPLICATION FROM SHAWNA MOORE REQUESTING A
CONDITIONAL USE PERMIT TO OPERATE A TATOO STUDIO IN
THE PB DISTRICT. THE SUBJECT PROPERTY IS LOCATED AT 1414
EAST MAIN STREET (Parcel ID 15674)**

Mayor Ed Hatley opened the public hearing, after which he recognized Laura Elam, Planning Director, to review the request *(a copy of which is attached to and made a part of these minutes)*. Mrs. Elam began her review as follows:

REGULAR MEETING - February 4, 2021

The subject property is located at 1414 East Main Street. The site has an existing 1,600 square foot commercial building which has been used for various retail and service uses. Adjacent land uses are all commercial in nature including Lail Electric, McDonalds, China I and vacant commercial space to the west. A zoning map, aerial views and street views were provided to council members, as well as displayed on the screens in Council Chambers.

Mrs. Elam informed that the application met all requirements of the Ordinance and that the Ordinance requires the four findings of fact be determined by City Council in order for the request to be approved. Mrs. Elam summarized what the applicant would need to provide as evidence in regards to compliance. She also shared Planning Board and staff's recommendation, stating that if the applicant satisfactorily proves the findings of fact, Planning Board and staff recommend approval of the Conditional Use Permit. The applicant, Ms. Shawn Moore, briefly addressed Council, sharing her mission and goal for this second location.

With no questions from council, Councilwoman Poinsette made a motion to close the public hearing. Members voted 4-0 in favor of the motion.

Action was taken on each Finding of Fact as follows:

Councilwoman White made a motion that the use will not materially endanger the public health or safety if located where proposed and developed according to plan. **Members voted 4-0 in favor of the motion.**

Councilman Jetton made a motion that the use meets all required conditions and specifications. **Members voted 4-0 in favor of the motion**

Councilman Eaddy made a motion that the use will not substantially injure the value of adjoining or abutting property unless the use is a public necessity. **Members voted 4-0 in favor of the motion**

Councilwoman Poinsette made a motion that 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. **Members voted 4-0 in favor of the motion**

Councilman Eaddy made a motion to approve the conditional use permit. **Members voted 4-0 in favor of the motion.**

REGULAR AGENDA

2019 – 2020 AUDIT PRESENTATION

Mayor Ed Hatley recognized Ms. Carol Avery of Lowermilk, Church and Co., auditing firm to present the 2019 -2020 audit. Ms. Avery began the presentation stating that the City of Lincolnnton received the required unqualified opinion on the audit. She informed that the audit has been sent to the Local Government Commission (LGC). Ms. Avery explained that since approval from the LGC has not been received, copies were not distributed. She stated that although they do not foresee any changes, the audit has not been printed. Ms. Avery did distribute a list of highlights, of which she conducted a line by line review *(a copy of which is attached to and made a part of these minutes)*.

There being no questions from Council members, Councilman Jetton made a motion to accept the audit (report) as presented. **Members voted 4-0 in favor of the motion.** Mayor Hatley expressed thanks and appreciation to Ms. Avery and her company for all of their work.

P-01-21

CONSIDERATION / APPROVAL OF PROPOSED POLICIES AND PROCEDURES FOR THE NEW DOG PARK

Mayor Ed Hatley recognized Nathan Eurey, Public Service Director, to speak to this item. Mr. Eurey presented the proposed policies and procedures for the new dog park *(a copy of which is attached to and made a part of these minutes)*. He began by giving a brief overview of how the policy was drafted, listing the various individuals and entities that were consulted to get criteria and feedback regarding the policy. Mr. Eurey also gave an update on where things stand in reference to opening the park, informing the projected opening to be sometime between April and May.

Councilman Eaddy commented on the comprehensiveness of the policy and expressed appreciation for all of staffs work. He also voiced his concern regarding the issue of parking for planning purposes.

Councilwoman White made a motion to approve the proposed policies and procedures for the new dog park as presented. Members voted 4-0 in favor of the motion.

In reference to the Recreation Department, Councilman Jetton raised a question regarding citizens not being allowed in the gym to play pickle ball. Mayor Hatley informed that City Manager Ritchie Haynes would address his question when he has the floor giving his managers' report.

(APPT-01-21)

CONSIDERATION OF APPLICATIONS TO FILL VACANCY ON THE LINCOLNTON TOURSIM DEVELOPMENT AUTHORITY AND NOMINATIONS/APPROVAL OF A NEW BOARD CHAR

Mayor Ed Hatley opened the floor for nominations to fill a vacancy on the Lincolnton Tourism Development Authority. Councilman Roby Jetton nominated Randall Williams. With no other nominations, Councilwoman White made a motion to close the nominations. Members voted 4-0 in favor of the motion and the appointment of Randall Williams to the Lincolnton Tourism Development Authority.

Mayor Ed Hatley continued, opening the floor for nominations for the appointment of Chair for the Lincolnton Tourism Development Authority. Mayor Hatley reminded council of the three board members eligible for the appointment. Councilman Eaddy nominated Pam Huskey to act as chair for the authority. With no other nominations, Mayor Hatley took a roll call vote of the Council. Members voted 4-0 to appoint Pam Huskey as Chair.

ABC BOARD REQUEST

Tommy Huskey, ABC Board Chair, addressed City Council, regarding a request for permission to set aside a portion of the profit owed to the City to build and/or purchase a new facility to replace what is currently being used on the west side of town. Mr. Huskey explained that he did meet with former City Manager/Finance Director Steve Zickefoose regarding the contributions the City receives from the ABC store and that he is continuing to research City procedures being followed to make sure they are in line with current State statutes. Mr. Huskey stressed he was not seeking an immediate decision, just wanted to inform that he would, at a later date, return to ask Council to consider granting the ABC Board permission to set aside of portion of the remaining gross receipts as a fund for specific capital improvements. Some discussion was generated on the topic, with questions and comments between Mr. Huskey and council members. Mayor Ed Hatley summarized the request stating that the Council would only be giving Mr. Huskey permission to explore the possibility of setting up a capital improvements / building fund. Approval will not include authorization to set up the capital fund. Mr. Huskey confirmed that statement, informing of his plan to provide Council with numbers. Councilwoman Poinsette made a motion to grant permission for Mr. Huskey to proceed with fact finding. Members voted 4-0 in favor of the motion.

REGULAR MEETING - February 4, 2021

(General, Water and Sewer, Electric), reminding council that the large appropriations seen were all planned purchases. Mr. Haynes announced that the police department has officially moved into the new building, and thanked both Chief Jordan and Captain Greene for all of their work. He also thanked Troop 75 for raising the flags at the new facility on Monday, February 1st, 2021. Mr. Haynes continued, extending thanks to Laura Morris for her work in securing a grant for work to be done on the Rail-Trail. He informed that work is currently being done, by the Parks and Recreation Department, in hopes of securing another grant that would provide enough funding to complete the entire project.

Addressing the question previously asked by Councilman Jetton, Mr. Haynes announced that the Lentz center will be open, beginning Monday, February 8, 2021, on a limited basis for walking, pickle ball and basketball; details being worked out by Nathan Eurey, Public Services Director and his staff. Mr. Haynes assured that social distancing measures will be allowed and mask wearing will be required. Mr. Haynes concluded, sharing a text from a citizen expressing thanks for the service being given by the City as he observed a water leak being repaired at midnight by one of the City crews in 20 degree weather.

PUBLIC COMMENT:

No one spoke during the Public Comment portion of this meeting.

NEWS MEDIA:

There were no questions from the News Media.

ADJOURNMENT:

Being no further business, Councilman Jetton made the motion to adjourn the meeting. Members voted 4-0 in favor of the motion

**DAPHNE INGRAM
CITY CLERK**

**ED HATLEY
MAYOR**

*City of Lincolnton
In Appreciation of*

Debra V. Tunstall

Upon Her Retirement On

March 1, 2021

*The City of Lincolnton recognizes the employees of the City are its
greatest strength, and honors their dedication and contributions to the
City and its citizens.*

*May you be proud of the work you have done, the person you are, and
the difference you have made.*

17 Years of Service

City Manager

Mayor



*City of Lincolnton
In Appreciation of*

Julie Holbrooks

Upon Her Retirement On

March 1, 2021

*The City of Lincolnton recognizes the employees of the City are its
greatest strength, and honors their dedication and contributions to the
City and its citizens.*

*May you be proud of the work you have done, the person you are, and
the difference you have made.*

13 Years of Service

City Manager

Mayor



MEMO TO: Mayor and City Council Members

FROM: Laura Elam

SUBJECT: Conditional Use Permit Application from Shawna Moore (CUP-1-2021)

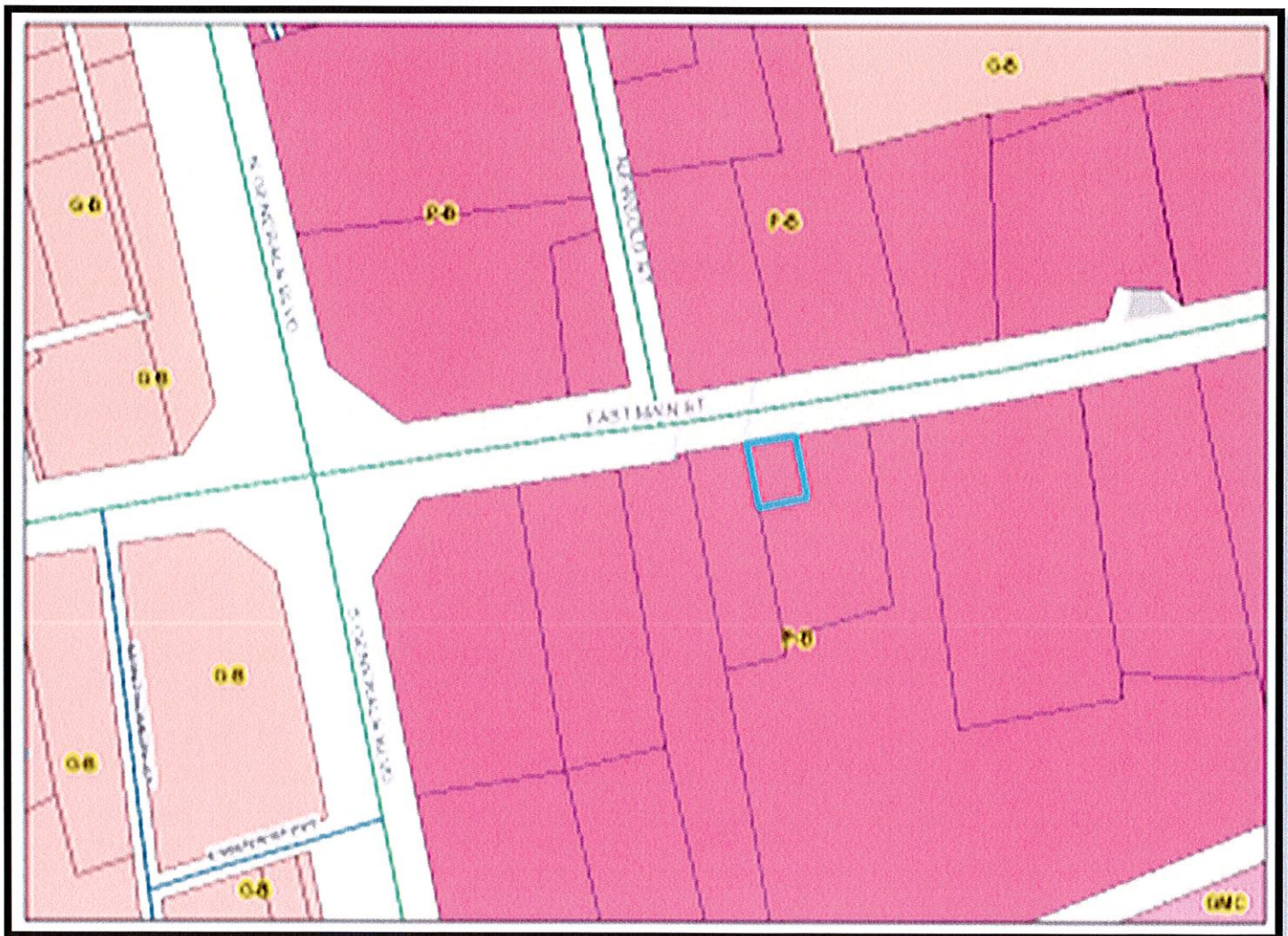
DATE: February 4, 2021

SITE AND AREA DESCRIPTION

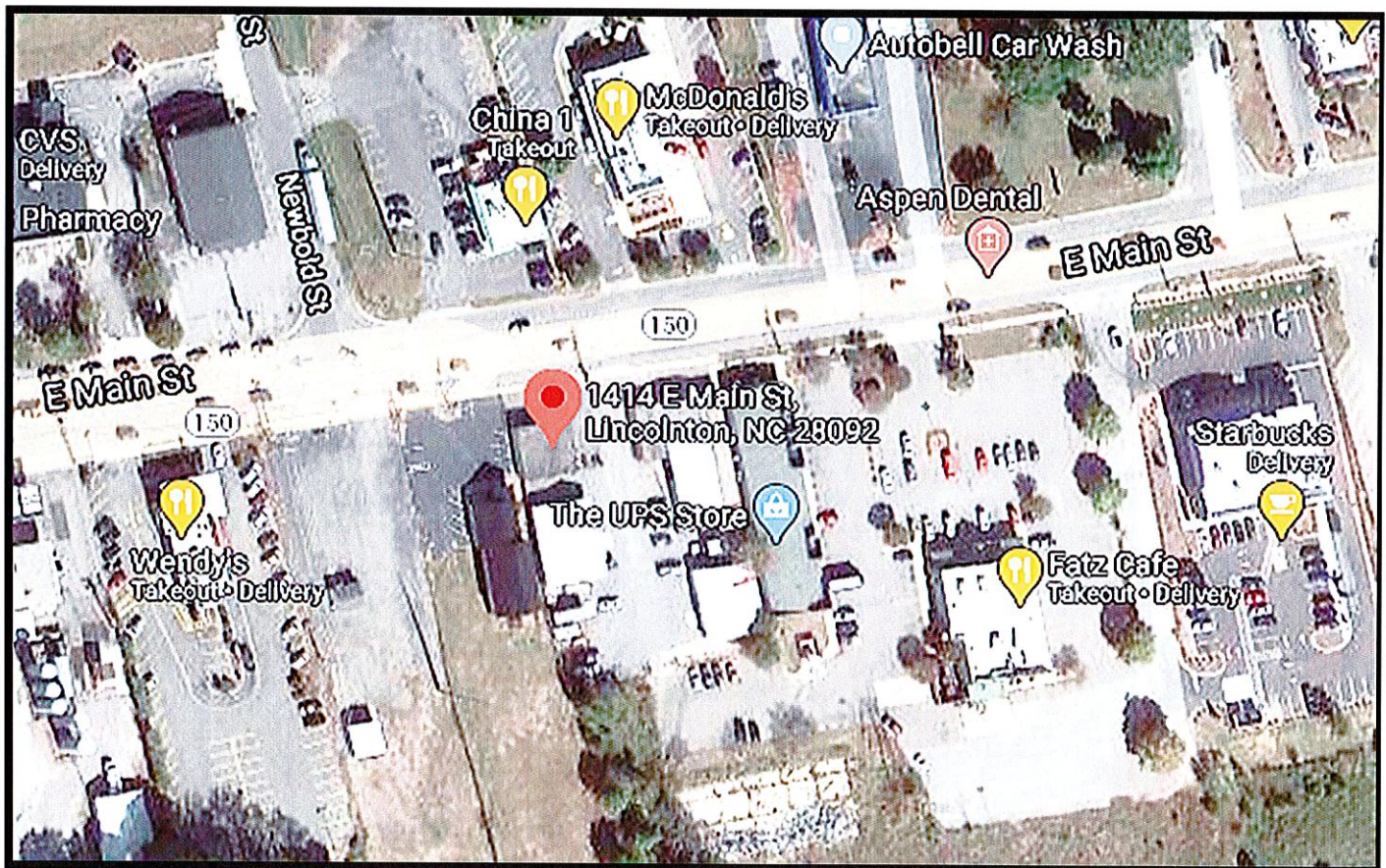
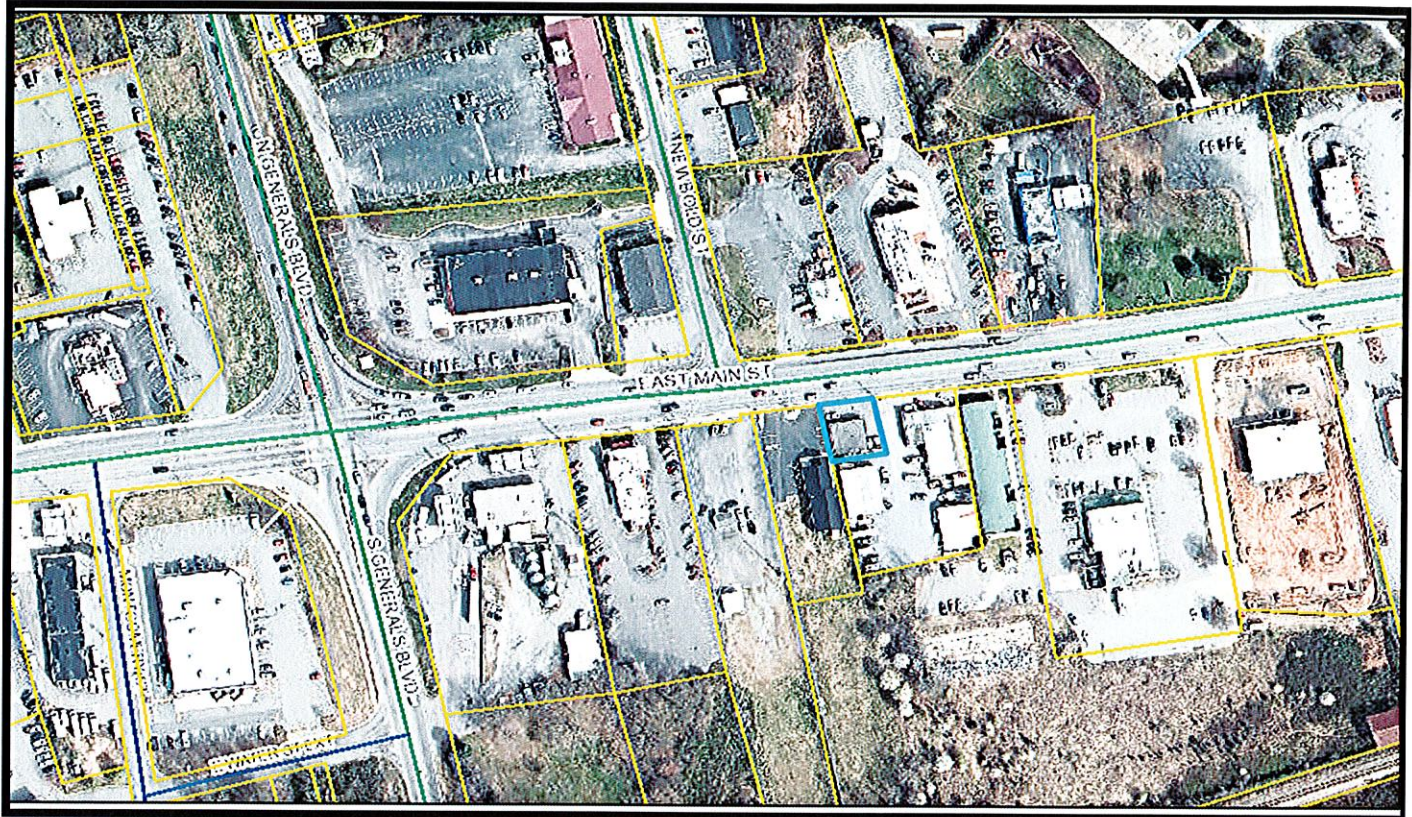
The applicant is requesting a conditional use permit in order to operate a tattoo studio in accordance with the newly established provisions for a tattoo studio in the PB District.

The subject property is located at 1414 East Main Street. The site has an existing 1,600 square foot commercial building which has been used for various retail and service uses over the years. Adjacent land uses are all commercial in nature including Lail Electric, McDonalds, China 1 and vacant commercial space to the west.

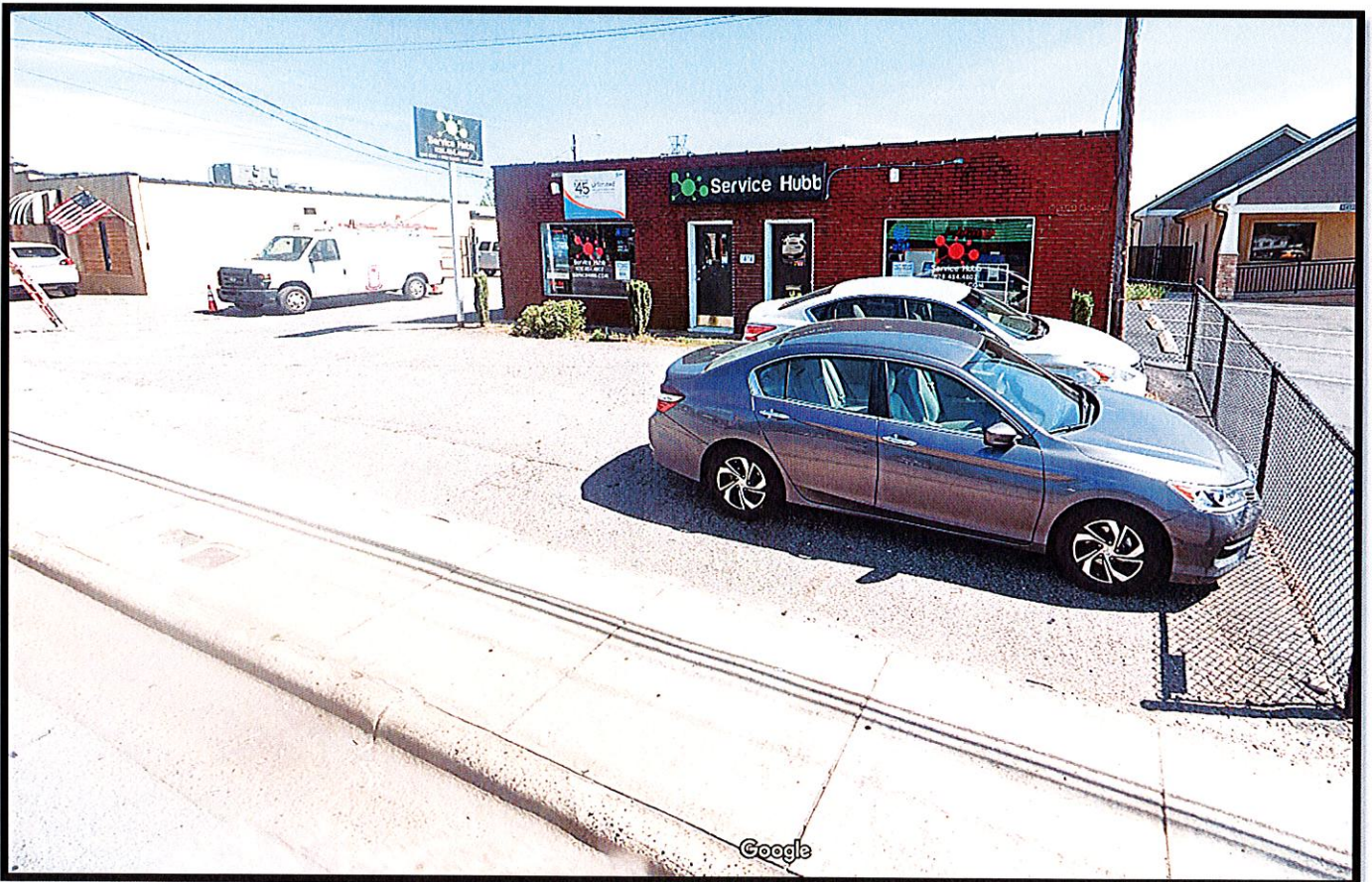
ZONING MAP



AERIAL VIEWS



STREET VIEWS



REQUEST

The applicant is requesting a conditional use permit in order to operate a tattoo studio. No changes will be made to the exterior of the site.

COMPLIANCE WITH CONDITIONAL USE PERMIT APPLICATION REQUIREMENTS

The UDO requires that a conditional use permit application contain specific terms and meet specific requirements. The application meets these requirements.

OTHER CONDITIONAL USE PERMIT REQUIREMENTS

The UDO requires that four findings be determined by the 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. The applicant will need to provide evidence that the use will not endanger the public health or safety.
2. The use meets all required conditions and specifications.
3. The applicant will need to provide evidence that the use will not substantially injure the value of adjoining or abutting property.
4. The applicant will need to provide evidence that the use, if approved, will be in harmony with the area.

PLANNING BOARD AND STAFF RECOMMENDATION

If the applicant satisfactorily proves the findings of fact, Planning Board and Staff recommend approval of the Conditional Use Permit.

SUMMARY OF MOTIONS FOR PUBLIC HEARING

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 Lincolnnton 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 **or** motion to deny the request.

CITY OF LINCOLNTON

Financial Highlights Years Ended June 30, 2020 and 2019

<u>General Fund (Includes Powell Bill Funds)</u>	2020 Summarized Budget	<u>2020</u>	<u>2019</u>
Total assets		\$ 8,054,637	\$ 6,707,017
Fund balance		\$ 6,848,623	\$ 5,200,341
Fund balance - Reserved for Streets - Powell Bill (included in total fund balance)		\$ 369,558	\$ 440,115
Total revenue	\$10,776,404	\$12,109,855	\$11,177,767
Total expenditures	\$12,793,700	\$11,423,000	\$11,174,683
Revenues over (under) expenditures before other financing sources (uses)		\$ 686,855	\$ 3,084
Other income (expense)	\$ 2,017,296	\$ 964,071	\$ 405,071
Increase (decrease) in fund balance		\$ 1,650,926	\$ 408,155
Increase (decrease) in inventory		\$ (2,644)	\$ (3,798)
Ad valorem taxes collected		\$ 5,433,254	\$ 4,879,429
Percent of taxes collected - current year levy		98.38%	98.37%
Investment income		\$ 90,267	\$ 95,717
Fund Balance Available - without Powell Bill			
Available Balance		<u>4,701,541</u>	<u>3,693,082</u>
Expenditures and other financing sources and uses		11,641,394	10,620,531
Available Fund Balance - without Powell Bill		40.39%	34.77%
Fund Balance Available			
Available Balance		<u>5,070,827</u>	<u>4,132,749</u>
Expenditures and other financing sources and uses		11,982,000	11,174,683
Available Fund Balance		42.32%	36.98%
State average for a municipality with an electric system and with a population grouping of 10,000 to 49,999		43.31%	44.34%

* Local Government Commission minimum recommended general fund balance should be at least 8% of general fund expenditures at the end of the fiscal year.

<u>Water and Sewer Fund</u>	<u>2020</u>	<u>2019</u>
Total assets	\$36,562,317	\$38,577,558
Net position	\$27,689,774	\$27,021,449
Operating revenue	\$ 7,598,164	\$ 7,660,499
Operating expenses	\$ 6,522,861	\$ 5,995,286
Operating income (loss)	\$ 1,075,303	\$ 1,665,213
Nonoperating revenue (expenses)	\$ (27,882)	\$ 31,481
Transfers (to) from	\$ (379,096)	\$ (379,096)
Change in net position	\$ 668,325	\$ 1,317,599
Accounts receivable - customers	\$ 696,240	\$ 736,825
Investment income	\$ 148,028	\$ 176,636
Days sales in accounts receivable	34.35	36.04
Fund Balance Available		
Available Balance	<u>\$ 5,047,224</u>	<u>\$ 7,337,582</u>
Expenditures and other financing sources and uses	5,967,855	5,457,395
Available Fund Balance	84.57%	134.45%

Electric Fund

Total assets	\$ 8,367,832	\$ 7,280,738
Net position	\$ 6,985,300	\$ 5,878,274
Operating revenue	\$ 7,838,694	\$ 8,162,947
Operating expenses	\$ 6,773,377	\$ 7,403,339
Operating income (loss)	\$ 1,065,317	\$ 759,608
Nonoperating revenue	\$ 67,684	\$ 78,981
Transfers (to) from	\$ (25,975)	\$ (25,975)
Change in net position	\$ 1,107,026	\$ 812,615
Accounts receivable - customers	\$ 575,490	\$ 664,046
Investment income	\$ 67,684	\$ 78,981
Days sales in accounts receivable	32.37	34.58
Fund Balance Available		
Available Balance	<u>\$ 2,228,696</u>	<u>\$ 2,725,958</u>
Expenditures and other financing sources and uses	6,799,352	7,429,314
Available Fund Balance	32.78%	36.69%

Component Unit:	<u>2020</u>	<u>2019</u>
Lincolnton Tourism Development Authority		
Fund Balance	\$ 494,746	\$ 440,785
Cash and Investments		
Cash	\$16,564,977	\$18,772,639
Restricted cash	<u>777,703</u>	<u>829,166</u>
Total cash	<u>\$17,342,680</u>	<u>\$19,601,805</u>

LINCOLNTON DOG PARK

Policies & Procedures

Dog Park Hours

Mondays–Saturdays: Dawn–Dusk

Sundays: 12:30P–Dusk

Violating any of these rules will result in the termination of Dog Park privileges.

1. DOGS ONLY! Please do not bring any other type of pets to the Dog Park.
2. ALL dogs entering the Dog Park must be spayed or neutered.
3. Puppies under 5 months old are not permitted.
4. Maximum of 2 dogs per owner at the Dog Park.
5. Maximum amount of dogs allowed per Dog Park area:
 - a. “Small Dog Area”: 20
 - b. “Large Dog Area”: 15
 - c. “Training Area”: 10
6. Dogs must weigh less than 35 lbs to enter the “Small Dog Area”. Dogs must weigh 35 lbs or more to enter the “Large Dog Area”.
7. Dogs entering the Dog Park must be up to date on vaccinations (per NC regulations – including rabies, distemper, and parvovirus), parasite-free, and free of any contagious conditions.
8. All dogs must wear an ID tag (license) and current rabies vaccination tag.
9. Keep dogs leashed when outside of gates. Leashes must be 6’ or less.
10. Leashes are not allowed to be used within the main fenced areas of the “Small Dog Area” or the “Large Dog Area”. Leashes should only be used for training purposes in the “Training Area”.
11. Leash and unleash your dog inside the double-gated holding areas, not inside any main fenced areas.
12. Only one person and their dog(s) are allowed in each holding area at a time.
13. Close ALL holding area gates immediately after opening them.
14. OWNERS MUST IMMEDIATELY CLEAN UP AFTER THEIR DOGS! Waste should be properly disposed of in on-site, designated containers. Any holes or disturbed areas created by a dog must be immediately repaired by the dog’s owner.
15. Aggressive dogs are NOT permitted.
16. Owners must immediately leash and remove dogs from the dog park at the first sign of aggressive behavior or if the dog becomes sick.
17. NO FOOD, TREATS, TOYS, OR GLASS CONTAINERS ALLOWED (for either dog or human consumption/use).
18. Children ages 12 and under are NOT allowed in the Dog Park. Children ages 13 – 17 must be supervised by an adult.
19. Smoking, vaping, alcohol, and tobacco products of any type are not permitted at the Dog Park.
20. Commercial use of the Dog Park (training classes, solicitations and/or advertisements) must receive prior approval by the City of Lincolnton Parks and Recreation Department.
21. Owners must directly supervise their dogs at ALL TIMES and must remain inside of the fenced areas with their dog(s) while they are using the Dog Park. Owners must be in view of, and have voice control over, their dog(s) at ALL times.
22. Spectators should remain outside of the fenced areas.
23. All City of Lincolnton, Lincoln County, and State of North Carolina animal ordinances and laws shall apply within the Dog Park.

24. North Carolina State Law requires all dog bites to be immediately reported to the Lincoln County Animal Control Department (704-736-4125). Additionally, owners are required to assist in the investigation of incidents of aggression or biting by providing appropriate identification and information to the Lincolnton Police Department (704-736-8900), Lincolnton Parks and Recreation Department (704-735-2671), AND to other dog owners who are involved with the incident under investigation. IN THE EVENT OF AN EMERGENCY, CALL 911.
25. Dog park users must immediately leave the Dog Park, or specified Dog Park area(s), when requested to do so by Parks and Recreation or City/County enforcement personnel.
26. General park rules:
 - a. No trespassing after hours per Section 96.01 of the City of Lincolnton Code of Ordinances.
 - b. No weapons or drugs allowed on park premises.
 - c. No fireworks, camping, or open burning allowed on park premises unless written permission is granted by the Parks & Recreation Director or designee.
 - d. The possession or use of alcohol is prohibited unless permitted through the City of Lincolnton's special events permitting process.
 - e. No solicitation allowed.
 - f. It is a criminal violation of the City of Lincolnton Code of Ordinances, section 96.02, for any Registered Sex Offender to be on or about this recreation facility. Violators are subject to immediate arrest and punishable by fines and/or incarceration.
 - g. Poisonous snakes, insects, and plants are all parts of the natural environment. Please be aware of your surroundings.
 - h. Littering is prohibited. To help maintain a clean and safe environment for park visitors, put trash in designated receptacles.

All rule violations should be immediately reported to Lincolnton Parks and Recreation at (704) 735-2671.

Owners are liable for any injury or damage caused by their dog at the Dog Park and are fully responsible for their dog's actions. Any dog found to have bitten another dog/person will permanently lose all Dog Park privileges.

For safety purposes, the City of Lincolnton Parks and Recreation Department reserves the right to prohibit any dog from entering the Dog Park at any time. Additionally, the City of Lincolnton Parks and Recreation Department reserves the right to refuse admission and/or suspend users from the Dog Park.

The City of Lincolnton and the City of Lincolnton Parks and Recreation Department assumes no liability for any accidents, injuries, or illnesses sustained on the grounds of the Dog Park.

The City of Lincolnton Police Department and City of Lincolnton Parks and Recreation Department staff have full authority to enforce all rules and regulations pertaining to the use of the Dog Park.

Holding Area Instructions

(signage to enter)

ONLY 1 PERSON AND THEIR DOG(S) ALLOWED IN THE HOLDING AREA AT A TIME.

1. Open 1st holding area gate and enter with leashed dog(s).
2. Close 1st holding area gate.
3. Unleash dog(s).
4. Open 2nd holding area gate and let dog(s) inside play area.
5. Close 2nd holding area gate.

Holding Area Instructions

(signage to exit)

ONLY 1 PERSON AND THEIR DOG(S) ALLOWED IN THE HOLDING AREA AT A TIME.

1. Open 2nd holding area gate and enter with unleashed dog(s).
2. Close 2nd holding area gate.
3. Put leash(es) on dog(s).
4. Open 1st holding area gate and exit holding area with your leashed dog(s).
5. Close 1st holding area gate.

ITEM #

2b

C-02-21

East Coast Pyrotechnics

EAST COAST PYROTECHNICS, INC.

AGREEMENT

This contract entered in this 1st of February A.D. 2021 by and between EAST COAST PYROTECHNICS, INC. of Catawba, S.C. and City of Lincolnton (customer) of City Lincolnton State NC.

WITNESSETH: EAST COAST PYROTECHNICS, INC. for and in consideration of the terms hereinafter mentioned, agrees to furnish to the CUSTOMER one (1) Fireworks Display(s) as per agreement made and accepted and made a part hereof, including the services of our Operator to take charge of and fire display under the supervision and direction of the Customer, said display to be given on the evening of July 4, 2021 Customer Initial _____, weather permitting, it being understood that should inclement weather prevent the giving of this display on the date mentioned herein the parties shall agree to a mutually convenient alternate date, within six (6) months of the original display date. Customer shall remit to the first party an additional 15% of the total contract price or additional expenses in presenting the display on an alternate date. The determination to cancel the show because of inclement or unsafe weather conditions shall rest within the sole discretion of EAST COAST PYROTECHNICS, INC. In the event the customer does not choose to reschedule another date or cannot agree to a mutually convenient date, EAST COAST PYROTECHNICS, INC. shall be entitled to 40% of the contract price for costs, damages and expenses. If the fireworks exhibition is cancelled by CUSTOMER prior to the display, CUSTOMER shall be responsible for and shall pay EAST COAST PYROTECHNICS, INC. on demand, all EAST COAST PYROTECHNICS, INC.'s out of pocket expenses incurred in preparation for the show including but not limited to, material purchases, preparation and design costs, deposits, licenses, and employee charges.

EAST COAST PYROTECHNICS, INC. agrees to furnish all necessary fireworks display materials and personnel for fireworks display in accordance with the program approved by the parties. Quantities and varieties of products in the program are approximate. After final design, exact specifications will be supplied upon request. EAST COAST PYROTECHNICS, INC. enters this agreement contingent upon its ability to secure delivery of product for the display.

It is further agreed and understood that the CUSTOMER is to pay EAST COAST PYROTECHNICS, INC. the sum of **\$ 11,500.00 (50% Deposit due with Contract)**. A service fee of 1 ½% per month shall be added if account is not paid in full within 30 days of the show date.

EAST COAST PYROTECHNICS, INC. will obtain Commercial Liability and Property Damage and Workers Compensation insurance. Certificate of Insurance will be provided prior to the event. All the entities listed on the Certificate of Insurance will be deemed as an additional insured per this contract. Customer will provide the following items:

- (a) Sufficient area for the display, including a minimum spectator set back of 420 ft all points from the discharge area.
- (b) Protection of the display area by roping-off or similar facility.
- (c) Adequate police protection to prevent spectators from entering display area.
- (d) Search of the fallout area at first light following a nighttime display.

It is further agreed and mutually understood that nothing in this contract shall be constructed or interpreted to mean a partnership, both parties being hereto responsible for their separate and individual debts and obligations, and neither party shall be responsible for any agreements not stipulated in this contract. Customer agrees to pay any and all collection costs, including reasonable attorney's fees and court costs incurred by EAST COAST PYROTECHNICS, INC. in the collection or attempted collections of any amount due under this agreement and invoice. Signor of this contract personally guarantees full payment of this agreement.

The parties hereto do mutually and severally guarantee terms, conditions, and payments of this contract, these articles to be binding upon the parties, themselves, their heirs, executors, administrators, successors and assigns.

EAST COAST PYROTECHNICS, INC.

By _____

Date Signed: February 1, 2021

Tom Thompson

PO Box 209

Catawba, SC 29704

P803-789-5733

F803-789-6440

tom@eastcoastpyro.com

CUSTOMER

By _____

It is duly authorized agent, who represents he/she has full authority to bind the Customer

Date Signed: _____

(Please Type or Print)

Name: _____

Address: _____

Phone: _____

Email: _____

Billing Email: _____

ITEM

2c

Revised Incentive Package for
Willowbrook Project

(revision in first bullet point on page 2)

MEMO TO: Mayor and City Council Members

FROM: Laura Elam

DATE: March 4, 2021

RE: Consideration of Economic Development Incentive Package for Sparty Holdings LLC for building renovations for a new manufacturing use located at 215 Bonview Avenue (former Willowbrook Mill)

Project Information

- Location: 215 Bonview Avenue



- Project: Building renovations for new manufacturing use including the following:
 - Removal of asbestos and lead based paint
 - Electrical system
 - Mechanical system
 - Plumbing system
 - Fire sprinkler
 - Roofing
 - Floor repair
- Preliminary cost estimate: \$5,191,992*

*Cost estimate from architect is attached as pages 3 – 5.

Proposed Economic Development Incentive Package

Incentive	Value
• City contribution towards costs associated with re-use and re-energizing of structure	200000
• City waiver of electric and water meter fees	1550
• City waiver of water connection fee	1200
• City waiver of sewer connection fee	1000
• City waiver of electricity deposit	250
• City waiver of water deposit	50
• City waiver of sewer deposit	50
• City to provide striped on-street parking on public streets near site	2000
• City waiver of rezoning request fee	200
• City waiver of variance request fee	200
• City waiver of Fire Marshal plan review fee	250
Total Value of Proposed Incentive Package	\$206,750

Requested Action

Approval of economic development incentive package as outlined above.

Preliminary Budget Projections for Willowbrook Mill Renovations							
Including Only Main Floor and Needed Improvements to Occupy							
17-Jul-20				Low Range		Hi Range	
					Subtotal		Subtotal
Budgets							
Electrical							
Power/ Lighting Main Floor				490,459		608,169	
+Min Light/EM/Rec @ Bsmt				123,372		152,981	
					613,831		761,150
Fire Alarm							
First Floor +General @Bsmt				56,000	56,000	58,000	58,000
Mechanical							
First Floor				287,505		356,506	
+Min Heat @ Bsmt				54,832		67,991	
					342,337		481,497
Plbg -25 Units @@ First Floor				187,500		232,500	
30 Bsmt rough in only		(allowance)		30,000		37,000	
					217,500		269,700
Air Piping Allowance				50,000	50,000	50,000	50,000
Roofing + R-15 Ins					309,355		317,335
Asbestos Abatement @ Roof					245,229		259,654
Asbestos & Lead Abatement Inside					400,000		500,000
Fire Sprinkler In Bldg-Both Floors				185,679		196,932	
Fire Service Line Outside to Building							
Minimum Length + 1 Hydrant				35,000		37,000	
Fire (Add Partial Loof @ Bldg If Required							
Appx 1000 LF				50,000		50,000	
Additional Fire Hydrants (5)				17,500		17,500	
					288,179		301,432
Roll Up Doors					36,000		45,000
Aluminum Awnings					18,500		22,940
Misc Carpentry					17,310		21,464
Doors, Glass, Hardware (25 Doors)					50,000		50,000
Walls, Office, Toilets, General +Drywall					17,046		21,137
Paint Prep (both floors clean up)				170,000		210,800	
Painting-first floor & exterior-walls & deck				138,700		171,988	

					308,700		382,788
Floor Covering 650 SF					19,500		24,180
Misc Contractor Direct Costs-supervision,					510,836		633,436
travel, eng layout, temp facilities,							
temp power, fuel, eq maintenance, eq rental,							
punch							
Clean Up (Construction)					71,409		88,547
Site Vegetation Clean Up (Allowance)					18,000		22,000
Landscaping					101,065	125,320	
Seeding					26,000	32240	
					126,065		157,560
Fence 8' -1800LF existing, replace 1000LF					33,000		38,000
Wood Floor Repair (Allowance)					15,000		18,600
Disable Frt Elev,, Check, Secure(Allowance)					10,000		10,000
Misc Not Covered					50,000		70,000
MAIN BUILDING SUBTOTAL					3,823,797		4,604,420
WHITE 2 STORY BUILDING							
Work to Demo Out, Secure and Keep Exterior Walls							
Provide separation closure at openings to main bldg							
Demo & Clean Up					114,300		141,732
Asbestos Abatement in White Building (allowance?)					100,000		100,000
Construct Separation Wall,Hole Patch @ Demo					32,000		39,680
Structurally Shore Remaining Tall Walls (Allowance)					100,000		100,000
Miscellaneous related to demo or foundations					50,000		50,000
WHITE BUILDING SUBTOTAL (to save walls)					396,300		431,412

PARKING LOT (Across Street-Appx 40 Cars)							
Grading Allowance					20,000		24,800
Paving					64,480		79,955
PARKING LOT SUBTOTAL					84,480		104,755
SUBTOTAL INITIAL USE IMPROVEMENTS					4,304,577		5,140,587
Insurance, Bonds, Fees, Etc					43,045		51,405
TOTAL ESTIMATED RANGE OF CONSTRUCTION COST							
FOR MOVE IN FOR FIRST FLOOR USE					4,347,622		5,191,992

ITEM #

3

PUBLIC HEARINGS

ITEM #

3a

ZMA-1-2021

MEMO TO: Mayor and City Council Members

FROM: Laura Elam

SUBJECT: ZMA-1-2021 – Application from Tom Engle requesting the rezoning of 3.67 acres from R-25 to GB

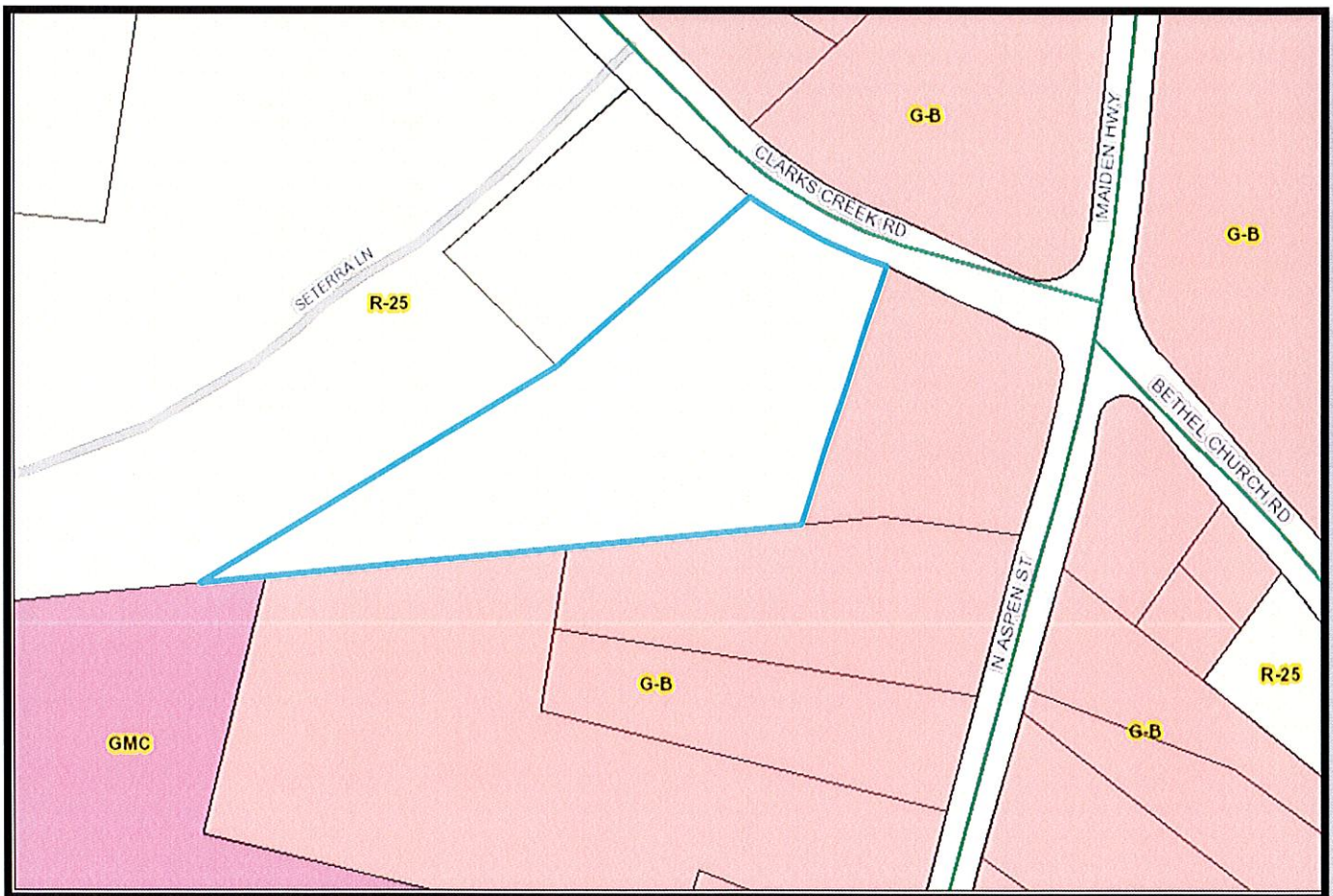
DATE: March 4, 2021

SITE AND AREA DESCRIPTION

The applicant is requesting the rezoning of 3.67 acres from the Residential-25 District to the General Business (GB) District. The subject property is located on the south side of Clarks Creek Road approximately 250 feet west of the intersection of Clarks Creek Road and North Aspen Street/Maiden Highway (Parcel ID 21504).

The subject property is currently vacant. Land uses in the area include a mixture of single family and commercial. A new Dollar General Retail Store is to the east of the site. The property is surrounded by GB zoning on all sides except to the west which is zoned R-25.

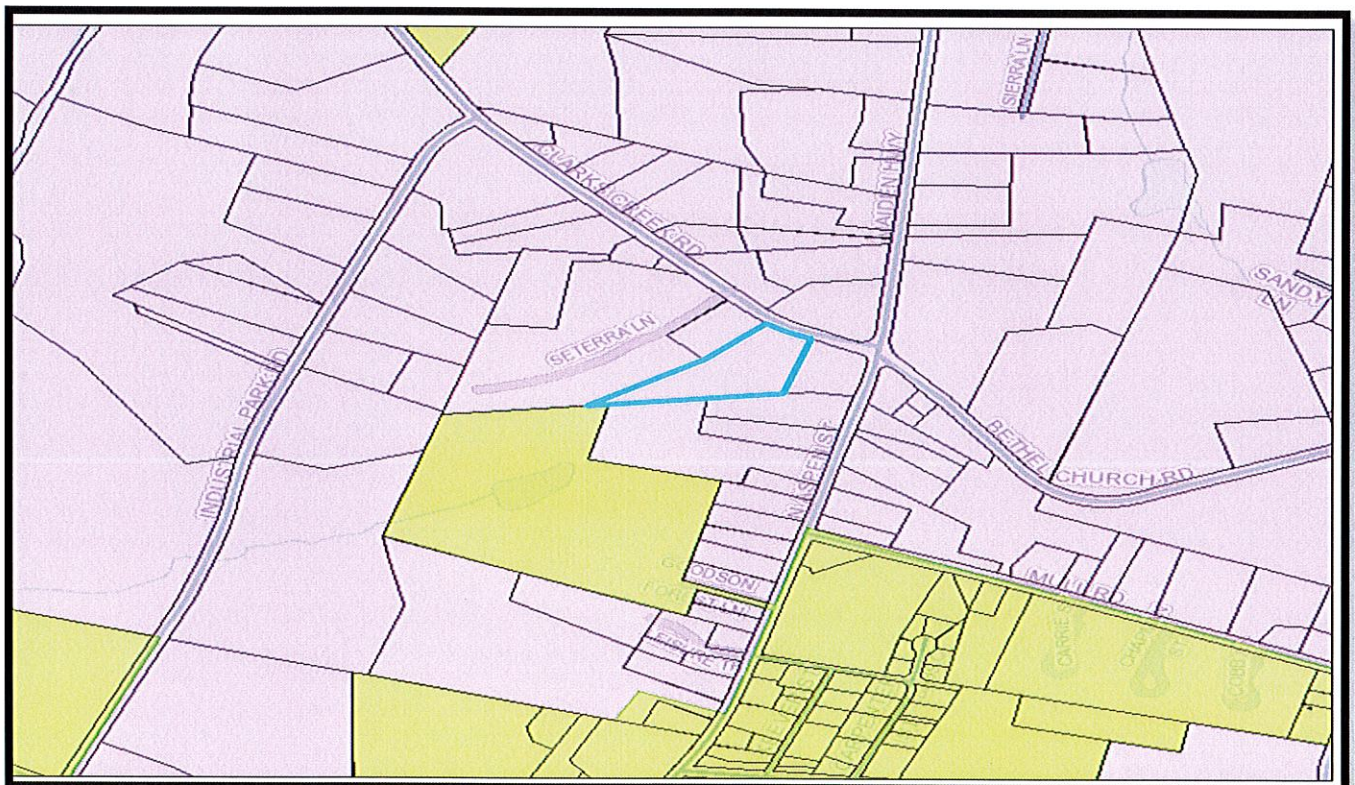
CURRENT ZONING MAP



CURRENT AERIAL VIEW



CITY LIMITS/ETJ BOUNDARY MAP



LAND USE PLAN COMPLIANCE

The land use plan shows the property in the General Business Planning Area. The proposed rezoning request is consistent with the Land Use Plan.

PLANNING BOARD AND STAFF RECOMMENDATION

Planning Board and Staff recommend the following actions:

1. Approval of statement of consistency and reasonableness on Page 4.
2. Approval of rezoning of the property from R-25 to GB.

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

Case No. ZMA-1-2021

Applicant: Tom Engle

Parcel ID#: 21504

Location: Clark Creek Road

Request: Rezone from R-25 to GB

Proposed Consistency and Reasonableness Statement:

The Lincolnton Land Use Plan designates this property as part of the General Business 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-1-2021

Applicant: Tom Engle

Parcel ID#: 21504

Location: Clarks Creek Road

Request: Rezone from R-25 to GB

Proposed Consistency and Reasonableness Statement:

The Lincolnton Land Use Plan designates this property as part of the General Business Planning Area. However, due to a lack of a clear plan for the property and how it may affect neighboring properties, **denial of the proposed amendment is reasonable and in the public interest.**

MOTIONS FOR PUBLIC HEARING

1. Motion to approve one of the statements of consistency and reasonableness. (Pages 4 and 5)
2. Motion to approve or deny request for rezoning.

ITEM #

3b

ZTA-1-2021

(O-05-21)

BACK-UP NOT INCLUDED

a copy of this document is on
file in the Clerk's office for
inspection

ITEM #

3c

Proposed Community
Development Block Grant
Economic Development
(CDBG-ED)

CITY COUNCIL
Ed L. Hatley, Mayor
Martin A. Eaddy, Mayor Pro-Tem
Mary Frances White
Christine Poinsette
Roby Jetton



CITY MANAGER
Ritchie Haynes
rhaynes@lincolntonnc.org
CITY CLERK
Daphne Ingram
dingram@lincolntonnc.org
CITY ATTORNEY
Thomas J. Wilson, Jr.

February 19, 2021

**CITY OF LINCOLNTON
NOTICE OF PUBLIC HEARING**

The City of Lincolnton is considering applying to the North Carolina Department of Commerce for a Community Development Block Grant (CDBG) for Economic Development.

The CDBG program permits a wide range of development activities to occur which are directed towards promoting the creation or retention of jobs, enhancing income levels and providing local employment opportunities principally for persons of low and moderate income through 1) economic development and 2) public infrastructure. Applications for CDBG assistance must show that at least 60% of the CDBG funds proposed for each activity will benefit low and moderate income persons.

The City of Lincolnton will conduct a Public Hearing on Thursday, March 4, 2021 at 7PM, in the Lincolnton City Hall 114 West Sycamore Street, Lincolnton NC. The purpose of the Hearing is to obtain citizens input into the identification of economic needs and desired economic development activities. The input from the Hearing will be incorporated into the City's consideration and submission of a CDBG application to the Department of Commerce. Written comments received prior to the opening of the Public Hearing will be considered and may be sent to Ritchie Haynes, City Manager, 114 West Sycamore Street, Lincolnton, NC 28092.

This information is available in Spanish or any other language upon request. Please contact Daphne Ingram, City Clerk, at 704-736-8980 for accommodations for this request.

Esta informaci6n esta disponible esta disponible en espailol o en cualquier otro idioma bajo peticion. Pongase en contacto con Daphne Ingram, City Clerk, at 704-736-8980 de alojamiento para esta solicitud.

ITEM #

4

REGULAR AGENDA

ITEM #

4a

CONTRACT

C-03-21

NORTH CAROLINA

SIDEWALK DINING AGREEMENT

DATE:

**NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION**

AND

CITY OF _____

THIS AGREEMENT is made and entered into on the last date executed below, by and between the North Carolina Department of Transportation, an agency of the State of North Carolina, hereinafter referred to as the "Department", and the City of _____, hereinafter referred to as the "Municipality."

WITNESSETH:

WHEREAS, the North Carolina General Assembly (NCGA) has enacted legislation to allow sidewalk dining (or the serving of food and beverage) on property within or adjacent to State right of way; and,

WHEREAS, this AGREEMENT is made under the authority granted to the Department by the NCGA including, but not limited to, the following applicable legislation: North Carolina General Statutes (NCGS), Section 136-18(9) and Section 136-27.4; and,

WHEREAS, this AGREEMENT is made in accordance with the most recent *Stewardship and Oversight Agreement on Project Assumption and Program Oversight*, executed between the Federal Highway Administration (NC Division) and the Department; and,

WHEREAS, this AGREEMENT outlines the Municipality's administrative rights and responsibility to enact a Sidewalk Dining Ordinance and issue Permits for such;

NOW, THEREFORE, the parties hereto, each in consideration of the promises and undertakings of the other as herein provided, do hereby covenant and agree, each with the other, as follows:

I. SIDEWALK DINING ORDINANCE AND PERMITS - CONDITIONS OF APPROVAL

The Municipality is given approval to administer a sidewalk dining ordinance and issue approval of permits allowing such in State right-of-way in or near the vicinity of the Municipality under the condition that the Municipality meets the following criteria:

- A. The Municipality shall enact an ordinance that meets the requirements of, but not necessarily limited to the requirements of the General Statutes of North Carolina (NCGS), Section 136-27.4.
- B. The Municipality shall provide the Department a copy of the ordinance once enacted and shall provide the Department any updates to the ordinance.
- C. The permit issued by the Municipality shall require the restaurant operator to provide evidence of adequate liability insurance in an amount satisfactory to the local government, but in no event in an amount less than the amount specified by the local government under G.S. 160A-485 as the limit of the local government's waiver of immunity or the amount of Tort Claim liability specified in G.S. 143-299.2, whichever is greater. The insurance shall protect and name the Department and the local government as additional insureds on any policies covering the business and the sidewalk activities.
- D. The permit issued by the Municipality shall require the restaurant operator to provide an agreement or evidence to indemnify and hold harmless the Department or the local government from any claim resulting from the operation of sidewalk dining activities.
- E. The permit shall require the restaurant operator to provide a copy of all permits and licenses issued by the State, county or city, including health and ABC permits, if any, necessary for the operation of the restaurant or business, or a copy of the application for the permit if no permit has been issued to the Municipality. This requirement includes any permits or certificates issued by the county or city for exterior alterations or improvements to the restaurant.
- F. The Municipality shall also meet any other requirements deemed necessary by the Department, either for a particular local government or a particular component of the State highway system to safely allow sidewalk dining.
- G. The Municipality may impose additional requirements on a case-by case basis and nothing in this AGREEMENT requires the Municipality to issue or maintain any permit for sidewalk dining activities if, in the opinion of the Municipality, such activities cannot be conducted in a safe manner in the State right-of-way.
- H. The Department shall cancel this AGREEMENT and revoke the permission of the Municipality to issue permits if at any time the Department considers that the safety of the traveling motorist, pedestrians, or any other third party may be compromised.
- I. The Department reserves the right to cancel this AGREEMENT on a case-by-case basis if the Department deems the activities permitted by the Municipality cannot be conducted in a safe manner.

- J. No permits may be issued for sidewalk dining on any interstate route.
- K. The Municipality shall obtain permission from the Department to permit the right-of-way of any federal-aid route on or off the National Highway System to be used for sidewalk dining. A request for permission should be coordinated with the Department's Division Engineer.
- L. The Municipality shall keep and maintain a list or database of all current permits and issued parties that may be requested by the Department at any time. A copy of all paperwork and submitted documents shall be kept on hand and provided to the Department if requested. If the permit is incomplete or does not meet the standards of this AGREEMENT, the Department reserves the right to cancel this AGREEMENT.

II. SIDEWALK DINING ORDINANCE AND PERMITS - MINIMUM CONDITIONS OF ORDINANCE

The ordinance enacted by the Municipality shall be consistent with, but not necessarily limited to, the following minimum criteria:

- A. Tables, chairs, and other furnishings shall be placed a minimum of six feet from any travel lane.
- B. Tables, chairs, and other furnishings shall be placed in such a manner that at least five feet of unobstructed paved space of the sidewalk, measured from any permanent or semi-permanent object, remains clear for the passage of pedestrians and provides adequate passing space that complies with the Americans with Disabilities Act.
- C. Tables, chairs, and other furnishings shall not obstruct any driveway, alleyway, building entrance or exit, emergency entrance or exit, fire hydrant or standpipe, utility access, ventilations areas, or ramps necessary to meet accessibility requirements under the Americans with Disabilities Act.
- D. The maximum posted speed permitted on the roadway adjacent to the right-of-way to be used for sidewalk dining activities shall not be greater than 45 miles per hour.
- E. The standards set forth by this AGREEMENT are minimums according to General Statute. Every potential site for Sidewalk Dining shall be reviewed by the Municipality for safety. Meeting these minimum guidelines alone does not imply that minimum standards for safety have been met. NCDOT reserves the right to limit or restrict application of this AGREEMENT along specific corridors or locations if safety becomes an issue.
- F. The restaurant operator shall cease part or all sidewalk dining activities in order to allow construction, maintenance, or repair of any street, sidewalk, utility, or public building, by the

Department, the local government, its agents or employees, or by any other governmental entity or public utility.

III. SIDEWALK DINING ORDINANCE AND PERMITS - TIME FRAME

This AGREEMENT shall remain in place until canceled in writing by either party with thirty (30) days written notice to the other party.

IV. ADDITIONAL PROVISIONS

- A. This AGREEMENT shall not preempt or override local ordinances which have been enacted within the authority of the NCGS that are currently in place.
- B. The Department shall not be held liable for any damages resulting from implementation of any ordinances or issuance of any permits under the terms of this AGREEMENT.
- C. This AGREEMENT contains the entire agreement between the parties and there are no understandings or agreements, verbal or otherwise, regarding this AGREEMENT except as expressly set forth herein.
- D. The parties hereby acknowledge that the individual executing this AGREEMENT on their behalf is authorized to execute this AGREEMENT on their behalf and to bind the respective entities to the terms contained herein and that he has read this AGREEMENT, conferred with his attorney, and fully understands its contents.
- E. A copy or facsimile copy of the signature of any party shall be deemed an original with each fully executed copy of the AGREEMENT as binding as an original, and the parties agree that this AGREEMENT can be executed in counterparts, as duplicate originals, with facsimile signatures sufficient to evidence an agreement to be bound by the terms of the AGREEMENT.
- F. By Executive Order 24, issued by Governor Perdue, and N.C. G.S. § 133-32, it is unlawful for any vendor or contractor (i.e. architect, bidder, contractor, construction manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give favors to any State employee of the Governor's Cabinet Agencies (i.e., Administration, Commerce, Environmental Quality, Health and Human Services, Information Technology, Military and Veterans Affairs, Natural and Cultural Resources, Public Safety, Revenue, Transportation, and the Office of the Governor).

IN WITNESS WHEREOF, this AGREEMENT has been executed, in duplicate, the day and year heretofore set out, on the part of the Department and the Municipality by authority duly given.

L.S. ATTEST:

CITY OF _____

BY: _____

BY: _____

TITLE: _____

TITLE: _____

DATE: _____

DATE: _____

NCGS 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

Approved by _____, Clerk of the local governing body of the _____

as attested to by the signature of Clerk of said governing body on _____ (Date)

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

(SEAL)

(FINANCE OFFICER)

Federal Tax Identification Number

Remittance Address:

DEPARTMENT OF TRANSPORTATION

BY: _____
(CHIEF ENGINEER)

DATE: _____

APPROVED BY BOARD OF TRANSPORTATION ITEM O: _____ (Date)

ITEM #

4b

REQUEST FROM
JOHN BRINSFIELD,
BRICKTREE BREWING
COMPANY



City of Lincolnton

AGENDA REQUEST FORM

Please Print

Name John Brinsfield

Address 414 E. Water Street, Lincolnton, NC 28092 Phone 980-785-4970

Name of Firm or Corporation (if applicable) BrickTree Brewing Co.

Other Persons Accompanying Speaker _____

Purpose of Request to Appear To request use of the Lincolnton logo as well as a photo of Main Street facing the courthouse to use on a beer can label for on and off-premise sales.

Council Meeting date you wish to appear 3/4/2021

Amount of time required for Presentation 5 minutes

Date form submitted to the City Clerk _____



Signature of Requesting Party

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

4c

BUDGET
AMENDMENT
(BA-01-21)

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.

BA-01-21

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, 2021.

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

City Manager/Clerk	\$ (39,950)
Human Resources	38,200
Finance	(46,850)
General Expense	(70,000)
General Debt Service	-
Police	(6,850)
Fire	135,700
Public Works	-
Street	-
Equipment Services	33,350
Solid Waste	-
Planning/Zoning	-
Bus & Comm. Dev	21,250
Recreation	(64,850)
	<u>\$ -</u>

Section 7: To amend the Water & Sewer Fund, the expenditures are to be changed as follows:

WATER TREATMENT PLANT	\$ (26,800)
DISTRIBUTION AND COLLECTION	-
WASTEWATER TREATMENT PLANT	19,150
WATER AND SEWER INTANGIBLES	7,650
	<u>\$ -</u>

SECTION 16. Appropriations are authorized by department totals. The City Manager is authorized to reallocate departmental appropriations among line item objects of expenditures and revenues as necessary during the budget year.

SECTION 17. Copies of this Budget Ordinance shall be furnished to the Clerk to the Governing Board and to the Budget Officer and Finance Director to be kept on file by them for their direction in the disbursement of funds.

TOTAL AMENDMENT \$ -

Adopted this 4th day of March, 2021

Attest:

Daphne Ingram
City Clerk

Edward L Hatley
Mayor

ITEM #

5

OTHER BUSINESS

ITEM #

5a

ABC STORE REQUEST

(DISCUSSION CONTINUED)



City of Lincolnton

AGENDA REQUEST FORM

Please Print

Name _____

Address _____ Phone _____

Name of Firm or Corporation (if applicable) _____

Other Persons Accompanying Speaker _____

Purpose of Request to Appear _____

Council Meeting date you wish to appear _____

Amount of time required for Presentation _____

Date form submitted to the City Clerk _____

Signature of Requesting Party

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

ITEM #

5b

(APPT-02-21)

LTDA

(Chair appointment)

CITY COUNCIL
Ed L. Hatley, Mayor
Martin A. Eaddy, Mayor Pro-Tem
Mary Frances White
Christine Poinsette
Roby Jetton



CITY MANAGER
Ritchie Haynes
rhaynes@lincolntonnc.org
CITY CLERK
Daphne Ingram
[dingram@lincolntonnc.org](mailto:d Ingram@lincolntonnc.org)
CITY ATTORNEY
Thomas J. Wilson, Jr.

MEMORANDUM

TO: Mayor and City Council Members

FROM: Daphne Ingram, City Clerk

DATE: February 25, 2021

SUBJECT: LTDA Chair Appointment

As was stated in last month's memo, City Council members appoint the Chair for the Lincolnton Tourism Development Authority board. Motion was made, unanimously approved, to appoint Mrs. Pam Huskey for this position. Per an email received from Mrs. Huskey on February 16, 2021, she has regretfully declined this appointment. Action will once again need to be taken to fill this vacancy. Please contact me if you have questions regarding this matter.

Cc: Ritchie Haynes

ITEM #

5c

MANAGER'S
REPORT/ACTIVITY
UPDATE

Executive Summary

January 2020 Year-To-Date

General Fund	% of					Difference
	Budget 20-21	Actual 20-21	Budget	Budget 19-20	Actual 19-20	
Fund 10 Revenues	10,911,910	7,893,296	72%	11,543,700	7,641,360	251,936
Fund Balance	-	-	-	825,000	-	-
	10,911,910	7,893,296		12,368,700	7,641,360	251,936
City Manager/Clerk	248,220	101,391		222,495	51,680	49,712
Human Resources	317,020	173,298		262,720	119,944	53,354
Finance	158,230	(47,302)		129,630	(147,648)	100,346
General Expense	1,280,731	758,371		1,103,160	618,074	140,297
General Debt Service	334,757	9,949		430,632	14,154	(4,204)
Police	3,400,120	2,034,920		3,223,020	1,918,132	116,788
Fire	2,234,100	2,021,261		2,364,700	1,406,868	614,393
Public Works	45,660	(12,875)		43,010	(64,523)	51,648
Street	829,825	348,821		1,329,225	501,103	(152,282)
Equipment Services	211,770	121,541		122,970	48,122	73,418
Solid Waste	692,375	276,674		908,855	649,838	(373,164)
General Services	-			-		-
Plannin/Zoning	497,239	209,209		557,420	197,956	11,253
Bus & Comm. Dev	123,200	90,625		423,200	30,235	60,390
Recreation	1,038,663	554,546		1,247,663	775,329	(220,782)
Expenses	11,411,910	6,640,430	58%	12,368,700	6,119,264	521,166
Difference		1,252,867			1,522,096	(269,229)

		% of			
Water & Sewer Fund		Budget	Actual 20-21	Budget 19-20	Actual 19-20
Fund 61 Revenues		Budget 20-21	Actual 20-21	Budget 19-20	Actual 19-20
Fund Balance		-	-	3,725,010	4,744,286
		8,146,950	4,894,727	10,871,959	4,744,286
					150,441
Water Treatment		1,972,500	740,508	1,496,850	717,011
Dist & Collection		2,032,900	902,027	3,652,160	2,238,988
Wastewater		1,625,000	782,595	1,547,000	673,509
W & S Intangibles		4,247,050	947,105	4,175,949	1,109,754
Expenses		9,877,450	3,372,235	10,871,959	4,739,263
Difference			1,522,493		5,023
					1,367,029
					1,517,470

		% of			
Electric Fund		Budget	Actual 20-21	Budget 19-20	Actual 19-20
Fund 63 Revenues		Budget 20-21	Actual 20-21	Budget 19-20	Actual 19-20
Fund Balance		7,788,350	5,705,963	7,937,102	4,923,970
		-	-	2,330,000	-
		7,788,350	5,705,963	10,267,102	4,923,970
					781,993
Electric Dept.		8,696,830	4,751,419	10,267,102	4,833,636
Expenses		8,696,830	4,751,419	10,267,102	4,833,636
Difference			954,544		90,335
					(82,217)
					(82,217)
					864,210

Overtime 80+ hours 382,045 343,186 38,859

Housing Market Sortable Statistics



Provided by Canopy Realtor® Association

January 2021

Click any area for a full report.

	Closed Sales	1-Year Change	Average Sales Price	1-Year Change	Median Sales Price	1-Year Change	New Listings	1-Year Change
Sort	Sort	Sort	Sort	Sort	Sort	Sort	Sort	Sort
The Charlotte Region	3,377	+ 11.9%	\$339,984	+ 13.6%	\$285,000	+ 12.9%	4,301	- 7.8%

COUNTIES

Alexander County, NC	15	- 21.1%	\$214,867	- 6.5%	\$211,000	+ 31.9%	24	- 14.3%
Anson County, NC	9	+ 200.0%	\$150,389	+ 45.1%	\$129,900	+ 28.6%	12	0.0%
Cabarrus County, NC	248	+ 0.8%	\$289,837	+ 8.9%	\$265,830	+ 9.5%	297	- 20.2%
Chester County, SC	13	- 31.6%	\$151,068	- 3.3%	\$175,000	+ 15.9%	22	+ 37.5%
Cleveland County, NC	76	+ 111.1%	\$215,547	+ 18.5%	\$180,000	+ 20.4%	106	+ 63.1%
Gaston County, NC	242	- 8.0%	\$245,643	+ 4.1%	\$225,000	+ 9.8%	351	+ 21.9%
Iredell County, NC	272	+ 28.9%	\$365,552	+ 15.6%	\$300,000	+ 15.4%	318	- 8.9%
Lancaster County, SC	128	+ 14.3%	\$345,893	+ 12.0%	\$339,950	+ 11.1%	157	- 21.1%
Lincoln County, NC	95	+ 21.8%	\$336,266	+ 7.3%	\$313,213	+ 23.9%	119	+ 2.6%
Mecklenburg County, NC	1,326	+ 8.0%	\$383,626	+ 12.6%	\$309,950	+ 15.6%	1,678	- 13.7%
Montgomery County, NC	16	0.0%	\$275,906	+ 75.0%	\$224,500	+ 113.8%	22	- 26.7%
Rowan County, NC	136	+ 37.4%	\$232,413	+ 24.9%	\$212,000	+ 18.4%	142	- 4.1%
Stanly County, NC	53	- 7.0%	\$210,840	+ 23.1%	\$179,000	+ 10.2%	53	- 7.0%
Union County, NC	257	- 0.8%	\$416,340	+ 23.2%	\$360,800	+ 20.3%	422	+ 8.2%
York County, SC	363	+ 35.4%	\$326,512	+ 14.7%	\$290,000	+ 11.5%	432	- 9.4%

COMMUNITIES

Charlotte MSA	2,804	+ 9.3%	\$346,949	+ 12.9%	\$294,000	+ 13.1%	3,619	- 8.1%
City of Charlotte, NC	1,050	+ 6.8%	\$372,069	+ 15.4%	\$291,000	+ 14.1%	1,370	- 15.2%
Concord, NC	160	+ 12.7%	\$278,216	+ 1.8%	\$266,025	+ 6.4%	162	- 29.9%
Cornelius, NC	52	- 3.7%	\$572,482	+ 5.0%	\$348,000	+ 8.5%	60	- 3.2%
Davidson, NC	36	+ 38.5%	\$565,662	+ 16.6%	\$439,184	+ 10.2%	32	- 33.3%
Denver, NC	60	+ 36.4%	\$433,424	+ 0.3%	\$368,000	+ 5.1%	66	+ 40.4%
Fort Mill, SC	121	+ 89.1%	\$350,033	- 3.9%	\$315,900	- 4.3%	120	- 21.1%
Gastonia, NC	91	+ 7.1%	\$213,937	+ 10.0%	\$207,000	+ 20.0%	140	+ 6.1%
Huntersville, NC	101	+ 21.7%	\$360,336	- 10.4%	\$352,000	+ 1.7%	127	+ 5.0%
Kannapolis, NC	62	+ 8.8%	\$244,886	+ 29.4%	\$197,500	+ 16.9%	64	- 26.4%
Lake Norman	180	+ 33.3%	\$574,542	+ 5.0%	\$406,500	+ 12.1%	244	+ 14.0%
Lake Wylie	104	+ 48.6%	\$415,785	+ 6.5%	\$364,925	- 1.0%	164	+ 3.8%
Lincolnton, NC	24	- 20.0%	\$234,116	+ 24.4%	\$217,500	+ 16.1%	33	0.0%
Matthews, NC	84	0.0%	\$389,463	+ 17.4%	\$355,000	+ 20.3%	76	- 26.9%
Monroe, NC	64	- 17.9%	\$271,557	+ 7.5%	\$254,370	+ 4.9%	164	+ 51.9%
 Mooresville, NC	168	+ 33.3%	\$447,338	+ 14.1%	\$349,500	+ 16.0%	198	- 12.4%
Rock Hill, SC	116	- 7.2%	\$277,773	+ 20.8%	\$259,000	+ 17.7%	116	- 16.5%
Salisbury, NC	65	+ 22.6%	\$221,849	+ 21.1%	\$205,490	+ 16.1%	88	+ 20.5%
Statesville, NC	84	+ 25.4%	\$217,858	+ 6.5%	\$200,000	+ 5.3%	72	- 24.2%
Tega Cay, SC	18	+ 80.0%	\$402,650	+ 16.8%	\$367,450	- 2.4%	45	+ 60.7%
Uptown Charlotte	25	- 3.8%	\$393,631	+ 20.3%	\$332,750	+ 11.7%	32	- 20.0%
Waxhaw, NC	79	+ 23.4%	\$497,352	+ 22.9%	\$397,750	+ 15.8%	106	- 9.4%

Current as of February 5, 2021. All data from Canopy MLS, Inc. Percent changes are calculated using rounded figures. | SortStats © 2021 ShowingTime.

Local Market Update for January 2021

A RESEARCH TOOL PROVIDED BY THE CANOPY REALTOR® ASSOCIATION
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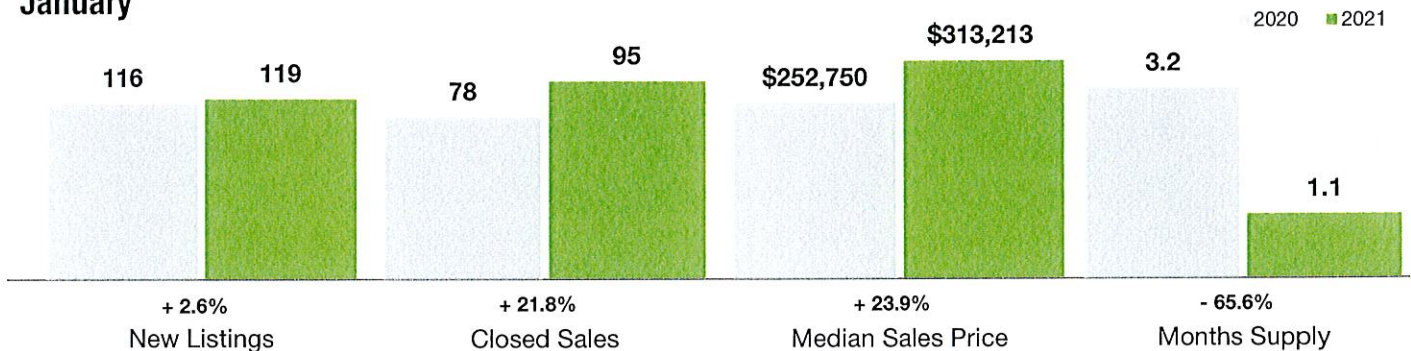
Lincoln County

North Carolina

Key Metrics	January			Year to Date		
	2020	2021	Percent Change	Thru 1-2020	Thru 1-2021	Percent Change
New Listings	116	119	+ 2.6%	116	119	+ 2.6%
Pending Sales	99	164	+ 65.7%	99	164	+ 65.7%
Closed Sales	78	95	+ 21.8%	78	95	+ 21.8%
Median Sales Price*	\$252,750	\$313,213	+ 23.9%	\$252,750	\$313,213	+ 23.9%
Average Sales Price*	\$313,249	\$336,266	+ 7.3%	\$313,249	\$336,266	+ 7.3%
Percent of Original List Price Received*	94.4%	98.7%	+ 4.6%	94.4%	98.7%	+ 4.6%
List to Close	129	102	- 20.9%	129	102	- 20.9%
Days on Market Until Sale	82	40	- 51.2%	82	40	- 51.2%
Cumulative Days on Market Until Sale	98	44	- 55.1%	98	44	- 55.1%
Average List Price	\$310,543	\$402,888	+ 29.7%	\$310,543	\$402,888	+ 29.7%
Inventory of Homes for Sale	355	160	- 54.9%	--	--	--
Months Supply of Inventory	3.2	1.1	- 65.6%	--	--	--

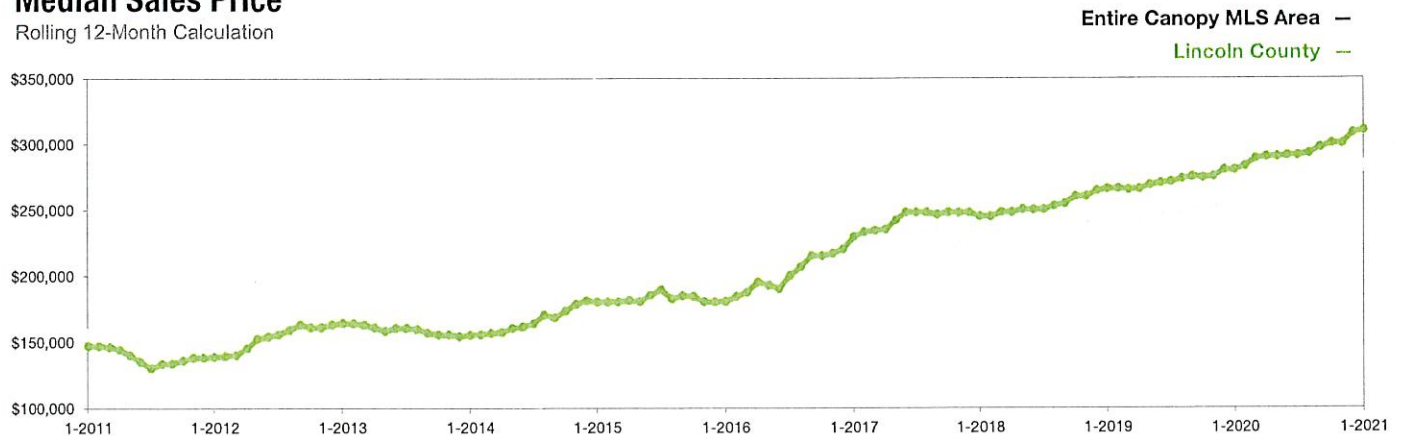
* Does not account for sale concessions and/or downpayment assistance. | Percent changes are calculated using rounded figures and can sometimes look extreme due to small sample size.

January



Median Sales Price

Rolling 12-Month Calculation



Local Market Update for January 2021

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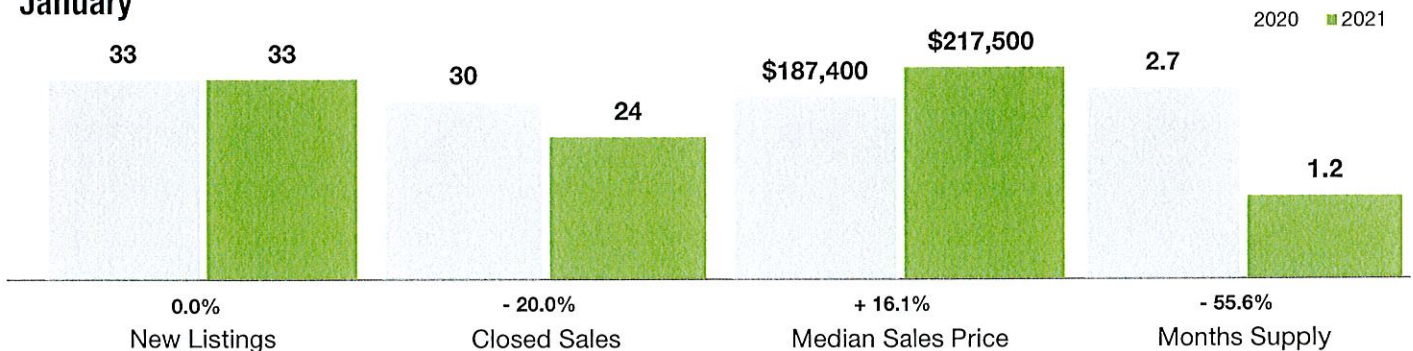
Lincolnton

North Carolina

Key Metrics	January			Year to Date		
	2020	2021	Percent Change	Thru 1-2020	Thru 1-2021	Percent Change
New Listings	33	33	0.0%	33	33	0.0%
Pending Sales	26	49	+ 88.5%	26	49	+ 88.5%
Closed Sales	30	24	- 20.0%	30	24	- 20.0%
Median Sales Price*	\$187,400	\$217,500	+ 16.1%	\$187,400	\$217,500	+ 16.1%
Average Sales Price*	\$188,167	\$234,116	+ 24.4%	\$188,167	\$234,116	+ 24.4%
Percent of Original List Price Received*	94.6%	97.1%	+ 2.6%	94.6%	97.1%	+ 2.6%
List to Close	116	85	- 26.7%	116	85	- 26.7%
Days on Market Until Sale	65	29	- 55.4%	65	29	- 55.4%
Cumulative Days on Market Until Sale	77	29	- 62.3%	77	29	- 62.3%
Average List Price	\$204,050	\$235,152	+ 15.2%	\$204,050	\$235,152	+ 15.2%
Inventory of Homes for Sale	91	46	- 49.5%	--	--	--
Months Supply of Inventory	2.7	1.2	- 55.6%	--	--	--

* Does not account for sale concessions and/or downpayment assistance. | Percent changes are calculated using rounded figures and can sometimes look extreme due to small sample size.

January



Median Sales Price

Rolling 12-Month Calculation

