

A G E N D A

LINCOLNTON CITY COUNCIL



May 6, 2021

7:00 p.m.

Council Chambers

City hall



**LINCOLNTON CITY COUNCIL
AGENDA
May 6, 2021
7:00 p.m.**

CALL TO ORDER

MOMENT OF SILENCE

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 April 1, 2021 meeting

(R-05-21)

2b. Resolution Authorizing the Disposition of Certain Personal Property by Private Sale

(R-06-21)

Resolution by the City Council of the City of Lincolnton opposing Proposed Zoning Reform

2c. Proclamation - National Public Works Week – May 16th through May 22nd, 2021

3. PUBLIC HEARINGS

3a. - ZMA-3-2021 – Application from James Stephen High requesting the rezoning of 5.95 acres of land from the General Manufacturing and Commercial (GMC) District to the Residential-25 District. The subject property is located off an unnamed private drive approximately 800 feet southeast of the intersection with Startown Road (Parcel ID 73265)

Laura Elam, Planning Director

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

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4. REGULAR AGENDA

4a. – Recognition of the 2020-2021 Lincolnton Student Advisory Council

Jill Eaddy, Advisor

(BA-02-21)

4b. – Budget Amendment - To amend the General Fund, the Boger City Fire District Fund, and the Special Revenue Fund.

Pam McBryde, Finance Director

4c. - Pleasant Retreat Academy Discussion

Martin Eaddy, Councilmember

5. CONTRACTS

(C-05-21)

5a. – Consideration of awarding Chemical Bids for the Water and Wastewater Treatment Plant

Robert Pearson, Utilities Director

(C-06-21)

5b. – Approval of Contract for the 2021 Alive After Five Concert Series – For events held from 6pm – 10pm on the following dates: June 24th, July 29th, August 26th & September 16th .

Laura Morris, Community Relations Director

6. OTHER BUSINESS

(P-03-21)

6a. – Special Events Policy Updates and Revisions

Laura Morris, Community Relations Director

6. OTHER BUSINESS – (continued)

6b. – City of Lincolnton Mask Mandate Discussion

Ed Hatley, Mayor

6c. - Official presentation of the 2021-2022 Budget – proposed Fee Schedule – Budget Message (NOTE: The Public Hearing will be held at the June 3rd meeting where Council will consider adoption of the proposed budget, which would adopt the fee schedule)

Ritchie Haynes, City Manger

7. REPORTS

7a. – 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
April 1st, 2021 Regular Meeting

The Mayor and City Council met in regular session on Thursday, April 1, 2021 at 7:00 p.m. in the Council Chambers of City Hall located at 114 West Sycamore Street, Lincolnton, North Carolina.

Mayor Ed Hatley opened the meeting and led the Pledge of Allegiance. Mayor Hatley commented on how nice it was to be meeting in person again.

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

Councilwoman Poinsette made a motion to approve the *CONSENT AGENDA* as follow:

- **Approval of Minutes for the March 4, 2021 meeting**
- **Approval of Minutes for the March 12, 2021 budget work session**
- **Retirement recognition for Bryan “Scott” Cherry for 30 years of service.**
- **P-01-21 - Policy revisions to the Lincolnton Police Department Standard of Operating Procedures (SOP) Manual**
- **R-03-21 - Resolution authorizing the Local ABC Board to set aside funds for capital improvements**
- **R-04-21 - Resolution in support H.B. 257 (Decommissioning Fund)**

Members voted 4-0 in favor of the motion. *Immediately following the vote, Councilwoman Poinsette asked that a section of the minutes from the February 1 council meeting be amended to include the part of the discussion where she confirmed with Mr. Huskey that funds to purchase a new building will come from the sale of liquor.*

CZ-1-2021

Request from Workforce Solutions, LLC to rezone 6.722 acres from PB and RMF to the Planned Residential District (PRD) to allow for a planned residential multifamily development consisting of 72 units. The subject property is located at 2350 North Aspen Street (Parcel ID 00468)

Mayor Ed Hatley opened the public hearing, at which time Planning Director Laura Elam spoke to the item.

Mrs. Elam stated that the request was for a conditional rezoning from PB (Planned Business) and RMF (Residential Multi Family) to Planned Residential Development (PRD) in order to allow a multifamily residential development consisting of 72 units. Responding to a question from Mayor Hatley, Mrs. Elam explained that because the property is within the ETJ, that fact that a portion of the property is not inside city limits is no issue. She also informed that unless annexation is requested, no changes will be made.

Mrs. Elam continued, directing council's attention to a map of the subject property and the overall site plan of the proposed development. She spoke to the building elevations submitted by the applicant. Mrs. Elam stated that staff felt that the use is consistent with the Land Use Plan and if rezoning is approved, site would be limited to the site plan submitted since this is a conditional zoning district.

In conclusion, Mrs. Elam reported that Planning Board and staff recommended approval of the request for rezoning as submitted by the applicant subject to staff review committee comments being made conditions of approval. Also, approval of the statement of consistency for approval of the rezoning request, and the rezoning be effective upon receipt by the Zoning Administrator of the written agreement from the applicant and property owner with the conditionals of approval.

Mr. Davis Ray with WENCO Properties, participated by phone. He thanked council for their consideration, briefly speaking to the scope of the project and to the need for affordable housing in the Lincolnton market. With no questions from Council and no one else requesting to speak to the issue, **Councilman Jetton made a motion to close the Public Hearing. Members voted 4-0 in favor of the motion.**

Councilwoman Poinsette made a motion to approve as recommended by Planning Board. Members voted 4-0 in favor of the motion

CZ-2-2021

Request from Lance Herman to rezone 1818 North Aspen Street from PB to Highway Commercial Conditional District, HC(CD), to allow a Tatto Studio. The subject property is located at the Colonial Village Shopping Center, 1818 North Aspen Street (Parcel ID 00468)

Mayor Ed Hatley opened the public hearing. Planning Director Laura Elam spoke to this item, giving a brief site and area description. Mrs. Elam described the site being a 900 square foot commercial space located within Colonial Village shopping center to allow a tattoo studio. She continued, stating that no changes will be made to the exterior of the building with the exception of wall signage.

Mrs. Elam reported Planning Boards recommendation was approval of request for rezoning from PB to HC (CD) subject to some very minor staff review committee comments being made conditions of approval, approval of the statement of consistency for approval and that the rezoning be effective upon receipt by the Zoning Administrator of written agreement from the applicant and property owner with the conditions of approval.

Mayor Ed Hatley allowed the applicant, Mr. Lance Herman, to speak to council regarding his request. He and his wife addressed Council and distributed some information regarding their plans for the proposed shop and the benefits of tattoo's. Mr. Herman explained his desire for a simple, yet somewhat classy, tattoo parlor. He also spoke to his concern with the amount of home tattoo artist in Lincolnton and his desire to create an environment for the working class. Mr. Herman expressed his desire to help the home tattoo artist learn about the safety practices relative to tattooing. Mrs. Herman commented on her husbands desire to provide a safe, sterile environment and his desire to give back to the community. Mr. Herman informed that he has made contact with both the Lincolnton Police Department and the Lincoln County Environmental Health Department.

In response to a question regarding the type of education needed to be a tattoo artist, Mr. and Mrs. Herman informed that the state of North Carolina does not require any type of license.

Councilwoman White made a motion to close the Public Hearing. Members voted 4-0 in favor of the motion.

Councilman Eaddy made a motion to approve the request as recommended by the Planning Board. Motion to approve fail receiving only one (1) vote in favor of the motion. Councilman Eaddy voting in favor of the motion, and Councilwoman White, Councilwoman Poinsette and Councilman Jetton voting against.

O-06-21

Request to amend the City of Lincolnton Sidewalk Dining Ordinance, Chapter 114 of the Lincolnton City Code in order to comply with North Carolina General Statutes. Revisions include new requirements to be imposed on any sidewalk dining operators with sidewalk dining located within state rights-of-way, including East Main Street in the City of Lincolnton

Mayor Ed Hatley opened the public hearing. Planning Director Laura Elam spoke to this item, explaining the purpose of the request being to amend the City's current sidewalk dining ordinance to make it consistent with state statutes regarding sidewalk dining within state rights-of-way and to capture the elements of the sidewalk dining agreement recently entered into *(a copy of ordinance is attached to and made a part of these minutes)*. Mrs. Elam clarified this agreement pertains to all sidewalks within the NCDOT right-of-way. Some

discussion was generated regarding meeting the required standards, as well as the need for permitting along Water Street. Council also discussed some of the issues currently being experienced on the sidewalks.

Councilman Jetton made a motion to close the Public Hearing. Members voted 4-0 in favor of the motion

Councilman Eaddy made a motion to approve the Ordinance as submitted. Members voted 4-0 in favor of the motion.

C-03-21

Agreement between the City of Lincoln and Spectrum for use of a city owned cement block building measuring approximately 14ft. x 28ft., located on the lot at the Southwestern corner of Lee Avenue and W. Church Street

City Manager Ritchie Haynes spoke to a proposed contract between the City and Spectrum *(a copy of agreement is attached to and made a part of these minutes)*. Mr. Haynes gave some brief history, informing that the original agreement was entered into in 1998. He noted some of the details of the agreement and how it evolved over the years. In response to a question from Councilman Eaddy, Mr. Haynes confirmed the length and terms of the contract, as well as the rate being charged over the twelve year period. There was some discussion regarding fees charged for using power poles and if the city has a right to terminate the contract. Mr. Haynes verified that a second contract will be needed if request to use additional building is requested.

Being no further discussion, Councilman Jetton made a motion to approve the agreement. Members voted 4-0 in favor of the motion.

Manager's Report/Activity Update

City Manager Ritchie Haynes provided the following executive summary report and activity update for members of council. Executive Summary is as follows:

REGULAR MEETING - April 1, 2021

[illegible]

Mr. Hayes reported revenues at a good point in all three funds. He spoke to the positive trends being seen and the affect it is having. Continuing, Mr.

Haynes gave an update on several projects, reporting that the former Lincoln Times building purchased by the City has been demolished. He informed that the design portion is being finalized, after which project will go out for bid.

Work is scheduled to begin on the East Water Street sidewalks April 12th. The two bike racks purchased by the Lincoln Tourism Development Authority are scheduled to be installed at this time as well. Welcome Center will be ready to open once sidewalk is complete. In conclusion, Mr. Haynes informed that Deal Construction will be replacing a storm pipe in the Kennedy/ Rock Creek area over the Easter/Spring Break.

Mayor Ed Hatley informed members that Lincoln County has agreed to take over the CDBG Grant for the Bonview project.

PUBLIC COMMENT:

No one requested to speak during the Public Comment portion of the meeting

NEWS MEDIA:

No news media were present

ADJOURNMENT:

Councilwoman Poinsette made the motion unanimously approved to adjourn the meeting.

**DAPHNE INGRAM
CITY CLERK**

**ED HATLEY
MAYOR**

MEMO TO: Mayor and City Council Members

FROM: Laura Elam

SUBJECT: CZ-1-2021 Request for rezoning of approximately six acres from PB and RMF to PRD from Workforce Solutions

DATE: April 1, 2021

SITE AND AREA DESCRIPTION

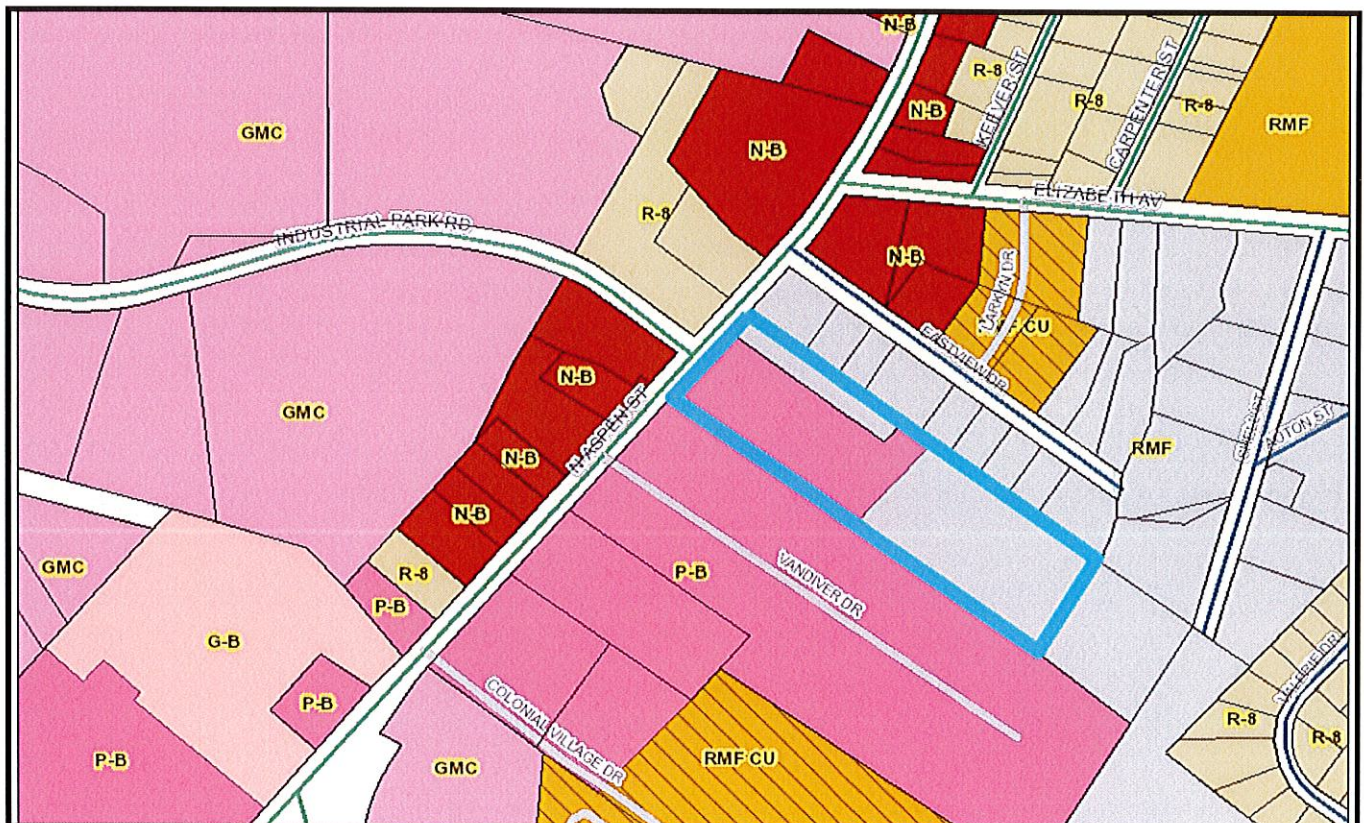
The applicant is requesting a conditional rezoning from PB (Planned Business) and RMF (Residential Multi Family) to Planned Residential Development (PRD) in order to allow a multifamily residential development consisting of 72 units.

The subject property consists of two (2) lots located at 2350 North Aspen Street (Parcel ID 21600 and 21599). The property currently is developed with two single family dwellings.

The majority of the site is located outside of the city limits but within the ETJ. A small portion of the site is located in the city limits.

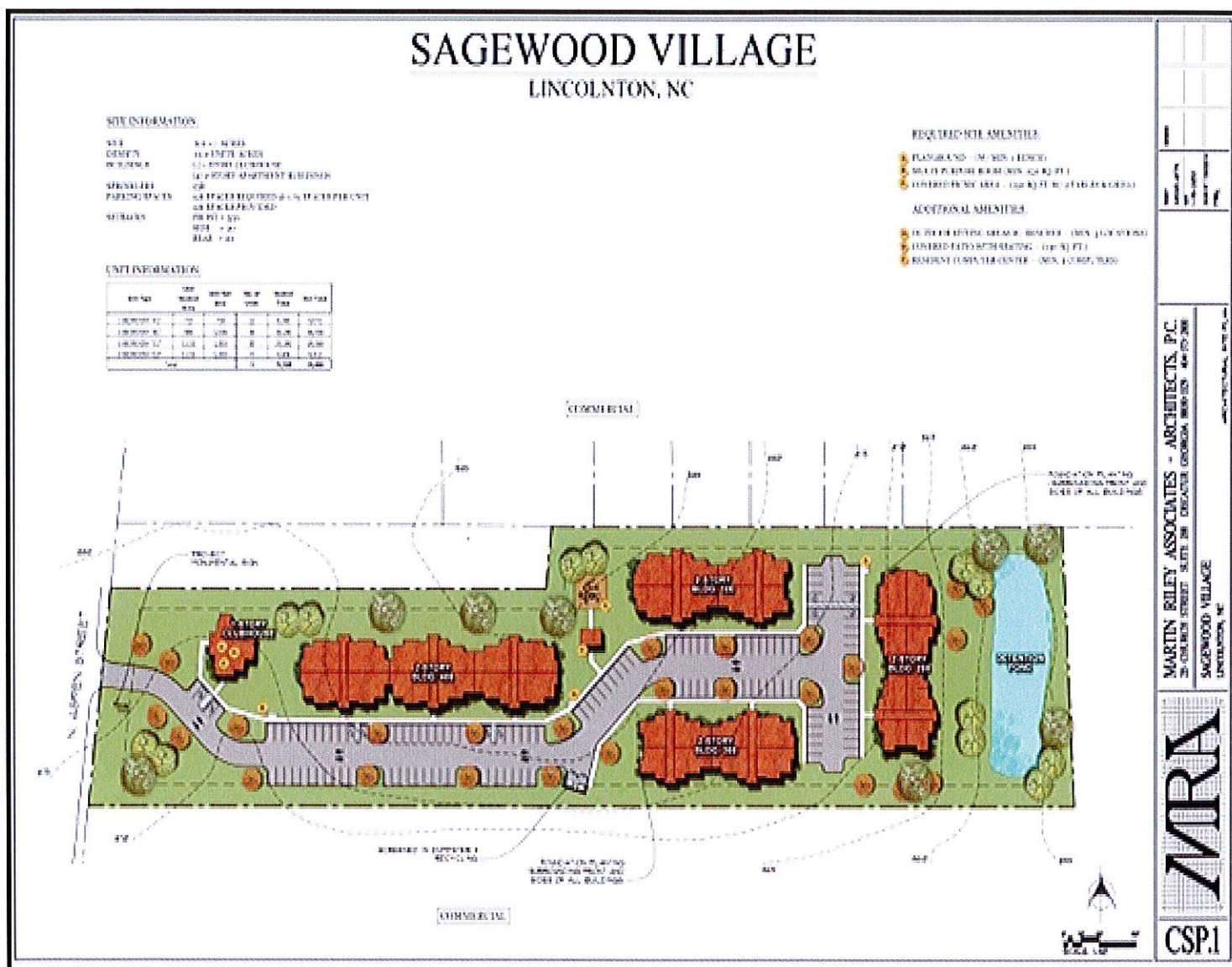
The adjacent properties are primarily commercial or multifamily with several single family dwellings in the vicinity. Zoning around the site is a mixture of commercial and residential.

CURRENT ZONING MAP



PROJECT DETAILS

- The project is approximately six (6) acres in size with 12 units per acre for a total of 72 units.
- There will be one entrance into the site from North Aspen Street.
- There will be four (4) two-story multifamily buildings, a one story clubhouse, and site amenities including a playground, picnic area, covered patio, and sitting area with benches.
- The applicant's site plan is below.



LAND USE PLAN

The Land Use Plan shows the property in the Mixed Use Residential Commercial Planning area. The rezoning of the property to the Planned Residential Development (PRD) district is consistent with the land use plan in staff's opinion.

CONDITIONAL ZONING

Because this is a proposed rezoning to a conditional zoning district, if the request is approved, the property could only be used for the specified use in accordance with the approved site plan. Any major modification or change in use would require approval by the City Council through a public hearing process.

STAFF REVIEW COMMITTEE

The Staff Review Committee had the following comments:

1. Prior to final approval, an engineered plan meeting all requirements for planned residential development and UDO requirements must be submitted to and approved by staff.
2. A maximum of 70% of the site can be impervious surface, due to water supply watershed restrictions. Detailed calculations must be given.
3. A sidewalk constructed to City of Lincoln specifications must be constructed along the entire frontage along North Aspen Street.
4. The City Utility Department is requiring a master meter for the project and the property owner will be responsible for all utility lines within the project boundaries and to the tap.
5. The applicant will be responsible for making the utility tap.
6. The sewer line located adjacent to the detention pond needs to have 20 foot of separation between the line and the pond.
7. City Fire Inspector will need to review and approve all plans prior to development.
8. Detailed landscaping and screening plan will need to be provided.
9. NCDOT driveway permit required, access should line up with Industrial Park Road, need to utilize a street type connection with a minimum 30 foot radii., encroachment agreement may be needed for sidewalks and utility connections, and proposed monument sign should be outside of 10' x 70' sight triangles.
10. Erosion control plans must be submitted and approved by Lincoln County Soil and Erosion prior to development.
11. Building plans must be submitted and approved by Lincoln County Inspection prior to development.

PLANNING BOARD AND STAFF RECOMMENDATION

Planning Board and Staff recommend the following actions:

- approval of the request for rezoning from PB and RMF to the Planned Residential Development (PRD) district subject to the staff review committee comments being made conditions of approval,
- approval of the statement of consistency for approval of the rezoning request, and
- the rezoning being effective upon receipt by the Zoning Administrator of written agreement from the applicant and property owner with the conditions of approval.

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

Case No. CZ-1-2021

Applicant: Workforce Solutions

Parcel ID#: 21600 and 21599

Location: 2350 North Aspen Street

Request: Rezone from PB and RMF to PRD for the use of the property for 72 multifamily units

Proposed Consistency and Reasonableness Statement:

The Lincolnton Land Use Plan designates this property as part of the Mixed Use Residential Commercial 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.**

MEMO TO: Mayor and City Council Members

FROM: Laura Elam

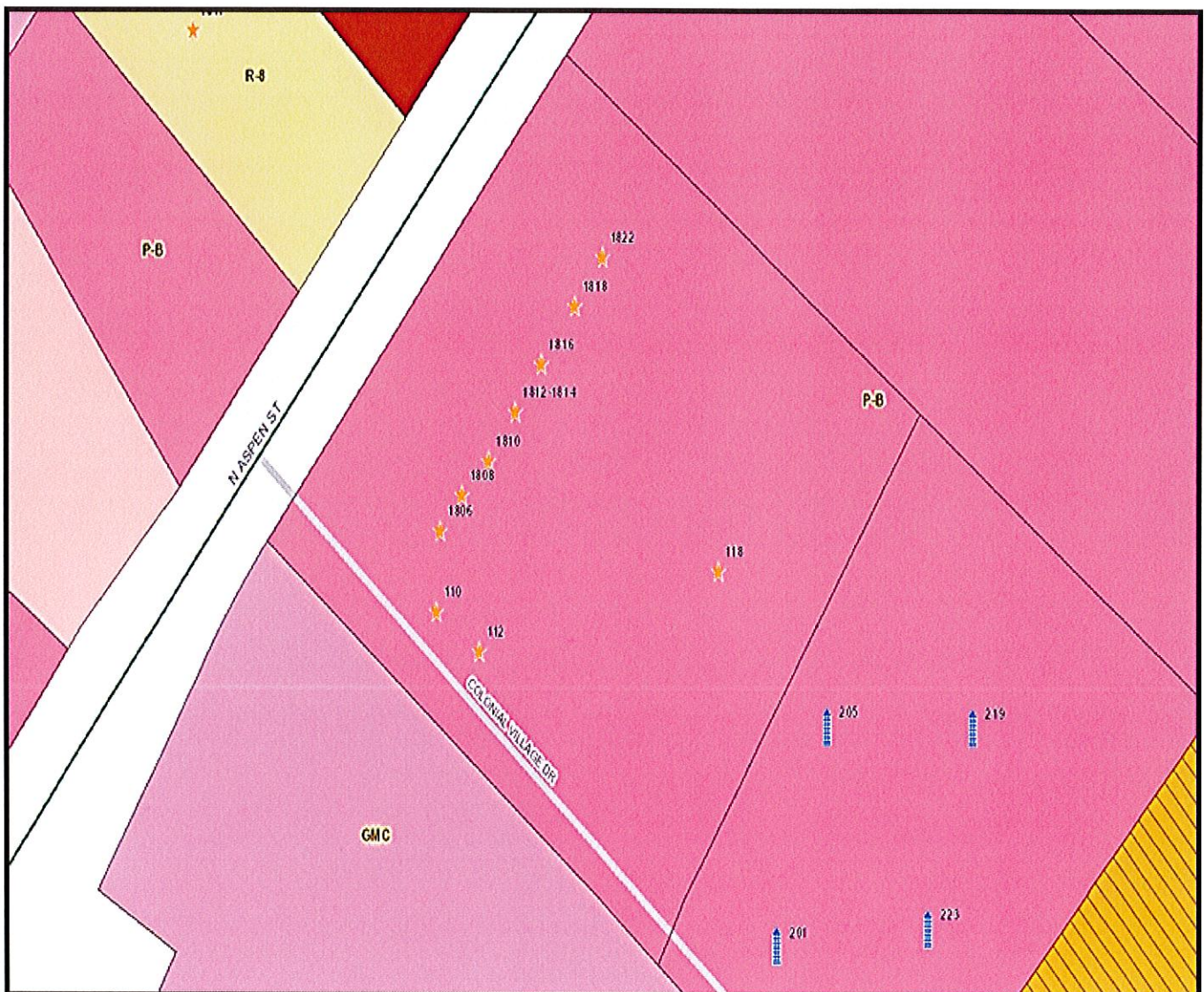
SUBJECT: CZ-2-2021, Request for rezoning from PB to HC(CD) from Lance Herman

DATE: April 1, 2021

SITE AND AREA DESCRIPTION

The applicant is requesting a conditional rezoning from PB (Planned Business) to HC(CD) (Highway Commercial Conditional District) in order to allow a tattoo studio at 1818 North Aspen Street in the Colonial Village Shopping Center (Parcel ID 00468). The site is a 900 square foot commercial space located within the shopping center and has been used for various retail and service uses over the years. The site has ample parking and is surrounded by commercial and multifamily uses. No changes will be made to the exterior of the site.

CURRENT ZONING





LAND USE PLAN

The Land Use Plan shows the property in the Mixed Use Residential Commercial Planning area. Rezoning of the property to the Highway Commercial (HC) district is consistent with the land use plan in staff's opinion.

CONDITIONAL ZONING

Because this is a proposed rezoning to a conditional zoning district, if the request is approved, the property could only be used for the specified uses in accordance with the approved conditional rezoning. Any major modification or change in use would require approval by the City Council through a public hearing process.

STAFF REVIEW COMMITTEE

The Staff Review Committee had the following comments:

- Use of the property to be limited to a tattoo studio, office or commercial uses as allowed in the PB district.
- Building plans must be approved by Lincoln County prior to issuance of building permits.
- Fire code requirements must be reviewed and approved by the Fire Marshal.

PLANNING BOARD AND STAFF RECOMMENDATION

Planning Board and Staff recommend the following actions:

- approval of the request for rezoning from PB to HC(CD) subject to the staff review committee comments being made conditions of approval,
- approval of the statement of consistency for approval of the rezoning request, and
- the rezoning being effective upon receipt by the Zoning Administrator of written agreement from the applicant and property owner with the conditions of approval.

MEMO TO: Mayor and City Council Members

FROM: Laura Elam, Planning Director

SUBJECT: Request to Amend Sidewalk Dining Ordinance to Conform to State Legislation.

DATE: April 1, 2021

BACKGROUND

A review of the state statutes regarding sidewalk dining within state rights-of-way indicates the below revisions are necessary to the city's sidewalk dining ordinance

PROPOSED TEXT AMENDMENT

- Revision of the liability insurance provision,
- Addition of a hold harmless indemnity agreement provision,
- Maximum posted speed limit of 45 MPH on adjacent road,.
- City to obtain permission from NCDOT to permit the right-of-way of any federal-aid route on or off the National Highway System to be used for sidewalk dining,
- No permits to be issued for sidewalk dining on interstates,
- Restaurant operator and / or owner of the sidewalk dining operation is responsible for repairing any incidental damage to state right-of-way resulting from the operation of the sidewalk dining,
- City may impose additional requirements on a case-by-case basis and nothing in this ordinance requires the city to issue or maintain any permit for sidewalk dining activities if, in the opinion of the city, such activities cannot be conducted in a safe manner,
- City Manager to provide any updates to the ordinance to NCDOT,
- City Manager to maintain a list or database of all current permits and issued parties,

- City to meet any other requirement deemed necessary by NCDOT to safely allow sidewalk dining,
- Revision of the standards for sidewalk dining include:
 - o Tables and chairs to be at least six feet from any travel lane,
 - o Tables and chairs to leave clear at least five feet of unobstructed paved space of the sidewalk for the passage of pedestrians and to provide adequate passing space in compliance with ADA,
 - o Tables and chairs to not obstruct any driveway, alleyway, building entrance or exit, emergency entrance or exit, fire hydrant or standpipe, utility access, ventilation areas, or ramps necessary to meet accessibility requirement under ADA, and
 - o Restaurant operator is to cease part or all sidewalk dining activities in order to allow construction, maintenance, or repair of any street, sidewalk, utility, or public building by NCDOT, the city or any other governmental entity or public utility.

ACTION REQUESTED

Approval of attached revised Sidewalk Dining Ordinance.

(O-06-21)
An Ordinance to Amend
the City of Lincolnton
Sidewalk Dining Ordinance
In Order To Comply With
North Carolina General Statutes

Section 1. Amend Chapter 114 of the City Code, Sidewalk Dining, as follows. Newly adopted language is underlined and **highlighted in yellow**. Language to be deleted is ~~struck through~~ and in ~~red font~~.

CHAPTER 114: SIDEWALK DINING

- 114.01 General
- 114.02 Permit required
- 114.03 Application
- 114.04 Issuance of permit
- 114.05 Alcoholic beverages
- 114.06 Denial
- 114.07 Terms and transfer
- 114.08 Permit suspension
- 114.09 Permit revocation

§ 114.03 APPLICATION.

Any business owner desiring to operate a sidewalk café shall prepare and file an application with the City Manager which shall contain the following information:

- (A) The name, addresses and telephone number of the business desiring to operate a sidewalk café;
- (B) The name, address and telephone number of the business operator;
- (C) The type of products to be sold and served at the sidewalk café;
- (D) The hours of operation of the business and the proposed hours of operation of the sidewalk café;
- (E) A site plan showing the section of sidewalk or pedestrian way to be used for the sidewalk café, and the section to be kept clear for pedestrian and fire lane use, and depicting the proposed placement of tables, chairs, umbrellas, trash receptacles and other furnishings on the sidewalk or pedestrian way;

~~—(F) Proof of an insurance policy, issued by an insurance company licensed to do business in the state, protecting the permittee and the city from all claims for damages to property and bodily injury, including death, which may arise from operation under or in connection with the permit. The insurance shall name the city as additional insured and shall provide that the policy shall not terminate or be canceled prior to the expiration date without 30 days advance written notice to the city. The insurance shall afford minimum limits of \$1,000,000 aggregate annually. In addition to the aforesaid general liability coverage provided by permittee on behalf of city, the permittee shall also offer proof of a liquor liability policy or endorsement issued by an insurance company licensed to do business in the state, which protects the permittee and the city from all claims for damages to property or bodily injury, including death, which may arise from operation under or in connection with the permit (and specifically for the sale and consumption of alcoholic beverages as authorized by this chapter). Additional liquor liability policy or endorsement shall name the city as additional insured and shall provide that the policy or endorsement shall not terminate or be cancelled prior to the expiration date without 30 days written notice to the city. The liquor liability insurance policy or endorsement shall afford minimum limits of \$1,000,000 aggregate annually;~~

(F) Evidence of adequate liability insurance in an amount satisfactory to the city, but in no event in an amount less than amount specified under G.S. Sec. 160A-485 as the limit of the city's waiver of immunity or the amount of Tort Claim liability specified in G.S. Sec. 143-299.2, whichever is greater. The insurance shall protect and name the N.C. Department of Transportation (hereinafter referred to as the "Department") and the city as additional insureds on any policies covering the business and the sidewalk activities.

(G) A written agreement to indemnify and hold harmless the Department and the city from any claim resulting from the operation of sidewalk dining activities.

(G) (H) A copy of all the permits and licenses issued by the county, state or the city, including health and ABC permits ~~and business licenses,~~ if any, necessary for the operation of the business, or a copy of the application for the permit if no permit has been issued. This requirement includes any permits or certificates issued by the city or other governmental authority, for exterior alterations or improvements to the building;

(H) (I) A sworn statement describing any violation by the business operator of any laws, regulations or ordinances relating to the possession, sale, consumption or transportation of intoxicating beverages or controlled substances during the five years immediately preceding the date of the permit application;

(I) (J) Additional information as may be requested by the City Manager or his or her designee in order to determine compliance with this section; ~~and~~

(J) (K) An annual fee in the amount as set forth in the fee schedule to cover the cost of processing and investigating the application and issuing the permit, and

(L) Any other requirements deemed necessary by the Department or the city.

§ 114.04 ISSUANCE OF PERMIT.

No permit for the operation of a sidewalk café may be issued unless the application is complete and the following requirements are met.

(A) The sidewalk café must be associated with an operating business so that it is under the same management and shares the same preparation facilities, restroom facilities and other customer convenience facilities as the business. The sidewalk café must be operated under the same name as the business and may not be open or operated at any time when the business is not open for business.

(B) The operation of the sidewalk café must be clearly incidental to the associated business. The seating capacity of the sidewalk café may not be more than 50% of the interior seating capacity of the associated business.

~~—(C) The placement of tables, chairs and other furnishings as shown in the site plan must be done in a manner that at least five feet of unobstructed space (as measured from the building façade or, in the absence of a building façade, a straight line connecting the building façades) remains on the sidewalk or pedestrian way for the passage of pedestrians. No fire exits or lanes may be blocked and must remain clear at all times. The pedestrian passage may not be used for the display of merchandise or for portable signs otherwise authorized.~~

(C) Tables, chairs and other furnishings shall be placed a minimum of six feet from any travel lane.

(D) 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 American with Disabilities Act.

(E) 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, ventilation areas, or ramps necessary to meet accessibility requirement under the Americans with Disabilities Act.

(F) 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.

(G) 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 city, their agents or employees, or any other governmental entity or public utility.

~~(D)~~ (H) The business seeking to operate the sidewalk café must front on and open onto the sidewalk or pedestrian way proposed for the sidewalk café. The placement of tables, chairs and other furnishings may not extend beyond the sidewalk or pedestrian way frontage of the associated business, with the following exception: tables, chairs and other furnishings may extend up to eight feet onto adjacent property frontage in either or both directions with the written permission (provided at the time of application) of the occupant of the adjacent property.

~~—(E)~~ **(I)** The tables, chairs and other furnishings used in the sidewalk café shall not be anchored and shall be of a type of street furniture that is easily movable.

~~—(F)~~ **(J)** Except as elsewhere permitted by the code, the operation or furnishing of the sidewalk café shall involve no permanent alteration to or encroachment upon any street, sidewalk or pedestrian way or to the exterior of the associated business.

~~—(G)~~ **(K)** Each sidewalk café shall provide adequate trash removal for its patrons. At the end of each business day and during operating hours, the operator shall remove all trash and debris of any sort from the sidewalk area. In addition, the operator shall remove from the sidewalk alongside and abutting properties any trash or debris originating as a result of the operation of the sidewalk café.

~~—(H)~~ **(L)** Tables, chairs and other furnishings that remain on the sidewalk at times when the business is not in operation shall be secured in a manner that allows clear access from the street equal to or exceeding half of the frontage of the associated business.

(M) The city 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.

(N) No permits may be issued for sidewalk dining on any interstate route.

(O) The restaurant operator and / or owner of the sidewalk dining operation shall be responsible for repairing any incidental damage to state right-of-way resulting from the operation of the sidewalk dining.

(P) The city may impose additional requirements on a case-by-case basis and nothing in this ordinance requires the city to issue or maintain any permit for sidewalk dining activities if, in the opinion of the city, such activities cannot be conducted in a safe manner.

§ 114.10 COORDINATION WITH NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.

(A) The City Manager shall provide any updates to this ordinance to the Department.

(B) The City Manager 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.

(C) The City shall meet any other requirement deemed necessary by the Department to safely allow sidewalk dining.

Section 2. That this ordinance shall become effective upon its adoption.

SECOND AMENDMENT TO CONTRACT OF LEASE

This Second Amendment to Contract of Lease (this “**Second Amendment**”) is entered into as of April 1, 2021 (the “**Second Amendment Effective Date**”), between Landlord and Tenant (each as defined in Section 1 of this Second Amendment). For valuable consideration, the receipt and adequacy of which are hereby acknowledged, Landlord and Tenant agree as follows:

1. **Definitions.** In this Second Amendment, the following terms have the following meanings:

- (a) **Landlord:** City of Lincolnton, a North Carolina municipal corporation
- (b) **Tenant:** Spectrum Southeast, LLC, successor in interest to Charter Communications, LLC, as successor in interest to Charter Communications II, LP.
- (c) **Lease:** Contract of Lease dated February 12, 1998, between Landlord and Tenant: as amended by First Amendment to Contract of Lease dated August 1, 2008 (“**First Amendment**”), as renewed by renewal notice dated November 9, 2017.
- (d) **Premises:** The real property described as that certain cement block building measuring approximately 14 ft. x 28 ft., and located on the lot at the southwestern corner of Lee Avenue and W. Church Street in Lincolnton, NC, together with any other portion of land necessary to run cable, utility and other communications lines from a public right-of way to the Land.
- (e) **Land:** The parcel or lot owned by Landlord located at the southwestern corner of Lee Avenue and W. Church Street in Lincolnton and upon which the Premises is situated.

Any capitalized term used in this Second Amendment, but not defined in this Second Amendment, has the meaning given such term in the Lease.

2. **Rent.** As of April 1, 2021 and continuing thereafter throughout the remainder of the current term, monthly rent (the “**Monthly Rent**”) for the Premises will be payable as follows:

PERIOD	MONTHLY RENT
April 1, 2021 – February 28, 2022	\$525.00
March 1, 2022 – February 28, 2023	\$535.50

Landlord agrees that Tenant may make its Monthly Rent payments via ACH transfer or any other form of direct deposit (and Landlord will provide Tenant with all bank instructions and other information needed for such ACH transfer or other direct deposit payment).

3. Complimentary Services. Landlord is currently receiving certain video, broadband, telecommunications, wireless or other services at three or more sites/outlets at no charge (“**Complimentary Services**”), and more particularly described in Section II of the Lease, in lieu of Monthly Rent for the Premises. Notwithstanding anything in the Lease to the contrary, as of March 31, 2021, at 5:00 p.m. prevailing local time the Complimentary Services will be terminated. Landlord acknowledges and agrees that the Monthly Rent set forth in Section 2 above includes compensation for the termination of the Complimentary Services, and Landlord will need to contact a Spectrum Customer Service Representative at 1-888-438-2427, prior to March 31, 2021, in order to subscribe to one or more services if Landlord desires to continue to receive services from Spectrum after March 31, 2021. Landlord will have no right to terminate the Lease, or seek any other remedy, compensation, or damages, based on the termination of Complimentary Services.

4. Assignment and Subletting.

(a) Notwithstanding anything in the Lease to the contrary, if Landlord does not consent or object in writing to any proposed sublease or assignment within 10 days after its receipt of Tenant’s request for consent, Landlord’s consent will be deemed given.

(b) Notwithstanding anything in the Lease to the contrary, Tenant has the right to sublet all or a portion of the Premises or to assign the Lease, without Landlord’s consent, to any of Tenant’s Affiliates (as defined below) or to any Communications Purchaser (as defined below). Any such subtenant or assignee will have a similar right to sublet all or a portion of the Premises or to assign the Lease, without Landlord’s consent, to any of Tenant’s Affiliates or to any Communications Purchaser. As used herein: (i) “**Tenant’s Affiliates**” means any person or entity that Controls (as defined below), is Controlled by, or is under common Control with, Tenant, or any successor entity resulting from a merger, acquisition, consolidation, reorganization, or other business combination by Tenant; (ii) “**Control**” (including its correlative form “**Controlled**”) means the power to direct the management and policies of an entity, directly or indirectly, whether through the ownership of voting securities, by contract, or otherwise; and (iii) “**Communications Purchaser**” means any purchaser of all or a portion of the communications systems, equipment or business operations of Tenant or any of Tenant’s Affiliates located on or related to the Premises. Upon any assignment of the Lease as permitted by this Section, Tenant will be relieved of all obligations and liabilities arising under the Lease after the date of such assignment. No transfer or assignment of the stock of Tenant, or any ownership interest in Tenant, whether by sale, merger, reorganization, consolidation, exchange, or other means, will constitute an assignment of the Lease.

5. Default by Landlord. In the event of any default by Landlord in the performance of its obligations under the Lease, Tenant’s rights will include the following:

(a) If an event, condition or situation adversely affects the health, safety, or welfare of Tenant’s employees, customers, vendors, suppliers, guests, or invitees, or adversely affects

Tenant's ability to conduct normal business operations from the Premises (collectively, an "Emergency Default"), and if Landlord fails to commence a cure for such Emergency Default within one business day after receiving notice of such Emergency Default, or if Landlord fails to diligently pursue such cure to completion, then Tenant will have the right to exercise such self-help measures as may be reasonably necessary to cure such Emergency Default. Any costs and expenses so incurred by Tenant (plus a fee equal to 15% of the cost to cure such Emergency Default as an administrative fee) will be reimbursed by Landlord upon demand, or, at Tenant's option, deducted from any rent or other amounts due or becoming due for periods subsequent to the date that Tenant incurs such costs or expenses.

(b) If Landlord fails to cure any default not otherwise falling within clause (a) above within 20 days after written notice of such default, or if Landlord fails to diligently pursue such cure to completion, Tenant will have the right, in its sole discretion, to exercise such self-help measures as may be reasonably necessary to cure such default. Any costs and expenses so incurred by Tenant (plus a fee equal to 15% of the cost to cure such default as an administrative fee) will be reimbursed by Landlord upon demand, or, at Tenant's option, deducted from any rent or other amounts due or becoming due for periods subsequent to the date that Tenant incurs such costs or expenses.

(c) Without limiting anything in clauses (a) or (b) of this Section, if Landlord fails to cure any default within 30 days after receipt of written notice of such default, Tenant will have the right to terminate the Lease, without penalty, upon written notice to Landlord. Any such termination will be effective as of the termination date designated in Tenant's termination notice.

(d) Whether or not Tenant exercises its self-help right as provided in this Section, Monthly Rent will be abated from the date following expiration of the applicable cure period until the date the specified default is cured by Landlord.

6. Landlord's Insurance. At all times during the term, Landlord will carry and maintain commercially reasonable property insurance covering the Land and the Premises. Landlord shall also carry commercial general liability insurance with a minimum of \$1,000,000 per occurrence and \$2,000,000 aggregate. Upon request by Tenant, Landlord shall provide Tenant with a certificate of insurance evidencing Landlord's required insurance herein.

7. Hazardous Materials. Notwithstanding anything in the Lease to the contrary, Landlord will be responsible, at its sole cost and expense, for the remediation of, and will defend, indemnify, and hold harmless Tenant, its subsidiaries and affiliated entities, and the officers, directors, employees, partners, shareholders, members, managers, representatives, agents, predecessors, successors, and assigns of Tenant, and its subsidiaries and affiliated entities, from and against any and all claims, demands, actions, causes of action, damages, awards, judgments, fines, forfeitures, penalties, losses, liabilities, costs and expenses, including, without limitation, actual attorneys' fees reasonably incurred, arising out of or in connection with any of the following: (a) any mold, asbestos or asbestos-containing material that is discovered at or in the Premises, at any time during the term; (b) any hazardous materials, hazardous waste, or any other chemical, material, waste, or substance which may, or could reasonably be expected to, pose a hazard to the health and safety of persons or cause damage to the environment, including, without limitation, any leaded paint, petroleum, petroleum products or PCBs, discovered at or in

the Land or the Premises (collectively, “**Hazardous Materials**”) and not introduced to the Land or the Premises by Tenant; or (c) any other environmental cleanup or restoration of the Land or the Premises, except to the extent directly caused by Tenant’s introduction of Hazardous Materials to the Land or the Premises. Landlord’s obligations under this Section will survive the expiration or earlier termination of the Lease.

8. Waiver of Subrogation. Landlord and Tenant each waives any claims that it may have against the other to the extent such claims are covered by property insurance policies actually carried or required to be carried under the Lease. Landlord and Tenant agree that they will cause their respective insurers to issue appropriate waiver of subrogation rights provisions to all property insurance policies required to be carried under the Lease.

9. Notice Address. Section 3 of the First Amendment is deleted in its entirety and replaced with the following:

For the purpose of any notice or other communication under the Lease, Landlord’s address and Tenant’s address are amended to be as follows:

If to Landlord: City of Lincoln

If to Tenant: Spectrum Southeast, LLC
c/o Charter Communications
6360 S. Fiddler’s Green Circle
Suite 100
Greenwood Village, Colorado 80111-4951
Attn: Charter Real Estate
(with a copy to the same address: Attn: VP, Counsel, Real Estate)
File ID No.: NC0022

with a copy by email to: leaseadmin@charter.com

Except for an Emergency Default (as defined below), any notice or other communication required or permitted under the Lease must be in writing and provided to the other party via: (a) postage prepaid certified mail, return receipt requested; (b) personal delivery; or (c) Federal Express or any similar overnight delivery service that routinely issues receipts. Any notice will be deemed received on actual receipt (or refusal to accept delivery). Notwithstanding the foregoing, during an Emergency Default, Tenant may give notice to Landlord via email at: _____; or via telephone to the following 24-hour emergency line: _____ and the same will be deemed to have satisfied the notice requirements under the Lease. For purposes of the Lease, “**Emergency Default**” means an event, condition, or situation that adversely affects the health, safety, or welfare of Tenant’s employees, customers, vendors, suppliers, guests, or invitees, or that adversely affects Tenant’s ability to conduct normal business operations from the Premises.

Either Landlord or Tenant may add additional addresses or change its address for purposes of receipt of any such communication by giving 10 days' prior written notice of such change to the other party in the manner prescribed in this Section.

10. Renewal Option. Section 6 of the First Amendment is deleted in its entirety and replaced with the following language:

Tenant will have the option to renew the term of the Lease for two (2) additional terms of 5 years each (the "**Second Renewal Term**" and the "**Third Renewal Term**", respectively, and each an "**Additional Renewal Term**"), subject to the further provisions of this Section.

(a) Tenant must exercise the option with respect to each Additional Renewal Term, if at all, by giving notice of exercise to the Landlord on or before the date that is 30 days prior to the then applicable expiration date.

(b) Each Additional Renewal Term will be on the same terms and conditions as the Lease, except that the Monthly Rent will be payable as follows:

SECOND RENEWAL TERM	MONTHLY RENT
March 1, 2023 – February 29, 2024	\$546.21
March 1, 2024 – February 28, 2025	\$557.13
March 1, 2025 – February 28, 2026	\$568.28
March 1, 2026 – February 28, 2027	\$579.64
March 1, 2027 – February 29, 2028	\$591.24

THIRD RENEWAL TERM	MONTHLY RENT
March 1, 2028 – February 28, 2029	\$603.06
March 1, 2029 – February 28, 2030	\$615.12
March 1, 2030 – February 28, 2031	\$627.42
March 1, 2031 – February 29, 2032	\$639.97
March 1, 2032 – February 28, 2033	\$652.77

11. Disputes. The parties agree that if any claim, controversy or dispute arising out of or relating to this Lease (each such claim, controversy or dispute, a "**Dispute**") is not resolved in the ordinary course of business, either party may require escalation by each party to appropriate representatives at a higher level of management than those involved in the day-to-day administration of the Lease ("**Escalation**"). Such higher level representatives will thereafter attempt, in good faith, to resolve such Dispute within 30 days (or such longer period as the

parties may agree upon) after Escalation. Each party agrees that it will not have the right to demand arbitration as set forth below in this Section without first attempting to resolve the applicable Dispute through Escalation. Any Dispute not resolved after Escalation shall, upon demand by either party, be resolved by binding arbitration in accordance with the rules of the American Arbitration Association, and judgment upon the award rendered by the arbitrator may be entered in any court having jurisdiction thereof. The arbitration will be conducted in the county in which the Premises are located. There will be no discovery during the arbitration other than the exchange of information that is provided to the arbitrator(s) by the parties. The arbitrator(s) will have the authority only to award equitable relief and compensatory damages, and will not have the authority to award punitive damages or other non-compensatory damages. The parties hereby waive all rights to and claims for monetary awards, other than compensatory damages. The decision of the arbitrator(s) will be final and binding and may not be appealed. Either party may apply to any court of competent jurisdiction to enforce the decision of the arbitrator(s) and to obtain a judgment thereon. Notwithstanding anything in this Section to the contrary, the following need not be resolved by arbitration: (i) any action by Landlord that seeks repossession of the Premises as part of Landlord's remedy; (ii) any action by Landlord or Tenant seeking an injunction or temporary restraining order; and (iii) any action by Landlord or Tenant seeking any prejudgment remedy. Further, the parties may cancel or terminate the Lease in accordance with its terms and conditions without being required to follow the procedures set forth in this Section.

12. Holdover. Tenant will have the right under the terms and conditions of this Section to elect to remain in possession of the Premises and continue to pay Monthly Rent for a period of between one and six months following the then applicable expiration date ("**Hold Over**"). In order to exercise such Hold Over election, Tenant must provide written notice to Landlord at least 90 days prior to the then applicable expiration date, and include in such notice the number of months that Tenant desires to Hold Over. Tenant will not have the right to Hold Over if, at the time of Tenant's Hold Over notice, Tenant is in default of any material provision of the Lease beyond any applicable notice and cure period. Any Hold Over possession will be subject to the provisions of the Lease (other than those relating to the term of the Lease), at a Monthly Rent equal to the last Monthly Rent paid or payable during the month immediately preceding the expiration of the then applicable term. If Tenant fails to exercise its Hold Over election but remains in possession of the Premises after the expiration of the then current term without Landlord's consent and without a new lease, amendment, renewal, or extension of the Lease, Tenant will occupy the Premises under a month-to-month tenancy, at a Monthly Rent equal to the last Monthly Rent paid or payable during the month immediately preceding the expiration of the then applicable term. Any such month-to-month tenancy may be terminated by either party by giving 30 days' prior written notice of such termination, and the termination will be effective as of the last calendar day of the month in which such 30-day period expires.

13. Broker. Landlord and Tenant respectively represent and warrant to each other that neither of them has consulted or negotiated with any broker or finder with regard to the Premises or the preparation of this Second Amendment. Landlord and Tenant each agree to indemnify, defend, and hold harmless the other from and against any and all claims, demands, actions, causes of action, liabilities, losses, costs, and expenses (including, without limitation, court costs and disbursements, and actual attorneys' fees reasonably incurred) arising from or related to any claim by any broker, agent or other person or entity, for any commission, fees, or other form of

compensation, reimbursement or consideration, with regard to the Premises, the preparation of this Second Amendment or the transactions contemplated hereby.

14. Estoppel. Landlord hereby represents and warrants that as of the date of execution of this Second Amendment: (a) Tenant is not in default or breach of the Lease; (b) no event has occurred which with the passage of time or the giving of notice would constitute such a breach or default of the Lease; and (c) all rent, additional rent and other amounts due and payable under the Lease have been paid in full through and including March 31, 2021.

15. Confirmation of Lease. Landlord and Tenant confirm and ratify in all respects, the terms and conditions of the Lease, as amended by this Second Amendment. In the event of any conflict or inconsistency between any of the provisions of this Second Amendment and any of the provisions of the Lease, the provisions of this Second Amendment will govern.

16. Drafting. Landlord and Tenant each acknowledges that this Second Amendment was fully negotiated by the parties and that no provision of this Second Amendment will be interpreted in favor of either Landlord or Tenant, or against either Landlord or Tenant, merely because such party or its legal representative or advisor drafted such provision.

17. Counterparts; Facsimiles. This Second Amendment may be executed in counterparts, each of which (once executed) will constitute an original and all of which together (once executed) will constitute one and the same document. This Second Amendment may be signed and delivered by facsimile or electronically, and the same facsimile or "pdf" signatures will constitute original signatures with all force and effect of law.

18. Lender's Consent. Landlord hereby represents and warrants that: (a) no lender consent is required for this Second Amendment; and (b) the effectiveness of this Second Amendment is not conditioned upon Landlord receiving any lender's consent.

Landlord and Tenant have executed this Second Amendment as of the Second Amendment Effective Date.

LANDLORD:

City of Lincolnton

By:

Name:

Title:

TENANT:

Spectrum Southeast, LLC

By: Charter Communications, Inc.,
its Manager

By:

Name: Michael D. Reid

Title: GVP, Corporate Services

ITEM #

2b

RESOLUTIONS

(R-05-21) and (R-06-21)

(R-05-21)

**A RESOLUTION AUTHORIZING THE DISPOSITION OF
CERTAIN PERSONAL PROPERTY BY PRIVATE SALE**

WHEREAS, the Lincolnton City Council of the City of Lincolnton desires to dispose of certain surplus property of the City; and

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

1. The following described property is hereby declared to be surplus to the needs of the City:
Lincolnton Police Department Sign
Dedication Plaque from lobby
Chief, Captain & Community Service Lieutenant Parking Signs
2. The City Manager is authorized to dispose of the described property by private sale at a negotiated price.
3. The City Clerk shall publish notice summarizing this Resolution in accordance with G.S. 160A-267.
4. The sale may be consummated not earlier than 10 days from the date of publication.

Adopted this 6th day of May, 2021

Ed Hatley, Mayor

ATTEST:

Daphne Ingram, City Clerk

**A RESOLUTION BY THE CITY OF LINCOLNTON
OPPOSING SB 349/HB 401 (“INCREASE HOUSING OPPORTUNITIES”)**

WHEREAS, the legislation proposed in SB 349/HB 401 (“Increase Housing Opportunities”) would eliminate single family residential zoning statewide and eliminate other aspects of local zoning, eroding the rights of local property owners and the decisions of their locally elected officials to determine how development should occur in their communities and neighborhoods; and

WHEREAS, uniform legislation for all local governments under one statewide zoning mandate that would eliminate the single-family zoning designation and allow multi-family housing in every neighborhood would usurp local control, undermine the rights of existing property owners and damage existing home values; and

WHEREAS, the legislation represents a broad and comprehensive attack on local land use decision - making and the ability of local property owners to weigh in on what is and is not appropriate development in their neighborhoods and communities;and

WHEREAS, the legislation would obstruct the ability of locally elected officials to consider all interests when making land use decisions, including those of existing homeowners and property owners who stand to lose the most when incompatible uses are allowed adjacent to their property; and

WHEREAS, the legislation would severely diminish or even eliminate the ability of local government to determine what is best for its community or even allow community input or involvement in the decision-making process; and

WHEREAS, development would become uncontrolled and reckless with little to no regard for property owners rights, not to mention the added stress and demand on a local government’s infrastructure which would eventually lead to declining property values; and

WHEREAS, city officials were elected by their citizens for a reason – to protect and preserve the quality of life that they have come to enjoy; and

WHEREAS, increased housing does not guarantee more affordable housing nor does this legislation.

NOW, THEREFORE BE IT RESOLVED that copies of this resolution are sent to our legislative delegation and to the leadership of the North Carolina General Assembly in an effort to stop SB 349/HB 401 from becoming law and to work together to find real ways to advance affordable housing opportunities.

Adopted this the _____ day of _____, 2021.

Ed Hatley, Mayor

ATTEST:

Daphne Ingram, City Clerk

Oppose SB 349/HB 401 Increase Housing Opportunities

LOCAL ZONING AND LAND USE CONTROLS PROTECT EXISTING HOME VALUES

SB 349/HB 401 Increase Housing Opportunities represents a radical, one-size-fits-all approach to zoning and land use, in the guise of increasing affordable housing. It would usurp local control, undermine the rights of existing property owners and damage existing home values. The legislation would do so by eliminating single-family zoning statewide and wipe out other aspects of local zoning, further eroding the rights of local property owners and the decisions of their locally elected officials to determine how development should occur in their communities and neighborhoods.

BY OPPOSING SB 349, KNOW THAT:

- ❑ While Oregon has adopted similar radical measures, even its state legislature did not go so far as to eliminate single-family zoning and other forms of zoning to the degree that this legislation proposes.
- ❑ From start to finish, SB 349 represents a broad and comprehensive attack on local land-use decision-making and the ability of local property owners to weigh in on what is and is not appropriate development in their neighborhoods and communities.
- ❑ SB 349 would obstruct the ability of locally elected officials to consider all interests when making land-use decisions, including those of existing homeowners and property owners, who stand to lose the most when incompatible uses are allowed adjacent to their property.
- ❑ Many North Carolina cities have led the way when it comes to making investments and policy changes designed to encourage affordable housing options, but have done so with community involvement and neighborhood-appropriate measures. This bill is a blunt instrument that does neither.



SB 349/HB 401 Increase Housing Opportunities is the latest effort by development interests – now cloaked in the language of affordable housing – to extinguish local authority when it comes to determining how growth and development proceed. **Please oppose SB 349/HB 401, and work with cities and towns and their representatives to find real ways that advance affordable and workforce housing opportunities.**

SB 349/HB 401 Increase Housing Opportunities

Edition 1 Explainer

When taken together, all the provisions that are explained below severely reduce or eliminate the tradition of community-wide decisions regarding development. In SB 349, elected local governing boards see their decision-making authority hamstrung. And community members face new, large hurdles to use legal tools that currently give them a voice. So, by sidelining community members and their elected boards, SB 349 would allow development to proceed with little regard for a community's preferences.

How does this bill eliminate local zoning authority?

- Section 1.1 preempts local zoning authority by putting in place a statewide zoning scheme that would allow duplexes, triplexes, quadplexes, and townhomes in every zone that also has single-family zoning.
- Section 1.3 mandates that every single-family zone in the state also accommodate an accessory dwelling unit on each lot, subject to the local government's setback rules. This section also preempts a local government's ability to set parking standards for these additional homes.
- Section 2.2 locks in place all zoning codes, and it only allows future changes that would increase the density of development or allow a more-intense land use. An exception for public health, safety, or welfare is likely to happen only rarely. *Proposed 160D-702(d)*.
- Section 2.2 also appears to eliminate all zoning except for industrial zoning and adult establishments. *Proposed 160D-702(e) and (f)*.
- Section 2.3 severely restricts conditional zoning, thereby taking away a tool that gives developers and local governments flexibility to tailor development.

What other devices are in this bill that hamper a local governing board's ability to make development decisions that benefit the community at large?

- Section 2.2 appears to prevent a local government from enforcing any prior-enacted zoning changes that shifted the uses in that zone from higher-intensity to lower-intensity. Therefore, this provision invalidates countless past zoning decisions. *Proposed 160D-702(d)*.
- Section 2.4 gives automatic attorney's fees to successful legal challengers, paid by local taxpayers. However, the bill does not offer a reciprocal automatic attorney's fees award if the local government prevails in any lawsuit. The threat of having to automatically pay attorney's fees will result in overly cautious decision-making by local governing boards who wish to avoid lawsuits.
- Section 2.5 disallows a governing board from adopting language into its zoning code that would clarify conflicts within the code, if—as it resolved the conflict—the governing board wanted to choose a more restrictive rule. *Proposed 160D-706(c)*.

In what ways does this bill obstruct the ability of community members and neighbors to have a say in how nearby development should occur?

- Section 2.6 places hurdles on community members and neighbors who want to intervene in legal disputes involving development, thereby making it difficult for them to participate and protect their property interests. Examples of these hurdles include:
 - Shortening the amount of time in which they may ask a court to grant them intervenor status. *Proposed 160D-1402(g)*.
 - Eliminating their ability to appeal an unwanted local government development decision, if the developer starts work before they can appeal that decision to the courts. *Proposed 160D-1402(l1)*.
 - Requiring them to post a bond. *Proposed 160D-1402(o)*.

How would this bill affect mixed-used developments that are becoming increasingly popular in downtowns and urban areas?

- Section 2.3 severely restricts conditional zoning, and for many mixed-use developments, this provision would curb flexibility for developers and harm their ability to address the concerns of nearby residents and property owners.

Would this bill ensure that housing that is built would be affordable?

- No. There is no language in the bill that would require any housing to be affordable to people with lower incomes.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

S

1

SENATE BILL 349

Short Title: Increase Housing Opportunities. (Public)

Sponsors: Senators Edwards, Newton, and Fitch (Primary Sponsors).

Referred to: Rules and Operations of the Senate

March 25, 2021

A BILL TO BE ENTITLED
AN ACT TO PROVIDE REFORMS TO LOCAL GOVERNMENT ZONING AUTHORITY TO
INCREASE HOUSING OPPORTUNITIES AND TO MAKE VARIOUS CHANGES AND
CLARIFICATIONS TO THE ZONING STATUTES.

The General Assembly of North Carolina enacts:

PART I. AFFORDABLE HOUSING OPTIONS

SECTION 1.1.(a) Article 7 of Chapter 160D of the General Statutes is amended by
adding a new section to read:

"§ 160D-707. Middle housing use in residential zones.

(a) Definitions. – As used in this section, the term "middle housing" means a residential dwelling that is one of the following, as defined by the North Carolina Building Code Council:

- (1) A duplex.
- (2) A triplex.
- (3) A quadplex.
- (4) A townhouse.

(b) Middle Housing in Residential Zones. – A local government shall allow all middle housing types in areas zoned for residential use, including those that allow for the development of detached single-family dwellings.

(c) Regulation and Scope. – A local government may regulate middle housing pursuant to the provisions of this Chapter, provided that the regulations do not act to discourage development of middle housing types through unreasonable costs or delay. In permitting middle housing types, nothing in this section shall be construed to prohibit a local government from permitting single-family dwellings in areas zoned to allow for single-family dwellings. Nothing in this section affects the validity or enforceability of private covenants or other contractual agreements among property owners relating to dwelling type restrictions. Any regulation adopted pursuant to this section shall not apply to an area designated as a local historic district (i) pursuant to Part 4 of Article 9 of this Chapter or (ii) on the National Register of Historic Places. This section shall only apply to areas that are served, or through extension may be served, by one or more of the following:

- (1) A local government water system.
- (2) A local government sewer system.
- (3) A public water system.
- (4) A wastewater collection or treatment works, the operation of which is primarily to collect or treat municipal or domestic wastewater and for which



a permit is issued under Part 1 of Article 21 of Chapter 143 of the General Statutes."

SECTION 1.1.(b) G.S. 160D-102 is amended by adding a new subdivision to read: "(28a) Single-family dwelling. – The term shall include all of the types of middle housing as defined in G.S. 160D-707(a)."

SECTION 1.1.(c) This section becomes effective October 1, 2021.

SECTION 1.2. The North Carolina Building Code Council (Council) shall adopt amendments to the North Carolina Residential Code for One- and Two-Family Dwellings (Code) to define and include regulation of triplex dwelling units and quadplex dwelling units in order to facilitate regulation of those units in areas zoned for residential use, including those that allow for the development of detached single-family dwellings. Upon adoption of the amendments, the Council and local governments enforcing the Code shall regulate triplex dwelling units and quadplex dwelling units being sited pursuant to G.S. 160D-707, as enacted in this act, under the new amendments to the Code.

SECTION 1.3.(a) Part 1 of Article 9 of Chapter 160D of the General Statutes is amended by adding a new section to read:

"§ 160D-917. Accessory dwelling units.

(a) A local government shall allow the development of at least one accessory dwelling unit which conforms to the North Carolina Residential Code for One- and Two-Family Dwellings, including applicable provisions from State fire prevention code, for each detached single-family dwelling in areas zoned for residential use that allow for development of detached single-family dwellings. For the purposes of this section, the term "accessory dwelling unit" means an attached or detached residential structure that is used in connection with or that is accessory to a single-family dwelling.

(b) Development and permitting of an accessory dwelling unit shall not be subject to any of the following requirements:

- (1) Owner-occupancy of any dwelling unit, including an accessory unit.
- (2) Minimum parking requirements or other parking restrictions.
- (3) Conditional use zoning.

(c) In permitting accessory dwelling units under this section, a local government shall not do any of the following:

- (1) Prohibit the connection of the accessory dwelling unit to existing utilities serving the primary dwelling unit.
- (2) Charge any fee other than a building permit that does not exceed the amount charged for any single-family dwelling unit similar in nature.
- (3) Establish development setbacks that differ from the development setbacks applicable for a similarly situated lot in the same zoning classification."

SECTION 1.3.(b) This section becomes effective October 1, 2021.

SECTION 1.4.(a) G.S. 42A-3 reads as rewritten:

"§ 42A-3. Application; exemptions.

(a) The provisions of this Chapter shall apply to any person, partnership, corporation, limited liability company, association, or other business entity who acts as a landlord or real estate broker engaged in the rental or management of residential property for vacation rental as defined in this Chapter. The provisions of G.S. 160A-424 and G.S. 153A-364 shall apply to properties covered under this Chapter.

(b) The provisions of this Chapter shall not apply to:

- (1) Lodging provided by hotels, motels, tourist camps, and other places subject to regulation under Chapter 72 of the General Statutes.
- (2) Rentals to persons temporarily renting a dwelling unit when traveling away from their primary residence for business or employment purposes.
- (3) Rentals to persons having no other place of primary residence.

(4) Rentals for which no more than nominal consideration is given.

(5) Accessory dwelling units permitted pursuant to G.S. 160D-917."

SECTION 1.4.(b) This section becomes effective October 1, 2021.

SECTION 1.5. Local governments shall adopt land use ordinances and regulations or amend their comprehensive plans to implement the provisions in this Part no later than October 1, 2021.

SECTION 1.6. Except as otherwise provided, this Part is effective when it becomes law.

PART II. VARIOUS CHANGES AND CLARIFICATIONS TO THE ZONING STATUTES FOR MORE HOUSING OPPORTUNITIES

SECTION 2.1. G.S. 160D-108 reads as rewritten:

"§ 160D-108. Permit choice and vested rights.

(a) Findings. – The General Assembly recognizes that local government approval of development typically follows significant investment in site evaluation, planning, development costs, consultant fees, and related expenses. The General Assembly finds that it is necessary and desirable to provide for the establishment of certain vested rights in order to ensure reasonable certainty, stability, and fairness in the development regulation process, to secure the reasonable expectations of landowners, and to foster cooperation between the public and private sectors in land-use planning and development regulation. The provisions of this section and G.S. 160D-108.1 strike an appropriate balance between private expectations and the public interest.

(b) Permit Choice. – If a land development regulation is amended between the time a development permit application was submitted and a development permit decision is made or if a land development regulation is amended after a development permit decision has been challenged and found to be wrongfully denied or illegal, G.S. 143-755 applies.

(b1) Substantial Compliance. – A development permit application that substantially complies with the provision of information required by ordinance or regulation shall be sufficient to accept and process a request for a local or State development permit. Minor omissions in the application shall not be a sufficient basis to make an application ineligible for vesting. A local development regulation shall not condition the acceptance or processing of a development permit application upon the application for or issuance of a State permit, nor shall a State development regulation condition the acceptance or processing of a development permit application upon a local permit, unless specifically authorized by statute.

(c) Vested Rights. – Amendments in land development regulations are not applicable or enforceable without the written consent of the owner with regard to any of the following:

(1) Buildings or uses of buildings or land for which a development permit application has been submitted and subsequently issued in accordance with G.S. 143-755.

(2) Subdivisions of land for which a development permit application authorizing the subdivision has been submitted and subsequently issued in accordance with G.S. 143-755.

(3) A site-specific vesting plan pursuant to G.S. 160D-108.1.

(4) A multi-phased development pursuant to subsection (f) of this section.

(5) A vested right established by the terms of a development agreement authorized by Article 10 of this Chapter.

The establishment of a vested right under any subdivision of this subsection does not preclude vesting under one or more other subdivisions of this subsection or vesting by application of common law principles. A vested right, once established as provided for in this section or by common law, precludes any action by a local government that would change, alter, impair, prevent, diminish, or otherwise delay the development or use of the property allowed by the

1 applicable land development regulation or regulations, except where a change in State or federal
2 law mandating local government enforcement occurs after the development application is
3 submitted that has a fundamental and retroactive effect on the development or use.

4 (d) Duration of Vesting. – Upon issuance of a development permit, the statutory vesting
5 granted by subsection (c) of this section for a development project is effective upon filing of the
6 application in accordance with G.S. 143-755, for so long as the permit remains valid pursuant to
7 law. Unless otherwise specified by this section or other statute, local development permits expire
8 one year after issuance unless work authorized by the permit has substantially commenced. A
9 local land development regulation may provide for a longer permit expiration period. For the
10 purposes of this section, a permit is issued either in the ordinary course of business of the
11 applicable governmental agency or by the applicable governmental agency as a court directive.

12 Except where a longer vesting period is provided by statute or land development regulation,
13 the statutory vesting granted by this ~~section~~, section or common law vesting, once established,
14 expires for an uncompleted development project if development work is intentionally and
15 voluntarily discontinued for a period of not less than 24 consecutive months, and the statutory
16 vesting period granted by this section or common law vesting for a nonconforming use of
17 property expires if the use is intentionally and voluntarily discontinued for a period of not less
18 than 24 consecutive months. The 24-month discontinuance period is automatically tolled during
19 the pendency of any board of adjustment proceeding or civil action in a State or federal trial or
20 appellate court regarding the validity of a development permit, the use of the property, or the
21 existence of the statutory vesting period granted by this section. The 24-month discontinuance
22 period is also tolled during the pendency of any litigation involving the development project or
23 property that is the subject of the vesting.

24 (e) Multiple Permits for Development Project. – Subject to subsection (d) of this section,
25 where multiple ~~local~~-development permits are required to complete a development project, the
26 development permit applicant may choose the version of each of the ~~local~~-land development
27 regulations applicable to the project upon submittal of the application for the initial development
28 permit. ~~This-Except as provided in subsection (f) of this section, this provision is not applicable~~
29 ~~only~~ for those subsequent development permit applications filed ~~within~~-after 18 months of the
30 latter of (i) the date following the approval of an initial ~~of~~ cessation of work related to the
31 uncompleted development project or (ii) the date of issuance of the immediately preceding local
32 development permit. For purposes of the vesting protections of this subsection, an erosion and
33 sedimentation control permit or a sign permit is not an initial development permit.

34 (f) Multi-Phased Development. – A multi-phased development is vested for the entire
35 development with the land development regulations then in place at the time a site plan approval
36 is granted for the initial phase of the multi-phased development. A right which has been vested
37 as provided for in this subsection remains vested for a period of seven years from the time a site
38 plan approval is granted for the initial phase of the multi-phased development.

39 (g) Continuing Review. – Following issuance of a development permit, a local
40 government may make subsequent inspections and reviews to ensure compliance with the
41 applicable land development regulations in effect at the time of the original application.

42 (h) Process to Claim Vested Right. – A person claiming a statutory or common law vested
43 right may submit information to substantiate that claim to the zoning administrator or other
44 officer designated by a land development regulation, who shall make an initial determination as
45 to the existence of the vested right. The decision of the zoning administrator or officer may be
46 appealed under G.S. 160D-405. On appeal, the existence of a vested right shall be reviewed de
47 novo. In lieu of seeking such a determination or pursuing an appeal under G.S. 160D-405, a
48 person claiming a vested right may bring an original civil action as provided by
49 G.S. 160D-1403.1.

50 (i) Miscellaneous Provisions. – The vested rights granted by this section run with the
51 land except for the use of land for outdoor advertising governed by G.S. 136-131.1 and

1 G.S. 136-131.2 in which case the rights granted by this section run with the owner of a permit
2 issued by the North Carolina Department of Transportation. Nothing in this section precludes
3 judicial determination, based on common law principles or other statutory provisions, that a
4 vested right exists in a particular case or that a compensable taking has occurred. Except as
5 expressly provided in this section, nothing in this section shall be construed to alter the existing
6 common law.

7 (j) Definitions. – As used in this section, the following definitions apply:

8 (1) Development. – As defined in G.S. 143-755(e)(1).

9 (2) Development permit. – As defined in G.S. 143-755(e)(2).

10 (3) Land development regulation. – As defined in G.S. 143-755(e)(3).

11 (4) Multi-phased development. – A development containing 25 acres or more that
12 is both of the following:

13 a. Submitted for development permit approval to occur in more than one
14 phase.

15 b. Subject to a master development plan with committed elements
16 showing the type and intensity of use of each phase."

17 **SECTION 2.2.** G.S. 160D-702 reads as rewritten:

18 **"§ 160D-702. Grant of power.**

19 (a) A local government may adopt zoning regulations. Except as provided in subsections
20 (b) and ~~(c) through (e)~~ of this section, a zoning regulation may regulate and restrict the height,
21 number of stories, and size of buildings and other structures; the percentage of lots that may be
22 occupied; the size of yards, courts, and other open spaces; the density of population; the location
23 and use of buildings, structures, and land. A local government may regulate development,
24 including floating homes, over estuarine waters and over lands covered by navigable waters
25 owned by the State pursuant to G.S. 146-12. A zoning regulation shall provide density credits or
26 severable development rights for dedicated rights-of-way pursuant to G.S. 136-66.10 or
27 G.S. 136-66.11. Where appropriate, a zoning regulation may include requirements that street and
28 utility rights-of-way be dedicated to the public, that provision be made of recreational space and
29 facilities, and that performance guarantees be provided, all to the same extent and with the same
30 limitations as provided for in G.S. 160D-804 and G.S. 160D-804.1.

31 (b) Any regulation relating to building design elements adopted under this Chapter may
32 not be applied to any structures subject to regulation under the North Carolina Residential Code
33 for One- and Two-Family Dwellings except under one or more of the following circumstances:

34 (1) The structures are located in an area designated as a local historic district
35 pursuant to Part 4 of Article 9 of this Chapter.

36 (2) The structures are located in an area designated as a historic district on the
37 National Register of Historic Places.

38 (3) The structures are individually designated as local, State, or national historic
39 landmarks.

40 (4) The regulations are directly and substantially related to the requirements of
41 applicable safety codes adopted under G.S. 143-138.

42 (5) Where the regulations are applied to manufactured housing in a manner
43 consistent with G.S. 160D-908 and federal law.

44 (6) Where the regulations are adopted as a condition of participation in the
45 National Flood Insurance Program.

46 Regulations prohibited by this subsection may not be applied, directly or indirectly, in any
47 zoning district or conditional district unless voluntarily consented to by the owners of all the
48 property to which those regulations may be applied as part of and in the course of the process of
49 seeking and obtaining a zoning amendment or a zoning, subdivision, or development approval,
50 nor may any such regulations be applied indirectly as part of a review pursuant to G.S. 160D-604

or G.S. 160D-605 of any proposed zoning amendment for consistency with an adopted comprehensive plan or other applicable officially adopted plan.

For the purposes of this subsection, the phrase "building design elements" means exterior building color; type or style of exterior cladding material; style or materials of roof structures or porches; exterior nonstructural architectural ornamentation; location or architectural styling of windows and doors, including garage doors; the number and types of rooms; and the interior layout of rooms. The phrase "building design elements" does not include any of the following: (i) the height, bulk, orientation, or location of a structure on a zoning lot, (ii) the use of buffering or screening to minimize visual impacts, to mitigate the impacts of light and noise, or to protect the privacy of neighbors, or (iii) regulations adopted pursuant to this Article governing the permitted uses of land or structures subject to the North Carolina Residential Code for One- and Two-Family Dwellings.

Nothing in this subsection affects the validity or enforceability of private covenants or other contractual agreements among property owners relating to building design elements.

(c) A zoning regulation shall not set a minimum square footage of any structures subject to regulation under the North Carolina Residential Code for One- and Two-Family Dwellings.

(d) A local government shall not adopt or enforce an ordinance downzoning property, as defined in G.S. 160D-601(d), that has access to public water or public sewer, unless the local government can show a change in circumstances that substantially affects the public health, safety, or welfare.

(e) A local government shall not adopt or enforce an ordinance that establishes a ban or has the effect of establishing a ban on a use of land that is not an industrial use, a nuisance per se, or that does not otherwise pose a serious threat to the public health, safety, or welfare.

(f) Nothing in this section shall be construed to limit the authority of a local government to regulate adult establishments or other facilities as defined in Article 26A of Chapter 14 of the General Statutes."

SECTION 2.3. G.S. 160D-703 reads as rewritten:

"§ 160D-703. Zoning districts.

(a) Types of Zoning Districts. – A local government may divide its territorial jurisdiction into zoning districts of any number, shape, and area deemed best suited to carry out the purposes of this Article. Within those districts, it may regulate and restrict the erection, construction, reconstruction, alteration, repair, or use of buildings, structures, or land. Zoning districts may include, but are not be limited to, the following:

(1) Conventional districts, in which a variety of uses are allowed as permitted uses or uses by right and that may also include uses permitted only with a special use permit.

(2) Conditional districts, in which site plans or individualized development conditions are imposed.

(3) Form-based districts, or development form controls, that address the physical form, mass, and density of structures, public spaces, and streetscapes.

(4) Overlay districts, in which different requirements are imposed on certain properties within one or more underlying conventional, conditional, or form-based districts.

(5) Districts allowed by charter.

(b) Conditional Districts. – Property may be placed in a conditional district only in response to a petition by all owners of the property to be included. Specific conditions may be proposed by the petitioner or the local government or its agencies, but only those conditions approved by the local government and consented to by the petitioner in writing may be incorporated into the zoning regulations. Unless consented to by the petitioner in writing, in the exercise of the authority granted by this section, a local government may not require, enforce, or incorporate into the zoning regulations any condition or requirement not authorized by otherwise

applicable law, including, without limitation, taxes, impact fees, building design elements within the scope of G.S. 160D-702(b), driveway-related improvements in excess of those allowed in G.S. 136-18(29) and G.S. 160A-307, or other unauthorized limitations on the development or use of land. Conditions and site-specific standards imposed in a conditional district shall be limited to those that address the conformance of the development and use of the site to local government ordinances, plans adopted pursuant to G.S. 160D-501, or the impacts reasonably expected to be generated by the development or use of the site. The zoning regulation may provide that defined minor modifications in conditional district standards that do not involve a change in uses permitted or the density of overall development permitted may be reviewed and approved administratively. Any other modification of the conditions and standards in a conditional district shall follow the same process for approval as are applicable to zoning map amendments. If multiple parcels of land are subject to a conditional zoning, the owners of individual parcels may apply for modification of the conditions so long as the modification would not result in other properties failing to meet the terms of the conditions. Any modifications approved apply only to those properties whose owners petition for the modification.

(c) **Uniformity Within Districts.** – Except as authorized by the foregoing, all regulations shall be uniform for each class or kind of building throughout each district but the regulations in one district may differ from those in other districts.

(d) **Standards Applicable Regardless of District.** – A zoning regulation or unified development ordinance may also include development standards that apply uniformly jurisdiction-wide rather than being applicable only in particular zoning districts.

(e) **Limitations.** – A local government shall not engage in any of the following practices:

- (1) The adoption or enforcement of an ordinance that downzones property in order to evade voluntary consent of landowners or petitioners or any other requirements contained in subsection (b) of this section.
- (2) Allow a particular land use only through conditional zoning.
- (3) Establishing a threshold on square footage or the number of dwelling units, where to exceed the threshold would require conditional zoning."

SECTION 2.4. Article 7 of Chapter 160D of the General Statutes is amended by adding a new section to read:

"§ 160D-703.1. Remedies for violations.

(a) If a court finds that a local government has acted in violation of G.S. 160D-702 or G.S. 160D-703(e), the court shall award reasonable attorneys' fees and costs to the party who successfully challenged the actions of the local government.

(b) In the event that a court invalidates a regulation pursuant to this section, a permit applicant may choose which zoning designation will apply to the permit and use of the building, structure, or land indicated on the permit application from the following options:

- (1) The zoning development regulation that existed most recently prior to the invalidated regulation.
- (2) The least restrictive development standards contained within the zoning designation for the jurisdiction that is the most similar zoning designation to the class of property use identified in the permit application.

(c) For the purposes of this section, the term "class of property use" means one of the following major land-use groups:

- (1) Commercial.
- (2) Governmental.
- (3) Industrial.
- (4) Institutional.
- (5) Residential."

SECTION 2.5. G.S. 160D-706 reads as rewritten:

"§ 160D-706. Zoning conflicts with other development standards.

(a) When regulations made under authority of this Article require a greater width or size of yards or courts, or require a lower height of a building or fewer number of stories, or require a greater percentage of a lot to be left ~~unoccupied, or impose other higher standards-unoccupied~~ than are required in any other statute or local ordinance or regulation, the regulations made under authority of this Article govern. When the provisions of any other statute or local ordinance or regulation require a greater width or size of yards or courts, or require a lower height of a building or a fewer number of stories, or require a greater percentage of a lot to be left ~~unoccupied, or impose other higher standards-unoccupied~~ than are required by the regulations made under authority of this Article, the provisions of that statute or local ordinance or regulation govern.

(b) When adopting regulations under this Article, a local government may not use a definition of building, dwelling, dwelling unit, bedroom, or sleeping unit that is inconsistent with any definition of those terms in another statute or in a rule adopted by a State agency, including the State Building Code Council.

(c) Except as provided in subsection (a) of this section, a local government shall not adopt or enforce development regulations that alter the principle that ambiguities in land development regulations are to be construed in favor of the free use of land, including any development regulations that assert that a more restrictive rule or regulation is controlling.

(d) Subject to the provisions of Article 33 of Chapter 143 of the General Statutes, a local government, through its governing board, is authorized to settle any litigation related to the enforcement of or compliance with development regulations for a development or a development permit applicant, including any quasi-judicial development permit."

SECTION 2.6. G.S. 160D-1402 reads as rewritten:

"§ 160D-1402. Appeals in the nature of certiorari.

(a) Applicability. – This section applies to appeals of quasi-judicial decisions of decision-making boards when that appeal is in the nature of certiorari as required by this Chapter.

(b) Filing the Petition. – An appeal in the nature of certiorari shall be initiated by filing a petition for writ of certiorari with the superior court. The petition shall do all of the following:

- (1) State the facts that demonstrate that the petitioner has standing to seek review.
- (2) Set forth allegations sufficient to give the court and parties notice of the grounds upon which the petitioner contends that an error was made.
- (3) Set forth with particularity the allegations and facts, if any, in support of allegations that, as the result of an impermissible conflict as described in G.S. 160D-109, or locally adopted conflict rules, the decision-making body was not sufficiently impartial to comply with due process principles.
- (4) Set forth the relief the petitioner seeks.

(c) Standing. – A petition may be filed under this section only by a petitioner who has standing to challenge the decision being appealed. The following persons have standing to file a petition under this section:

- (1) Any person possessing any of the following criteria:
 - a. An ownership interest in the property that is the subject of the decision being appealed, a leasehold interest in the property that is the subject of the decision being appealed, or an interest created by easement, restriction, or covenant in the property that is the subject of the decision being appealed.
 - b. An option or contract to purchase the property that is the subject of the decision being appealed.
 - c. An applicant before the decision-making board whose decision is being appealed.
- (2) Any other person who will suffer special damages as the result of the decision being appealed.

(3) An incorporated or unincorporated association to which owners or lessees of property in a designated area belong by virtue of their owning or leasing property in that area, or an association otherwise organized to protect and foster the interest of the particular neighborhood or local area, so long as at least one of the members of the association would have standing as an individual to challenge the decision being appealed, and the association was not created in response to the particular development or issue that is the subject of the appeal.

(4) A local government whose decision-making board has made a decision that the governing board believes improperly grants a variance from or is otherwise inconsistent with the proper interpretation of a development regulation adopted by the governing board.

(d) Respondent. – The respondent named in the petition shall be the local government whose decision-making board made the decision that is being appealed, except that if the petitioner is a local government that has filed a petition pursuant to subdivision (4) of subsection (c) of this section, then the respondent shall be the decision-making board. If the petitioner is not the applicant before the decision-making board whose decision is being appealed, the petitioner shall also name that applicant as a respondent. Any petitioner may name as a respondent any person with an ownership or leasehold interest in the property that is the subject of the decision being appealed who participated in the hearing, or was an applicant, before the decision-making board.

(e) Writ of Certiorari. – Upon filing the petition, the petitioner shall present the petition and a proposed writ of certiorari to the clerk of superior court of the county in which the matter arose. The writ shall direct the respondent local government or the respondent decision-making board, if the petitioner is a local government that has filed a petition pursuant to subdivision (4) of subsection (c) of this section, to prepare and certify to the court the record of proceedings below within a specified date. The writ shall also direct the petitioner to serve the petition and the writ upon each respondent named therein in the manner provided for service of a complaint under Rule 4(j) of the Rules of Civil Procedure, except that, if the respondent is a decision-making board, the petition and the writ shall be served upon the chair of that decision-making board. Rule 4(j)(5)d. of the Rules of Civil Procedure applies in the event the chair of a decision-making board cannot be found. No summons shall be issued. The clerk shall issue the writ without notice to the respondent or respondents if the petition has been properly filed and the writ is in proper form. A copy of the executed writ shall be filed with the court.

Upon the filing of a petition for writ of certiorari, a party may request a stay of the execution or enforcement of the decision of the quasi-judicial board pending superior court review. The court may grant a stay in its discretion and on conditions that properly provide for the security of the adverse party. A stay granted in favor of a city or county shall not require a bond or other security.

(f) Response to the Petition. – The respondent may, but need not, file a response to the petition, except that, if the respondent contends for the first time that any petitioner lacks standing to bring the appeal, that contention must be set forth in a response served on all petitioners at least 30 days prior to the hearing on the petition. If it is not served within that time period, the matter may be continued to allow the petitioners time to respond.

(g) Intervention. – Rule 24 of the Rules of Civil Procedure governs motions to intervene as a petitioner or respondent in an action initiated under this section with the following exceptions:

(1) Any person described in subdivision (1) of subsection (c) of this section has standing to intervene and shall be allowed to intervene as a matter of right.

(2) Any person, other than one described in subdivision (1) of subsection (c) of this section, who seeks to intervene as a petitioner must demonstrate that the

- 1 person would have had standing to challenge the decision being appealed in
2 accordance with subdivisions (2) through (4) of subsection (c) of this section.
- 3 (3) Any person, other than one described in subdivision (1) of subsection (c) of
4 this section, who seeks to intervene as a respondent must demonstrate that the
5 person would have had standing to file a petition in accordance with
6 subdivisions (2) through (4) of subsection (c) of this section if the
7 decision-making board had made a decision that is consistent with the relief
8 sought by the petitioner.

9 For intervention under subdivisions (2) and (3) of this subsection, a motion to intervene is
10 untimely and shall not be allowed if filed after the court has rendered a final judgment on the
11 underlying appeal.

12 (h) The Record. – The record shall consist of the decision and all documents and exhibits
13 submitted to the decision-making board whose decision is being appealed, together with the
14 minutes of the meeting or meetings at which the decision being appealed was considered. Upon
15 request of any party, the record shall also contain an audio or videotape of the meeting or
16 meetings at which the decision being appealed was considered if such a recording was made.
17 Any party may also include in the record a transcript of the proceedings, which shall be prepared
18 at the cost of the party choosing to include it. The parties may agree that matters unnecessary to
19 the court's decision be deleted from the record or that matters other than those specified herein
20 be included. The record shall be bound and paginated or otherwise organized for the convenience
21 of the parties and the court. A copy of the record shall be served by the local government
22 respondent, or the respondent decision-making board, upon all petitioners within three days after
23 it is filed with the court.

24 (i) Hearing on the Record. – The court shall hear and decide all issues raised by the
25 petition by reviewing the record submitted in accordance with subsection (h) of this section. The
26 court shall allow the record to be supplemented with affidavits, testimony of witnesses, or
27 documentary or other evidence if, and to the extent that, the petition raises any of the following
28 issues, in which case the rules of discovery set forth in the North Carolina Rules of Civil
29 Procedure apply to the supplementation of the record of these issues:

- 30 (1) Whether ~~a petitioner or an~~ intervenor has standing.
31 (2) Whether, as a result of impermissible conflict as described in G.S. 160D-109
32 or locally adopted conflict rules, the decision-making body was not
33 sufficiently impartial to comply with due process principles. A failure to
34 object at a hearing by a person with standing under subsection (c) of this
35 section shall not constitute a waiver of a right to assert impermissible conflict
36 involving any member of the quasi-judicial decision-making body.
37 (3) Whether the decision-making body erred for the reasons set forth in
38 sub-subdivisions a. and b. of subdivision (1) of subsection (j) of this section.

39 (j) Scope of Review. –

- 40 (1) When reviewing the decision under the provisions of this section, the court
41 shall ensure that the rights of petitioners have not been prejudiced because the
42 decision-making body's findings, inferences, conclusions, or decisions were:
43 a. In violation of constitutional provisions, including those protecting
44 procedural due process rights.
45 b. In excess of the statutory authority conferred upon the local
46 government, including preemption, or the authority conferred upon the
47 decision-making board by ordinance.
48 c. Inconsistent with applicable procedures specified by statute or
49 ordinance.
50 d. Affected by other error of law.

e. Unsupported by competent, material, and substantial evidence in view of the entire record.

f. Arbitrary or capricious.

(2) When the issue before the court is one set forth in sub-subdivisions a. through d. of subdivision (1) of this subsection, including whether the decision-making board erred in interpreting an ordinance, the court shall review that issue de novo. The court shall consider the interpretation of the decision-making board, but is not bound by that interpretation, and may freely substitute its judgment as appropriate. Whether the record contains competent, material, and substantial evidence is a conclusion of law, reviewable de novo.

(3) The term "competent evidence," as used in this subsection, does not preclude reliance by the decision-making board on evidence that would not be admissible under the rules of evidence as applied in the trial division of the General Court of Justice if (i) except for the items noted in sub-subdivisions a., b., and c. of this subdivision that are conclusively incompetent, the evidence was admitted without objection or (ii) the evidence appears to be sufficiently trustworthy and was admitted under such circumstances that it was reasonable for the decision-making board to rely upon it. The term "competent evidence," as used in this subsection, shall, regardless of the lack of a timely objection, not be deemed to include the opinion testimony of lay witnesses as to any of the following:

a. The use of property in a particular way affects the value of other property.

b. The increase in vehicular traffic resulting from a proposed development poses a danger to the public safety. An approval by the North Carolina Department of Transportation of a traffic impact analysis for a development project shall be conclusive evidence that the traffic related to the project will not pose a danger to the public safety and will otherwise preclude using traffic as a basis for denying a development permit.

c. Matters about which only expert testimony would generally be admissible under the rules of evidence.

(j1) Action Not Rendered Moot by Loss of Property. – Subject to the limitations in the State and federal constitutions and State and federal case law, an action filed under this section is not rendered moot, if during the pendency of the action, the aggrieved person loses the applicable property interest as a result of the local government action being challenged and exhaustion of an appeal described herein is required for purposes of preserving a claim for damages under G.S. 160D-1403.1.

(k) Decision of the Court. – Following its review of the decision-making board in accordance with subsection (j) of this section, the court may affirm the decision, reverse the decision and remand the case with appropriate instructions, or remand the case for further proceedings. If the court does not affirm the decision below in its entirety, then the court shall determine what relief should be granted to the petitioners:

(1) If the court concludes that the error committed by the decision-making board is procedural only, the court may remand the case for further proceedings to correct the procedural error.

(2) If the court concludes that the decision-making board has erred by failing to make findings of fact such that the court cannot properly perform its function, then the court may remand the case with appropriate instructions so long as the record contains substantial competent evidence that could support the decision below with appropriate findings of fact. However, findings of fact

are not necessary when the record sufficiently reveals the basis for the decision below or when the material facts are undisputed and the case presents only an issue of law.

(3) If the court concludes that the decision by the decision-making board is not supported by competent, material, and substantial evidence in the record or is based upon an error of law, then the court may remand the case with an order that directs the decision-making board to take whatever action should have been taken had the error not been committed or to take such other action as is necessary to correct the error. Specifically:

a. If the court concludes that a permit was wrongfully denied because the denial was not based on competent, material, and substantial evidence or was otherwise based on an error of law, the court shall remand with instructions that the permit be issued, subject to any conditions expressly consented to by the permit applicant as part of the application or during the board of adjustment appeal or writ of certiorari appeal.

b. If the court concludes that a permit was wrongfully issued because the issuance was not based on competent, material, and substantial evidence or was otherwise based on an error of law, the court may remand with instructions that the permit be revoked.

c. If the court concludes that a zoning board decision upholding a zoning enforcement action was not supported by substantial competent evidence or was otherwise based on an error of law, the court shall reverse the decision.

(f) Effect of Appeal and Ancillary Injunctive Relief of Administrative Decision on a Permitted Use. –

(1) ~~If a development approval is appealed, appealed on the basis of a use not being permitted by a development regulation, the applicant shall have the right to commence work while the appeal is pending. However, if the development approval is reversed by a final decision of any court of competent jurisdiction, jurisdiction determines that the use is not allowed, the applicant shall not be deemed to have gained any vested rights on the basis of actions taken prior to or during the pendency of the appeal and must proceed as if no development approval had been granted.~~

(2) ~~Upon motion of a party to a proceeding under this section, and under appropriate circumstances, the court may issue an injunctive order requiring any other party to that proceeding to take certain action or refrain from taking action that is consistent with the court's decision on the merits of the appeal.~~

(1) Effect of Appeal of Quasi-Judicial Relief. –

(1) An appeal by a party with standing under subsection (c) of this section from the granting of a special use permit by a local board or other development permit issued pursuant to quasi-judicial proceedings shall be rendered moot if development authorized by the approved permit substantially commences prior to the issuance of an injunction by a court under subsection (o) of this section or under Rule 65 of the Rules of Civil Procedure with appropriate security.

(2) If a special use permit is issued by the applicable local board after remand from a decision of a court of competent jurisdiction and no injunction is otherwise in place to prevent the issuance of a permit, any appeal related to the subject matter of the permit is rendered moot.

1 (m) Joinder. – A declaratory judgment brought under G.S. 160D-1401 or other civil action
2 relating to the decision at issue may be joined with the petition for writ of certiorari and decided
3 in the same proceeding.

4 (n) Stays. – An appeal under this section is stayed as provided in G.S. 160D-405.

5 (o) Upon motion of a party to a proceeding under this section, and under appropriate
6 circumstances, the court may issue an injunctive order requiring any other party to that
7 proceeding to take certain action or refrain from taking action that is consistent with the court's
8 decision on the merits of the appeal. The court shall require the moving party to post an
9 appropriate bond set by the judge or clerk issuing the stay. A local government shall not be
10 required to post a bond under this subsection."

11 12 **PART III. LOCAL GOVERNMENT REPORTING ON GROWTH HAMPERING** 13 **DENIALS**

14 **SECTION 3.1.** Beginning October 1, 2021, every local government engaged in
15 development permitting review shall submit a semiannual report to the Joint Legislative
16 Committee on Local Government and the Fiscal Research Division. The report shall contain at
17 least all of the following:

18 (1) The number of development permit applications received.

19 (2) The number of development permit applications denied and the reason for
20 denial.

21 (3) The number of down-zoning ordinances enacted.
22

23 **PART IV. EFFECTIVE DATE**

24 **SECTION 4.1.** Except as otherwise provided, this act is effective when it becomes
25 law. Sections 2.1, 2.5, and 2.6 of this act clarify and restate the intent of existing law and apply
26 to permit applications filed and appeals taken before, on, and after the effective date.

ITEM #

2c

Proclamation

National Public Works
Week

May 16th – May 22nd

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.

National Public Works Week Proclamation

May 16 – 23, 2021

“Stronger Together”

WHEREAS, public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of the City of Lincolnton; and,

WHEREAS, these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers and employees at all levels of government and the private sector, who are responsible for rebuilding, improving and protecting our nation’s transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and,

WHEREAS, it is in the public interest for the citizens, civic leaders and children in Lincolnton to gain knowledge of and to maintain an ongoing interest and understanding of the importance of public works and public works programs in their respective communities; and,

WHEREAS, the year 2021 marks the 61st annual National Public Works Week sponsored by the American Public Works Association.

NOW, THEREFORE I, Ed Hatley and the Lincolnton City Council, do hereby designate the week May 16 – 22, 2021 as ***National Public Works Week***, and further extend appreciation to our public works department for the vital service they perform and their exemplary dedication to our community.

Dated this 6th day of May, 2021

Ed Hatley, Mayor

ATTEST:

Daphne Ingram, City Clerk

ITEM #

3

PUBLIC HEARINGS

ITEM #

3a

ZMA-3-2021

MEMO TO: Mayor and City Council Members

FROM: Laura Elam, Planning Director

SUBJECT: ZMA-3-2021 – Application from James Stephen High requesting the rezoning of 5.95 acres from GMC to R-25

DATE: May 6, 2021

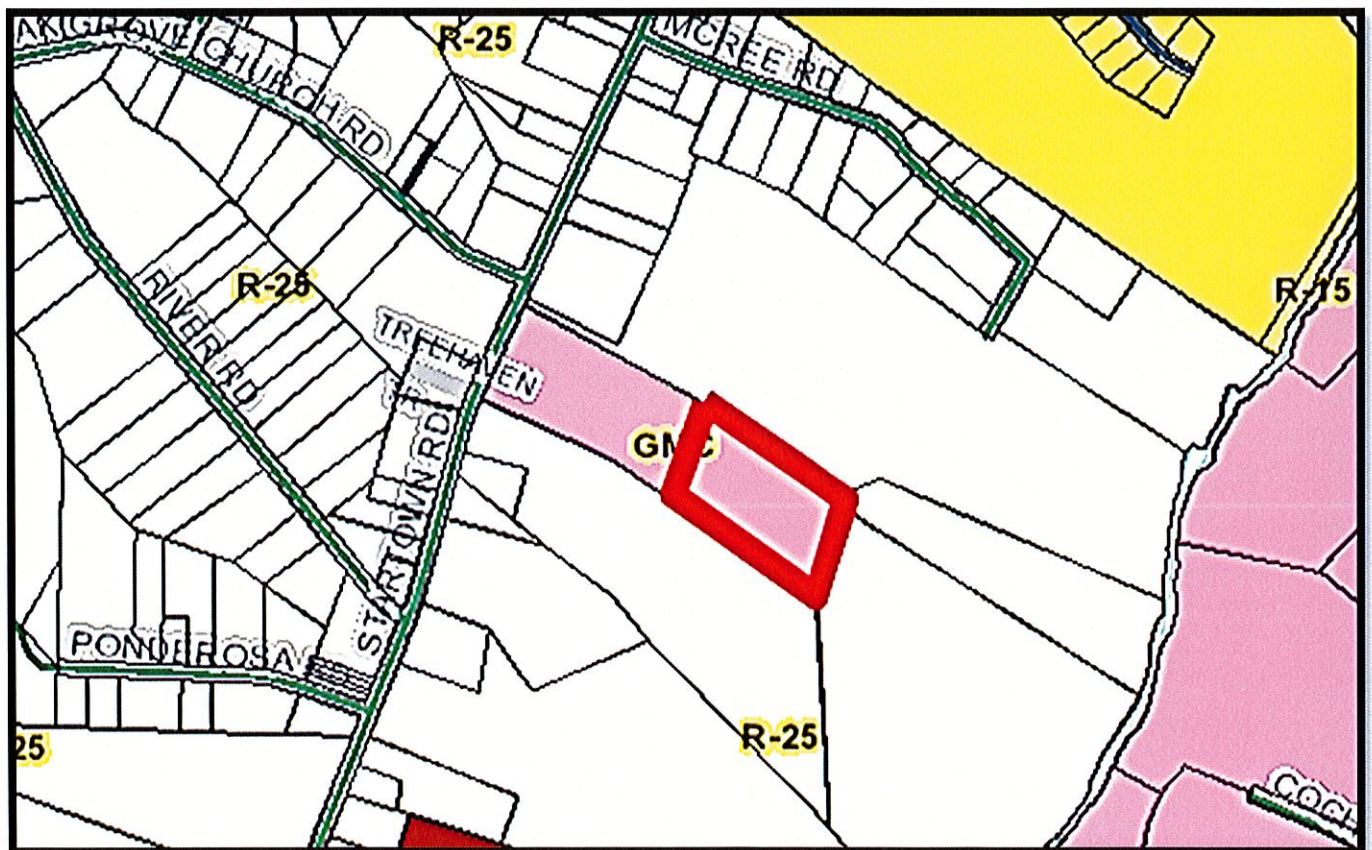
SITE AND AREA DESCRIPTION

The applicant is requesting the rezoning of 5.95 acres of land from General Manufacturing and Commercial (GMC) District to the Residential-25 (R-25) District. The subject property is located off an unnamed private drive approximately 800 feet southeast of its intersection with Startown Road (Parcel ID 73265).

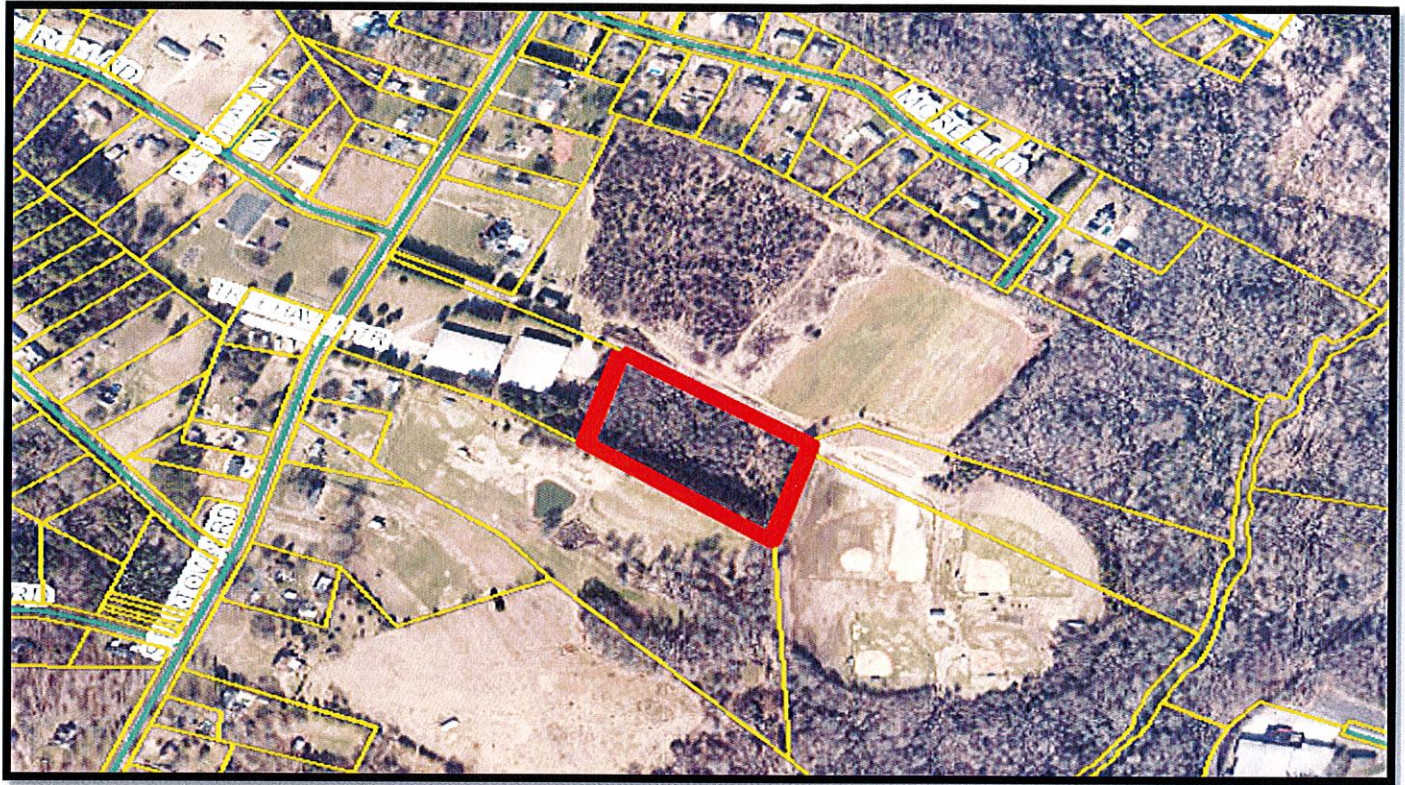
The subject property is currently vacant. It is located off a private drive which provides access to a warehouse use, vacant land, and a Lincoln County owned park (former Optimist Park).

Land uses in the area include a mixture of single family, industrial, recreational, and vacant residentially zoned property. The property is surrounded by R-25 zoning on all sides except to the west which is zoned GMC.

ZONING MAP



AERIAL VIEWS

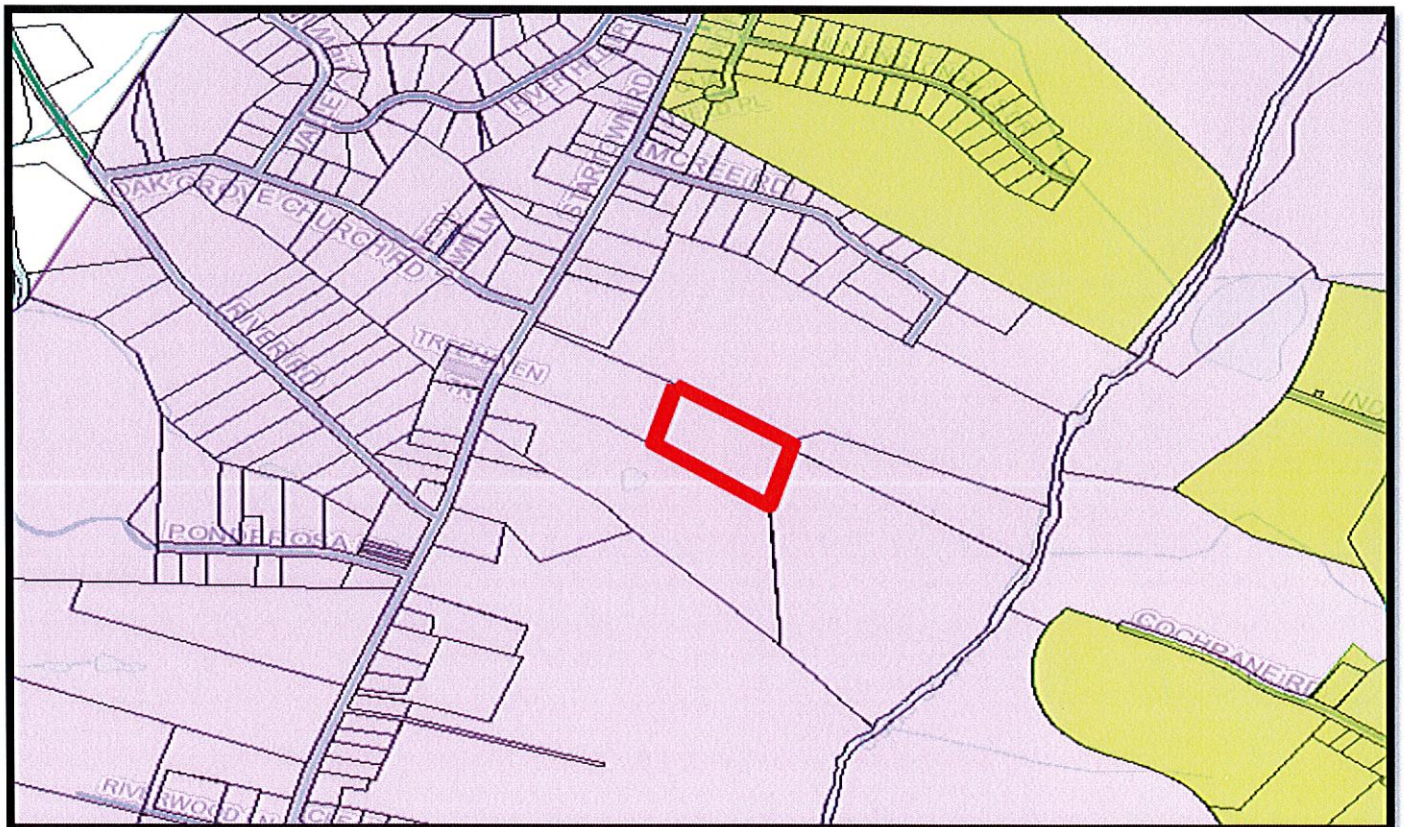


STREET VIEWS





CITY LIMITS/ETJ BOUNDARY MAP



LAND USE PLAN COMPLIANCE

The land use plan shows the property in the Industrial Planning Area. The proposed rezoning request is not consistent with the Land Use Plan. However, the site was likely put into an industrial zoning classification at the time that zoning was originally established in the area due to having the same ownership as the adjoining industrial parcel immediately to the west. The land use plan likely included the site in the industrial planning area due to its industrial zoning classification. The area surrounding the property is primarily zoned for residential development and primarily developed for residential purposes. Therefore, amendment of the land use plan to include the property in the Residential Suburban Planning Area is considered appropriate in this situation, in staff's opinion.

PLANNING BOARD AND STAFF RECOMMENDATION

Planning Board and Staff recommend the following actions:

1. Approval of rezoning of the property from GMC to R-25
2. Amendment of the land use plan to show the property in the Residential Suburban Planning Area.
3. Approval of the statement of consistency for approval of the rezoning request.

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

Case No. ZMA-3-2021

Applicant: James Stephen High

Parcel ID#: 73265

Location: Startown Road

Request: Rezone from GMC to R-25

Proposed Consistency and Reasonableness Statement:

The Lincolnton Land Use Plan designates this property as part of the Industrial Planning Area. The proposed rezoning request **is not consistent** with the Lincolnton Land Use Plan.

However, the area surrounding the property is primarily zoned and developed with residential uses. Therefore, **approval of the proposed amendment is reasonable and in the public interest.**

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

Case No. ZMA-3-2021

Applicant: James Stephen High

Parcel ID#: 73265

Location: Startown Road

Request: Rezone from GMC to R-25

Proposed Consistency and Reasonableness Statement:

The Lincolnton Land Use Plan designates this property as part of the Industrial Planning Area. The proposed rezoning request **is not consistent** with the Lincolnton Land Use Plan.

Preservation of industrial zoning is beneficial for long term job growth in the area and **denial of the proposed amendment is reasonable and in the public interest.**

MOTIONS FOR PUBLIC HEARING

To Approve Request for Rezoning:

1. Motion to approve as recommended by Planning Board.

To Deny Request for Rezoning:

- 1 Motion to deny
2. Approval of the statement of consistency for denial of the rezoning request.

ITEM #

4

REGULAR AGENDA

ITEM #

4a

Recognition of the
2020-2021

Lincolnton Student Advisory
Council

2 0 2 0 - 2 0 2 1
CITY OF LINCOLNTON
STUDENT ADVISORY COUNCIL

Jill Eaddy – Advisor – (704)735-3462 eaddy01@bellsouth.net

Daphne Ingram – (704)736-8980 dingram@lincolntonnc.org

Mayor Hatley – City Council

EAST LINCOLN
736-1860 - 483-6751 fax

Bailee Harding – Sr.
7179 Inverness Drive
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Brayden Davis
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WEST LINCOLN
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Samuel Duncan – Sr.
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Charles (Charlie) Wyant - Jr
2748 Wyant Road
Vale, NC 28168
Charlie.wyant04@icloud.com
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(980)241-1295 (cell)

*Ashlynn Eurey – Sr.
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(704) 276-3141 (home)

LINCOLNTON HIGH SCHOOL

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Leah Tweed – Sr.

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Lincolnton, NC 28092**

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Takirah Nichols – Jr.

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Lincolnton, NC 28092**

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Ashley Antonio-Larios - Jr.

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Lincolnton, NC 28092**

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Collin Clinch

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NORTH LINCOLN HIGH SCHOOL

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Madison File – Jr.

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Darrian Bonilla – Sr.
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ITEM #

4b

BUDGET
AMENDMENT
(BA-02-21)

CITY COUNCIL

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

**CITY MANGER**

Richard Haynes
rhaynes@lincolntonnc.org

CITY CLERK

Daphne Ingram
[dingram@lincolntonnc.org](mailto:d Ingram@lincolntonnc.org)

CITY ATTORNEY

Thomas J. Wilson, Jr.

BA-02-21

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 changes as follows:

City Manager/Clerk	\$ -
Human Resources	(14,033)
Finance	-
General Expense	(10,000)
General Debt Service	-
Police	-
Fire	-
Public Works	-
Street	10,624
Equipment Services	13,409
Solid Waste	-
Planning/Zoning	-
Bus & Comm. Dev	-
Recreation	-
	<u>\$ (0)</u>

Section 3: To amend the Boger City Fire District Fund, the expenditures are to be changes as follows:

Boger Ciy Fire Tax	<u>\$ 200,000</u>
--------------------	-------------------

Section 4: To amend the Boger City Fire District Fund, the revenues are to be changed as follows:

Fire District Tax	\$ -
Investment Income	-
Sales Tax/Grants	-
Fund Balance Appropriated	200,000
	<u>\$ 200,000</u>

Section 11: To amend the Special Revenue Fund, the expenditures are to be changed as follows:

Police CARES	\$ (440,204)
Fire CARES	<u>(390,369)</u>
	<u><u>\$ (830,573)</u></u>

Section 12: To amend the Special Revenue Fund, the revenues are to be changed as follows:

Federal CARES	<u>\$ (830,573)</u>
	<u><u>\$ (830,573)</u></u>

TOTAL AMENDMENT	\$ (630,573)
-----------------	--------------

Adopted this 6th day of May, 2021

Attest:

Daphne Ingram
City Clerk

Edward L Hatley
Mayor

ITEM #

4c

Pleasant Retreat
Academy
Discussion

NO BACK-UP
AVAILABLE

ITEM #

5

CONTRACTS

ITEM #

5a

CONTRACT
(C-05-21)



Memo

To: Richard Haynes, City Manager
From: Robert Pearson, Water Resources Director
CC: Daphne Ingram, City Clerk
Nolan Hallman, Supt WTP
Donald Burkey, Supt. WWTP
Date: 04/20/21
Re: Recommendations for Chemical Company Contracts

The 07/01/2021 – 06/30/2022 chemical bid opening was held on Tuesday, April 13, 2021, 11:00 a.m. at the Water Treatment Plant. Of the companies responding to our request, here are our recommendations:

Water Treatment Chemicals

Liquid Alum 8.23% - Univar USA, Inc. @ \$0.7424 per liquid gallon

Caustic Soda 50% - Brenntag Southeast, Inc. @ \$1.339 per liquid gallon

Chlorine – JCI Jones Chemical @ \$600.00 per cylinder

Orthophosphate 33% - Univar USA, Inc. @ \$3.79 per liquid gallon

Liquid Sodium Bisulfite (55 gal. drums) – Brenntag Southeast, Inc. @ \$112.00 per drum

Activated Carbon – Brenntag Southeast, Inc. @ \$31.75 per 50 lb. bag

Wastewater Treatment Chemicals

Liquid Sodium Hypochlorite 10% - Water Guard @ \$ 0.58 per liquid gallon

Liquid Sodium Bisulfite 38% - JCI Jones Chemical @ \$1.54 per liquid gallon

We recommend that you and City Council approve these companies to do business with the water treatment plant and the wastewater treatment plant for the fiscal year July 1, 2021 – June 30, 2022. We also ask the City Clerk to please place our recommendations on the May agenda for approval.

Attached is a list of all bids received.

Bid Opening: Tuesday April 13, 2021 11:00 am

CITY OF LINCOLNTON

CHEMICAL BIDS

07/01/2021 - 06/30/2022

NO.	NAME OF COMPANY	NB = NO BID		NB = NO BID		NB = NO BID		NB = NO BID		NB = NO BID		NB = NO BID	
		Liquid Alum 8.23% (Average) (liquid gallon)	Caustic Soda 50% (liquid gallon)	Chlorine (cylinder)	Orthophosphate 33% (liquid gallon)	Liquid Sodium Bisulfite 38% 50-55 gal. drums (drum)	Activated Carbon 50 lb. bags (bag)	Liquid Sodium Hypochlorite 10% (liquid gallon)	Liquid Sodium Bisulfite 38% (liquid gallon)				
1	G2O Technologies LLC	1.2539	NB	NB	NB	NB	NB	NB	NB	NB	NB	NB	NB
2	Chemtrade	0.7648	NB	NB	NB	NB	NB	NB	NB	NB	NB	NB	NB
3	Univar Solutions USA INC	0.7424	1.611	NB	3.79	116.90	36.25	0.682				1.79	
4	Sterling Water Technologies LLC	NB	NB	NB	4.0568	NB	NB	NB	NB	NB	NB	NB	NB
5	Water Guard INC	NB	NB	NB	NB	118.25 *	NB	0.58				1.75	
6	JCI Jones Chemicals	NB	1.52	600.00	NB	NB	NB	0.598				1.54	
7	Brenntag Southeast INC	NB	1.339	950.00	NB	112.00	31.75	NB				NB	
8	Shannon Chemical Corporation	NB	NB	NB	4.47	NB	NB	NB				NB	
9	DPC Enterprises	NB	NB	NB	NB	NB	NB	NB				NB	
10													
		Indicates Winner of Chemical Bid											* \$35.00 refundable barrel deposit

ITEM #

5b

CONTRACT

(C-06-21)

CONTRACT

STATE OF NORTH CAROLINA
COUNTY OF LINCOLN

THIS CONTRACT AND AGREEMENT made and entered into on this the 6th day of May 2021, by and between **THE DOWNTOWN DEVELOPMENT ASSOCIATION OF LINCOLNTON, INC.**, a corporation existing and doing business under the laws of the State of North Carolina, party of the first part, (hereinafter referred to as DDA), and the **CITY OF LINCOLNTON**, a municipal corporation created and existing under the laws of the State of North Carolina, party of the second part, (hereinafter referred to as CITY);

W I T N E S S E T H:

The parties to this Contract hereby recite and declare that:

- a. Section 131.01 of the Code of Ordinances of the City of Lincolnton was so amended by the Lincolnton City Council at its regular meeting on April 4th, 2002 to allow the City to authorize and regulate the possession and consumption of malt beverages and unfortified wine on the public streets, alleys, and parking lots which have been temporarily closed to regular traffic for special events.
- b. The DDA is the sponsor, promoter, and operator of the event known as the “Lincolnton Alive After Five” events, which will be staged in downtown Lincolnton on Thursday June 24, July 29, August 26, and September 16, 2021.
- c. At the request of the DDA, the City Council agreed, subject to the provisions and conditions hereinafter set forth, to allow the DDA to administer the sale and sampling of malt beverages, unfortified wine and distilled spirits to the public within the designated event area between Court Square and Poplar Street at designated location(s) and to supervise and monitor the consumption of said alcoholic beverages at and during the “Lincolnton Alive After Five” events in downtown Lincolnton in 2021.

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

I.

That in accordance with and subject to the terms and conditions herein set forth, the DDA is authorized to administer the sale and sampling of malt beverages, unfortified wine and distilled spirits to the public at its “Lincolnton Alive After Five” events, which are scheduled to be held on Thursday June 24, July 29, August 26, and September 16, 2021.

II.

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

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

That DDA will not sell or allow the consumption of any alcoholic beverage before 6:00 p.m. or after 10:00 p.m. on the day of each event.

III.

That DDA hereby agrees to indemnify and hold the City and its employees harmless from any claims, causes of action, loss or injury resulting from the sale and sampling of alcoholic beverages and subsequent consumption thereof by the public at the “Lincolnton Alive After Five” events. That DDA agrees to defend the City against any such claims of loss or injury filed against the City.

IV.

That DDA will obtain and pay for liability insurance coverage (in an amount satisfactory to the City) for itself and the City as a result of the sale of alcoholic beverages on the streets of the City during the “Lincolnton Alive After Five” events. That DDA will promptly provide a copy of said insurance policy (ies) to the City. All policies will designate the City as a named insured.

V.

That the City reserves the exclusive right to modify, cancel, and rescind this Contract at any time hereafter if, in its sole discretion, the sale and consumption of alcoholic beverages at any “Lincolnton Alive After Five” event has resulted in problems that are detrimental to the health, welfare, or well-being of the City or its citizens.

VI.

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

VII.

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

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

DOWNTOWN DEVELOPMENT ASSOCIATION OF LINCOLNTON, INC.

By: _____
Tommy Huskey, Chairman

Attest:

Betty Flohr, Executive Director

CITY OF LINCOLNTON

By: _____
Ed Hatley, Mayor

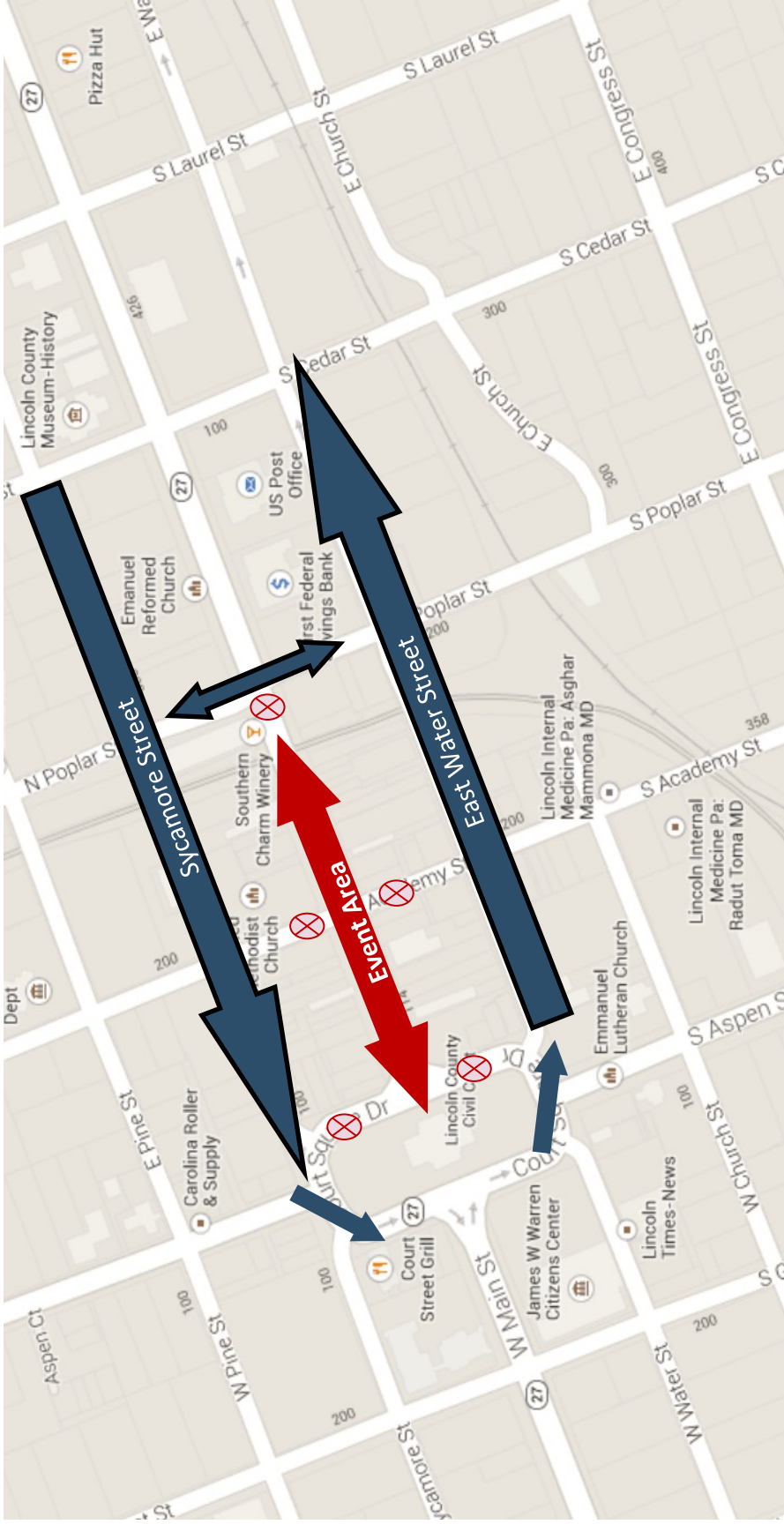
Attest:

Daphne Ingram, City Clerk (**Municipal Seal**)

2021 Lincoln Alive After Five Concert Series Event Map

Thursdays; 6/24, 7/29, 8/26, & 9/16; 6pm - 10pm

Downtown Development Association



Set Up Time: 3pm to 6pm
Stage: During Set Up
Vendor Arrival: 5pm - 6pm
Breakdown: 10pm - 11pm

-  HARD Block
-  Barricade
-  Detour Route
-  Street Closure, Event Area

ITEM #

6

OTHER BUSINESS

ITEM #

6a

(P-03-21)

Special Events

Policy

Updates/Revisions

City of Lincolnton – Special Event Policy



Section 1. Purpose

The City of Lincolnton supports special events, including festivals, shows, performances and programs as these events contribute to quality and promote the community. The City provides general services and operational support for special events to ensure public safety, to create an environment for a well-organized special event and to ensure a pleasant experience for participants. Adequate advance planning and coordination are key components to the success and safety of any outdoor special event.

The City of Lincolnton has developed this Special Events Policy to facilitate advance planning, coordinate scheduling and arrange for appropriate city services and support operations to serve the event in a timely manner. Event Organizers are required to secure a Special Event Permit in advance of the event date.

Section 2. Definitions of Terms in this Policy are defined as follows:

2-1. Special Event.

A special event is defined as a pre-planned event, whether publicly and/or privately sponsored, which is proposed to be held on public property, including but not limited to parks, streets and/or sidewalks. All special events require a Special Event Permit issued by the City of Lincolnton. There are two categories of Special Events:

- a. Park and/or Street Festival - Park and/or Street Festival means an organized neighborhood or public gathering on a public right-of-way (street, sidewalk, parking lot or alley) or public park on a specified date at a specific time in a designated area that may or may not require street closures or an admission fee to enter and participate.
- b. Procession/Parade/Organized Competitive Event - Procession/Parade means a public or private march, run, cortege, walk, cavalcade, autocade, parade of any kind, other gathering of persons that occurs upon public right-of-way, park or both in an area used for vehicular traffic. Organized Competitive Event means any planned race, walk, derby, or event that involves a contest of skill and/or strength and takes place upon public right-of-way or park.

2-2. Event Classification & Costs.

a. City-Sponsored/Operated Special Events

Events that are created, planned, and implemented by City Departments or Agencies. Funding for City sponsored events is reviewed annually during the budget process. All fees are waived for events falling within this category. City may seek sponsorships to offset event costs.

b. City Co-Sponsored Special Events (Signature Events)

Events that are created, planned, and implemented by non-City Agencies. Support for the co-sponsored events may include in-kind services from City staff based on regular staff hours, waiver of some or all fees, and/or financial support limited to funds approved in City's annual budget. Cost recovery expenses are to be paid to City agencies and may include staff overtime, supplies, materials, and other direct expenses.

c. Non-City Sponsored Special Events

Events that are created, planned, and implemented by non-City Agencies. The City does not provide financial support for these events and expects to be reimbursed for all costs associated with the activity, including overtime expenses, supplies, materials, and permit fees. In the case of Non-Profit Events, the City may, upon approval by the City Manager, assist with the event/activity operation by providing some services from City staff at no charge. Event organizers of a Non-Profit Special Event must submit a current IRS 501(c)3 Statement.

2-3. Event Organizer. A representative of the sponsoring organization or the individual in charge of planning and implementing the special event. The person submitting the permit application must be an adult age 18 years or older.

2-4. Events and Facilities Supervisor. City of Lincolnton staff member who administers the Special Events Policy and permit application process.

2-5. Special Events Permit. An approval document issued by the City of Lincolnton upon completion of the application process that officially schedules the event and identifies requirements for appropriate city services and operations after payment of any required fees.

2-6. City Services. Services provided by the City of Lincolnton in support of special events, including regular and over-time staff hours, supplies, and/or other services.

Section 3. Application of this Policy

This policy shall apply to all events taking place in the public right-of-way or for which the event organizer is requesting use of city resources, services, or personnel. Examples of outdoor special events include, but are not limited to, festivals, concerts, parades, runs and rallies.

Note: The following activities are exempt from this outdoor special event policy:

- a. Funeral processions,
- b. Group demonstrations or lawful picketing on sidewalks, subject to Chapter 94 of the Lincolnton City Code, and
- c. Sidewalk dining, subject to Chapter 14 of the Lincolnton City Code
- d. Filming activities are covered under the City of Lincolnton Film Policy.

Section 4. Special Events Permit

4-1. Application Procedure. At the beginning of the event planning process, the Event Organizer should contact the City of Lincolnton Events and Facilities Supervisor to assess needs for City of Lincolnton services and operational support and to obtain a copy of the Special Events Permit Application.

- a. The Event Organizer should complete the application with required attachments and return it to the Events and Facilities Supervisor no later than 45 days prior to an event. Applications for special events that include a request for a temporary closure of a state-maintained street are advised that the North Carolina Department of Transportation requires closure notification be submitted to NCDOT for approval no later than 120 days prior to the event.
- b. The Events and Facilities Supervisor will review the application for completeness and route the application to the appropriate City staff for acknowledgement of service and operations support for the event and for comment. When all requirements listed on the application have been met, the Events and Facilities Supervisor will issue a Special Event Permit to the Event Organizer for the specific event at the specified times and locations.
- c. The City of Lincolnton reserves the right to deny event activities that, in the City's view, pose a threat to public health and safety and/or if determined that the City or Event Organizer will be unable to provide adequate services to ensure public health and safety during the event. The Events and Facilities Supervisor may convene the appropriate City staff to meet with the Event Planner prior to issuing the permit and as needed after the permit is issued to facilitate coordination of activities and services.

4-2. Change in Plans. The permit is issued based on the conditions outlined in the permit application. The Event Organizer must notify the Events and Facilities Supervisor about any changes in plans, activities and/or service requirements as soon as possible, and no later than three weeks prior to the event so that accommodations can be made, if feasible. If accommodations for the proposed changes are not feasible, then the Event Planner must follow the arrangements specified in the permit application.

4-3. Permit Amendments. The Events and Facilities Supervisor shall document changes in plans in writing as an amendment to the Special Events Permit and circulate to respective City departments.

Section 5. Locations for Special Events

5-1. Events Located Within Right-of-Way. Many outdoor special events involve a temporary street closure. If the special event involves the temporary closure of a public street, use of sidewalks or other public property including event activities using parking spaces on city streets, the event organizer will need approval from the City. If the special event involves the closure of a state-maintained street, the event will also need to be approved by the North Carolina Department of Transportation. NCDOT requires 120 advance notification to approve all special events that request to temporarily close a state-maintained street. The city will facilitate this approval process but cannot guarantee NCDOT approval for requests made less than 120 days before the planned event.

5-2. Pre-Designated Routes for Organized Runs or Races. The City of Lincolnton has several pre-designated routes available for organized runs or races. Run or race event organizers are encouraged to utilize one of these pre-designated routes.

5-3. City Facilities. Event organizers may also consider use of the following City of Lincolnton public facilities that are available for outdoor special events subject to approval by the Parks and Recreation Department:

- a. Betty G. Ross Park
- b. Highland Drive Park
- c. City Park
- d. First Federal Park

Section 6. Charges and Fees

6-1. Schedule of Fees. The City may collect fees for one or more of the activities included with the special event, as outlined by the City of Lincolnton Fee Schedule. Fees may also be charged by agencies other than the City of Lincolnton for required permits and/or services. It is the Event Organizer's responsibility to identify and pay such fees.

6-2. Payment of Fees. Payment of any required fees is due to the City prior to receipt of the outdoor special event permit.

Section 7. Rules, Regulations and Requirements for Special Events

7-1. Availability/Visibility of Event Organizers Prior to and During the Event. During setup and the event itself, the Event Organizer or a designee must be on-site at all times. The Event Planner should be prepared to handle questions and problems regarding the event, such as resolving disputes among vendors, rain delays and coordination of City services.

7-2. Care of Public Property. The Event Organizer shall ensure that public property is protected from damage other than normal wear and tear, including, but not limited to, vandalism; damage to grass, shrubbery, or trees; damage to monuments, benches, or other amenities; damage to utilities and damage to sidewalks, asphalt in streets and parking lots.

7-3. Removal of Publicity Items. The Event Organizer is responsible for removal of any flyers, banners, posters and/or temporary signs placed in public areas to publicize the event immediately following the end of the event.

7-4. No Posting on Poles or Regulatory Signs. In accordance with City of Lincolnton regulations, event signs are not allowed to be attached to electric utility poles or to regulatory signs.

7-5. Permits from Other Agencies. The Event Organizer is responsible for securing any other required permits, permissions, or services from agencies other than the City of Lincolnton that may have jurisdiction over activities at the special event. A copy of these permits must be provided to the City for the Special Event file.

7-6. Insurance. Special Events require a Certificate of Insurance covering the specific event in the minimum aggregate amount of one million dollars (\$1,000,000). Insurance coverage must name the City of Lincolnton as an additional insured.

7-7. Fire Prevention. Event activities must comply with the City of Lincolnton and the North Carolina State Fire Code as administered by the City Fire Marshal.

7-8. Waste Disposal. It is unlawful to dispose of solid and/or liquid wastes in rivers, creeks, drainage ways, storm sewers, streets, parking lots or park areas. It is the responsibility of the sponsoring organization to arrange for proper disposal of grease and/or hazardous materials generated at the special event.

7-9. Portable Restrooms. It is the responsibility of the event organizer to provide adequate on-site restrooms to meet the specific needs of the event. The required number and location of restrooms for any event shall be determined by the City.

7-10. Tents/canopies.

- a. No tents and/or canopies shall be staked. All tents and/or canopies shall be secured or weighted down at all corners.
- b. No tent and/or canopy shall be erected within fifteen (15) feet of a fire hydrant or obstruct any building exit or doorway.
- c. Tents and/or canopies may not entirely block streets. A minimum of 14 feet clearance width and 13.5 feet overhead height for fire vehicle access must be maintained on all streets.
- d. Tents over cooking and/or open flames shall be required to have an attached label indicating flame resistance by National Fire Protection Association (NFPA), North Carolina State Fire Marshall, or other approved testing agency.
- e. There are additional requirements for tents and/or canopies depending on size and use. Tents and/or canopies 700 square feet or less, or when the aggregate total of multiple tents and/or canopies side by side do not exceed 700 square feet without a fire break of twelve feet, are exempt from being certified as flame retardant if all the following are met:
 - i. No enclosing side walls are present.
 - ii. No cooking or open flames.
 - iii. A minimum of twelve feet clearance is present from other structures or tents.
 - iv. At least one UL rated 2A, 10B or 10C extinguisher shall be provided for all tents exceeding 500 square feet or any size tent where there is cooking with open flames. When cooking areas include deep fryers, one (1) Class K portable fire extinguisher shall be provided for every four (4) fryers. Additional extinguishers may be required after the inspection. All required fire extinguishers shall bear a tag by a certified company verifying that the fire extinguisher has been inspected within the last 12 months. LP Gas use shall be restricted to cylinders no larger than 125 gallons water capacity (100 pounds of gas). Cylinders shall be secured to prevent over-turning.

7-11. Pets. No pets shall be allowed in the event area during Special Events unless authorized as a part of the application review. Exception shall be made for persons requiring the use of trained service animals. Service animals shall have proper identification. Service animals that pose a direct threat to others by growling, lunging, or otherwise menacing people can be barred from public access.

7-12. Alcohol. Any Special Events that serve beer, wine, spirits or other alcoholic beverages will require a contract with the City of Lincolnton approved by City Council and must adhere to all North Carolina Alcoholic Beverage Control rules, regulations and requirements.

Section 8. Provision of City of Lincolnton Services and Operational Support to Event

With proper advance notification as outlined in the Special Events Permit process, the City of Lincolnton can provide the following services and operational support for special events:

8-1 . Public Safety. Routine police and fire services are provided by the City of Lincolnton.

- a. The Police and Fire Departments will assess the need for traffic and/or crowd control and emergency response in advance based on information provided on the Special Event Permit Application and/or interviews with the event coordinator.
- b. During event set up, implementation and follow-up, public safety officials may open or close areas or take other actions that may impact the event in order to preserve public safety.
- c. The City of Lincolnton reserves the right to suspend an activity or activities if circumstances pose a threat to public health and safety and/or to public or private property.
- d. Police and fire personnel stationed on location at the event by the City are subject to being called away for emergencies in other areas of the City.
- e. The City of Lincolnton Police and Fire Departments reserve the right to determine the number of on duty and/or off duty public safety personnel needed to safely accommodate the event. If the City determines that off duty public safety personnel are required to safely accommodate the special event, hourly charges may apply for the off-duty personnel as determined by the City Police and Fire Departments.

8-2. Street closings. Upon request, the City can provide barrels, cones, and/or barricades for blocking of streets in accordance with the required deadlines prior to the event.

- a. The Event Organizer may be required to set up barrels, cones and/or barricades that the City has delivered to the event venue.
- b. Any outdoor special event request that includes a request to temporarily close a state-maintained street requires the approval of the NC Department of Transportation and submittal of the application a minimum of 120 days in advance of the event.

8-3. Solid waste services. Upon request, the City may provide delivery of temporary garbage containers to the event location prior to the event.

- a. The Event Organizer may need to place the containers in the desired location.
- b. The City will remove temporary containers at the conclusion of the event and may require that the Event Organizer consolidate containers into a single location.

8-4. Electrical and water services. Upon request, the City may provide electrical and water connections for the event.

8-5. Publicity resources. While it is the responsibility of the Event Organizer and/or sponsoring organization to notify the public about the event, the City may be able to assist with event publicity through the City's community calendar listings, the City's web site, social media and/or city outdoor signage.

Section 9. General Restrictions

9-1. Natural or civil disasters. In the event of natural or civil disasters, the City reserves the right to cancel all outstanding special event permits within the City limits. Should evacuation of a street or neighborhood be deemed necessary by fire, police, or other emergency authorities, all outstanding permits for that area are null and void. Permits will be re-granted as soon as possible following a safety evaluation by the City.

9-2. Public Safety. The City reserves the right to change, modify, update, or waive provisions of these policies where necessary for the public's safety.

9-3. Permit Cancellation or Restriction. The City reserves the rights to cancel special event permits and/or take further restrictive actions where necessary to assure adherence to these standards.

Section 10. Disclaimer of Liability; Indemnity

Every person and/or organization to whom a Special Event Permit is issued and every person who attends an Special Event acknowledges and agrees that the City of Lincolnton, its elected officials and employees, shall not be held liable for any injury, loss, damage, liability or obligation arising out of, or connected in any manner with, the planning, permitting, or conduct of an Special Event.

Every person and/or organization to whom a Special Event Permit is issued, as a condition of the issuance of the Outdoor Special Events Permit, agrees to indemnify and hold harmless the City of Lincolnton.

SPECIAL EVENT RELEASE AND INDEMNITY AGREEMENT

AGREEMENT TO RELEASE AND INDEMNIFY THE CITY OF LINCOLNTON, NC FOR

SPECIAL EVENT: _____

TO BE HELD ON: _____ from _____ to _____
Day/Date/Time

AT LOCATION: _____

Entity/Event Organizer

In consideration of the issuance of the special event permit by the City of Lincolnton, NC (hereinafter "City") to _____ (hereinafter "Event Organizer") for the above event (hereinafter the "event") and other good and valuable consideration, Event Organizer hereby agrees as follows:

The Event Organizer shall release, indemnify, keep and save harmless the City, its officers, officials, agents and employees (hereinafter collectively "Releasees") from any and all responsibility or liability for any and all damage or injury of any kind or nature whatever (including death resulting therefrom) to all persons, whether, officers, officials, agents or employees of the City or third persons, and to all property proximately caused by, incident to, resulting from, arising out of or occurring in connection with Event Organizer's use or occupancy of trails, sidewalks, rights-of-way and/or pedestrian ways or alternative routes located within the City as may be permitted pursuant a permit (or by any person acting for Event Organizer or for whom Event Organizer is or is alleged to be in any way responsible), whether such claim is based in whole or in part on contract, tort (including alleged active or passive negligence or participation in the wrong) or upon an alleged breach of any duty or obligation on the part of Releasees.

The provisions of this agreement shall include any claims for equitable relief or for damages (compensatory or punitive) against the Releasees including alleged injury to the business of any claimant, and shall include any and all losses, damages, injuries, settlements, judgments, decrees, awards, fines, penalties, claims, cost and expenses. Expenses as used herein shall include without limitation the costs incurred by Releasees in connection with investigating any claim or defending any action, and shall also include reasonable attorney's fees by reason of the assertion of any such claim against Releasees. Event Organizer expressly understands and agrees that any insurance protection required as a condition to the issuance of the permit herein applied for, or otherwise provided by Event Organizer, shall in no way limit Event Organizer's responsibility to release, indemnify, keep and save harmless and defend Releasees as herein provided. Permittee expressly accepts those portions of trails, sidewalks, rights-of-way and/or pedestrian ways to be used for the event identified in Event Organizer's application for a permit and any alternative route used in their present condition.

The intention of Event Organizer and the City is that this release and indemnity be incorporated into any permit for the event issued by the City. It is further the intention of the Event Organizer and the City that this release and indemnity be broadly construed and applied in favor of Releasees, subject to the limitations, if any, set forth in N.C.G.S. 5 22B-1.

AGREED BY: _____
Signature & Printed Name Date

OF: _____
Organization Name



City of Lincolnton

114 W Sycamore Street
Lincolnton, North Carolina 28092
(704) 736-8980 * Fax (704) 736-8995



Special Event Permit for: _____

Day/Date/Time: _____

Departmental Review & Approval

FIRE DEPARTMENT

Name of official: _____ **Date:** _____ **Approved:** ☐ Yes ☐ No

Conditions:

POLICE DEPARTMENT

Name of official: _____ **Date:** _____ **Approved:** ☐ Yes ☐ No

Conditions:

PUBLIC SERVICES – Solid Waste/Streets

Name of official: _____ **Date:** _____ **Approved:** ☐ Yes ☐ No

Conditions:

PARKS AND RECREATION

Name of official: _____ **Date:** _____ **Approved:** ☐ Yes ☐ No

Conditions:

EVENTS & FACILITIES

Name of official: _____ **Date:** _____ **Approved:** ☐ Yes ☐ No

Conditions:

NOTES:

City of Lincolnton – Special Event Policy



Section 1. Purpose

The City of Lincolnton supports ~~outdoor venues for~~ special events, including festivals, shows, performances and programs as these events contribute to quality ~~_____~~ and promote the community. The City provides general services and operational support for special events to ensure public safety, to create an environment for a ~~well-organized~~well-organized special event and to ensure a pleasant experience for participants. Adequate advance planning and coordination are key components to the success and safety of any outdoor special event.

The City of Lincolnton has developed this ~~Outdoor~~ Special Events Policy to facilitate advance planning, coordinate scheduling and arrange for appropriate city services and support operations to serve the event in a timely manner. ~~Toward this end,~~ Event ~~Organizers~~Planners are required to secure an ~~Outdoor~~ Special Events Permit in advance of the event date.

Section 2. Definitions of Terms in this Policy

~~Terms and expressions used in this policy~~ are defined as follows:

2-1. ~~Outdoor~~ Special Event.

A special event is defined as a pre-planned event, whether publicly and/or privately sponsored, which is proposed to be held on public property, including but not limited to parks, streets and/or sidewalks. All special events require a Special Event Permit issued by the City of Lincolnton. There are two categories of Special Events:

- a. Park and/or Street Festival - Park and/or Street Festival means an organized neighborhood or public gathering on a public right-of-way (street, sidewalk, parking lot or alley) or public park on a specified date at a specific time in a designated area that may or may not require street closures or an admission fee to enter and participate.
- b. Procession/Parade/Organized Competitive Event - Procession/Parade means a public or private march, run, cortege, walk, cavalcade, autocade, parade of any kind, other gathering of persons that occurs upon public right-of-way, park or both in an area used for vehicular traffic. Organized Competitive Event means any planned race, walk, derby, or event that involves a contest of skill and/or strength and takes place upon public right-of-way or park.

2-2. Event Classification & Costs.

- a. City-Sponsored/Operated Special Events
 - i. Events that are created, planned, and implemented by City Departments or Agencies. Funding for City sponsored events is reviewed annually during the budget process. Fees are waived for events falling within this category. City may seek sponsorships to offset event costs.
- b. City Co-Sponsored Special Events (Signature Events)
 - i. Events that are created, planned, and implemented by non-City Agencies. Support for the co-sponsored events may include in-kind services from City staff based on regular staff hours, waiver of some fees, and/or financial support limited to funds approved in City's annual budget. Cost recovery expenses are to be paid to City agencies and may include staff overtime, supplies, materials, and other direct expenses.
- c. Non-City Sponsored Special Events

- i. Events that are created, planned, and implemented by non-City Agencies. The City does not provide financial support for these events and expects to be reimbursed for all costs associated with the activity, including overtime expenses, supplies, materials, and any other costs or fees. In the case of Non-Profit Events, the City may, upon approval by the City Manager, assist with the activity/event by providing some services at no charge from City staff. Event organizers of a Non-Profit Special Event must submit a current IRS 501(c)3 Statement.

~~Any organized formation, procession or assembly consisting of persons and/or vehicles which is assembling or traveling in unison on a public street which does not comply with normal or usual traffic regulations or controls or any organized activity conducted by a person or group for a common or collective use, purpose or benefit which involves the use of or has an impact on the provision of City services, resources or personnel.~~

2-~~32~~. Event Organizer~~Planner~~. A representative of the sponsoring organization or the individual in charge of planning and implementing the special event. The person submitting the permit application must be an adult age 18 years or older.

2-~~43~~. Events and Facilities Supervisor. City of Lincoln ~~ton Parks and Recreation Department~~ staff member who administers the ~~Outdoor~~ Special Events Policy and permit application process.

2-~~54~~. ~~Outdoor~~ Special Events Permit. An approval document issued by the City of Lincoln ~~ton~~ upon completion of the application process that officially schedules the event and identifies requirements for appropriate city services and operations after payment of any required fees.

2-~~65~~. City Services. Services provided by the City of Lincoln ~~ton~~ in support of special events, including regular and over-time staff hours, supplies, and/or other services.

Section 3. Application of this Policy

This policy shall apply to all ~~outdoor~~ events taking place in the public right-of-way or for which the event ~~organizer~~holder is requesting use of city resources, services, or personnel. Examples of outdoor special events include, but are not limited to, festivals, concerts, parades, runs and rallies.

Note: The following activities are exempt from this outdoor special event policy:

- a. Funeral processions,
- b. Group demonstrations or lawful picketing on sidewalks, subject to Chapter 94 of the Lincoln ~~ton~~ City Code, and
- c. Sidewalk dining, subject to Chapter 14 of the Lincoln ~~ton~~ City Code

e. _____

Filming activities are subject to ~~covered under~~ the City of Lincoln ~~ton~~ Film Policy and ordinance.

Section 4. ~~Outdoor~~ Special Events Permit

4-1-. Application Procedure. At the beginning of the event planning process, the Event Organizer~~Planner~~ should contact the City of Lincoln ~~ton Parks and Recreation Department~~ Events and Facilities Supervisor to assess needs for City of Lincoln ~~ton~~ services and operational support and to obtain a copy of the ~~Outdoor~~ Special Events Permit Application.

- The Event Organizer~~Planner~~ should complete the application with required attachments and return it to the Events and Facilities Supervisor no later than ~~45~~30 days prior to an event. NOTE: Applications for

special events that include a request for a temporary closure of a state-maintained street require NCDOT approval; NCDOT requires 120 days advance notification for approval. must be submitted no later than 120 days prior to the event.

- The Events and Facilities Supervisor will review the application for completeness and route the application to the appropriate City staff for acknowledgement of service and operations support for the event and for comment. When all requirements listed on the application have been met, the Events and Facilities Supervisor will issue an ~~Outdoor~~ Special Event Permit to the Event ~~Organizer~~Planner for the specific event at the specified times and locations.
- The City of Lincolnton reserves the right to deny event activities that, in the City's view, pose a threat to public health and safety and/or if determined that the City or Event ~~Organizer~~Holder will be unable to provide adequate services to ensure public health and safety during the event. The Events and Facilities Supervisor may convene the appropriate City staff to meet with the Event Planner prior to issuing the permit and as needed after the permit is issued to facilitate coordination of activities and services.

4-2. Change in Plans. The permit is issued based on the conditions outlined in the permit application. The Event ~~Organizer~~Planner must notify the Events and Facilities Supervisor about any changes in plans, activities and/or service requirements as soon as possible, and no later than three weeks prior to the event so that accommodations can be made, if feasible. If accommodations for the proposed changes are not feasible, then the Event Planner must follow the arrangements specified in the permit application.

4-3. Permit Amendments. The Events and Facilities Supervisor ~~should~~ document changes in plans in writing as an amendment to the Special Events Permit and circulate to respective City departments.

Section 5. Locations for ~~Outdoor~~ Special Events

5-1. Events Located Within Right-of-Way. Many outdoor special events involve a temporary street closure or other use of streets or sidewalks. If the special event involves the temporary closure of a public street, use of sidewalks or other public property including event activities using parking spaces on city streets, the event ~~organizer~~holder will need approval from the City. If the special event involves the closure of a state-maintained street, the event ~~holder~~ will also need to be approved by ~~from~~ the North Carolina Department of Transportation. NCDOT requires 120 advance notification to approve all ~~As a result, applications for~~ special events that ~~involve a request to temporarily close a state-maintained street.~~ The city will facilitate this approval process, but cannot guarantee NCDOT approval for requests made less than 120 days before the planned event. must be submitted a minimum of 120 days prior to the event.

5-2. Pre-Designated Routes for Organized Runs or Races. The City of Lincolnton ~~Parks and Recreation Department~~ has several pre-designated routes available for organized runs or races. Run or race event organizers are encouraged to utilize one of these pre-designated routes.

5-3. City Facilities. Event ~~organizers~~holders may also consider use of the following City of Lincolnton public facilities that are available for outdoor special events subject to approval by the Parks and Recreation Department:

- a) Betty G. Ross Park,
- b) Highland Drive Park, ~~and~~
- c) City Park
- d) First Federal Park

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6-1. Schedule of Fees. The City may collect fees for one or more of the activities included with the special event, as outlined by the City of Lincolnton Fee Schedule. Fees may also be charged by agencies other than the City of Lincolnton for required permits and/or services. It is the Event ~~Organizer's~~ Planner's responsibility to identify and pay such fees.

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Section 7. Rules, Regulations and Requirements for Special Events

7-1. Availability/Visibility of Event ~~Organizers~~~~Planner~~ Prior to and During the Event. During setup and the event itself, the Event ~~Organizer~~~~Planner~~ or a designee must be on-site at all times. The Event Planner should be prepared to handle questions and problems regarding the event, such as resolving disputes among vendors, rain delays and coordination of City services.

7-2. Care of Public Property. The Event ~~Organizer~~~~Planner~~ shall ensure that public property is protected from damage other than normal wear and tear, including, but not limited to, vandalism; damage to grass, shrubbery, or trees; damage to monuments, benches, or other amenities; damage to utilities and damage to asphalt in streets and parking lots.

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7-6. Insurance. ~~Special Events Use of materials that may create a fire hazard~~ requires a Certificate of Insurance covering the specific event in the minimum aggregate amount of one million dollars (\$1,000,000). ~~such usage.~~ Insurance coverage must name the City of Lincolnnton as an additional insured.

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- o A minimum of twelve feet clearance is present from other structures or tents.
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Section 8. Provision of City of Lincolnton Services and Operational Support to Event

With proper advance notification as ~~outlined in~~~~offered through~~ the ~~Outdoor~~ Special Events Permit process, the City of Lincolnton can provide the following services and operational support ~~for~~ special events:

8-1 . Public Safety. Routine police and fire services are provided by the City of Lincolnton.

- The Police and Fire Departments will assess the need for traffic and/or crowd control and emergency response in advance based on information provided on the ~~Outdoor~~ Special Events Permit Application and/or interviews with the event coordinator.
- During event set up, implementation and follow-up, public safety officials may open or close areas or take other actions that may impact the event in order to preserve public safety.
- -The City of Lincolnton reserves the right to suspend an activity or activities if circumstances pose a threat to public health and safety and/or to public or private property.
- -Police and fire personnel stationed on location at the event by the City are subject to being called away for emergencies in other areas of the City.
- The City of Lincolnton Police and Fire Departments reserve the right to determine the number of on duty and/or off duty public safety personnel needed to safely accommodate the event. ~~If in the event that~~ the City determines that off duty public safety personnel are required ~~in order~~ to safely accommodate the special event, hourly charges may apply for the off-duty personnel as determined by the City Police and Fire Departments.

8-2. Street closings. Upon request, t~~The~~ City can provide barrels, cones, and/or barricades for blocking of streets ~~when requested~~ in accordance with the required deadlines prior to the event.

- The Event ~~Organizer~~Planner may be required to set up barrels, cones and/or barricades that the City has delivered to the event venue.
- Any outdoor special event request that includes a request to temporarily close a state-maintained street requires the approval of the NC Department of Transportation and submittal of the application a minimum of 120 days in advance of the event.

8-3. Solid waste services. Upon request, the City may provide delivery of temporary garbage and/or recycling containers to the event location prior to the event.

- The Event ~~Organizer~~~~Planner~~ may need to place the containers in the desired location.
- The City will remove temporary containers at the conclusion of the event and may require that the Event ~~Organizer~~~~Planner~~ consolidate containers into a single location.

8-4. Electrical and water services. Upon request, the City may provide electrical and water connections for the event.

8-5. City Fencing and Stage. Upon request, the City may provide delivery and set up of fencing materials ~~in order~~ to cordon off a portion of the event area and/or a raised platform/stage.

8-7. Publicity resources. While it is the responsibility of the Event ~~Organizer~~~~Planner~~ and/or sponsoring organization to notify the public about the event, the City may be able to assist with event publicity through ~~the LINCINFO system~~, the City's community calendar listings, the City's web site, social media and/or city the Police Department outdoor signage.

Section 9. General Restrictions

9-1. Natural or civil disasters. In the event of natural or civil disasters, the City reserves the right to cancel all outstanding ~~outdoor~~ special event permits within the City limits. Should evacuation of a street or neighborhood be deemed necessary by fire, police, or other emergency authorities, all outstanding permits for that area are null and void. Permits will be re-granted as soon as possible following a safety evaluation by the City.

9-2. Public Safety. The City reserves the right to change, modify, update, or waive provisions of these policies where necessary for the public's safety.

9-3. Permit Cancellation or Restriction. The City reserves the rights to cancel ~~outdoor~~ special event permits and/or take further restrictive actions where necessary to assure adherence to these standards.

Section 10. Disclaimer of Liability; Indemnity

Every person and/or organization to whom an ~~an Outdoor~~ Special Events Permit is issued and every person who attends an ~~Outdoor~~ Special Event acknowledges and agrees that the City of Lincoln, its elected officials and employees, shall not be held liable for any injury, loss, damage, liability or obligation arising out of, or connected in any manner with, the planning, permitting, or conduct of an ~~Outdoor~~ Special Event.

Every person and/or organization to whom an ~~Outdoor~~ Special Events Permit is issued, as a condition of the issuance of the Outdoor Special Events Permit, agrees to indemnify and hold harmless the City of Lincoln.

~~OUTDOOR~~-SPECIAL EVENT RELEASE AND INDEMNITY AGREEMENT

AGREEMENT TO RELEASE AND INDEMNIFY THE CITY OF LINCOLNTON, NC FOR

~~OUTDOOR~~-SPECIAL EVENT: _____

TO BE HELD ON: _____ from _____ to _____
Day/Date/Time

AT LOCATION: _____

BY

Entity/~~Event Organizer~~permittee

In consideration of the issuance of the ~~outdoor~~-special event permit by the City of Lincolnton, NC (hereinafter "City") to

(hereinafter "~~Permittee~~Event Organizer") for the above event (hereinafter the "event") and other good and valuable consideration, ~~Permittee~~Event Organizer hereby agrees as follows:

The ~~Event Organizer~~Permittee shall release, indemnify, keep and save harmless the City, its officers, officials, agents and employees (hereinafter collectively "Releasees") from any and all responsibility or liability for any and all damage or injury of any kind or nature whatever (including death resulting therefrom) to all persons, whether, officers, officials, agents or employees of the City or third persons, and to all property proximately caused by, incident to, resulting from, arising out of or occurring in connection with ~~Event Organizer's~~ Permittee's use or occupancy of trails, sidewalks, rights-of-way and/or pedestrian ways or alternative routes located within the City as may be permitted pursuant a permit (or by any person acting for ~~Event Organizer~~Permittee or for whom ~~Event Organizer~~Permittee is or is alleged to be in any way responsible), whether such claim is based in whole or in part on contract, tort (including alleged active or passive negligence or participation in the wrong) or upon an alleged breach of any duty or obligation on the part of Releasees.

The provisions of this agreement shall include any claims for equitable relief or for damages (compensatory or punitive) against the Releasees including alleged injury to the business of any claimant, and shall include any and all losses, damages, injuries, settlements, judgments, decrees, awards, fines, penalties, claims, cost and expenses. Expenses as used herein shall include without limitation the costs incurred by Releasees in connection with investigating any claim or defending any action, and shall also include reasonable attorney's fees by reason of the assertion of any such claim against Releasees. ~~Event Ogranizer~~Permittee expressly understands and agrees that any insurance protection required as a condition to the issuance of the permit herein applied for, or otherwise provided by ~~Event Organizer~~Permittee, shall in no way limit ~~Event Organizer's~~ Permittee's responsibility to release, indemnify, keep and save harmless and defend Releasees as herein provided. Permittee expressly accepts those portions of trails, sidewalks, rights-of-way and/or pedestrian ways to be used for the event identified in ~~Event Organizer's~~ Permittee's application for a permit and any alternative route used in their present condition.

The intention of ~~Event Organizer~~Permittee and the City is that this release and indemnity be incorporated into any permit for the event issued by the City. It is further the intention of the ~~Event Organizer~~Permittee and the City that this release and indemnity be broadly construed and applied in favor of Releasees, subject to the limitations, if any, set forth in N.C.G.S. 5 22B-1.

AGREED BY: _____
Signature & Printed Name Date

OF: _____
Organization Name

Signed _____ day of _____, 20____. ~~this day of , 20~~

By: _____

~~Name of Representative, Title~~



City of Lincolnton

114 W Sycamore Street
Lincolnton, North Carolina 28092
(704) 736-8980 * Fax (704) 736-8995



Special Event Permit for: _____

Day/Date/Time: _____

Departmental Review & Approval

FIRE DEPARTMENT

Name of official: _____ **Date:** _____ **Approved:** ☐ Yes ☐ No

Conditions:

POLICE DEPARTMENT

Name of official: _____ **Date:** _____ **Approved:** ☐ Yes ☐ No

Conditions:

PUBLIC SERVICES – Solid Waste/Streets

Name of official: _____ **Date:** _____ **Approved:** ☐ Yes ☐ No

Conditions:

PARKS AND RECREATION

Name of official: _____ **Date:** _____ **Approved:** ☐ Yes ☐ No

Conditions:

EVENTS & FACILITIES

Name of official: _____ **Date:** _____ **Approved:** ☐ Yes ☐ No

Conditions:

NOTES:

Approvals-Official Use Only

City Department

Police Department

Official Name:

Approved: Yes ☐ No ☐ Not Applicable Conditions of Approval:

Fees for Services:

Fire Department

Official Name:

Approved: Yes ☐ No ☐ Not Applicable Conditions of Approval:

Approval: _____

Fees for Services:

Public Works and Utilities Department

Official Name:

Approved: Yes ☐ No ☐ Not Applicable Conditions of Approval:

Approval: _____

Fees for Services:

Parks and Recreation Department

Official Name:

~~Approved: Yes No Not Applicable Conditions of Approval:~~

~~Approval:~~ _____

~~Fees for Services:~~

~~Business and Community Development~~

~~Official Name:~~

~~Approved: Yes No Not Applicable Conditions of Approval:~~

~~Approval:~~ _____

~~Fees for Services:~~

~~Total Fees~~

ITEM #

6b

Mask Mandate
Discussion

NO BACK-UP
AVAILABLE

ITEM #

6c

2021 - 2022

Budget Message

Budget/Fee

Schedule

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



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

TO: Mayor and Council
From: Ritchie Haynes, City Manager *RH*
Subject: Proposed Budget 2021-2022
Date: April 29, 2021

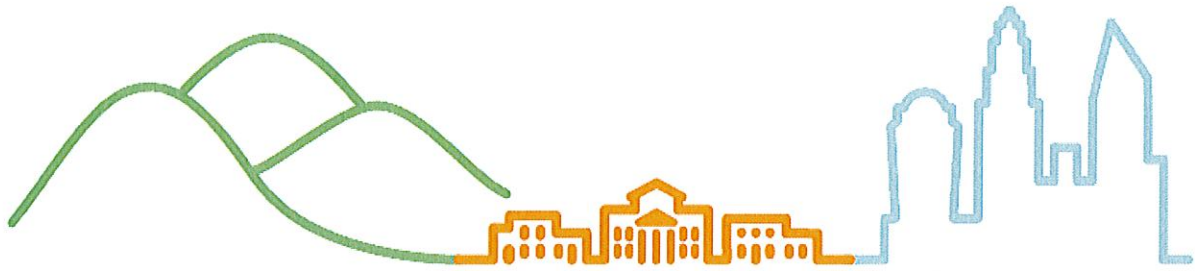
Attached you will find the proposed budget for 2021-22. I will be presenting the budget message at the May City Council meeting. This will serve as the official budget presentation as required by the state statute.

A public hearing will be held at the June Council meeting to receive feedback from the general public regarding the proposed budget. If needed, we can have additional budget work sessions. It must be noted that we are required to have an adopted budget by July 1, 2021.

I would like to take this opportunity to thank City Council and our Directors for all the hard work that they have put into this process. Also, this year's budget retreat was extremely helpful in giving staff direction for the proposed budget.

As you will see in my budget message, I am recommending no change in the property tax rate as well as in the water, sewer and electric rates. This year's budget is slightly lower than last year's primarily due to capital improvements. Also, the proposed budget includes the pay study for Group A.

Please let me know if you have any questions or concerns.



Lincolnton NC

Near the City. Near the Mountains. Near Perfect.

*The
Municipal
Capital and Operating
Budget
Fiscal Year*

2021-22

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



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.

May 6, 2021

BUDGET MESSAGE

TO: Mayor and City Council Members
City of Lincolnton, North Carolina

FROM: Ritchie Haynes, City Manager

Enclosed for your consideration is the proposed operating budget for the City of Lincolnton for fiscal year 2021-22. The budget includes six major funds, and totals \$29,961,457.

A public hearing will be held at the June City Council meeting to receive comments and questions from the general public regarding the proposed budget. The budget must be adopted by July 1, 2021. City Council may have as many budget work sessions as they choose leading up to the July 1st deadline.

The City Manager will be available leading up to the adoption of the budget to answer any questions from City Council or the public. A copy of the budget will be kept on file in the City Clerk's office up until its adoption.

I. GENERAL FUND

The proposed General Fund budget is \$11,037,157. The General Fund contains the majority of city services, including public safety, solid waste, street, finance, planning and zoning, recreation, business and community development, and the human resources and city manager/city clerk's office. The General Fund budget as proposed will allow the city to continue providing the level of services that we have provided for our citizens for many years.

The Lincoln County Tax Department is projecting an increase in property valuations for the City of approximately 0.9%. I am recommending that the tax rate remain at 56 cents.

BUDGET MESSAGE – 2021-22
May 6, 2021

The current fiscal year budget estimated sales tax revenue to be \$3,300,000. This is adjusting back to Pre-COVID-19. Another large source of revenue in the General Fund will be franchise tax, which is estimated to be \$855,000. Other revenues in the General Fund include contributions for administrative purposes from the Water and Sewer and Electric Funds. We also receive a payment in-lieu of taxes from these funds totaling an approximate \$400,000.

The City will continue to receive revenue from ABC sales, concessions from recreation related activities, and a reimbursement for providing a school resource officer to Lincolnton High School and Asbury Learning Center.

The City was able to balance the General Fund without appropriating any fund balance. The City still maintains an adequate fund balance percentage.

The City implemented a pay and class study in 2016-17 for all employees. In order to remain market competitive, a new study for one-third of employees will be completed each year. The cost to implement this for the general fund is \$260,000.

The capital items recommended in the budget total \$318,000. The remainder of the capital items is for operational equipment and building improvements.

Department heads were asked to identify needs within their respective areas. These items were presented in the budget discussions with Council. In addition to reviewing these requests, I have used a zero based budget approach to reducing operational budget line items \$284,200. The resulting budget is a compromise between adjusting line items for requested additional needs versus determined actual needs.

II. OCCUPANCY TAX FUND

The Occupancy Tax fund is no longer included in the City's operating budget and is reported as a component for reporting purposes only. The six member board that was created by City Council has full authority to appropriate the funds as they see fit. All the requirements of the initial enabling legislation are still in effect for the Tourism Authority to comply with.

III. POWELL BILL FUND

The proposed Powell Bill Fund budget is \$305,000. These funds will be used to continue our traditional street and sidewalk repairs. There will remain approximately \$288,000 of fund balance in this fund. Powell Bill proceeds continue to be a critical source of state revenue in assisting municipalities meet their street related needs.

BUDGET MESSAGE -- 2021-22
May 6, 2021

IV. WATER AND SEWER FUND

The proposed Water and Sewer Fund is \$8,196,950. This fund is made up of four departments. These include Water Treatment Plant, Distribution and Collection, Waste Water Treatment Plant, and Intangibles. The water and sewer usage rates will remain the same for 2021-22.

Operational expenditures are increasing due to employee benefit rate increases. Revenues are expected to increase to Pre COVID-19 levels. The County is installing a new water line from our water plant that will supply the western part of their service area and provide additional revenue.

The city is working with LEDA and the Chamber of Commerce on a regular basis to identify potential business customers. There is a requirement to be able to cover operating costs from generated revenues for the Water and Sewer Fund. While there is a healthy fund balance of \$3,500,000 this can only be used for capital expenditures.

V. ELECTRIC FUND

The electric fund continues to be very stable due to recent rate restructuring by Electricities. As a result, no change in rates to our customers is recommended.

The total proposed Electric Fund is \$7,797,350. The projected fund balance is \$1,400,000, or 20% of the operating budget.

Please remember that the City made a commitment to the North Carolina Local Government Commission that we will raise rates three percent above the annual rate increase. Based on this, we have a five percent cushion before an adjustment would be mandated. This will be the seventh year in a row that the City has not had to raise electric rates for our customers.

Major expenses in the Electric Fund other than the purchase of electricity, will include a yard machine for \$150,000, Gaston Street improvements for \$100,000, wash pit for \$100,000, traffic controllers for \$60,000, line reel for \$20,000 and system maintenance at \$420,000.

The city continues to have an efficiently operated electric department. Electricities is a very good partnership for the City. The western agency is in a much better financial condition due to restructuring of debt, making the outlook for future rate reductions highly probable. Electricities have provided thousands of dollars in grants to the City for projects such as development of the website and the strategic plan. While electricity is not the revenue generator it was many years ago, I still feel we provide a very reliable service at a reasonable price for our customers. The City was successful a few years ago in persuading the Super Wal-Mart to stay on our system, and we also serve the Hampton Inn. We need to continue to pursue any additional large customers when the opportunity presents itself.

BUDGET MESSAGE – 2021-22
May 6, 2021

VI. BOGER CITY FIRE DISTRICT FUND

The Boger City Volunteer fire Department merged their operations with the City's Fire Department in FY 2020-2021. The Boger City Fire District generates \$985,000 in revenue annually. Under the new arrangement, the County contracts with the City to provide fire protection services for that district. Pending final approval by the State, all property and titles would be conveyed to the City.

VII. SPECIAL REVENUE FUND

The proposed Special Revenue Fund is \$1,640,000.00. The Special Revenue Fund serves to accommodate revenues received through dedicated grant revenue sources. In FY 2020-2021, the American Rescue Plan provided the City with the first installment of \$1,640,000. We anticipate receiving the second installment of these funds in FY 2021-2022. The city plans to use the funds in making investments in water, sewer, and/or broadband infrastructure.

VIII. SUMMARY

The budget process this year uses the City's strategic plan as a core for planning present and future needs. Four goals were identified:

- 1) Improve Infrastructure
- 2) Employee Benefits
- 3) Downtown Development
- 4) Improve Recreational Opportunities

Directors were asked to identify needs, both present and future. A ten year plan is being developed so that long range goals can be identified and monitored as part of the budget process. The budget process was very collaborative, which resulted in helpful dialogue between directors and council members.

The goals listed above are being used as a tool to assist in determining priorities for available funds and to plan for future needs.

On a positive note, savings realized by reorganization have provided opportunities to fund immediate needs as well as planning for the future. I have also used a zero based budget approach in reviewing all line items for possible adjustments.

I want to especially thank the city staff for all of their hard work in assisted with the budget process. They understand the challenges we are facing and have been as conservative as possible in identifying needs. I want to also thank the Mayor and City

BUDGET MESSAGE – 2021-22

May 6, 2021

Council for your support to the city staff. The budget process requires a team that is willing and able to work together. The City is fortunate to have such dedicated employees and leadership.

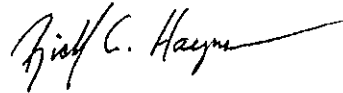
In conclusion, I am recommending a \$29,961,457 operating budget for fiscal year 2021-22 for the City of Lincolnton. This is less than 2020-21 due to major capital projects that were in last year's budget and reductions to the operating expenses in the general fund and enterprise funds.

The budget includes funding to begin the process of working toward meeting the four goals identified as part of the strategic plan. This will be an ongoing challenge. I believe that great strides have been made in providing cost effective services to our citizens.

I want to personally thank the Mayor and Council for allowing staff the opportunity to participate in such an open budget process. In closing, I respectfully submit this budget for consideration.

I am available to answer any questions that you may have.

Sincerely,

A handwritten signature in black ink, appearing to read "Rich C. Haynes", with a long horizontal flourish extending to the right.

Richard C. Haynes
City Manager

THE ORGANIZATION

EDWARD L. HATLEY, JR., MAYOR
 MARY FRANCES WHITE, CITY COUNCIL, WARD ONE
 CHRISTINE POINSETTE, CITY COUNCIL, WARD TWO
 MARTIN A. EADDY, CITY COUNCIL, WARD THREE
 ROBY D. JETTON, CITY COUNCIL, WARD FOUR

APPOINTED OFFICIALS

CITY MANAGER, RITCHIE HAYNES
 CITY ATTORNEY, THOMAS J. WILSON, JR.

STAFF

DAPHNE INGRAM, ASSISTANT TO CITY MANAGER/
 CITY CLERK
 PAMELA MCBRYDE, FINANCE DIRECTOR
 TANYA OSBORNE, HUMAN RESOURCES DIRECTOR
 LAURA ELAM, PLANNING & ZONING DIRECTOR
 RODNEY JORDAN, CHIEF OF POLICE
 CHARLES R. HEAVNER, FIRE CHIEF
 ROBERT PEARSON, UTILITIES DIRECTOR
 NATHAN EUREY, PUBLIC SERVICES DIRECTOR
 LAURA MORRIS, COMMUNITY RELATIONS DIRECTOR
 DAVID RAMSEY, BUSINESS SERVICES DIRECTOR

MAYOR

The Mayor is the chief elected official of the City of Lincolnton. The Mayor is elected, at large, for a four year term. The Mayor is the presiding officer of the Lincolnton City Council. The Mayor votes to break a tie vote and does not have veto power. The Mayor appoints members to various municipal boards and commissions, issues special proclamations, meets with citizen groups, and represents the City at various local, state, and national meetings. The Mayor serves as the City's Chief Ambassador, meeting with visiting dignitaries and business representatives. The Mayor plays an important role in the development of Lincolnton's municipal policy.

CITY COUNCIL

The Lincolnton City Council is the Legislative Body of the City of Lincolnton. The City Council is comprised of four members. Members of City Council are elected at large but must file for election by ward. Two members of City Council stand election every two years and are elected to four year terms.

The City Council appoints the City Manager and the City Attorney; is responsible for passing all ordinances and resolutions; approves the annual operating and capital budgets; sets the ad valorem tax rate; sets utility rates; makes appointments to various boards, commissions, and agencies of the city; and adopts long range plans and policies.

CITY MANAGER

The City Manager, the Chief Administrative Officer of the City of Lincolnton, is appointed by the City Council and serves at its pleasure. The City of Lincolnton adopted the Council-Manager form of government in 1982.

The City Manager provides management control and coordinates all activities of city government. He is the administrative head of the City and sees that the laws of the city and state are faithfully executed. He attends all meetings of the City Council, recommends for adoption such measures as he shall deem pertinent, and makes reports from time to time concerning the affairs of the City. He is responsible for the preparation of the annual budget and represents the City on various boards, commissions, and committees on city, state, and national levels.

CITY ATTORNEY

The Lincolnton City Attorney, the chief legal authority of the City, is appointed by the City Council and serves at its pleasure.

The City Attorney represents the Mayor and City Council, the City Manager and various department supervisors of city government. He attends all City Council meetings and has the responsibility to advise the City Council on all legal, procedural, and conduct of meetings. He represents the City in all legal matters, personnel hearings, zoning administration, and any civil or criminal court procedure.

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



CITY COUNCIL
 Richard Haynes
rhaynes@lincolntonnc.org
CITY CLERK
 Daphne Ingram
d Ingram@lincolntonnc.org
CITY ATTORNEY
 Thomas J. Wilson, Jr.

BUDGET ORDINANCE

AN ORDINANCE ESTABLISHING REVENUES AND AUTHORIZING EXPENDITURES FOR
 FISCAL YEAR 2021-2022 FOR THE CITY OF LINCOLNTON

BE IT ORDAINED by the Mayor and City Council of the City of Lincolnton:

SECTION 1. The following amounts are hereby appropriated in the General Fund for the operation of the City government and its activities for the fiscal year beginning July 1, 2021 and ending June 30, 2022 in accordance with the chart of accounts heretofore established for this City:

City Manager/Clerk	\$ 173,960
Human Resources	334,015
Finance	135,270
General Expense	1,449,895
General Debt Service	293,924
Police	3,350,520
Fire	2,214,200
Public Works	44,580
Street	778,605
Equipment Services	223,290
Solid Waste	522,095
Planning/Zoning	330,440
Bus & Comm. Dev	123,200
Recreation	1,063,163
	<u>\$ 11,037,157</u>

SECTION 2. It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 2021 and ending June 30, 2022:

AD VALOREM LEVY	\$ 5,090,000
PRIOR YEAR TAXES	80,000
NC VEHICLE TAX SYSTEM (NCVTS)	415,000
NCVTS-LICENSE FEE	150,000
DISCOUNT ON TAXES	(60,000)
INTEREST ON TAXES	25,000

LEASE/RENTAL VEHICLE TAX	20,000
LOCAL SALES & USE TAX	3,300,000
FEDERAL GRANTS-FEMA	62,000
PILOT-HOUSING AUTHORITY	22,470
CONTROLLED SUBSTANCE TAX	4,500
FIREFIGHTERS RELIEF FUND TAX	5,200
ALCOHOL/BEVERAGE TAX	44,000
FRANCHISE TAX	855,000
SOLID WASTE DISPOSAL TAX	6,000
PILOT-WATER & SEWER	389,222
PILOT-ELECTRIC	30,465
SRO REIMBURSEMENT	125,000
CEMETERY LOT SALES	20,000
OFFICERS FEES	3,000
PARKING VIOLATIONS	5,000
ZONING DEPARTMENT FEES	10,000
FIRE DEPARTMENT FEES	8,000
REC-ADMISSION & CONCESSION	40,000
REC-REGISTRATION & ENTRY FEES	65,000
REC-VENDING MACHINE INCOME	1,000
REC-RENTAL FEES	9,000
REC-EVENT FEE	3,000
REC-MISCELLANEOUS REVENUE	1,800
INTEREST-GENERAL FUND	30,000
SALE OF CAPITAL ASSETS- GF	10,000
MISCELLANEOUS REVENUE- GF	4,000
SALES OF PERSONAL ASSETS	2,500
ABC REVENUE	80,000
ABC LAW ENFORCEMENT	30,000
MISCELLANEOUS OTHER REVENUE	15,000
WEX-FUEL REBATES	3,000
JULY 4TH DONATIONS/OTHER	13,000
REIMB FROM POWELL BILL	120,000
APPROPRIATION FROM FUND BALANCE- GF	-
	<u>\$ 11,037,157</u>

SECTION 3.

The following amounts are hereby appropriated in the Boger City Fire District Fund for the operation of the City government and its activities for the fiscal year beginning July 1, 2021 and ending June 30, 2022 in accordance with the chart of accounts heretofore established for this City:

BOGER CITY TAX DISTRICT	<u>\$ 985,000</u>
-------------------------	-------------------

SECTION 4.

It is estimated that the following revenues will be available in the Boger City Fire District Tax Fund for the fiscal year beginning July 1, 2021, and ending June 30, 2022:

FIRE DISTRICT TAX	\$ 981,000
INVESTMENT INCOME	1,000
SALESTAX/GRANTS	3,000
FUND BALANCE APPROPRIATED	-
	<u>\$ 985,000</u>

SECTION 5. The following amounts are hereby appropriated in the Powell Bill Fund for the fiscal year beginning July 1, 2021, and ending June 30, 2022 in accordance with the chart of accounts heretofore approved for the City:

POWELL BILL COSTRUCTION/OTHER	<u>\$ 305,000</u>
-------------------------------	-------------------

SECTION 6. It is estimated that the following revenues will be available in the Powell Bill Fund for the fiscal year beginning July 1, 2021 and ending June 30, 2022:

POWELL BILL ALLOCATION	\$ 304,000
INVESTMENT INCOME	1,000
FUND BALANCE APPROPRIATED	-
	<u>\$ 305,000</u>

SECTION 7. The following amounts are hereby appropriated in the Water and Sewer Fund for the operation of the water and sewer utilities for the fiscal year beginning July 1, 2021 and ending June 30, 2022, in accordance with the chart of accounts heretofore approved for the City:

WATER & SEWER FUND	<u>\$ 8,196,950</u>
--------------------	---------------------

SECTION 8. It is estimated that the following revenues will be available in the Water and Sewer Fund for the fiscal year beginning July 1, 2021 and ending June 30, 2022.

INVESTMENT INCOME	\$ 55,000
CONTRACTOR SALES TAX	\$ 4,000
CHARGES FOR SERVICE - WATER	3,610,000
CHARGES FOR SERVICE - SEWER	4,300,000
CONNECTION CHARGES	27,000
OTHER OPERATING REVENUES	200,950
OTHER FINANCING SOURCES	-
	<u>\$ 8,196,950</u>

SECTION 9. The following amounts are hereby appropriated in the Electric Fund for the operation of the electric utility for the fiscal year beginning July 1, 2021 and ending June 30, 2022, in accordance with the chart of accounts heretofore approved for the City:

ELECTRIC FUND	<u>\$ 7,797,350</u>
---------------	---------------------

SECTION 10. It is estimated that the following revenues will be available in the Electric Fund for the fiscal year beginning July 1, 2021 and ending June 30, 2022:

INVESTMENT INCOME	\$ 15,000
CONTRACTOR SALES TAX	\$ 2,000
ELECTRIC SALES	6,900,000
ELECTRIC MUNICIPAL OPERATIONS	550,000
OTHER OPERATING REVENUE	330,350
OTHER FINANCING SOURCES	-
	<u>\$ 7,797,350</u>

SECTION 11. The following amounts are hereby appropriated in the Special Revenue Fund for the fiscal year beginning July 1, 2021 and ending June 30, 2022, in accordance with the chart of accounts heretofore approved for the City:

AMERICAN RESCUE PLAN ACT	<u>\$ 1,640,000</u>
--------------------------	---------------------

SECTION 12. It is estimated that the following revenues will be available in the Special Revenue Fund for the fiscal year beginning July 1, 2021 and ending June 30, 2022:

AMERICAN RESCUE PLAN ACT	\$ <u>1,640,000</u>
--------------------------	---------------------

SECTION 13. There is hereby levied a tax rate of fifty-six cents (\$.56) per one hundred (\$100) valuation of property as listed for taxes as of January 1, 2021 for the purpose of raising the revenue listed as "Property Taxes" in the general fund in Section 1 of this ordinance.

This rate is based on a total valuation of property for the purposes of taxation of \$ 988,359,527 and an estimated rate of collection of 98.37%.

There is hereby levied a municipal vehicle tax of \$20 per registered and tagged motorized vehicle resident in the city.

There is hereby levied a tax rate by the County of twelve and 1/2 cents (\$.1250) per one hundred (\$100) valuation of property as listed for taxes as of January 1, 2021 for the purpose of raising the revenue listed as "Boger City Fire District Taxes" in Section 3 of this ordinance.

SECTION 14.	Electric Rates	No Increase.
--------------------	----------------	--------------

SECTION 15.	Water & Sewer Rates	No Increase.
--------------------	---------------------	--------------

SECTION 16. Appropriations are authorized by fund totals. The City Manager is authorized to reallocate fund 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 GROSS BUDGET	\$ <u>29,961,457</u>
--------------------	----------------------

Adopted this 3rd day of June, 2021

Attest:

Daphne Ingram
City Clerk

Edward L Hatley
Mayor

General Fund \$11,037,157

- No tax rate increase
- New Revenue- Property Tax- \$50,000
- New Revenue – Sales Tax- \$215,000
- Restored Revenue – Sales Tax- \$200,000; *FY2021 Covid-19 reduction*
- Implement Salary Study – Phase 1- \$260,000
- Retirement Rate Increase - \$45,000
- Retiree Health Insurance Increase- \$54,900
- Replace 10 Police vehicles- Enterprise
- Allot \$36,000 to Police Department for Capital
- Allot \$10,000 to Police Department for Misc. Equipment
- Allot \$7,500 to Fire Department for Capital
- Allot \$10,000 to Fire Department for Misc. Equipment
- Allot \$18,000 to Fire Department for Building Needs
- Providing year six funding for DDA administrative position- \$42,000
- Rail Trail Landscaping Fund- \$10,000
- Allot \$50,000 to Parks & Recreation for Capital as follows:
 - Rail Trail Cameras - \$15,000
 - Hollybrook Paving - \$21,000
 - Entry Gates – Betty Ross & Highland Drive - \$14,000
- \$150,000 from NCMVT for street paving/sidewalks
- Fund Balance Available \$3.4M = 31%

Water and Sewer Fund \$8,196,950

- No rate increase
- Retirement Rate Increase - \$18,480
- Allot \$130,000 to Water Treatment Plant as follows:
 - PLC - \$30,000
 - Valve Replacement - \$60,000
 - Floc Drives-(2) - \$25,000
 - Clari Trac Repairs-(2) - \$15,000
- Allot \$364,500 to Waste Water Treatment Plant as follows:
 - Rebuilt #3 Pump Head - \$25,000
 - DAF Parts - \$64,500
 - Aeration Basin Diffuser Head - \$100,000
 - Road Repair - \$45,000
 - Garage Roof - \$30,000
 - #3 Digester Lid - \$100,000
- Allot \$535,000 to Distribution and Collection as follows:
 - Clarks Creek Rebuild Upgrade - \$200,000
 - Lift Station Generator-Country Club - \$75,000
 - Lift Station Generator-27 West - \$50,000
 - Poplar Street Sewer Line - \$60,000
 - Hoyle Street Gravity Line - \$75,000
 - Southfork Crossing - \$75,000
- Fund Balance Available \$3.5M = 43%

2021-22 CMO Recommendations/Highlights

Electric Fund \$7,797,350

- No increase in rates
- Retirement Rate Increase - \$5,640
- Allot \$433,000 to Electric Department for Capital as follows:
 - Yard Machine - \$150,000
 - Line Reel - \$20,000
 - Gaston Street Improvements - \$100,000
 - Traffic Controller - \$60,000
 - Smart Phones-(3) - \$3,000
 - Wash Pit - \$100,000
- Building Maintenance - \$90,000
- System Maintenance Increase - \$120,000
- Fund Balance Available \$1.4M = 20%

Powell Bill Fund \$305,000

- Paving of City Streets- \$140,000
- Maintenance of City Streets- \$120,000
- Capital Projects- \$45,000
- Fund Balance Available \$288,000 = 95%

Boger City Fire District Fund \$985,000

- Implement Salary Study – Phase 1- \$28,150
- Retirement Rate Increase - \$5,160
- Salaries & Benefits- \$692,300
- Operational Costs- \$158,700
- Capital- \$134,000



Lincolnton, NC

PROPOSED BUDGET REVENUES

For Fiscal: 2021-2022 Period Ending: 07/31/2021

Account Number	Account Name	2020-2021 Approved	2021-2022 Dept Req	2021-2022 Approved
Fund: 10 - General Fund				
10-3100-00000	AD VALOREM LEVY	5,040,000.00	5,090,000.00	5,090,000.00
10-3110-00000	PRIOR YEAR TAXES	80,000.00	80,000.00	80,000.00
10-3115-00000	NC VEHICLE TAX SYSTEM (NCVTS)	415,000.00	415,000.00	415,000.00
10-3116-00000	NCVTS-LICENSE FEE	150,000.00	150,000.00	150,000.00
10-3120-00000	DISCOUNT ON TAXES	-52,000.00	-60,000.00	-60,000.00
10-3130-00000	INTEREST ON TAXES	25,000.00	25,000.00	25,000.00
10-3200-00000	LEASE/RENTAL VEHICLE TAX	20,000.00	20,000.00	20,000.00
10-3230-00000	LOCAL SALES & USE TAX	2,885,000.00	3,300,000.00	3,300,000.00
10-3301-00200	FEDERAL GRANTS-FEMA	188,819.00	62,000.00	62,000.00
10-3311-00000	PILOT-HOUSING AUTHORITY	22,470.00	22,470.00	22,470.00
10-3317-00000	CONTROLLED SUBSTANCE TAX	4,500.00	4,500.00	4,500.00
10-3318-00000	FIREFIGHTERS RELIEF FUND TAX	5,200.00	5,200.00	5,200.00
10-3322-00000	ALCOHOL/BEVERAGE TAX	44,000.00	44,000.00	44,000.00
10-3324-00000	FRANCHISE TAX	855,000.00	855,000.00	855,000.00
10-3326-00000	SOLID WASTE DISPOSAL TAX	6,000.00	6,000.00	6,000.00
10-3331-00000	PILOT-WATER & SEWER	389,222.00	389,222.00	389,222.00
10-3332-00000	PILOT-ELECTRIC	30,465.00	30,465.00	30,465.00
10-3336-00000	SRO REIMBURSEMENT	125,000.00	125,000.00	125,000.00
10-3340-00000	CEMETERY LOT SALES	20,000.00	20,000.00	20,000.00
10-3342-00000	OFFICERS FEES	3,000.00	3,000.00	3,000.00
10-3346-00000	PARKING VIOLATIONS	5,000.00	5,000.00	5,000.00
10-3352-00000	ZONING DEPARTMENT FEES	10,000.00	10,000.00	10,000.00
10-3355-00000	ONLINE CONVENIENCE FEES	25,000.00	0.00	0.00
10-3434-00000	FIRE DEPARTMENT FEES	500.00	8,000.00	8,000.00
10-3600-00000	REC-ADMISSION & CONCESSION	40,000.00	40,000.00	40,000.00
10-3610-00000	REC-REGISTRATION & ENTRY FEES	65,000.00	65,000.00	65,000.00
10-3620-00000	REC-VENDING MACHINE INCOME	1,000.00	1,000.00	1,000.00
10-3625-00000	REC-RENTAL FEES	9,000.00	9,000.00	9,000.00
10-3628-00000	REC-EVENT FEE	3,000.00	3,000.00	3,000.00
10-3630-00000	REC-MISCELLANEOUS REVENUE	1,800.00	1,800.00	1,800.00
10-3830-00000	INTEREST-GENERAL FUND	30,000.00	30,000.00	30,000.00
10-3835-00000	SALE OF CAPITAL ASSETS- GF	10,000.00	10,000.00	10,000.00
10-3836-00000	MISCELLANEOUS REVENUE- GF	4,000.00	4,000.00	4,000.00
10-3836-00003	SALES OF PERSONAL ASSETS	2,500.00	2,500.00	2,500.00
10-3837-00000	ABC REVENUE	80,000.00	80,000.00	80,000.00
10-3838-00000	ABC LAW ENFORCEMENT	30,000.00	30,000.00	30,000.00
10-3840-00000	MISCELLANEOUS OTHER REVENUE	27,434.00	15,000.00	15,000.00
10-3843-00000	WEX-FUEL REBATES	3,000.00	3,000.00	3,000.00
10-3860-00000	JULY 4TH DONATIONS/OTHER	13,000.00	13,000.00	13,000.00
10-3910-00001	LOAN PROCEEDS	837,149.00	0.00	0.00
10-3982-00000	REIMB FROM POWELL BILL	120,000.00	120,000.00	120,000.00
10-3991-00000	APPROPRIATION FROM FUND BALANCE- GF	1,255,000.00	124,072.00	0.00
Total Fund: 10 - General Fund:		12,829,059.00	11,161,229.00	11,037,157.00
Fund: 20 - Boger City Fire District				
20-3113-00000	BOGER CITY FIRE TAX	968,000.00	981,000.00	981,000.00
20-3130-00000	INTEREST	1,000.00	1,000.00	1,000.00
20-3330-00000	GRANTS-OTHER	3,000.00	3,000.00	3,000.00
20-3991-00000	APPROPRIATION OF FUND BALANCE	0.00	18,160.00	0.00
Total Fund: 20 - Boger City Fire District:		972,000.00	1,003,160.00	985,000.00

PROPOSED BUDGET REVENUES

For Fiscal: 2021-2022 Period Ending: 07/31/2021

Account Number	Account Name	2020-2021 Approved	2021-2022 Dept Req	2021-2022 Approved
Fund: 27 - Powell Bill Fund				
27-3316-00000	POWELL BILL ALLOCATION	304,000.00	304,000.00	304,000.00
27-3831-00000	INTEREST-POWELL BILL	1,000.00	1,000.00	1,000.00
27-3992-00000	APPROPRIATION FROM FUND BALANCE- PB	81,265.00	0.00	0.00
	Total Fund: 27 - Powell Bill Fund:	386,265.00	305,000.00	305,000.00
Fund: 61 - Water and Sewer Fund				
61-3235-00000	CONTRACTORS SALES TAX	4,000.00	4,000.00	4,000.00
61-3700-00000	WATER UTILITY	3,400,000.00	3,500,000.00	3,500,000.00
61-3701-00000	WATER-LINCOLN COUNTY	110,000.00	110,000.00	110,000.00
61-3704-00000	WATER CONNECTION CHARGES	15,000.00	15,000.00	15,000.00
61-3710-00000	SEWER UTILITY	4,200,000.00	4,300,000.00	4,300,000.00
61-3714-00000	SEWER CONNECTION CHARGES	12,000.00	12,000.00	12,000.00
61-3715-00000	WASTEWATER ANALYSIS	5,000.00	5,000.00	5,000.00
61-3747-00000	UTILITY RECEIVABLES	11,000.00	11,000.00	11,000.00
61-3750-00000	DEFAULT FEES W&S	50,000.00	50,000.00	50,000.00
61-3752-00000	LATE FEE CHARGES W&S	90,000.00	90,000.00	90,000.00
61-3754-00000	RETURNED CHECK FEE WATER	450.00	450.00	450.00
61-3832-00000	INTEREST- WATER/SEWER	55,000.00	55,000.00	55,000.00
61-3834-00000	RENTAL FEES	34,000.00	34,000.00	34,000.00
61-3839-00000	MISCELLANEOUS REVENUE- W/S	5,000.00	5,000.00	5,000.00
61-3844-00000	SALE OF CAPITAL ASSETS- W/S	3,000.00	3,000.00	3,000.00
61-3844-00003	SALES OF PERSONAL ASSETS	2,500.00	2,500.00	2,500.00
61-3910-00001	LOAN PROCEEDS	150,000.00	0.00	0.00
61-3994-00000	APPROPRIATION FROM FUND BALANCE- W/S	1,530,500.00	182,183.00	0.00
	Total Fund: 61 - Water and Sewer Fund:	9,677,450.00	8,379,133.00	8,196,950.00
Fund: 63 - Electric Fund				
63-3237-00000	ELECTRIC CONTRACTORS SALES TAX	0.00	2,000.00	2,000.00
63-3718-00000	ELECTRIC UTILITY-REPS	37,000.00	37,000.00	37,000.00
63-3719-00000	ELECTRIC UTILITY REPS-SPECIAL	600.00	600.00	600.00
63-3720-00000	ELECTRIC UTILITY	6,900,000.00	6,865,915.00	6,900,000.00
63-3721-00000	ELECTRIC UTILITY-SPECIAL RATE	22,000.00	22,000.00	22,000.00
63-3726-00000	ELECTRIC CURRENT/MUNICIP OPER	550,000.00	550,000.00	550,000.00
63-3728-00000	SECURITY LIGHT CHARGE	113,000.00	120,000.00	120,000.00
63-3751-00000	DEFAULT FEES ELECTRIC	40,000.00	40,000.00	40,000.00
63-3753-00000	LATE FEE CHARGES ELECTRIC	100,000.00	100,000.00	100,000.00
63-3755-00000	RETURNED CHECK FEE ELECTRIC	500.00	500.00	500.00
63-3833-00000	INTEREST- ELECTRIC	15,000.00	15,000.00	15,000.00
63-3841-00000	RENTAL FEES	250.00	250.00	250.00
63-3847-00000	MISCELLANEOUS REVENUE- ELECTRIC	10,000.00	10,000.00	10,000.00
63-3995-00000	APPROPRIATION FROM FUND BALANCE- ELECTRIC	808,480.00	5,640.00	0.00
	Total Fund: 63 - Electric Fund:	8,596,830.00	7,768,905.00	7,797,350.00
	Report Total:	32,461,604.00	28,617,427.00	28,321,457.00



Lincolnton, NC

PROPOSED BUDGET EXPENSES

For Fiscal: 2021-2022 Period Ending: 07/31/2021

Account Number	Account Name	2020-2021 Approved	2021-2022 Dept Req	2021-2022 Approved
Fund: 10 - General Fund				
Department: 4110 - City Manager/Clerk				
ExpCategory: 100 - Salaries & Wages				
10-4110-12100	SALARIES	232,000.00	205,000.00	205,000.00
10-4110-12600	PART-TIME SALARIES	5,000.00	0.00	0.00
10-4110-13000	INSURANCE STIPEND	600.00	1,200.00	1,200.00
Total ExpCategory: 100 - Salaries & Wages:		237,600.00	206,200.00	206,200.00
ExpCategory: 150 - Employee Benefits				
10-4110-18100	FICA	20,000.00	16,000.00	16,000.00
10-4110-18200	RETIREMENT	26,000.00	24,640.00	24,640.00
10-4110-18300	HEALTH INSURANCE	24,000.00	22,000.00	22,000.00
10-4110-18302	RETIREE HEALTH INSURANCE	15,000.00	16,000.00	16,000.00
10-4110-18400	LIFE INSURANCE	250.00	200.00	200.00
10-4110-18600	WORKERS COMP INS	700.00	700.00	700.00
10-4110-18700	DENTAL INSURANCE	3,300.00	2,300.00	2,300.00
Total ExpCategory: 150 - Employee Benefits:		89,250.00	81,840.00	81,840.00
ExpCategory: 200 - Supplies & Materials				
10-4110-26000	OFFICE	2,500.00	2,500.00	2,500.00
Total ExpCategory: 200 - Supplies & Materials:		2,500.00	2,500.00	2,500.00
ExpCategory: 300 - Current Obligations & Services				
10-4110-32500	POSTAGE	100.00	100.00	100.00
10-4110-34100	PRINTING	500.00	500.00	500.00
10-4110-39500	TRAINING/BUSINESS	5,000.00	7,500.00	7,500.00
Total ExpCategory: 300 - Current Obligations & Services:		5,600.00	8,100.00	8,100.00
ExpCategory: 400 - Fixed Charges & Services				
10-4110-43900	EQUIPMENT RENTAL/LEASE	6,000.00	6,000.00	6,000.00
10-4110-48000	CONTRA-ADMINISTRATION	-105,180.00	-136,430.00	-136,430.00
10-4110-49100	DUES/SUBSCRIPTIONS	1,500.00	1,500.00	1,500.00
10-4110-49900	MISCELLANEOUS	250.00	250.00	250.00
Total ExpCategory: 400 - Fixed Charges & Services:		-97,430.00	-128,680.00	-128,680.00
ExpCategory: 500 - Capital Outlay & Equipment				
10-4110-50000	CAPITAL EXPENSE	1,000.00	3,000.00	3,000.00
10-4110-59900	MISCELLANEOUS EQUIPMENT	1,000.00	1,000.00	1,000.00
Total ExpCategory: 500 - Capital Outlay & Equipment:		2,000.00	4,000.00	4,000.00
Total Department: 4110 - City Manager/Clerk:		239,520.00	173,960.00	173,960.00
Department: 4120 - Human Resources				
ExpCategory: 100 - Salaries & Wages				
10-4120-12100	SALARIES	269,000.00	240,000.00	240,000.00
10-4120-13000	INSURANCE STIPEND	2,800.00	3,000.00	3,000.00
Total ExpCategory: 100 - Salaries & Wages:		271,800.00	243,000.00	243,000.00
ExpCategory: 150 - Employee Benefits				
10-4120-18100	FICA	20,300.00	18,500.00	18,500.00
10-4120-18200	RETIREMENT	27,600.00	28,560.00	28,560.00
10-4120-18300	HEALTH INSURANCE	42,500.00	48,000.00	48,000.00
10-4120-18400	LIFE INSURANCE	300.00	325.00	325.00
10-4120-18600	WORKER'S COMP INS	1,200.00	1,200.00	1,200.00
10-4120-18700	DENTAL INSURANCE	2,600.00	2,600.00	2,600.00
Total ExpCategory: 150 - Employee Benefits:		94,500.00	99,185.00	99,185.00

PROPOSED BUDGET EXPENSES

For Fiscal: 2021-2022 Period Ending: 07/31/2021

Account Number	Account Name	2020-2021 Approved	2021-2022 Dept Req	2021-2022 Approved
ExpCategory: 190 - Professional Services				
10-4120-19800	EAP PROGRAM	3,750.00	3,750.00	3,750.00
10-4120-19900	CONSULTING FEES/CONTRACTED SERVICES	1,500.00	1,500.00	1,500.00
Total ExpCategory: 190 - Professional Services:		5,250.00	5,250.00	5,250.00
ExpCategory: 200 - Supplies & Materials				
10-4120-26000	OFFICE	3,000.00	4,000.00	3,000.00
Total ExpCategory: 200 - Supplies & Materials:		3,000.00	4,000.00	3,000.00
ExpCategory: 300 - Current Obligations & Services				
10-4120-32500	POSTAGE	100.00	100.00	100.00
10-4120-34100	PRINTING	400.00	400.00	400.00
10-4120-39500	TRAINING/BUSINESS	4,000.00	5,000.00	4,000.00
Total ExpCategory: 300 - Current Obligations & Services:		4,500.00	5,500.00	4,500.00
ExpCategory: 400 - Fixed Charges & Services				
10-4120-43900	EQUIPMENT RENTAL/LEASE	3,000.00	3,000.00	3,000.00
10-4120-44000	COMPUTER EXPENSE/MAINTENANCE	15,000.00	15,000.00	15,000.00
10-4120-48000	CONTRA-ADMINISTRATION	-48,210.00	-58,670.00	-58,670.00
10-4120-49100	DUES/SUBSCRIPTIONS	2,000.00	2,000.00	2,000.00
10-4120-49900	MISCELLANEOUS	250.00	250.00	250.00
Total ExpCategory: 400 - Fixed Charges & Services:		-27,960.00	-38,420.00	-38,420.00
ExpCategory: 500 - Capital Outlay & Equipment				
10-4120-59900	MISCELLANEOUS EQUIPMENT	0.00	1,000.00	1,000.00
Total ExpCategory: 500 - Capital Outlay & Equipment:		0.00	1,000.00	1,000.00
ExpCategory: 600 - Contracts, Grants, Subsidies				
10-4120-67900	DRUG & ALCOHOL TESTING	7,000.00	8,800.00	7,000.00
10-4120-68400	EMPLOYEE RELATIONS	7,000.00	7,000.00	7,000.00
10-4120-68700	PUBLIC RELATIONS / WELLNESS	500.00	2,500.00	2,500.00
Total ExpCategory: 600 - Contracts, Grants, Subsidies:		14,500.00	18,300.00	16,500.00
Total Department: 4120 - Human Resources:		365,590.00	337,815.00	334,015.00
Department: 4130 - Finance				
ExpCategory: 100 - Salaries & Wages				
10-4130-12100	SALARIES	314,000.00	325,000.00	325,000.00
10-4130-12600	PART-TIME SALARIES	45,000.00	45,000.00	45,000.00
10-4130-13000	INSURANCE STIPEND	3,900.00	4,200.00	4,200.00
Total ExpCategory: 100 - Salaries & Wages:		362,900.00	374,200.00	374,200.00
ExpCategory: 150 - Employee Benefits				
10-4130-18100	FICA	30,200.00	29,000.00	29,000.00
10-4130-18200	RETIREMENT	34,500.00	38,640.00	38,640.00
10-4130-18300	HEALTH INSURANCE	50,000.00	40,000.00	40,000.00
10-4130-18302	RETIREE HEALTH INSURANCE	28,000.00	30,000.00	30,000.00
10-4130-18400	LIFE INSURANCE	550.00	400.00	400.00
10-4130-18600	WORKER'S COMP INS	1,100.00	1,200.00	1,200.00
10-4130-18700	DENTAL INSURANCE	5,800.00	3,500.00	3,500.00
Total ExpCategory: 150 - Employee Benefits:		150,150.00	142,740.00	142,740.00
ExpCategory: 190 - Professional Services				
10-4130-19900	CONSULTING FEES/CONTRACTED SERVICES	5,000.00	20,000.00	15,000.00
Total ExpCategory: 190 - Professional Services:		5,000.00	20,000.00	15,000.00
ExpCategory: 200 - Supplies & Materials				
10-4130-20000	SUPPLIES	15,000.00	15,000.00	15,000.00
10-4130-26000	OFFICE	4,000.00	4,000.00	4,000.00
Total ExpCategory: 200 - Supplies & Materials:		19,000.00	19,000.00	19,000.00
ExpCategory: 300 - Current Obligations & Services				
10-4130-32500	POSTAGE	200.00	200.00	200.00
10-4130-34100	PRINTING	250.00	250.00	250.00

PROPOSED BUDGET EXPENSES

For Fiscal: 2021-2022 Period Ending: 07/31/2021

Account Number	Account Name	2020-2021 Approved	2021-2022 Dept Req	2021-2022 Approved
10-4130-39500	TRAINING/BUSINESS	1,000.00	5,000.00	5,000.00
Total ExpCategory: 300 - Current Obligations & Services:		1,450.00	5,450.00	5,450.00
ExpCategory: 400 - Fixed Charges & Services				
10-4130-43900	EQUIPMENT RENTAL/LEASE	6,500.00	6,500.00	6,500.00
10-4130-44000	COMPUTER EXPENSE/MAINTENANCE	34,000.00	34,000.00	34,000.00
10-4130-45000	PROPERTY & CASUALTY INS	1,720.00	1,720.00	1,720.00
10-4130-48000	CONTRA-ADMINISTRATION	-363,080.00	-475,340.00	-475,340.00
10-4130-49900	MISCELLANEOUS	500.00	500.00	500.00
Total ExpCategory: 400 - Fixed Charges & Services:		-320,360.00	-432,620.00	-432,620.00
ExpCategory: 500 - Capital Outlay & Equipment				
10-4130-50000	CAPITAL EXPENSE	4,000.00	10,000.00	10,000.00
10-4130-59900	MISCELLANEOUS EQUIPMENT	1,500.00	1,500.00	1,500.00
Total ExpCategory: 500 - Capital Outlay & Equipment:		5,500.00	11,500.00	11,500.00
Total Department: 4130 - Finance:		223,640.00	140,270.00	135,270.00
Department: 4280 - General Expense				
ExpCategory: 100 - Salaries & Wages				
10-4280-12700	MAYOR SALARY	8,100.00	8,250.00	8,250.00
10-4280-12800	ATTORNEY SALARY	16,100.00	16,100.00	16,100.00
10-4280-12900	COUNCIL SALARY	19,200.00	19,800.00	19,800.00
10-4280-13600	RETIREE'S ALLOWANCE	20,000.00	20,000.00	20,000.00
Total ExpCategory: 100 - Salaries & Wages:		63,400.00	64,150.00	64,150.00
ExpCategory: 150 - Employee Benefits				
10-4280-18100	FICA	2,200.00	2,200.00	2,200.00
10-4280-18500	UNEMPLOYMENT INSURANCE	10,000.00	10,000.00	10,000.00
10-4280-18600	WORKER'S COMP INS	100.00	100.00	100.00
10-4280-19300	HEALTH ADMIN COST	20,000.00	15,000.00	15,000.00
Total ExpCategory: 150 - Employee Benefits:		32,300.00	27,300.00	27,300.00
ExpCategory: 190 - Professional Services				
10-4280-19200	LEGAL	15,000.00	15,000.00	15,000.00
10-4280-19400	AUDITING	35,800.00	35,800.00	35,800.00
10-4280-19900	CONSULTING FEES/CONTRACTED SERVICES	53,000.00	53,000.00	50,000.00
Total ExpCategory: 190 - Professional Services:		103,800.00	103,800.00	100,800.00
ExpCategory: 300 - Current Obligations & Services				
10-4280-32100	TELEPHONE	176,900.00	176,900.00	176,900.00
10-4280-32500	POSTAGE	5,000.00	5,000.00	5,000.00
10-4280-33100	ELECTRICITY	24,500.00	24,500.00	24,500.00
10-4280-34900	CITY ORDINANCE CODE PROJECT	1,500.00	1,500.00	1,500.00
10-4280-35100	BUILDING MAINTENANCE	32,000.00	32,000.00	32,000.00
10-4280-37000	ADVERTISING	8,000.00	8,000.00	8,000.00
10-4280-39500	TRAINING/BUSINESS	4,000.00	4,000.00	3,500.00
10-4280-39800	ONLINE PAYMENTS	20,000.00	20,000.00	20,000.00
10-4280-39900	CREDIT CARD EXPENSE	1,500.00	1,500.00	1,500.00
Total ExpCategory: 300 - Current Obligations & Services:		273,400.00	273,400.00	272,900.00
ExpCategory: 400 - Fixed Charges & Services				
10-4280-45000	PROPERTY & CASUALTY INS	138,000.00	140,000.00	140,000.00
10-4280-48000	CONTRA-ADMINISTRATION	-168,560.00	-218,960.00	-218,960.00
10-4280-49000	LEAGUE OF MUNICIPAL DUES	11,000.00	11,000.00	11,000.00
10-4280-49100	DUES/SUBSCRIPTIONS	7,400.00	7,400.00	7,400.00
10-4280-49900	MISCELLANEOUS	10,000.00	10,000.00	10,000.00
Total ExpCategory: 400 - Fixed Charges & Services:		-2,160.00	-50,560.00	-50,560.00
ExpCategory: 500 - Capital Outlay & Equipment				
10-4280-50000	CAPITAL EXPENSE	300,000.00	0.00	0.00
10-4280-59900	MISCELLANEOUS EQUIPMENT	1,000.00	1,000.00	1,000.00
Total ExpCategory: 500 - Capital Outlay & Equipment:		301,000.00	1,000.00	1,000.00

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Account Number	Account Name	2020-2021 Approved	2021-2022 Dept Req	2021-2022 Approved
ExpCategory: 600 - Contracts, Grants, Subsidies				
10-4280-60600	JULY 4TH CELEB CKNG EXP	12,000.00	12,000.00	12,000.00
10-4280-61000	CONTRIB TO 4TH JULY EXPENSE	7,000.00	7,000.00	7,000.00
10-4280-61200	ARTS COUNCIL	6,000.00	8,500.00	6,000.00
10-4280-61400	CHAMBER OF COMMERCE	17,100.00	17,100.00	17,100.00
10-4280-61500	HISTORICAL ASSOCIATION	7,500.00	10,000.00	27,500.00
10-4280-61600	LEDA	65,000.00	66,807.00	67,000.00
10-4280-61700	OTHER REQUESTS	0.00	2,000.00	1,000.00
10-4280-61800	LINCOLN CULTURAL CENTER	40,000.00	40,000.00	40,000.00
10-4280-61900	DDA	42,000.00	42,000.00	42,000.00
10-4280-62100	HESED HOUSE OF HOPE	5,000.00	5,000.00	5,000.00
10-4280-62300	HUMANE SOCIETY	2,000.00	2,000.00	2,000.00
10-4280-63000	COMMUNITIES IN SCHOOLS	7,500.00	7,500.00	5,000.00
10-4280-63200	AMERICAN LEGION MEDAL HONOR	1,000.00	1,000.00	1,000.00
10-4280-64900	NCVTS (MV) FEES	22,000.00	22,000.00	22,000.00
10-4280-65000	TAX CONVERSION/COLLECTION	140,000.00	140,000.00	140,000.00
10-4280-68500	MANAGEMENT PLANNING	2,000.00	2,000.00	2,000.00
10-4280-68700	PUBLIC RELATIONS / WELLNESS	20,000.00	20,000.00	10,000.00
10-4280-69300	AIRPORT OPERATION FUND	16,000.00	16,000.00	16,000.00
10-4280-69400	CENTRAL COMMUNICATIONS	50,000.00	50,000.00	50,000.00
10-4280-69500	ANIMAL CONTROL	6,300.00	6,300.00	6,300.00
10-4280-69600	REVERSE 911 CHARGES	9,000.00	9,000.00	9,000.00
Total ExpCategory: 600 - Contracts, Grants, Subsidies:		477,400.00	486,207.00	487,900.00
ExpCategory: 700 - Debt Service				
10-4280-73100	ENTERPRISE VEHICLES LEASE	260,000.00	320,000.00	215,000.00
Total ExpCategory: 700 - Debt Service:		260,000.00	320,000.00	215,000.00
ExpCategory: 900 - Inventory/Interfund Transfer				
10-4280-99100	CONTINGENCY	101,991.00	0.00	331,405.00
Total ExpCategory: 900 - Inventory/Interfund Transfer:		101,991.00	0.00	331,405.00
Total Department: 4280 - General Expense:		1,611,131.00	1,225,297.00	1,449,895.00
Department: 4285 - General Debt Service				
ExpCategory: 700 - Debt Service				
10-4285-73500	BANK LOAN PRINCIPAL	289,000.00	220,000.00	242,800.00
10-4285-74000	INTERFUND LOAN INT REPAY	18,333.00	16,500.00	16,500.00
10-4285-74500	BANK LOAN INTEREST	12,500.00	12,500.00	19,700.00
10-4285-75000	DEPOT PRINCIPAL	12,000.00	12,000.00	12,000.00
10-4285-75500	DEPOT INTEREST	2,924.00	2,924.00	2,924.00
Total ExpCategory: 700 - Debt Service:		334,757.00	263,924.00	293,924.00
Total Department: 4285 - General Debt Service:		334,757.00	263,924.00	293,924.00
Department: 4310 - Police				
ExpCategory: 100 - Salaries & Wages				
10-4310-12100	SALARIES	1,816,500.00	1,836,500.00	1,836,000.00
10-4310-12201	SERVICE REIMB-RESERVES	1,500.00	0.00	0.00
10-4310-12600	PART-TIME SALARIES	45,000.00	80,000.00	56,500.00
10-4310-13000	INSURANCE STIPEND	19,000.00	23,000.00	23,000.00
10-4310-13100	SPECIAL SEPARATION ALLOWANCE	89,000.00	83,000.00	83,000.00
10-4310-13300	RETIREMENT-401(K) OFFICERS	88,000.00	85,000.00	85,000.00
Total ExpCategory: 100 - Salaries & Wages:		2,059,000.00	2,107,500.00	2,083,500.00
ExpCategory: 150 - Employee Benefits				
10-4310-18000	RETIREMENT-OFFICERS	185,000.00	185,000.00	185,000.00
10-4310-18100	FICA	142,000.00	142,000.00	146,000.00
10-4310-18200	RETIREMENT-GENERAL	14,500.00	16,800.00	16,800.00
10-4310-18300	HEALTH INSURANCE	268,000.00	272,000.00	272,000.00
10-4310-18302	RETIREE HEALTH INSURANCE	192,450.00	200,000.00	200,000.00
10-4310-18400	LIFE INSURANCE	2,300.00	24,700.00	24,700.00

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10-4310-18600	WORKERS COMP INS	56,000.00	51,000.00	51,000.00
10-4310-18700	DENTAL INSURANCE	26,000.00	21,500.00	21,500.00
Total ExpCategory: 150 - Employee Benefits:		886,250.00	913,000.00	917,000.00
ExpCategory: 200 - Supplies & Materials				
10-4310-20000	SUPPLIES	7,500.00	7,500.00	7,500.00
10-4310-21200	UNIFORMS	48,000.00	43,000.00	43,000.00
10-4310-25100	GAS & OIL	40,000.00	50,000.00	50,000.00
10-4310-26000	OFFICE	2,000.00	2,000.00	2,000.00
Total ExpCategory: 200 - Supplies & Materials:		97,500.00	102,500.00	102,500.00
ExpCategory: 300 - Current Obligations & Services				
10-4310-33100	ELECTRICITY	11,520.00	11,520.00	11,520.00
10-4310-35100	BUILDING MAINTENANCE	10,000.00	20,000.00	15,000.00
10-4310-35200	EQUIPMENT REPAIRS	3,000.00	3,000.00	3,000.00
10-4310-39500	TRAINING/BUSINESS	25,000.00	25,000.00	25,000.00
10-4310-39501	K-9	0.00	6,000.00	6,000.00
Total ExpCategory: 300 - Current Obligations & Services:		49,520.00	65,520.00	60,520.00
ExpCategory: 400 - Fixed Charges & Services				
10-4310-41300	OFFICE RENT	12,000.00	0.00	0.00
10-4310-49100	DUES/SUBSCRIPTIONS	39,000.00	104,450.00	100,000.00
10-4310-49500	SAFETY	1,000.00	1,000.00	1,000.00
10-4310-49900	MISCELLANEOUS	9,000.00	9,000.00	9,000.00
Total ExpCategory: 400 - Fixed Charges & Services:		61,000.00	114,450.00	110,000.00
ExpCategory: 500 - Capital Outlay & Equipment				
10-4310-50000	CAPITAL EXPENSE	103,000.00	87,000.00	36,000.00
10-4310-50500	POLICE BUILDING	139,000.00	0.00	0.00
10-4310-59900	MISCELLANEOUS EQUIPMENT	1,000.00	10,000.00	10,000.00
Total ExpCategory: 500 - Capital Outlay & Equipment:		243,000.00	97,000.00	46,000.00
ExpCategory: 600 - Contracts, Grants, Subsidies				
10-4310-60000	GRANTS-CAPITAL EXPENSE	10,000.00	10,000.00	10,000.00
10-4310-62400	CRIME PREVENTION	7,000.00	7,000.00	7,000.00
10-4310-62500	DRUG ENFORCEMENT	15,000.00	9,000.00	9,000.00
10-4310-62700	CONTROLLED SUBSTANCE	5,000.00	5,000.00	5,000.00
Total ExpCategory: 600 - Contracts, Grants, Subsidies:		37,000.00	31,000.00	31,000.00
Total Department: 4310 - Police:		3,433,270.00	3,430,970.00	3,350,520.00
Department: 4340 - Fire				
ExpCategory: 100 - Salaries & Wages				
10-4340-12100	SALARIES	1,428,000.00	1,280,000.00	1,280,000.00
10-4340-12600	PART-TIME SALARIES	60,000.00	76,000.00	55,000.00
10-4340-13000	INSURANCE STIPEND	15,000.00	16,500.00	16,500.00
10-4340-13500	LOCAL SUPPLEMENTAL RETIREMENT	10,000.00	10,000.00	10,000.00
10-4340-13700	FIREMENS PENSION FUND	3,500.00	3,500.00	3,500.00
10-4340-13800	FIREMENS RELIEF FUND	8,000.00	8,000.00	8,000.00
Total ExpCategory: 100 - Salaries & Wages:		1,524,500.00	1,394,000.00	1,373,000.00
ExpCategory: 150 - Employee Benefits				
10-4340-18100	FICA	111,000.00	102,000.00	102,000.00
10-4340-18200	RETIREMENT	150,000.00	145,600.00	145,600.00
10-4340-18300	HEALTH INSURANCE	206,000.00	215,000.00	215,000.00
10-4340-18302	RETIREE HEALTH INSURANCE	105,000.00	100,000.00	100,000.00
10-4340-18400	LIFE INSURANCE	1,700.00	3,000.00	3,000.00
10-4340-18600	WORKERS COMP INS	29,000.00	31,000.00	31,000.00
10-4340-18700	DENTAL INSURANCE	18,000.00	17,500.00	17,500.00
10-4340-18800	GAP INSURANCE	2,359.00	5,000.00	5,000.00
Total ExpCategory: 150 - Employee Benefits:		623,059.00	619,100.00	619,100.00
ExpCategory: 200 - Supplies & Materials				
10-4340-20000	SUPPLIES	9,300.00	9,500.00	9,500.00

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10-4340-21200	UNIFORMS	42,213.06	40,000.00	40,000.00
10-4340-25100	GAS & OIL	23,000.00	23,000.00	23,000.00
10-4340-26000	OFFICE	3,500.00	3,500.00	3,500.00
Total ExpCategory: 200 - Supplies & Materials:		78,013.06	76,000.00	76,000.00
ExpCategory: 300 - Current Obligations & Services				
10-4340-32200	UTILITIES-STATIONS	8,500.00	8,500.00	8,500.00
10-4340-32500	POSTAGE	350.00	350.00	350.00
10-4340-35100	BUILDING MAINTENANCE	18,000.00	25,000.00	18,000.00
10-4340-35200	EQUIPMENT REPAIRS	54,956.83	53,000.00	53,000.00
10-4340-39500	TRAINING/BUSINESS	12,679.11	12,750.00	12,750.00
Total ExpCategory: 300 - Current Obligations & Services:		94,485.94	99,600.00	92,600.00
ExpCategory: 400 - Fixed Charges & Services				
10-4340-45000	PROPERTY & CASUALTY INS	549.39	0.00	0.00
10-4340-49100	DUES/SUBSCRIPTIONS	6,500.00	9,000.00	6,500.00
10-4340-49500	SAFETY	13,284.18	15,000.00	15,000.00
10-4340-49900	MISCELLANEOUS	9,068.43	8,000.00	8,000.00
Total ExpCategory: 400 - Fixed Charges & Services:		29,402.00	32,000.00	29,500.00
ExpCategory: 500 - Capital Outlay & Equipment				
10-4340-50000	CAPITAL EXPENSE	672,149.00	7,500.00	7,500.00
10-4340-59900	MISCELLANEOUS EQUIPMENT	10,000.00	10,000.00	10,000.00
Total ExpCategory: 500 - Capital Outlay & Equipment:		682,149.00	17,500.00	17,500.00
ExpCategory: 600 - Contracts, Grants, Subsidies				
10-4340-60100	GRANTS-EQUIPMENT-OTHER	0.00	5,000.00	5,000.00
10-4340-68600	FIRE SAFETY EDUCATION	340.00	1,500.00	1,500.00
Total ExpCategory: 600 - Contracts, Grants, Subsidies:		340.00	6,500.00	6,500.00
Total Department: 4340 - Fire:		3,031,949.00	2,244,700.00	2,214,200.00
Department: 4510 - Public Works Administration				
ExpCategory: 100 - Salaries & Wages				
10-4510-12100	SALARIES	105,000.00	105,000.00	105,000.00
10-4510-12600	PART-TIME SALARIES	25,000.00	25,000.00	25,000.00
10-4510-13000	INSURANCE STIPEND	1,200.00	1,200.00	1,200.00
Total ExpCategory: 100 - Salaries & Wages:		131,200.00	131,200.00	131,200.00
ExpCategory: 150 - Employee Benefits				
10-4510-18100	FICA	10,500.00	8,200.00	8,200.00
10-4510-18200	RETIREMENT	11,000.00	12,320.00	12,320.00
10-4510-18300	HEALTH INSURANCE	15,600.00	17,000.00	17,000.00
10-4510-18400	LIFE INSURANCE	250.00	200.00	200.00
10-4510-18600	WORKERS COMP INS	2,500.00	2,500.00	2,500.00
10-4510-18700	DENTAL INSURANCE	2,100.00	1,600.00	1,600.00
Total ExpCategory: 150 - Employee Benefits:		41,950.00	41,820.00	41,820.00
ExpCategory: 200 - Supplies & Materials				
10-4510-20000	SUPPLIES	2,750.00	3,500.00	3,500.00
10-4510-25100	GAS & OIL	1,000.00	1,000.00	1,000.00
10-4510-26000	OFFICE	2,200.00	1,200.00	1,200.00
Total ExpCategory: 200 - Supplies & Materials:		5,950.00	5,700.00	5,700.00
ExpCategory: 300 - Current Obligations & Services				
10-4510-33100	ELECTRICITY	6,540.00	6,540.00	6,540.00
10-4510-35100	BUILDING MAINTENANCE	22,200.00	20,000.00	20,000.00
10-4510-35200	EQUIPMENT REPAIRS	150.00	0.00	0.00
10-4510-39500	TRAINING/BUSINESS	0.00	1,500.00	1,500.00
Total ExpCategory: 300 - Current Obligations & Services:		28,890.00	28,040.00	28,040.00
ExpCategory: 400 - Fixed Charges & Services				
10-4510-43900	EQUIPMENT RENTAL/LEASE	4,200.00	3,000.00	3,000.00
10-4510-48000	CONTRA-ADMINISTRATION	-131,040.00	-171,680.00	-171,680.00

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10-4510-49100	DUES/SUBSCRIPTIONS	1,000.00	1,000.00	1,000.00
10-4510-49500	SAFETY	1,650.00	3,000.00	3,000.00
Total ExpCategory: 400 - Fixed Charges & Services:		-124,190.00	-164,680.00	-164,680.00
ExpCategory: 500 - Capital Outlay & Equipment				
10-4510-59900	MISCELLANEOUS EQUIPMENT	2,500.00	2,500.00	2,500.00
Total ExpCategory: 500 - Capital Outlay & Equipment:		2,500.00	2,500.00	2,500.00
Total Department: 4510 - Public Works Administration:		86,300.00	44,580.00	44,580.00
Department: 4520 - Street and Maintenance				
ExpCategory: 100 - Salaries & Wages				
10-4520-12100	SALARIES	408,100.00	425,000.00	425,000.00
10-4520-12600	PART-TIME SALARIES	10,000.00	20,000.00	20,000.00
10-4520-12601	PART TIME SEASONAL	5,000.00	5,000.00	5,000.00
10-4520-13000	INSURANCE STIPEND	6,000.00	6,000.00	6,000.00
Total ExpCategory: 100 - Salaries & Wages:		429,100.00	456,000.00	456,000.00
ExpCategory: 150 - Employee Benefits				
10-4520-18100	FICA	33,900.00	34,500.00	34,500.00
10-4520-18200	RETIREMENT	44,000.00	49,280.00	49,280.00
10-4520-18300	HEALTH INSURANCE	88,000.00	80,000.00	80,000.00
10-4520-18302	RETIREE HEALTH INSURANCE	40,000.00	80,000.00	80,000.00
10-4520-18400	LIFE INSURANCE	700.00	700.00	700.00
10-4520-18600	WORKER'S COMP INS	22,000.00	22,000.00	22,000.00
10-4520-18700	DENTAL INSURANCE	7,600.00	7,800.00	7,800.00
Total ExpCategory: 150 - Employee Benefits:		236,200.00	274,280.00	274,280.00
ExpCategory: 200 - Supplies & Materials				
10-4520-20000	SUPPLIES	17,000.00	15,000.00	15,000.00
10-4520-21200	UNIFORMS	8,000.00	6,000.00	7,000.00
10-4520-25100	GAS & OIL	18,000.00	18,000.00	18,000.00
Total ExpCategory: 200 - Supplies & Materials:		43,000.00	39,000.00	40,000.00
ExpCategory: 300 - Current Obligations & Services				
10-4520-33100	ELECTRICITY	8,485.00	8,485.00	8,485.00
10-4520-35100	BUILDING MAINTENANCE	9,100.00	6,500.00	6,500.00
10-4520-35200	EQUIPMENT REPAIRS	4,000.00	4,000.00	4,000.00
Total ExpCategory: 300 - Current Obligations & Services:		21,585.00	18,985.00	18,985.00
ExpCategory: 400 - Fixed Charges & Services				
10-4520-43900	EQUIPMENT RENTAL/LEASE	500.00	500.00	500.00
10-4520-48000	CONTRA-ADMINISTRATION	-134,840.00	-176,660.00	-176,660.00
10-4520-49500	SAFETY	1,000.00	1,000.00	1,000.00
10-4520-49900	MISCELLANEOUS	4,500.00	6,000.00	6,000.00
Total ExpCategory: 400 - Fixed Charges & Services:		-128,840.00	-169,160.00	-169,160.00
ExpCategory: 500 - Capital Outlay & Equipment				
10-4520-59100	RESURFACING & PATCHWORK	250,000.00	140,000.00	140,000.00
10-4520-59200	CULVERT & BRIDGE REPAIR	4,600.00	2,500.00	2,500.00
10-4520-59400	TRAFFIC MARKING & SIGNS	8,000.00	8,000.00	8,000.00
10-4520-59900	MISCELLANEOUS EQUIPMENT	8,000.00	8,000.00	8,000.00
Total ExpCategory: 500 - Capital Outlay & Equipment:		270,600.00	158,500.00	158,500.00
Total Department: 4520 - Street and Maintenance:		871,645.00	777,605.00	778,605.00
Department: 4530 - Equipment Services				
ExpCategory: 100 - Salaries & Wages				
10-4530-12100	SALARIES	108,000.00	108,000.00	108,000.00
10-4530-13000	INSURANCE STIPEND	1,200.00	1,200.00	1,200.00
Total ExpCategory: 100 - Salaries & Wages:		109,200.00	109,200.00	109,200.00
ExpCategory: 150 - Employee Benefits				
10-4530-18100	FICA	8,000.00	8,100.00	8,100.00
10-4530-18200	RETIREMENT	10,100.00	12,320.00	12,320.00

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10-4530-18300	HEALTH INSURANCE	19,000.00	17,500.00	17,500.00
10-4530-18302	RETIREE HEALTH INSURANCE	0.00	11,000.00	11,000.00
10-4530-18400	LIFE INSURANCE	250.00	200.00	200.00
10-4530-18600	WORKER'S COMP INS	3,000.00	2,800.00	2,800.00
10-4530-18700	DENTAL INSURANCE	1,500.00	1,400.00	1,400.00
Total ExpCategory: 150 - Employee Benefits:		41,850.00	53,320.00	53,320.00
ExpCategory: 200 - Supplies & Materials				
10-4530-20000	SUPPLIES	1,500.00	2,500.00	2,500.00
10-4530-21200	UNIFORMS	2,000.00	2,000.00	2,000.00
10-4530-25100	GAS&OIL	6,300.00	2,500.00	2,500.00
Total ExpCategory: 200 - Supplies & Materials:		9,800.00	7,000.00	7,000.00
ExpCategory: 300 - Current Obligations & Services				
10-4530-33100	ELECTRICITY	4,350.00	4,350.00	4,350.00
10-4530-35100	BUILDING MAINTENANCE	3,000.00	2,500.00	2,500.00
10-4530-35200	EQUIPMENT REPAIRS	121,750.00	91,750.00	91,750.00
Total ExpCategory: 300 - Current Obligations & Services:		129,100.00	98,600.00	98,600.00
ExpCategory: 400 - Fixed Charges & Services				
10-4530-48000	CONTRA-ADMINISTRATION	-39,320.00	-49,580.00	-49,580.00
10-4530-49500	SAFETY	200.00	200.00	200.00
10-4530-49900	MISCELLANEOUS	1,800.00	1,800.00	1,800.00
Total ExpCategory: 400 - Fixed Charges & Services:		-37,320.00	-47,580.00	-47,580.00
ExpCategory: 500 - Capital Outlay & Equipment				
10-4530-59900	MISCELLANEOUS EQUIPMENT	2,750.00	2,750.00	2,750.00
Total ExpCategory: 500 - Capital Outlay & Equipment:		2,750.00	2,750.00	2,750.00
Total Department: 4530 - Equipment Services:		255,380.00	223,290.00	223,290.00
Department: 4710 - Solid Waste				
ExpCategory: 100 - Salaries & Wages				
10-4710-12100	SALARIES	272,000.00	272,000.00	272,000.00
10-4710-13000	INSURANCE STIPEND	3,900.00	4,200.00	4,200.00
Total ExpCategory: 100 - Salaries & Wages:		275,900.00	276,200.00	276,200.00
ExpCategory: 150 - Employee Benefits				
10-4710-18100	FICA	20,000.00	21,000.00	21,000.00
10-4710-18200	RETIREMENT	27,000.00	31,920.00	31,920.00
10-4710-18300	HEALTH INSURANCE	68,000.00	68,000.00	68,000.00
10-4710-18302	RETIREE HEALTH INSURANCE	9,850.00	10,000.00	10,000.00
10-4710-18400	LIFE INSURANCE	150.00	0.00	0.00
10-4710-18600	WORKERS COMP INS	16,000.00	15,000.00	15,000.00
10-4710-18700	DENTAL INSURANCE	6,000.00	6,000.00	6,000.00
Total ExpCategory: 150 - Employee Benefits:		147,000.00	151,920.00	151,920.00
ExpCategory: 200 - Supplies & Materials				
10-4710-20000	SUPPLIES	4,000.00	4,000.00	4,000.00
10-4710-21200	UNIFORMS	5,000.00	5,000.00	4,000.00
10-4710-25100	GAS & OIL	42,000.00	42,000.00	42,000.00
Total ExpCategory: 200 - Supplies & Materials:		51,000.00	51,000.00	50,000.00
ExpCategory: 300 - Current Obligations & Services				
10-4710-33100	ELECTRICITY	8,475.00	8,475.00	8,475.00
10-4710-35200	EQUIPMENT REPAIRS	5,000.00	5,000.00	5,000.00
10-4710-37000	ADVERTISING	1,500.00	1,500.00	500.00
10-4710-37100	TIPPING FEES	11,000.00	12,500.00	12,500.00
Total ExpCategory: 300 - Current Obligations & Services:		25,975.00	27,475.00	26,475.00
ExpCategory: 400 - Fixed Charges & Services				
10-4710-49500	SAFETY	500.00	500.00	500.00
10-4710-49900	MISCELLANEOUS	5,000.00	5,000.00	5,000.00
Total ExpCategory: 400 - Fixed Charges & Services:		5,500.00	5,500.00	5,500.00

PROPOSED BUDGET EXPENSES

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Account Number	Account Name	2020-2021 Approved	2021-2022 Dept Req	2021-2022 Approved
ExpCategory: 500 - Capital Outlay & Equipment				
10-4710-50000	CAPITAL EXPENSE	175,000.00	0.00	0.00
10-4710-59900	MISCELLANEOUS EQUIPMENT	12,000.00	12,000.00	12,000.00
	Total ExpCategory: 500 - Capital Outlay & Equipment:	187,000.00	12,000.00	12,000.00
	Total Department: 4710 - Solid Waste:	692,375.00	524,095.00	522,095.00
Department: 4910 - Planning and Zoning				
ExpCategory: 100 - Salaries & Wages				
10-4910-12100	SALARIES	145,950.00	167,000.00	128,000.00
10-4910-12600	PART-TIME SALARIES	40,000.00	19,000.00	50,000.00
10-4910-13000	INSURANCE STIPEND	1,200.00	1,200.00	1,200.00
	Total ExpCategory: 100 - Salaries & Wages:	187,150.00	187,200.00	179,200.00
ExpCategory: 150 - Employee Benefits				
10-4910-18100	FICA	14,300.00	14,300.00	14,000.00
10-4910-18200	RETIREMENT	17,000.00	19,040.00	15,120.00
10-4910-18300	HEALTH INSURANCE	22,000.00	22,000.00	18,500.00
10-4910-18302	RETIREE HEALTH INSURANCE	10,000.00	11,000.00	11,000.00
10-4910-18400	LIFE INSURANCE	250.00	200.00	200.00
10-4910-18600	WORKER'S COMP INS	2,000.00	2,000.00	2,000.00
10-4910-18700	DENTAL INSURANCE	1,800.00	1,800.00	1,500.00
	Total ExpCategory: 150 - Employee Benefits:	67,350.00	70,340.00	62,320.00
ExpCategory: 190 - Professional Services				
10-4910-19200	LEGAL	10,000.00	10,000.00	10,000.00
10-4910-19900	CONSULTING FEES/CONTRACTED SERVICES	30,000.00	75,500.00	65,000.00
	Total ExpCategory: 190 - Professional Services:	40,000.00	85,500.00	75,000.00
ExpCategory: 200 - Supplies & Materials				
10-4910-20000	SUPPLIES	1,500.00	1,500.00	1,500.00
10-4910-25100	GAS & OIL	300.00	300.00	300.00
10-4910-26000	OFFICE	3,000.00	3,000.00	3,000.00
	Total ExpCategory: 200 - Supplies & Materials:	4,800.00	4,800.00	4,800.00
ExpCategory: 300 - Current Obligations & Services				
10-4910-32500	POSTAGE	500.00	500.00	500.00
10-4910-35200	EQUIPMENT REPAIRS	100.00	100.00	100.00
10-4910-35300	HAZARDOUS PROJECT TASKS	99,037.00	0.00	0.00
10-4910-35400	PETROLEUM PROJECT TASKS	89,782.00	0.00	0.00
10-4910-37000	ADVERTISING	600.00	600.00	600.00
10-4910-39500	TRAINING/BUSINESS	7,550.00	7,550.00	7,550.00
	Total ExpCategory: 300 - Current Obligations & Services:	197,569.00	8,750.00	8,750.00
ExpCategory: 400 - Fixed Charges & Services				
10-4910-43900	EQUIPMENT RENTAL/LEASE	3,200.00	3,200.00	3,200.00
10-4910-48000	CONTRA-ADMINISTRATION	-9,680.00	-12,680.00	-12,680.00
10-4910-49100	DUES/SUBSCRIPTIONS	1,500.00	1,500.00	1,500.00
10-4910-49900	MISCELLANEOUS	350.00	350.00	350.00
	Total ExpCategory: 400 - Fixed Charges & Services:	-4,630.00	-7,630.00	-7,630.00
ExpCategory: 500 - Capital Outlay & Equipment				
10-4910-59900	MISCELLANEOUS EQUIPMENT	2,500.00	2,500.00	2,500.00
	Total ExpCategory: 500 - Capital Outlay & Equipment:	2,500.00	2,500.00	2,500.00
ExpCategory: 600 - Contracts, Grants, Subsidies				
10-4910-68000	PLANNING BOARD CONTRACT	5,500.00	5,500.00	5,500.00
	Total ExpCategory: 600 - Contracts, Grants, Subsidies:	5,500.00	5,500.00	5,500.00
	Total Department: 4910 - Planning and Zoning:	500,239.00	356,960.00	330,440.00
Department: 4930 - Business & Community Development				
ExpCategory: 150 - Employee Benefits				
10-4930-18900	TRAVEL ALLOWANCE	4,200.00	0.00	0.00
	Total ExpCategory: 150 - Employee Benefits:	4,200.00	0.00	0.00

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Account Number	Account Name	2020-2021 Approved	2021-2022 Dept Req	2021-2022 Approved
ExpCategory: 190 - Professional Services				
10-4930-19900	CONSULTING FEES/CONTRACTED SERVICES	2,500.00	0.00	0.00
	Total ExpCategory: 190 - Professional Services:	2,500.00	0.00	0.00
ExpCategory: 200 - Supplies & Materials				
10-4930-20000	SUPPLIES	500.00	500.00	500.00
10-4930-26000	OFFICE	0.00	500.00	500.00
	Total ExpCategory: 200 - Supplies & Materials:	500.00	1,000.00	1,000.00
ExpCategory: 300 - Current Obligations & Services				
10-4930-32500	POSTAGE	0.00	200.00	200.00
10-4930-34100	PRINTING	0.00	500.00	500.00
10-4930-39500	TRAINING/BUSINESS	200.00	4,200.00	4,200.00
	Total ExpCategory: 300 - Current Obligations & Services:	200.00	4,900.00	4,900.00
ExpCategory: 400 - Fixed Charges & Services				
10-4930-43900	EQUIPMENT RENTAL/LEASE	600.00	600.00	600.00
10-4930-49100	DUES/SUBSCRIPTIONS	500.00	500.00	500.00
10-4930-49900	MISCELLANEOUS	450.00	450.00	450.00
	Total ExpCategory: 400 - Fixed Charges & Services:	1,550.00	1,550.00	1,550.00
ExpCategory: 500 - Capital Outlay & Equipment				
10-4930-59900	MISCELLANEOUS EQUIPMENT	0.00	750.00	750.00
	Total ExpCategory: 500 - Capital Outlay & Equipment:	0.00	750.00	750.00
ExpCategory: 600 - Contracts, Grants, Subsidies				
10-4930-68100	REVOLVING LOANS	20,500.00	0.00	0.00
10-4930-68200	CBD ENHANCEMENTS	90,000.00	90,000.00	90,000.00
10-4930-68300	PROMOTIONS/MARKETING	25,000.00	25,000.00	25,000.00
	Total ExpCategory: 600 - Contracts, Grants, Subsidies:	135,500.00	115,000.00	115,000.00
	Total Department: 4930 - Business & Community Development:	144,450.00	123,200.00	123,200.00
Department: 6100 - Recreation				
ExpCategory: 100 - Salaries & Wages				
10-6100-12100	SALARIES	372,000.00	388,000.00	388,000.00
10-6100-12600	PART-TIME SALARIES	75,000.00	125,000.00	125,000.00
10-6100-12601	PART TIME SEASONAL	40,000.00	55,000.00	55,000.00
10-6100-13000	INSURANCE STIPEND	4,500.00	4,800.00	4,800.00
	Total ExpCategory: 100 - Salaries & Wages:	491,500.00	572,800.00	572,800.00
ExpCategory: 150 - Employee Benefits				
10-6100-18100	FICA	43,000.00	42,000.00	42,000.00
10-6100-18200	RETIREMENT	41,000.00	44,800.00	44,800.00
10-6100-18300	HEALTH INSURANCE	57,000.00	51,600.00	51,600.00
10-6100-18302	RETIREE HEALTH INSURANCE	0.00	10,000.00	10,000.00
10-6100-18400	LIFE INSURANCE	650.00	600.00	600.00
10-6100-18600	WORKER'S COMP INS	10,000.00	9,000.00	9,000.00
10-6100-18700	DENTAL INSURANCE	6,000.00	4,200.00	4,200.00
	Total ExpCategory: 150 - Employee Benefits:	157,650.00	162,200.00	162,200.00
ExpCategory: 200 - Supplies & Materials				
10-6100-20000	SUPPLIES	18,000.00	18,000.00	18,000.00
10-6100-21200	UNIFORMS	5,000.00	5,000.00	5,000.00
10-6100-22000	VENDING & CONCESSIONS	14,000.00	14,000.00	14,000.00
10-6100-25100	GAS & OIL	7,500.00	8,500.00	7,500.00
10-6100-29500	SPORTS PROGRAMS	38,000.00	60,000.00	60,000.00
	Total ExpCategory: 200 - Supplies & Materials:	82,500.00	105,500.00	104,500.00
ExpCategory: 300 - Current Obligations & Services				
10-6100-33100	ELECTRICITY	48,663.00	48,663.00	48,663.00
10-6100-35100	BUILDING MAINTENANCE	33,000.00	48,000.00	48,000.00
10-6100-35200	EQUIPMENT REPAIRS	3,000.00	5,000.00	5,000.00
10-6100-35900	PARKS & TRAIL MAINTENANCE	30,000.00	30,000.00	30,000.00

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Account Number	Account Name	2020-2021 Approved	2021-2022 Dept Req	2021-2022 Approved
10-6100-35901	PARKS & TRAILS LANDSCAPING FUND	10,000.00	10,000.00	10,000.00
10-6100-39500	TRAINING/BUSINESS	4,000.00	6,000.00	4,000.00
Total ExpCategory: 300 - Current Obligations & Services:		128,663.00	147,663.00	145,663.00
ExpCategory: 400 - Fixed Charges & Services				
10-6100-43900	EQUIPMENT RENTAL/LEASE	1,500.00	1,500.00	1,500.00
10-6100-49100	DUE & SUBSCRIPTIONS	4,500.00	4,500.00	4,500.00
10-6100-49900	MISCELLANEOUS	14,000.00	14,000.00	14,000.00
Total ExpCategory: 400 - Fixed Charges & Services:		20,000.00	20,000.00	20,000.00
ExpCategory: 500 - Capital Outlay & Equipment				
10-6100-50000	CAPITAL EXPENSE	153,000.00	278,400.00	50,000.00
10-6100-59900	MISCELLANEOUS EQUIPMENT	5,500.00	8,000.00	8,000.00
Total ExpCategory: 500 - Capital Outlay & Equipment:		158,500.00	286,400.00	58,000.00
Total Department: 6100 - Recreation:		1,038,813.00	1,294,563.00	1,063,163.00
Total Fund: 10 - General Fund:		12,829,059.00	11,161,229.00	11,037,157.00

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Account Number	Account Name	2020-2021 Approved	2021-2022 Dept Req	2021-2022 Approved
Fund: 20 - Boger City Fire District				
Department: 4340 - Fire				
ExpCategory: 100 - Salaries & Wages				
20-4340-12100	SALARIES	472,000.00	474,000.00	474,000.00
20-4340-12600	PART-TIME SALARIES	30,000.00	30,000.00	30,000.00
20-4340-13000	INSURANCE STIPEND	7,200.00	7,200.00	7,200.00
20-4340-13500	LOCAL SUPPLEMENTAL RETIREMENT	2,000.00	2,000.00	2,000.00
20-4340-13700	FIREMENS PENSION FUND	3,000.00	3,000.00	3,000.00
20-4340-13800	FIREMENS RELIEF FUND	2,000.00	2,000.00	2,000.00
Total ExpCategory: 100 - Salaries & Wages:		516,200.00	518,200.00	518,200.00
ExpCategory: 150 - Employee Benefits				
20-4340-18100	FICA	40,000.00	40,000.00	40,000.00
20-4340-18200	RETIREMENT	43,000.00	48,160.00	48,160.00
20-4340-18300	HEALTH INSURANCE	64,000.00	84,000.00	84,000.00
20-4340-18400	LIFE INSURANCE	800.00	800.00	800.00
20-4340-18700	DENTAL INSURANCE	4,300.00	4,300.00	4,300.00
20-4340-18800	GAP INSURANCE	2,359.00	2,000.00	2,000.00
Total ExpCategory: 150 - Employee Benefits:		154,459.00	179,260.00	179,260.00
ExpCategory: 200 - Supplies & Materials				
20-4340-20000	SUPPLIES	4,132.53	2,000.00	2,000.00
20-4340-21200	UNIFORMS	15,636.17	3,500.00	3,500.00
20-4340-25100	GAS & OIL	15,000.00	15,000.00	12,000.00
20-4340-26000	OFFICE	1,000.00	1,000.00	1,000.00
Total ExpCategory: 200 - Supplies & Materials:		35,768.70	21,500.00	18,500.00
ExpCategory: 300 - Current Obligations & Services				
20-4340-32100	TELEPHONE	5,000.00	6,000.00	6,000.00
20-4340-32200	UTILITIES-STATIONS	15,000.00	15,000.00	15,000.00
20-4340-32500	POSTAGE	200.00	200.00	200.00
20-4340-35100	BUILDING MAINTENANCE	1,000.00	20,000.00	15,000.00
20-4340-35200	EQUIPMENT REPAIRS	26,724.52	20,000.00	17,000.00
20-4340-39500	TRAINING/BUSINESS	3,000.00	5,000.00	5,000.00
Total ExpCategory: 300 - Current Obligations & Services:		50,924.52	66,200.00	58,200.00
ExpCategory: 400 - Fixed Charges & Services				
20-4340-45000	PROPERTY & CASUALTY INS	7,000.00	15,000.00	15,000.00
20-4340-49100	DUES/SUBSCRIPTIONS	2,294.27	2,000.00	2,000.00
20-4340-49500	SAFETY	8,192.72	8,000.00	8,000.00
20-4340-49900	MISCELLANEOUS	2,956.26	2,000.00	2,000.00
Total ExpCategory: 400 - Fixed Charges & Services:		20,443.25	27,000.00	27,000.00
ExpCategory: 500 - Capital Outlay & Equipment				
20-4340-50000	CAPITAL EXPENSE	187,204.53	134,000.00	134,000.00
20-4340-59900	MISCELLANEOUS EQUIPMENT	5,000.00	10,000.00	8,000.00
Total ExpCategory: 500 - Capital Outlay & Equipment:		192,204.53	144,000.00	142,000.00
ExpCategory: 600 - Contracts, Grants, Subsidies				
20-4340-68600	FIRE SAFETY EDUCATION	2,000.00	5,000.00	5,000.00
Total ExpCategory: 600 - Contracts, Grants, Subsidies:		2,000.00	5,000.00	5,000.00
ExpCategory: 900 - Inventory/Interfund Transfer				
20-4340-99100	CONTINGENCY	0.00	42,000.00	36,840.00
Total ExpCategory: 900 - Inventory/Interfund Transfer:		0.00	42,000.00	36,840.00
Total Department: 4340 - Fire:		972,000.00	1,003,160.00	985,000.00
Total Fund: 20 - Boger City Fire District:		972,000.00	1,003,160.00	985,000.00

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Account Number	Account Name	2020-2021 Approved	2021-2022 Dept Req	2021-2022 Approved
Fund: 27 - Powell Bill Fund				
Department: 4550 - Powell Bill				
ExpCategory: 500 - Capital Outlay & Equipment				
27-4550-50000	CAPITAL EXPENSE	47,765.00	0.00	0.00
27-4550-58900	CULVERT REPAIRS	78,500.00	5,000.00	5,000.00
27-4550-59000	POWELL BILL-STREETS	140,000.00	140,000.00	140,000.00
Total ExpCategory: 500 - Capital Outlay & Equipment:		266,265.00	145,000.00	145,000.00
ExpCategory: 700 - Debt Service				
27-4550-73500	BANK LOAN PRINCIPAL	0.00	33,666.00	33,666.00
27-4550-74500	BANK LOAN INTEREST	0.00	5,422.00	5,422.00
Total ExpCategory: 700 - Debt Service:		0.00	39,088.00	39,088.00
ExpCategory: 900 - Inventory/Interfund Transfer				
27-4550-98000	REIMBURSE-GENERAL FUND	120,000.00	120,912.00	120,912.00
Total ExpCategory: 900 - Inventory/Interfund Transfer:		120,000.00	120,912.00	120,912.00
Total Department: 4550 - Powell Bill:		386,265.00	305,000.00	305,000.00
Total Fund: 27 - Powell Bill Fund:		386,265.00	305,000.00	305,000.00

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Account Number	Account Name	2020-2021 Approved	2021-2022 Dept Req	2021-2022 Approved
Fund: 61 - Water and Sewer Fund				
Department: 7100 - Water Treatment				
ExpCategory: 100 - Salaries & Wages				
61-7100-12100	SALARIES	472,000.00	485,000.00	485,000.00
61-7100-12600	PART-TIME SALARIES	26,000.00	36,000.00	36,000.00
61-7100-13000	INSURANCE STIPEND	6,000.00	6,600.00	6,600.00
Total ExpCategory: 100 - Salaries & Wages:		504,000.00	527,600.00	527,600.00
ExpCategory: 150 - Employee Benefits				
61-7100-18100	FICA	39,000.00	41,000.00	41,000.00
61-7100-18200	RETIREMENT	50,750.00	57,120.00	57,120.00
61-7100-18300	HEALTH INSURANCE	76,000.00	80,000.00	80,000.00
61-7100-18301	OPEB RETIREE HEALTH	30,000.00	30,000.00	30,000.00
61-7100-18302	RETIREE HEALTH INSURANCE	78,000.00	68,000.00	68,000.00
61-7100-18400	LIFE INSURANCE	600.00	700.00	700.00
61-7100-18600	WORKERS COMP INS	8,000.00	8,000.00	8,000.00
61-7100-18700	DENTAL INSURANCE	5,700.00	5,600.00	5,600.00
Total ExpCategory: 150 - Employee Benefits:		288,050.00	290,420.00	290,420.00
ExpCategory: 190 - Professional Services				
61-7100-19900	CONSULTING FEES/CONTRACTED SERVICES	1,000.00	1,000.00	1,000.00
Total ExpCategory: 190 - Professional Services:		1,000.00	1,000.00	1,000.00
ExpCategory: 200 - Supplies & Materials				
61-7100-20000	SUPPLIES	25,000.00	25,000.00	25,000.00
61-7100-20300	CHEMICALS	110,000.00	110,000.00	110,000.00
61-7100-21200	UNIFORMS	6,800.00	6,800.00	6,800.00
61-7100-25100	GAS & OIL	2,500.00	2,500.00	2,500.00
61-7100-26000	OFFICE	2,100.00	2,100.00	2,100.00
Total ExpCategory: 200 - Supplies & Materials:		146,400.00	146,400.00	146,400.00
ExpCategory: 300 - Current Obligations & Services				
61-7100-32100	TELEPHONE	17,200.00	17,200.00	17,200.00
61-7100-32500	POSTAGE	2,000.00	2,000.00	2,000.00
61-7100-33100	ELECTRICITY	249,000.00	249,000.00	249,000.00
61-7100-33200	GENERATOR FUEL	14,400.00	14,400.00	14,400.00
61-7100-33900	PUMPS/TANKS/LIFT STATIONS ELECTRICITY	17,600.00	17,600.00	17,600.00
61-7100-35100	BUILDING MAINTENANCE	20,000.00	25,000.00	25,000.00
61-7100-35200	EQUIPMENT REPAIRS	47,300.00	47,300.00	47,300.00
61-7100-39500	TRAINING/BUSINESS	4,000.00	4,000.00	4,000.00
61-7100-39600	CHEMICAL ANALYSIS	11,000.00	16,000.00	16,000.00
Total ExpCategory: 300 - Current Obligations & Services:		382,500.00	392,500.00	392,500.00
ExpCategory: 400 - Fixed Charges & Services				
61-7100-43900	EQUIPMENT RENTAL/LEASE	2,500.00	2,500.00	2,500.00
61-7100-49100	DUES/SUBSCRIPTIONS	5,400.00	5,400.00	5,400.00
61-7100-49500	SAFETY	2,200.00	2,200.00	2,200.00
61-7100-49900	MISCELLANEOUS	2,350.00	2,350.00	2,350.00
Total ExpCategory: 400 - Fixed Charges & Services:		12,450.00	12,450.00	12,450.00
ExpCategory: 500 - Capital Outlay & Equipment				
61-7100-50000	CAPITAL EXPENSE	412,500.00	130,000.00	130,000.00
61-7100-59900	MISCELLANEOUS EQUIPMENT	15,000.00	15,000.00	15,000.00
Total ExpCategory: 500 - Capital Outlay & Equipment:		427,500.00	145,000.00	145,000.00
ExpCategory: 600 - Contracts, Grants, Subsidies				
61-7100-62900	WATER SERVICE CONTRACT	171,100.00	128,100.00	128,100.00
Total ExpCategory: 600 - Contracts, Grants, Subsidies:		171,100.00	128,100.00	128,100.00
ExpCategory: 700 - Debt Service				
61-7100-73100	ENTERPRISE VEHICLES LEASE	12,700.00	15,000.00	15,000.00
Total ExpCategory: 700 - Debt Service:		12,700.00	15,000.00	15,000.00

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Account Number	Account Name	2020-2021 Approved	2021-2022 Dept Req	2021-2022 Approved
ExpCategory: 900 - Inventory/Interfund Transfer				
61-7100-99100	CONTINGENCY	0.00	75,000.00	68,880.00
	Total ExpCategory: 900 - Inventory/Interfund Transfer:	0.00	75,000.00	68,880.00
	Total Department: 7100 - Water Treatment:	1,945,700.00	1,733,470.00	1,727,350.00
Department: 7110 - Distribution & Collection				
ExpCategory: 100 - Salaries & Wages				
61-7110-12100	SALARIES	586,000.00	540,000.00	540,000.00
61-7110-13000	INSURANCE STIPEND	6,600.00	7,200.00	7,200.00
	Total ExpCategory: 100 - Salaries & Wages:	592,600.00	547,200.00	547,200.00
ExpCategory: 150 - Employee Benefits				
61-7110-18100	FICA	44,000.00	42,000.00	42,000.00
61-7110-18200	RETIREMENT	60,000.00	62,720.00	62,720.00
61-7110-18300	HEALTH INSURANCE	98,000.00	102,000.00	102,000.00
61-7110-18301	OPEB RETIREE HEALTH	35,000.00	35,000.00	35,000.00
61-7110-18302	RETIREE HEALTH INSURANCE	26,000.00	28,000.00	28,000.00
61-7110-18400	LIFE INSURANCE	700.00	800.00	800.00
61-7110-18600	WORKERS COMP INS	12,000.00	12,000.00	12,000.00
61-7110-18700	DENTAL INSURANCE	7,200.00	8,000.00	8,000.00
	Total ExpCategory: 150 - Employee Benefits:	282,900.00	290,520.00	290,520.00
ExpCategory: 190 - Professional Services				
61-7110-19900	CONSULTING FEES/CONTRACTED SERVICES	4,000.00	14,000.00	13,000.00
	Total ExpCategory: 190 - Professional Services:	4,000.00	14,000.00	13,000.00
ExpCategory: 200 - Supplies & Materials				
61-7110-20000	SUPPLIES	210,000.00	235,000.00	235,000.00
61-7110-21200	UNIFORMS	8,000.00	8,000.00	8,000.00
61-7110-25100	GAS & OIL	20,000.00	20,000.00	20,000.00
	Total ExpCategory: 200 - Supplies & Materials:	238,000.00	263,000.00	263,000.00
ExpCategory: 300 - Current Obligations & Services				
61-7110-32100	TELEPHONE	21,000.00	21,000.00	23,000.00
61-7110-32500	POSTAGE	25,500.00	25,500.00	25,500.00
61-7110-33100	ELECTRICITY	17,000.00	17,000.00	17,000.00
61-7110-33900	PUMPS/TANKS/LIFT STATIONS ELECTRICITY	19,500.00	18,000.00	18,000.00
61-7110-35100	BUILDING MAINTENANCE	1,000.00	1,000.00	1,000.00
61-7110-35200	EQUIPMENT REPAIRS	74,500.00	71,500.00	71,500.00
61-7110-39000	METER TESTING	1,000.00	1,000.00	1,000.00
61-7110-39500	TRAINING/BUSINESS	6,000.00	6,000.00	6,000.00
	Total ExpCategory: 300 - Current Obligations & Services:	165,500.00	161,000.00	163,000.00
ExpCategory: 400 - Fixed Charges & Services				
61-7110-49100	DUES/SUBSCRIPTIONS	5,000.00	5,000.00	5,000.00
61-7110-49500	SAFETY	1,100.00	1,100.00	1,100.00
61-7110-49900	MISCELLANEOUS	5,500.00	5,500.00	5,500.00
	Total ExpCategory: 400 - Fixed Charges & Services:	11,600.00	11,600.00	11,600.00
ExpCategory: 500 - Capital Outlay & Equipment				
61-7110-50000	CAPITAL EXPENSE	601,000.00	606,000.00	535,000.00
61-7110-59600	SYSTEM MAINTENANCE	90,000.00	90,000.00	110,000.00
61-7110-59900	MISCELLANEOUS EQUIPMENT	18,000.00	18,000.00	18,000.00
	Total ExpCategory: 500 - Capital Outlay & Equipment:	709,000.00	714,000.00	663,000.00
ExpCategory: 600 - Contracts, Grants, Subsidies				
61-7110-62900	WATER SERVICE CONTRACT	1,500.00	1,500.00	1,500.00
	Total ExpCategory: 600 - Contracts, Grants, Subsidies:	1,500.00	1,500.00	1,500.00
ExpCategory: 700 - Debt Service				
61-7110-73100	ENTERPRISE VEHICLES LEASE	27,800.00	41,000.00	41,000.00
	Total ExpCategory: 700 - Debt Service:	27,800.00	41,000.00	41,000.00

PROPOSED BUDGET EXPENSES

For Fiscal: 2021-2022 Period Ending: 07/31/2021

Account Number	Account Name	2020-2021 Approved	2021-2022 Dept Req	2021-2022 Approved
ExpCategory: 900 - Inventory/Interfund Transfer				
61-7110-99100	CONTINGENCY	0.00	69,200.00	62,480.00
	Total ExpCategory: 900 - Inventory/Interfund Transfer:	0.00	69,200.00	62,480.00
	Total Department: 7110 - Distribution & Collection:	2,032,900.00	2,113,020.00	2,056,300.00
Department: 7120 - Wastewater Treatment				
ExpCategory: 100 - Salaries & Wages				
61-7120-12100	SALARIES	505,000.00	485,000.00	485,000.00
61-7120-13000	INSURANCE STIPEND	5,000.00	5,400.00	5,400.00
	Total ExpCategory: 100 - Salaries & Wages:	510,000.00	490,400.00	490,400.00
ExpCategory: 150 - Employee Benefits				
61-7120-18100	FICA	38,000.00	36,000.00	36,000.00
61-7120-18200	RETIREMENT	52,000.00	52,640.00	52,640.00
61-7120-18300	HEALTH INSURANCE	60,000.00	68,000.00	68,000.00
61-7120-18301	OPEB RETIREE HEALTH	25,000.00	25,000.00	25,000.00
61-7120-18302	RETIREE HEALTH INSURANCE	42,000.00	49,000.00	49,000.00
61-7120-18400	LIFE INSURANCE	550.00	600.00	600.00
61-7120-18600	WORKERS COMP INS	12,000.00	12,000.00	12,000.00
61-7120-18700	DENTAL INSURANCE	5,500.00	6,100.00	6,100.00
	Total ExpCategory: 150 - Employee Benefits:	235,050.00	249,340.00	249,340.00
ExpCategory: 190 - Professional Services				
61-7120-19900	CONSULTING FEES/CONTRACTED SERVICES	500.00	500.00	500.00
	Total ExpCategory: 190 - Professional Services:	500.00	500.00	500.00
ExpCategory: 200 - Supplies & Materials				
61-7120-20000	SUPPLIES	17,500.00	17,500.00	17,500.00
61-7120-20300	CHEMICALS	50,000.00	50,000.00	50,000.00
61-7120-21200	UNIFORMS	7,000.00	7,000.00	7,000.00
61-7120-25100	GAS & OIL	6,000.00	3,000.00	3,000.00
61-7120-26000	OFFICE	1,500.00	1,500.00	1,500.00
61-7120-29800	HEAT EXCHANGER FUEL OIL	500.00	500.00	500.00
	Total ExpCategory: 200 - Supplies & Materials:	82,500.00	79,500.00	79,500.00
ExpCategory: 300 - Current Obligations & Services				
61-7120-32100	TELEPHONE	17,300.00	17,300.00	17,300.00
61-7120-33100	ELECTRICITY	278,000.00	278,000.00	278,000.00
61-7120-33200	GENERATOR FUEL	1,500.00	1,500.00	1,500.00
61-7120-35100	BUILDING MAINTENANCE	20,000.00	20,000.00	20,000.00
61-7120-35200	EQUIPMENT REPAIRS	116,000.00	68,000.00	68,000.00
61-7120-39500	TRAINING/BUSINESS	4,000.00	4,000.00	4,000.00
61-7120-39600	CHEMICAL ANALYSIS	14,800.00	20,800.00	20,800.00
61-7120-39700	SLUDGE REMOVAL	210,000.00	210,000.00	210,000.00
	Total ExpCategory: 300 - Current Obligations & Services:	661,600.00	619,600.00	619,600.00
ExpCategory: 400 - Fixed Charges & Services				
61-7120-43900	EQUIPMENT RENTAL/LEASE	1,000.00	1,000.00	1,000.00
61-7120-49100	DUES/SUBSCRIPTIONS	7,000.00	7,000.00	7,000.00
61-7120-49900	MISCELLANEOUS	4,000.00	3,000.00	4,000.00
	Total ExpCategory: 400 - Fixed Charges & Services:	12,000.00	11,000.00	12,000.00
ExpCategory: 500 - Capital Outlay & Equipment				
61-7120-50000	CAPITAL EXPENSE	95,000.00	480,000.00	364,500.00
61-7120-59900	MISCELLANEOUS EQUIPMENT	8,000.00	8,000.00	8,000.00
	Total ExpCategory: 500 - Capital Outlay & Equipment:	103,000.00	488,000.00	372,500.00
ExpCategory: 600 - Contracts, Grants, Subsidies				
61-7120-62900	WATER SERVICE CONTRACT	21,000.00	18,000.00	18,000.00
	Total ExpCategory: 600 - Contracts, Grants, Subsidies:	21,000.00	18,000.00	18,000.00

PROPOSED BUDGET EXPENSES

For Fiscal: 2021-2022 Period Ending: 07/31/2021

Account Number	Account Name	2020-2021 Approved	2021-2022 Dept Req	2021-2022 Approved
ExpCategory: 700 - Debt Service				
61-7120-73100	ENTERPRISE VEHICLES LEASE	21,500.00	22,000.00	22,000.00
	Total ExpCategory: 700 - Debt Service:	21,500.00	22,000.00	22,000.00
ExpCategory: 900 - Inventory/Interfund Transfer				
61-7120-99100	CONTINGENCY	-3,000.00	73,000.00	67,757.00
	Total ExpCategory: 900 - Inventory/Interfund Transfer:	-3,000.00	73,000.00	67,757.00
	Total Department: 7120 - Wastewater Treatment:	1,644,150.00	2,051,340.00	1,931,597.00
Department: 7130 - Water/Sewer Intangibles				
ExpCategory: 150 - Employee Benefits				
61-7130-19300	HEALTH ADMIN COST	5,000.00	10,000.00	10,000.00
	Total ExpCategory: 150 - Employee Benefits:	5,000.00	10,000.00	10,000.00
ExpCategory: 300 - Current Obligations & Services				
61-7130-39800	ONLINE PAYMENTS FEE	23,750.00	86,300.00	86,300.00
61-7130-39900	CREDIT CARD EXPENSE	52,200.00	7,000.00	7,000.00
	Total ExpCategory: 300 - Current Obligations & Services:	75,950.00	93,300.00	93,300.00
ExpCategory: 400 - Fixed Charges & Services				
61-7130-45000	PROPERTY & CASUALTY INS	60,000.00	70,000.00	70,000.00
61-7130-49200	BAD DEBT EXPENSE	35,000.00	95,000.00	95,000.00
61-7130-49800	ENTERPRISE ADMINISTRATION	600,000.00	700,000.00	700,000.00
61-7130-49900	MISCELLANEOUS	400.00	0.00	400.00
	Total ExpCategory: 400 - Fixed Charges & Services:	695,400.00	865,000.00	865,400.00
ExpCategory: 700 - Debt Service				
61-7130-71000	REVENUE BOND PRINCIPAL	1,647,000.00	0.00	0.00
61-7130-71200	2003 LOAN PRINCIPAL-SEWER	743,000.00	672,000.00	672,000.00
61-7130-71400	SMART METER LOAN	331,779.00	341,871.00	341,871.00
61-7130-72000	REVENUE BOND INTEREST	27,176.00	0.00	0.00
61-7130-72200	2003 LOAN INTEREST-SEWER	65,342.00	27,160.00	27,160.00
61-7130-72300	LOAN PAYMENT EQUIPMENT	30,311.00	25,000.00	25,000.00
61-7130-72400	SMART METER INTEREST	42,020.00	55,250.00	55,250.00
61-7130-75001	REVENUE BOND HANDLING	2,500.00	2,500.00	2,500.00
	Total ExpCategory: 700 - Debt Service:	2,889,128.00	1,123,781.00	1,123,781.00
ExpCategory: 900 - Inventory/Interfund Transfer				
61-7130-98500	PILOT EXPENSE	389,222.00	389,222.00	389,222.00
	Total ExpCategory: 900 - Inventory/Interfund Transfer:	389,222.00	389,222.00	389,222.00
	Total Department: 7130 - Water/Sewer Intangibles:	4,054,700.00	2,481,303.00	2,481,703.00
	Total Fund: 61 - Water and Sewer Fund:	9,677,450.00	8,379,133.00	8,196,950.00

PROPOSED BUDGET EXPENSES

For Fiscal: 2021-2022 Period Ending: 07/31/2021

Account Number	Account Name	2020-2021 Approved	2021-2022 Dept Req	2021-2022 Approved
Fund: 63 - Electric Fund				
Department: 7200 - Electric				
ExpCategory: 100 - Salaries & Wages				
63-7200-12100	SALARIES	500,000.00	545,000.00	545,000.00
63-7200-12600	PART-TIME SALARIES	12,400.00	12,400.00	12,400.00
63-7200-13000	INSURANCE STIPEND	5,000.00	6,000.00	6,000.00
Total ExpCategory: 100 - Salaries & Wages:		517,400.00	563,400.00	563,400.00
ExpCategory: 150 - Employee Benefits				
63-7200-18100	FICA	39,000.00	43,000.00	43,000.00
63-7200-18200	RETIREMENT	51,000.00	52,640.00	52,640.00
63-7200-18300	HEALTH INSURANCE	70,000.00	70,000.00	70,000.00
63-7200-18301	OPEB RETIREE HEALTH	6,000.00	6,000.00	6,000.00
63-7200-18302	RETIREE HEALTH INSURANCE	29,000.00	29,000.00	29,000.00
63-7200-18400	LIFE INSURANCE	600.00	700.00	700.00
63-7200-18600	WORKERS COMP INS	8,000.00	8,000.00	8,000.00
63-7200-18700	DENTAL INSURANCE	5,400.00	6,500.00	6,500.00
63-7200-18900	TRAVEL ALLOWANCE	4,000.00	0.00	0.00
63-7200-19300	HEALTH ADMIN COST	500.00	500.00	500.00
Total ExpCategory: 150 - Employee Benefits:		213,500.00	216,340.00	216,340.00
ExpCategory: 190 - Professional Services				
63-7200-19200	LEGAL	1,000.00	1,000.00	1,000.00
63-7200-19900	CONSULTING FEES/CONTRACTED SERVICES	30,000.00	30,000.00	30,000.00
Total ExpCategory: 190 - Professional Services:		31,000.00	31,000.00	31,000.00
ExpCategory: 200 - Supplies & Materials				
63-7200-20000	SUPPLIES	75,000.00	175,000.00	175,000.00
63-7200-21200	UNIFORMS	9,000.00	9,000.00	10,000.00
63-7200-25100	GAS & OIL	11,000.00	11,000.00	11,000.00
Total ExpCategory: 200 - Supplies & Materials:		95,000.00	195,000.00	196,000.00
ExpCategory: 300 - Current Obligations & Services				
63-7200-32100	TELEPHONE	15,500.00	15,500.00	15,500.00
63-7200-33000	POWER SECURE EXPENSES	114,500.00	64,500.00	64,500.00
63-7200-33100	ELECTRICITY	4,077,800.00	4,728,000.00	4,728,000.00
63-7200-33300	ELECTRICITY-REPS CHARGES	38,000.00	38,000.00	38,000.00
63-7200-33700	SALES TAX DISTRIBUTION	25,000.00	0.00	0.00
63-7200-33800	STREET LIGHTING	85,000.00	85,000.00	85,000.00
63-7200-35100	BUILDING MAINTENANCE	60,000.00	60,000.00	90,000.00
63-7200-35200	EQUIPMENT REPAIRS	55,000.00	20,000.00	20,000.00
63-7200-39000	METER TESTING	10,000.00	10,000.00	10,000.00
63-7200-39500	TRAINING/BUSINESS	3,000.00	5,000.00	5,000.00
63-7200-39800	ONLINE PAYMENTS FEE	6,000.00	0.00	0.00
63-7200-39900	CREDIT CARD EXPENSE	39,000.00	9,000.00	9,000.00
Total ExpCategory: 300 - Current Obligations & Services:		4,528,800.00	5,035,000.00	5,065,000.00
ExpCategory: 400 - Fixed Charges & Services				
63-7200-43900	EQUIPMENT RENTAL/LEASE	2,000.00	2,000.00	8,000.00
63-7200-45000	PROPERTY & CASUALTY INS	30,900.00	30,900.00	30,900.00
63-7200-48900	ELECTRICITIES DUES	7,300.00	7,300.00	7,300.00
63-7200-49200	BAD DEBT EXPENSE	55,000.00	55,000.00	55,000.00
63-7200-49700	DIRECT SERVICE ALLOCATIONS	1,500.00	1,500.00	1,500.00
63-7200-49800	ENTERPRISE ADMINISTRATION	400,000.00	600,000.00	600,000.00
63-7200-49900	MISCELLANEOUS	10,000.00	10,000.00	10,000.00
Total ExpCategory: 400 - Fixed Charges & Services:		506,700.00	706,700.00	712,700.00
ExpCategory: 500 - Capital Outlay & Equipment				
63-7200-50000	CAPITAL EXPENSE	1,264,200.00	553,000.00	430,000.00
63-7200-50500	POLICE/PROJECT BDLGS	1,044,280.00	0.00	0.00
63-7200-59600	SYSTEM MAINTENANCE	300,000.00	300,000.00	420,000.00

PROPOSED BUDGET EXPENSES

For Fiscal: 2021-2022 Period Ending: 07/31/2021

Account Number	Account Name	2020-2021 Approved	2021-2022 Dept Req	2021-2022 Approved
63-7200-59900	MISCELLANEOUS EQUIPMENT	10,000.00	13,000.00	13,000.00
	Total ExpCategory: 500 - Capital Outlay & Equipment:	2,618,480.00	866,000.00	863,000.00
	ExpCategory: 600 - Contracts, Grants, Subsidies			
63-7200-64000	CONTRIB RESERV RATE STABILZ	25,000.00	25,000.00	25,000.00
	Total ExpCategory: 600 - Contracts, Grants, Subsidies:	25,000.00	25,000.00	25,000.00
	ExpCategory: 900 - Inventory/Interfund Transfer			
63-7200-98500	PILOT EXPENSE	30,465.00	30,465.00	30,465.00
63-7200-99100	CONTINGENCY	30,485.00	100,000.00	94,445.00
	Total ExpCategory: 900 - Inventory/Interfund Transfer:	60,950.00	130,465.00	124,910.00
	Total Department: 7200 - Electric:	8,596,830.00	7,768,905.00	7,797,350.00
	Total Fund: 63 - Electric Fund:	8,596,830.00	7,768,905.00	7,797,350.00
	Report Total:	32,461,604.00	28,617,427.00	28,321,457.00

2021-22 - CAPITAL OUTLAY - GENERAL FUND		
(1)	<u>CITY MANAGER / CLERK</u> OFFICE EQUIPMENT	\$3,000.00
(2)	<u>HUMAN RESOURCES</u> NONE	\$0.00
(3)	<u>FINANCE</u> CHECK SORTER EQUIPMENT	\$10,000.00
(4)	<u>GENERAL EXPENSE</u> NONE	\$0.00
(5)	<u>POLICE</u> INKLESS FINGERPRINT SYSTEM IN CAR COMPUTERS 10 NEW VEHICLES (ENTERPRISE)	\$14,000.00 \$22,000.00 \$0.00
(6)	<u>FIRE</u> ENGINE 2 EQUIPMENT	\$7,500.00
(7)	<u>PUBLIC WORKS</u> NONE	\$0.00
(8)	<u>STREET</u> NONE	\$0.00
(9)	<u>EQUIPMENT SERVICES</u> NONE	\$0.00
(10)	<u>SOLID WASTE</u> NONE	\$0.00
(11)	<u>GENERAL SERVICES</u> NONE	\$0.00
(12)	<u>PLANNING</u> NONE	\$0.00
(13)	<u>BUSINESS & COMMUNITY DEVELOPMENT</u> NONE	\$0.00
(14)	<u>PARKS & RECREATION</u> RAIL TRAIL CAMERAS HOLLYBROOK PAVING ENTRY GATES - BETTY ROSS & HIGHLAND DR	\$15,000.00 \$21,000.00 \$14,000.00
GENERAL FUND CAPITAL		\$106,500.00

2021-22 - CAPITAL OUTLAY - POWELL BILL		
(1)	<u>POWELL BILL</u>	
	PAVING STREETS	\$140,000.00
	DEBT PAYMENT	<u>\$39,000.00</u>
	POWELL BILL FUND TOTAL	\$179,000.00
2021-22 - CAPITAL OUTLAY - WATER & SEWER		
(1)	<u>WATER TREATMENT PLANT</u>	
	PLC	\$30,000.00
	VALVE REPLACEMENT	\$60,000.00
	FLOC DRIVES - (2)	\$25,000.00
	CLARI TRAC REPAIRS - (2)	\$15,000.00
(2)	<u>DISTRIBUTION & COLLECTION</u>	
	CLARKS CREEK REBUILD UPGRADE	\$200,000.00
	LIFT STATION GENERATOR-COUNTRY CLUB	\$75,000.00
	LIFT STATION GENERATOR-27 WEST	\$50,000.00
	POPLAR STREET SEWER LINE	\$60,000.00
	HOYLE STREET GRAVITY LINE	\$75,000.00
	SOUTHFORK CROSSING	\$75,000.00
(3)	<u>WASTEWATER TREATMENT PLANT</u>	
	REBUILT #3 PUMP HEAD	\$25,000.00
	DAF PARTS	\$64,500.00
	AERATION BASIN DIFFUSER HEAD	\$100,000.00
	ROAD REPAIR	\$45,000.00
	GARAGE ROOF	\$30,000.00
	#3 DIGESTER LID	\$100,000.00
	WATER & SEWER FUND TOTAL	\$1,029,500.00
2021-22 - CAPITAL OUTLAY - ELECTRIC		
(1)	<u>ELECTRIC FUND</u>	
	YARD MACHINE	\$150,000.00
	LINE REEL	\$20,000.00
	GASTON STREET IMPROVEMENTS	\$100,000.00
	TRAFFIC CONTROLLER	\$60,000.00
	SMART PHONES - (3)	\$3,000.00
	WASH PIT	\$100,000.00
	ELECTRIC FUND TOTAL	\$433,000.00

GLOSSARY OF TERMS

**** ABC Law Enforcement:** By contract with the ABC Board, the Lincoln Police Department enforces the ABC Statutes in the corporate limits for a fee.

**** ABC Revenue:** A portion of the profits from the operation of the Lincoln Alcohol Beverage Control System.

**** Ad Valorem Levy:** Revenue accounts showing taxes paid on real property and personal property, to include property of public service companies allocated by the Ad Valorem Tax Division of the State Department of Revenue.

**** Alcohol/Beverage Tax:** A per-capita share of the taxes collected by the State of North Carolina on the sale of beer and wine.

**** Appropriation Fund Balance:** The amount of fund balance appropriated as a revenue for a given fiscal year to offset operating expenses that exceed current revenue.

**** Bond:** A written promise to pay a specified sum of money (principal) at a specific future date, along with periodic interest payments paid at a specified percentage of the principal.

**** Budget Message:** The opening section of the budget that provides the City Council and the public with a general summary of the most important aspects of the budget, and the views and recommendations of the City Manager.

**** Capital Expense:** Expenditures available for the acquisition of capital assets, including the cost of land, buildings, permanent improvements, machinery, large tools and equipment.

**** Cemetery Lot Sales:** Fees collected through the sale of cemetery lots at Hollybrook Cemetery.

**** Connection Charges:** To record the charges for connecting to the city water or sewer systems.

**** Contingency:** A budgetary reserve set aside for emergencies or unforeseen expenditures not otherwise budgeted.

**** Contra-Administration:** A contra expense account for recording reimbursement payments from one fund to another that are based on the actual cost of providing a specific fund various services.

**** Credit Card Expense:** Merchant fees associated with the acceptance of customer's credit cards.

GLOSSARY OF TERMS

**** Debt Service:** The City's obligation to pay the principal and interest of all bonds and other debt instruments according to a pre-determined payment schedule.

**** Depreciation:** The process of estimating and recording the lost usefulness, expired useful life, or diminution of service from a capital asset that cannot or will not be restored by repair and must be replaced. The cost of the capital asset's lost usefulness is the depreciation or the cost to the reserve to replace the item at the end of its useful life.

**** Discount on Taxes:** A contra revenue account for recording the discounts earned by tax payers who pay prior to September of each year.

**** Electric Current/Municipal Operations:** To record the cost of electric energy used by municipal operations.

**** Electric Utility:** To record revenue on the retail sale of electric energy.

**** Enterprise Administration:** Funds paid to reimburse another fund based on the actual cost of providing services.

**** Enterprise Fund:** A type of fund that accounts for governmental operations that are financed and operated in a manner similar to private business enterprises. It is financed primarily from charges to users for services provided. Included in this category are the water and sewer and electric funds.

**** FICA:** The Social Security and Medicare tax governed by Social Security Administration which is paid by the City based on a percentage of employees' wages.

**** Fire Department Fees:** Revenue derived by fee schedule for burning permits, construction, service and inspections, etc.

**** Franchise Tax:** State shared revenues. Collected by the North Carolina Department of Revenue and returned to municipal governments as authorized by the General Assembly.

**** General Fund:** Is a type of governmental fund used to account for operations of the City, which are not accounted for in the enterprise fund. The primary sources of revenue for this fund are property taxes and state-shared revenues.

**** Health Admin Cost:** Third party administration fees and city's portion of the self-insured deductible amount.

**** Interest-Investment:** To record revenues collected on the investment of idle funds.

GLOSSARY OF TERMS

**** Interest on Taxes:** To record the penalties on taxes collected after January 1 of each year.

**** Local Sales & Use Tax:** A tax levied on the taxable sales of all final goods. The State of North Carolina levies a sales tax and allows counties to levy an additional sales tax amount. Lincoln County levies a sales tax and distributes the proceeds on a per capita basis with jurisdictions within the County.

**** Miscellaneous:** Authorized to pay expenses not otherwise defined.

**** Miscellaneous Revenue:** To record all unusual cash collected for accidents, petty cash receipts for copies and other incidental charges, etc.

**** Occupancy Tax Fund:** This fund is to account for occupancy tax revenue to be used for tourism related purposes.

**** Officers Fees:** Revenues returned to the city for police services by the courts.

**** Online Convenience Fees/Payments:** Costs associated with the online utility bill program.

**** OPEB:** The acronym used for Other Post Employment Benefits.

**** Payment in Lieu of Taxes (PILOTs):** Money transferred from an enterprise fund or an outside non-profit agency into the General Fund. The principle underlying such transfers is that the City would have received the equivalent amount in taxes had the service been provided by a private firm.

**** Powell Bill Street Allocation:** Funding from state-shared gasoline tax which is restricted for use on maintenance of local streets and roads.

**** Prior Year Taxes:** Collection of delinquent taxes and to record discoveries.

**** Property and Casualty Insurance:** Premiums paid by the City for property, auto, general liability and other insurance coverages.

**** Rate Stabilization:** A contribution from the electric fund used to reserve funds being accumulated to stabilize electric rates.

**** REC Fees:** Parks and Recreation revenues derived by fee schedule for admissions, concessions, entry and rental fees.

**** Rental Fees:** To record the fees paid by local cable and telephone companies for the use of the city electric utility poles and water tower.

GLOSSARY OF TERMS

**** REPS:** The acronym used for Renewable Energy Portfolio Standards.

**** Retirement:** The City's contribution to N.C. Local Governmental Employees' Retirement System that is based on a percentage of Employees' wages.

**** Retirement:** 401(k) Officers – mandated contribution for certified police officers to a 401(k) plan.

**** Reverse 911 Charges:** Annual cost to operate emergency notification system.

**** Salary:** Salary line item includes the actual salary/wage of each employee plus overtime anticipated, market adjustment, longevity pay and end of the year bonus.

**** Sale of Property/Capital Assets:** To record the revenue derived from the sale of surplus property.

**** Sale of Recyclables:** A portion of the funds collected from the sale of materials collected through the City's contractual recycling program.

**** Sewer Utility:** To record the user fees for the sale of sewer services.

**** Special Revenue Fund:** A fund used to account for the revenues from specific sources that are to be used for legally specified expenditures.

**** SRO Reimbursement:** The acronym used for School Resource Officer.

**** Telephone:** Department monthly billing for re-occurring telephone charges, including long distance, ethernet charges, credit card, cellular phone, and pro-rated lease or lease/purchase fees.

**** Training and Business Expense:** Department expense for training, travel, mileage, and other business expenses authorized by the Personnel Policy.

**** Utility Receivables:** Revenues collected on bad debt from outside sources.

**** Water Utility:** To record the user fees for the sale of water.

**** Workers Compensation Insurance:** Premiums paid by the city to have workers compensation coverage for the employees.

**** Zoning Department Fees:** Revenue derived by fee schedule for zoning permits, conditional use permits, etc.



CITY OF LINCOLNTON

SCHEDULE OF FEES

2021-22

ADMINISTRATIVE FEES		
Per copy fee	\$.10 per page	
FINANCE DEPARTMENT		
Hollybrook Cemetery Lot Sales	Resident	Non-Resident
Per Burial Space	\$600.00	\$1,200.00
Second Right Interment	\$300.00	\$600.00
Hollybrook Cemetery Niche Sales		
Per Niche	\$800.00	\$1,400.00
Second Right Interment		
Per Niche	\$400.00	\$400.00
Engraving	\$125.00	\$125.00
Niche Opening After Initial Inurnment	\$200.00	\$200.00
Per Burial Space	\$600.00	\$1,500.00
Employees and retirees who do no reside in the city limits qualify for city resident rate for immediate family household members only. Active employees must be full time and shall have worked two years in order to qualify for the discount.		
8:30 am until 3:00 pm. In the event of an internment on weekends or Holidays, the provider funeral home shall pay a service fee to the City to cover personnel costs.	\$150.00	\$150.00

FEES ASSOCIATED WITH UTILITY SERVICE		
Utility Deposits	Inside City	Outside City
Temporary Hydrant Meter Deposit	\$200.00	\$400.00
Residential Water and/or Sewer Deposit	\$50.00	\$100.00
Residential Electric Deposit	\$250.00 Flat Rate	
Note: Residential owners of real property providing proof of ownership will be exempt from utility deposits; renters having 24 months of good payment history with City of Lincolnton will also be exempt.		
Business Water and/or Sewer Deposit	\$50.00	\$100.00
	Or two (2) times the monthly average bill for the location, whichever is greater.	
Business Electric Deposit	\$250.00	
Note: Business owners of real property providing proof of ownership will be exempt from utility deposits.	Or two (2) times the monthly average bill for the location, whichever is greater.	



CITY OF LINCOLNTON

SCHEDULE OF FEES

2021-22

Returned Check Charge	\$25.00
Default and/or Reconnect Fee	\$50.00
After Hours Default and/or Reconnect Fee (if utility services are restored on weekends, holidays or after 4:30 pm on normal weekdays of the Utility Billing Office.)	\$75.00
Late Fee (For payment after due date, but before disconnection)	\$25.00 or 5% of the total bill, whichever is greater.
Same Day Service Connection	\$50.00
Meter Tampering-Civil Citation	
Broken Lock-Civil Citation	
First Offense	\$100.00
Second Offense	\$200.00
Third and Subsequent Offenses	\$500.00 plus estimated water or electric usage
Meter Test Charge (no charge if meter is defective)	\$150.00/Residential meter \$250.00/Demand meter
Temporary Electric Construction Service Charge	\$50.00
In and out' Electric Service Charger	Cost will be determined
Meter Fee-Residential	\$225.00
If meters are present, whether or not they are turned on or off, minimum charges apply. If customer prefers not to pay minimum charges, the meter will be removed and a \$100.00 reinstallation fee will apply when reinstalled.	\$450.00

ELECTRIC RATES	
(All electric rates are subject to sales tax.)	
Residential	
Facilities Charge:	\$13.16
Energy Charge:	
First 350 kwh @	.1093 per/kwh
Next 950 kwh @	.1179 per/kwh
All Over 1300 kwh @	.1232 per/kwh
Small General Service (Less than 100 KW demand)	
Facilities Charge:	\$27.16
Demand Charge:	
First 30 kw of billing demand	N/C
All Over 30 kw of billing demand	\$7.44 per kw
Energy Charge:	
First 3000 kwh @	.1537 per/kwh
All Over 3000 kwh @	.0829 per/kwh



CITY OF LINCOLNTON

SCHEDULE OF FEES

2021-22

Medium General Service (100-199 KW demand)		
Facilities Charge:		\$39.78
Demand Charge:	All kw of billing demand	\$8.50 per kw
Energy Charge:	All kwh	.00729 per/kwh
Large General Service (200+ KW Demand)		
Facilities Charge:		\$52.41
Demand Charge:	All kw of billing demand	\$11.35 per kw
Energy Charge:	All kwh	.0628 per/kwh
New Large Load Commercial (Must equal or exceed 500 kw but be less than 3000 kw during at least nine months of a twelve-month period.) (Applies only to new customers after January 7, 2010)		
Basic Facilities Charge:		\$348.19
Demand Charge:	Summer (Jun-Sept)	\$23.00 per kw
	Winter (Oct - May)	\$ 4.18 per kw
Energy Charge:	First Energy Block	0.0529 per kwh
	Additional Energy Block	0.0529 per kwh
OP - 10 - 1 Commercial (Must equal or exceed 100 kw but be less than 500 kw during at least nine months of a twelve month period.) (Applies only to new customers after June 2, 2011)		
Basic Facilities Charge:		\$184.23
Demand Charge:		\$18.43 per kw
Monthly Billing Demand:	On - Peak Summer (Jun-Sept)	\$3.68 per kw
	On - Peak Winter (Oct-May)	\$1.23 per kw
	Excess Demand (All Months)	
Energy Charge:	Summer (Jun-Sept)	
	On - Peak	0.0515 per kwh
	Off - Peak	0.0491 per kwh
	Winter (Oct-May)	
	On - Peak	0.0491 per kwh
	Off - Peak	0.0429 per kwh



CITY OF LINCOLNTON

SCHEDULE OF FEES

2021-22

RENEWABLE ENERGY PORTFOLIO STANDARDS (REPS) CHARGES			
Monthly electric charges for each meter computed under the City's applicable electric rate schedule will be increased by an amount determined by the table below:			
<u>Customer Account Type</u>	<u>Renewable Resources</u>	<u>DSM/Energy Efficiency</u>	<u>Total REPS Charge</u>
Residential Account	\$0.77	\$0.00	\$0.77
Commercial Account	\$4.19	\$0.00	\$4.19
Industrial Account	\$43.15	\$0.00	\$43.15
Exceptions			
<u>Industrial and Commercial Customers Opt-out</u>			
All industrial customers, regardless of size, and large commercial customers with usage greater than one million kwh's per year can elect not to participate in City's demand-side management and energy efficiency measures in favor of its own implemented demand-side management and energy efficiency measures by giving appropriate written notice to the City. In the event such customers "opt-out", they are not subject to the DSM/Energy Efficiency portion of the charge above. All customers are subject to the Renewable Resources portion of the charges above.			
RENEWABLE ENERGY GENERATION			
Renewable Energy Generation (REG) - wind, biomass or solar photovoltaic credits into a single set of on and off-peak rates.			
<u>Variable (1 year)</u>		<u>Credit (\$/kwh)</u>	
ALL REG			
		On - Peak	0.0287
		Off - Peak	0.0105

YARD LIGHT RATE TABLE		
Description	Minimum	Tax
Yard Light 7500 100W or 40W LED	\$14.00	7%
Yard Light 50000 HPS (400W) - Flood Light	\$25.00	7%
Road/Entrance Light 72 W LED	\$30.00	7%
Road/Entrance Light 160W LED	\$36.00	7%
Specialty/Decorative lights quoted per project	TBD	7%



CITY OF LINCOLNTON

SCHEDULE OF FEES

2021-22

WATER RATES		
Residential	Inside City Limits	Outside City Limits
Minimum Bill - 2,000 gallons	\$16.55	\$33.10
All Over 2,000 gallons	\$4.48/1,000	\$8.96/1,000
Commercial & Industrial		
Minimum Bill - 2,000 gallons	\$16.55	\$33.10
Next 4,998,000 gallons	\$4.54/1,000	\$9.20/1,000
All Over 5,000,000 gallons	\$2.81/1,000	\$4.60/1,000
Industrial (Textile Based)		
Minimum Bill - 2,000 gallons	\$10.99	\$21.98
Next 4,998,000 gallons	\$3.03/1,000	\$6.12/1,000
All Over 5,000,000 gallons	\$1.52/1,000	\$3.06/1,000

SEWER RATES		
Residential	Inside City Limits	Outside City Limits
Minimum Bill - 2,000 gallons	\$24.77	\$49.54
Next 4,998,000 gallons	\$7.40/1,000	\$16.04/1,000
All Over 5,000,000 gallons	\$5.02/1,000	\$8.00/1,000
Industrial (Textile Based)		
Minimum Bill - 2,000 gallons	\$16.47	\$32.94
Next 4,998,000 gallons	\$4.92/1,000	\$10.65/1,000
All Over 5,000,000 gallons	\$2.46/1,000	\$5.33/1,000

WATER AND SEWER CONNECTION FEES		
Water Connection Fees	Inside City	Outside City
3/4" Water Connection	\$900.00	\$1,800.00
1" or Larger Water Connection (plus availability fee, if applicable, of \$8.33 per lineal foot of road frontage. If more than one road frontage, we use the longest frontage for calculation purposes - measure from property line to property line)	\$1,200.00	\$2,400.00
Meter Fee - 3/4 inch line	\$300.00	\$300.00
Meter Fee - 1 inch line	\$450.00	\$450.00
Meter Fee - 1.5 inch line	\$1,050.00	\$1,050.00
Meter Fee - larger than 2 inch line (pricing based on actual size)	\$1,200.00	\$1,200.00
Irrigation Meter Connection Fee	\$600.00	\$1,200.00

For all water connections where the contractor/developer/owner installs all City specified infrastructure, and donates these facilities to the City for ownership, operation, and maintenance, 50% of the applicable connection fee will apply. All connections larger than one inch are the responsibility of the contractor/developer/owner, per city specifications.



CITY OF LINCOLNTON SCHEDULE OF FEES 2021-22

Sewer Connection Fees	Inside City	Outside City
Standard 4" Sewer Connection (any sewer connection exceeding 4" requires payment of an availability fee)	\$800.00	\$1,600.00
Larger than standard 4" sewer connection will be connection fee plus availability fee, if applicable, of \$10.67 per lineal foot of road frontage. If more than one road frontage, we use the longest frontage for calculation (measure from property line to property line.)	\$1,000.00	\$2,000.00
Force Main Sewer Application Fee (Applicant must follow requirements in Permission to Construct Application Form and Permission to Connect/Operate Form prior to approval to connect to sewer system.)	\$1,200.00 (non-refundable)	\$2,400.00 (non-refundable)

Note:

All connections to the city sewer system are the responsibility of the contractor/developer/owner, per city specifications. For all sewer connections where the contractor/developer/owner extends facilities and installs all city specified infrastructure, and donates these facilities to the city for ownership, operation, and maintenance, 50% of the applicable connection fee will apply. The City will provide the tapping saddle and will inspect the line before covering.

SEWER USE ORDINANCE FEES

Penalties between \$10,000 and \$25,000 per day per violation may be assessed against a violator:

For any class of violation, only if a civil penalty has been imposed against the violator within the five years preceding the violation, or

In the case of failure to file, submit, or make available, as the case may be, any documents, data, or reports required by this ordinance, or the orders, rules, regulations and permits issued hereunder, only if the POTW Director determines that the violation was intentional and a civil penalty has been imposed against the violator within the five years preceding the violation.

Civil Penalties:

Any user who is found to have failed to comply with any provision of this ordinance, or the orders, rules, regulations and permits issued hereunder, may be fined up to twenty-five thousand dollars (\$25,000) per day per violation.

Wastewater Treatment Industrial Waste Surcharges

BODS->350 mg/liter	\$0.23 mg/liter
TSS->350 mg/liter	\$0.73 mg/liter
NH3 (Ammonia)->20 mg/liter	\$1.50 mg/liter



CITY OF LINCOLNTON SCHEDULE OF FEES 2021-22

Bulk Water Sales	
All prepayments are non-refundable and will be honored for 30 days, or the number of loads per-purchased, whichever comes first. The delivery point will be the City of Lincolnton Water Treatment Plant at 1338 Reepsville Road, Lincolnton, NC 28092; phone (704) 736-8970. The Water Treatment Plant will be open for sales Monday-Friday 8:30 am to 3:00 pm.	
0-4,000 gallons	\$20.00 Minimum (per trip)
4,001 & up	\$5.00/1,000
Unapproved bulk water use	
First Offense	\$250.00
Second Offense	\$300.00 and report as theft to Police Department

Electric Utility Rebates	
High Efficiency Electric Heat Pump Rebate	\$400.00 (Until further notice)
High Efficiency Electric Water Heater Rebate	\$150.00 (Until further notice)
Commercial Lighting Rebate	\$0.35 per watt saved (Maximum rebate \$25,000 per customer until further notice)
Renewable Energy Generation Credits	
(Monthly credits are paid according to the type of renewable generation.)	
Wind and Biomass Energy Credit	Details & Rates available upon request
Solar Photovoltaic Energy Credit	

ONLINE CONVENIENCE FEE	
Online Debit/Credit Card Convenience Fee	Posted Online * fee subject to change

MOTOR VEHICLE FEE	
Fee for each vehicle registered in City for property tax	\$20.00 ea.

PUBLIC WORKS	
95 Gallon Roll Out	\$65.00 each



CITY OF LINCOLNTON

SCHEDULE OF FEES

2021-22

FIRE DEPARTMENT	
(New fees adopted by City Fire Department will become effective July 1, 2019)	
ABC Permit (change of use, renter or business requiring ABC permit fire inspection)	\$100.00
Amusement Buildings	\$100.00
Aviation Facilities	\$100.00
Carnivals and Fairs	\$100.00
Burning Permits	
Residential and Farms	\$5.00
Burning for fire department training	N/A
Bon Fire	\$25.00
Commercial (must meet all State, NCBCFPC and this ordinance guidelines)	
Clearing of lots to build houses (per lot fee)	\$25.00
Clearing of lots to build commercial and industry (per site fee)	\$300.00
Carnivals, Circus & Fairs (Permit and Site Inspection)	\$100.00
Covered Mall Buildings	\$150.00
Combustible dust producing operations	\$100.00
Display of Gasoline-powered equipment in covered malls	\$50.00
Exhibit and Trade Shows	\$50.00
Explosives & Blasting Permits	
48 hours	\$100.00
90 days	\$250.00
Year-round storage and manufacturing permits	\$500.00
Fireworks for public display, outdoors (Permit & Site Inspection)	\$250.00
Fireworks for public display, indoors (Permit & Site Inspection)	\$500.00
Fireworks: Pyrotechnic Special Effects Materials (Permit & Site Inspection)	\$100.00
Fireworks Display (Fireworks on display for sale)	
7 Day Permit (Permit & Site Inspection)	\$150.00
14 Day Permit (Permit & Site Inspection)	\$250.00
30 Day Permit (Permit & Site Inspection)	\$450.00
Flammable and Combustible Permits	
Fumigation and thermal insecticidal fogging	\$100.00
Hazardous Materials (Permit & Site Inspection)	\$150.00
HPM Facilities (Permit & Site Inspection)	\$150.00
High-piled or High-rack storage (Permit & Site Inspection)	\$150.00
Liquid or gas fueled vehicles or equipment in assembly buildings	\$100.00
Open flames and candles (churches are exempt)	\$50.00
Organic Coatings (Permit & Site Inspection)	\$100.00
Places of Assembly (churches are exempt)	\$100.00
Pyrotechnic Special Effects Material and Shows	\$100.00
Pyroxylin Plastic (Permit & Site Inspection)	\$100.00
Special Assemblies such as Gun Shows, Craft Shows, etc.	\$50.00
Spraying or Dipping Operations	\$100.00
Storage of scrap tires and tire by-products	\$100.00



CITY OF LINCOLNTON SCHEDULE OF FEES 2021-22

Tire Rebuilding Plants	\$100.00
Waste Handling (wrecking yards, junk yards, waste handling facilities)	\$100.00

*** Tents and Canopies	
Tents for public usage exceeding 400 sq. feet	\$50.00
Use of air structures	\$50.00
Temporary kiosks or display for merchandising	\$50.00
Fire Flow Test	\$25.00
Hydrant Installations (private contractors only)	\$50.00
Wasted Trip Fee for Permit Inspections (not having everything ready)	\$75.00
After Hours Inspection Fee	
1st hour	\$100.00
Each 1/2 hour after 1st hour	\$50.00
Any person or contractor beginning work on any project requiring a permit prior to obtaining that permit will be subject to a Civil Citation and Double Permit Fee.	

SERVICE AND INSPECTION FEE SCHEDULE	
Boarding Houses	\$25.00
Day Care Centers	\$25.00
Dormitories	\$50.00
Family Care Homes	\$25.00
Foster Homes	\$25.00
Fraternities and Sororities	\$50.00
Institutional (Health Care Facilities)	
Group Homes (5 or less)	\$25.00
Group Homes (6 or more)	\$50.00
Hospitals	\$50.00
Nursing Homes	\$50.00
Rest Homes	\$50.00

SERVICE AND PERMIT FEE SCHEDULE FOR CONSTRUCTION PERMITS	
A permit is required to install, repair damage to, abandon, remove, place temporarily Out of service, close, or substantially modify a system.	
Automatic Fire-Extinguishing Systems	\$100.00
Battery Systems (Install Stationary Storage Battery Systems Liquid Cap. > 50 Gal.)	\$100.00
Compressed Gases (When Gases in Use or Storage Exceed Amounts Listed in Table 105.6.8)	\$100.00
Cryogenic Fluids	\$100.00
Fire Alarm and Detection Systems and Related Equipment	\$100.00
Fire Pumps and Related Equipment	\$100.00
Standpipe Systems	\$100.00

CITY OF LINCOLNTON
SCHEDULE OF FEES
2021-22

Flammable and Combustible Liquids (to install, construct, and/or alter)	\$100.00
Hazardous Materials (Install, Repair, Abandon, Remove, Place Temp. out of service, Close/Modify)	
Industrial Ovens	\$100.00
LP Gas Systems (If required by NC Dept. of Agriculture & Consumer Services)	\$100.00
Storage Tanks used for Flammable/Combustible Liquids or Hazardouse Materials (Aboveground and Underground)	
REMOVAL (per tank)	\$50.00
NEW INSTALLATIONS (per tank)	\$50.00
Inspection of the retrofitting of storage tanks and pipes containing or used for flammable or combustible liquids or hazardous materials	\$50.00
***Tents, Membrane Structures, Canopies, Kiosks, and Inflatable Structures Tents and Membran Structures exceeding 400 sq. ft. Canopy Structures exceeding 700 sq. ft. (open sides) Clusters of Small Canopy Tents-exceeding 700 sq. ft. without any separation	
** Any Person or Contractor Beginning Work On Any Project Requiring a Permit Prior to Obtaining That Permit Will Be Subject To a Civil Citation <u>and</u> Double Permit Fees.	
Preliminary Plans Review	
Up to 5,000 sq. ft.	\$25.00
5,001 to 10,000 sq. ft.	\$50.00
10,001 to 25,000 sq. ft.	\$125.00
25,001 to 100,000 sq. ft.	\$250.00
Over 100,000 sq. ft.	\$500.00
Additional Departmental Fees (Plan Review Cost is based on Sq. Footage Plus Permits)	
Amusement Structure Inspection and Permit (Haunted Houses & Trails Included)	\$75.00
Commercial Fire Alarm System Inspection (Performance Testing)	\$75.00
Environmental Survey Fee (checking for previous sites of possible contamination)	\$75.00
Fire Pump System Inspection, Performance Testing	\$75.00
Fuel Pump Dispenser Inspection & Permit (including nozzle replacement)	\$75.00
Kitchen Hood System Inspection - Including Performance Test	\$75.00
Hydrant Test Other Than a Flow Test	\$50.00
Hydrant Flow Test (Per Hydrant)	\$50.00
Occupancy Load Permit Evaluation and Placard (Lost Placard)	\$50.00
Other Fire Protection System Inspection and Performance Testing	\$100.00
Spray Booth System Inspection Including Performance Testing	\$100.00
Special Inspection	\$100.00
Sprinkler System Inspection Including Performance Testing	\$100.00
Standpipe System Inspection Including Performance Testing	\$100.00
Wasted Trip Fee for Permit, Inspections, or Requested Inspections	\$100.00
Fees for State Mandated Periodic Fire Inspections (Ordinary Risk Occupancies) 36 months Small Assembly-Group A / Business-Group B / Mercantile-Group M / Storage-Group S / Utility-Group U	Amount Per Building
Less than 501 sq. feet	\$25.00



CITY OF LINCOLNTON SCHEDULE OF FEES 2021-22

501 to 2,500 sq. feet	\$50.00
2,501 to 10,000 sq. feet	\$75.00
10,001 to 20,000 sq. feet	\$100.00
20,001 to 40,000 sq. feet	\$125.00
40,001 to 80,000 sq. feet	\$150.00
80,001 to 120,000 sq. feet	\$175.00
120,001 to 150,000 sq. feet	\$200.00
150,001 to 200,000 sq. feet	\$225.00
200,001 sq. feet and >	\$250.00
During 1st Re-Inspection - No Re-Inspection Fee if All Violations Corrected	
If During Re-Inspections Violations Have Not Been Corrected or Cleared an Additional Fee Will be Assessed for Each Re-Inspection in Addition to the Original Fee.	Per Building \$25.00
During 2nd Re-Inspection - No Re-Inspection Fee if All Violations Corrected	
If During Re-Inspections Violations Have Not Been Corrected or Cleared an Additional Fee Will be Assessed for Each Re-Inspection in Addition to the Original Fee + Re-Inspection Fee.	Per Building \$25.00
Fees for State Mandated Periodic Fire Inspections (Moderate Risk Occupancies) 24 months Educational-Group E Private Schooles / Factory/Industrial-Group F / Educational-Group E Public Schools (see footnote 9 & 15)	Amount Per Building
Less than 501 sq. feet	\$25.00
501 to 2,500 sq. feet	\$50.00
2,501 to 10,000 sq. feet	\$75.00
10,001 to 20,000 sq. feet	\$100.00
20,001 to 40,000 sq. feet	\$125.00
40,001 to 80,000 sq. feet	\$150.00
80,001 to 120,000 sq. feet	\$175.00
120,001 to 150,000 sq. feet	\$200.00
150,001 to 200,000 sq. feet	\$225.00
200,001 sq. feet and > (plus)	\$250.00
During 1st Re-Inspection - No Re-inspection fee if all violations are corrected or cleared from first inspection	
If During Re-Inspections Violations Have Not Been Corrected or Cleared an Additional Fee Will be Assessed for Each Re-Inspection in Addition to the Original Fee.	Per Building \$25.00
If During Re-Inspections Violations Have Not Been Corrected or Cleared an Additional Fee Will be Assessed for Each Re-Inspection in Addition to the Original Fee + Re-Inspection Fee.	Per Building \$25.00
Fees for State Mandated Periodic Fire Inspections (High Risk Occupancies) Inspected every 12 months	Per Building



CITY OF LINCOLNTON

SCHEDULE OF FEES

2021-22

Educational/Day Care-Group E Institutional - Group I, R-4, and R-3 Group Homes	Amount
Licensed for 0 to 25	\$25.00
Licensed for 26 to 50	\$50.00
Licensed for 51 to 75	\$75.00
Licensed for 76 to 100	\$100.00
Licensed for 101 to 125	\$125.00
Licensed for 126 to 150	\$150.00
Licensed for 151 to 175	\$175.00
Licensed for 176 to 200	\$200.00
Licensed for 201 to 225	\$225.00
Licensed for 226 Plus	\$250.00
During 1st Re-Inspection - No Re-Inspection Fee if All Violations Corrected	
If During Re-Inspections Violations Have Not Been Corrected or Cleared an Additional Fee Will be Assessed for Each Re-Inspection in Addition to the Original Fee.	Per Building \$25.00
During 2nd Re-Inspection - No Re-Inspection Fee if All Violations Corrected	
If During Re-Inspections Violations Have Not Been Corrected or Cleared an Additional Fee Will be Assessed for Each Re-Inspection in Addition to the Original Fee + Re-Inspection	Per Building \$25.00
Hospitals - (Per Building)	Amount
1st Inspection	\$125.00
2nd Inspection	\$150.00
3rd Inspection	\$300.00
Fees for State Mandated Periodic Fire Inspections (High Risk Occupancies) Inspected every 12 months	Per Building
Residential - Group R-1 (# sleeping rooms) / R-2 (inspect common area use only) Number of Sleeping Rooms	Amount
Rooms 1 to 30	\$25.00
Rooms 31 to 50	\$50.00
Rooms 51 to 75	\$75.00
Rooms 76 to 99	\$100.00
Rooms 100 to 125	\$125.00
Rooms 126 to 175	\$150.00
Rooms 176 to 199	\$175.00
Rooms 200 to 250	\$200.00
251 + Rooms	\$250.00
During 1st Re-Inspection - No Re-Inspection Fee if All Violations Corrected	
If During Re-Inspections Violations Have Not Been Corrected or Cleared an Additional Fee Will be Assessed for Each Re-Inspection in Addition to the Original Fee.	Per Building \$25.00
During 2nd Re-Inspection - No Re-Inspection Fee if All Violations Corrected	
If During Re-Inspections Violations Have Not Been Corrected or Cleared an Additional Fee Will be Assessed for Each Re-Inspection in Addition to the Original Fee + Re-Inspection	Per Building \$25.00
High Rise- (inspect common use and service areas only)	Amount
1st Inspection	\$125.00
2nd Inspection (If all Violations are Corrected or Cleared no Charge) If Not--	\$150.00



CITY OF LINCOLNTON

SCHEDULE OF FEES

2021-22

3rd Inspection (If all Violations are Corrected or Cleared no Charge) If Not--	\$300.00
Civil Citations and Fines - Any Violation Incurred More Than a Year After Issuance of the Initial Citation Shall be Treated as a First Offense for Purpose of Establishing and Imposing Penalties.	
<i>Violations as Listed in the City of Lincolnton FPAPD and NC SBCFPC</i>	Amount
All Open Burning Violations Listed in the COL FPAPD and NC SBCFPC May Receive a Warning or a Civil Citation	
1st Offense	\$50.00
2nd Offense	\$100.00
3rd Offense	\$200.00
All Fire Lane, Hydrant, Haz-Mat Signs, and False Alarm Violations May be Issued a Warning or Civil Citation.	
1st Offense	\$50.00
2nd Offense	\$100.00
3rd Offense	\$200.00
All Violations of NC SBCFPC and/or COL FPAPD Not Listed in This Section May be Subject to a Warning or Civil Citation	
1st Offense	\$50.00
2nd Offense	\$100.00
3rd Offense	\$200.00
All Violations of the Occupancy Limit Established Pursuant to the NC SBCFPC May be Issued a Warning or Civil Citation	
1st Offense	\$150.00
2nd Offense	\$250.00
3rd Offense and Each Offense After	\$500.00
All Violations of the Locked or Blocked Exits to the NC SBCFPC <u>Shall</u> be Issued a Warning or Civil Citation	
1st Offense	\$150.00
2nd Offense	\$250.00
3rd Offense and Each Offense After	\$500.00
Life Safety Equipment Installed Without Permit	\$250.00
Life Safety Equipment Installed Without Plans	\$250.00
<i>Occupying a Structure Without a Certificate of Occupancy (Each Day)</i>	\$250.00



CITY OF LINCOLNTON SCHEDULE OF FEES 2021-22

Occupancy Notes:	
1) The Building and/or Structure Shall Not be Occupied Prior to the Fire Code Official Issuing a Permit and Conducting Associated Inspections Indicating the Applicable Provisions of This Code Have Been Met. This Includes a Change of Occupancy.	
2) All Issued Permits Shall be Kept on the Premises Designated Therein at All Times and Shall be Readily Available for Inspection.	
3) All Occupancy Placards Shall be Posted in Plain Sight Visible to Public.	
4) Permits may be Revoked for Reasons as Listed in the NC SBCFPC and COL FPAPO.	

Special Notes:

COL FPAPO - City of Lincolnton Fire Prevention and Protection Ordinance

NC SBCFPC - North Carolina State Building Code and Fire Prevention Code

* A delinquency charge shall be imposed at a rate determined by the City of Lincolnton Schedule of Fees.

*** The following are exempt from operational fees but the agency must still get the needed operational permits: Churches, Schools, County Operations and Buildings, City Operations and Buildings, Emergency Service Organizations (Fire, Rescue, EMS), City-County-State and Federal Law Enforcement Agencies, Count-City-State and Federal Jails/Detention Centers/Correction Facilities AND Licensed 501c3 agencies.

***NO ONE IS EXEMPT FROM ANY CONSTRUCTION PERMIT FEES OR SPECIAL USE PERMITS ***
EXCEPT AS LISTED IN THE NCBCFP CODE BOOK. The Lincolnton City Council is the only entity who can reduce or exempt rates for construction permits.

*** All Operational Permits are to be valid until next inspection cycle as stated in the NC Fire Prevention Code newest version.

At the time of the next inspection all operational permits for that occupancy will be renewed if they meet the requirements.

Special Notes

* System installation prior to plan to review or permit issuance will result in fees doubled.

* System considered life safety that are installed without a permit will result in a citation/fine being issued for \$250.00.

* All permits listed are mandatory and are required to be issued under the most current edition of the International Fire Prevention Code, NC Amendments.



CITY OF LINCOLNTON SCHEDULE OF FEES 2021-22

Footnotes:

1. For Multi-occupancy buildings, other than residential or institutional, fees are per occupancy.
2. For multiple buildings owned by the same owner(s) the fees are per building as defined by the NC State Building Code.
3. Subsequent re-inspections beyond the second re-inspection with violations not cleared will result in doubled fees with each necessary re-inspection of continuing violations, with no fee cap.
4. High-rise buildings shall be assessed a fee for the common use areas per section C5.
5. Inspections will match the State mandated minimum inspection frequency. The Fire Chief can authorize a specific occupancy classification to be inspected more frequently, but not less frequently.
6. At the time of the periodic inspection for the occupancy or premise operation, if an operational permit is required, that permit fee is included with the periodic inspection fee for that permit type.
7. Lincoln County Schools are inspected every six months, as required by state statute; however, these fees are billed on an annual basis.
8. Premises, complexes, and/or uses that are not covered by the above fee schedule will be charged according to the hourly rate fee schedule for the specialist rank.

Large assembly occupancies used primarily for worship and that are not used for exhibition or display purposes are inspected on a 36 month schedule regardless of occupant load, in accordance with the North Carolina State Fire Code.
10. Parking garages, greenhouses, sheds, stables, tanks, and towers will be charged according to the hourly rate fee schedule for the specialist rank.
11. Accessory buildings, such as clubhouses, maintenance sheds, etc., are inspected independently based on their occupancy type.

Charges for standby personnel and/or equipment shall be charged per section F and G. Permits that are fee exempt or pay a reduced rate are also exempt or pay a reduced fee for these services.



CITY OF LINCOLNTON

SCHEDULE OF FEES

2021-22

PARKS AND RECREATION DEPARTMENT		
FACILITY RENTAL	RESIDENT	NON-RESIDENT
Park Shelter Rental:		
Mon. - Sat. (8:00 a.m. - 7:00 p.m.)	\$50.00	\$75.00
Sunday (3:00 p.m. - 7:00 p.m.)	\$40.00	\$60.00
Staff Fee (per employee) (per hr)	\$25.00	\$25.00
Lentz Center Gym		
I.D.	Free	\$5.00
I.D. Replacement Fee	\$5.00	\$5.00
I.D. Non-Replacement Discount		
Military & Seniors (55 years old & over)	Free	Free
Day Pass (18 and over)	Free	\$2.00
Season Pass - Open Gym Hrs.	N/A	\$100.00
Season Pass - Open Gym Hrs. & Pool	\$35.00	\$150.00
4 Hour Rental	\$100.00	\$150.00
8 Hour Rental	\$200.00	\$300.00
Each Additional Hour	\$25.00	\$38.00
Practice Fee	\$15.00	\$23.00
Staff Fee (per employee) (per hr)	\$25.00	\$25.00
Lentz Center Pool		
2 Hours (1-50 people)	\$125.00	\$175.00
2 Hours (51 - 100 people)	\$150.00	\$200.00
2 Hours (101 - 200 people)	\$225.00	\$350.00
Each Additional Hour	\$50.00	\$75.00
Lentz Center Racquetball Courts		
I.D.	Free	\$5.00
1 Hour (per person)	\$1.00	\$2.00
Softball/Baseball/Soccer Fields		
Night Time Only (Lights) (per hour)	\$20.00	\$20.00
Concession Stand Fee	\$25.00	\$40.00
Staff Fee (per employee) (per hr)	\$25.00	\$25.00
Practice Fee (1.5 hrs)*	\$20.00	\$30.00
Season Fee*	\$500.00	\$750.00
Monthly Fee**	\$50.00	\$75.00
Tournament Fee:		
Per Day (1 Park)	\$200.00	\$200.00
2 Day (1 Park)	\$400.00	\$400.00
Deposit	\$25.00	\$25.00

* At least (1) member on the team must be a resident to receive the "Resident" rate. "Season Fee" will include 2 practices per week. The Director has the authority to add (1-2) additional days if the season does not last more than 6 months.

** Monthly Fee will include (1) 1.5 hrs practice per week.

Lights are not included with Daily, Monthly or Seasonal fees.



CITY OF LINCOLNTON

SCHEDULE OF FEES

2021-22

SPORTS PROGRAMS		RESIDENT	NON-RESIDENT
Youth	Basketball	\$35.00	\$50.00
	Flag Football	\$35.00	\$50.00
	Soccer	\$35.00	\$50.00
	Volleyball	\$35.00	\$50.00
	Dodgeball (Per Team Fee)	\$100.00	\$100.00
	Late Registration Fee	\$10.00	\$10.00
	Youth Sports Camp - Swim Team Camp	\$60.00	\$60.00
	Coaching Incentive (5*)	\$10.00 (Credit)	\$10.00 (Credit)
Adult	Basketball, Softball, Volleyball, Racquetball	\$35.00	\$50.00
	Dodgeball, Pickleball Leagues (Fee according to number of teams)	\$35.00	\$50.00
	Walking Program	Free	Free
	Late Registration Fee	\$10.00	\$10.00
Sponsorship of Leagues (3*)			
	Youth Soccer	\$250.00***	\$250.00***
	Flag Football (Referee Shirts)	\$250.00	\$250.00
	Basketball	\$250.00***	\$250.00***
	Volleyball	\$250.00***	\$250.00***
	Adult Sports League	\$250.00***	\$250.00***
	Easter Egg Hunt (1*)	\$250.00*	\$250.00*
Film/Movie Fee (2*)		\$500.00**	\$500.00**
Banner Program:			
	1 Year	\$250.00	\$250.00
	5 Years	\$1,000.00	\$1,000.00
5K/Relay Races (self-contained races in the park) (4*)			
	For-profit organizations	\$200.00	\$200.00
	Non-profit organizations ****	\$25.00	\$25.00
	Schools	Exempt	Exempt

- 1.) * Will also consider an equal amount of donations for prizes.
- 2.) ** Any filming that disrupts day-to-day operations of the park.
- 3.) *** Sponsorship of one age or group division.
- 4.) **** Must provide non-profit documentation to get price rate.
- 5.) ***** Head coaches will receive a once-per-season \$10.00 off their child's registration fee.

Credit applies to one child's registration only. Coaches that coach more than one team will only be allowed one \$10.00 credit. Coaches with no child, or do not have a child or children playing in the league, may designate their credit to a child's registration of their choosing.



CITY OF LINCOLNTON

SCHEDULE OF FEES

2021-22

POOL PROGRAMS	RESIDENT	NON-RESIDENT
Lentz Center Pool		
Daily Admission	\$2.00	\$3.00
3 & Under	Free	Free
Season Swim Pass		
Family of 4	\$100.00	\$150.00
Each Additional Member	\$25.00	\$35.00
Individual	\$35.00	\$50.00
Lifeguard Training	\$160.00	\$160.00
Lifeguard Training Recertification	\$40.00	\$40.00
Jr. Lifeguarding	\$35.00	\$35.00
Water Aerobics		
Entire Program	\$20.00	\$30.00
Per Session	\$3.00	\$40.00
Group Swim Lessons		
Infant & Toddler	\$20.00	\$20.00
Preschool	\$25.00	\$25.00
Levels 1-6/Adult	\$30.00	\$30.00
Private Swim Lessons (per 1/2 hr)	\$12.50	\$12.50

- * All Security Fees will be determined by the Lincolnton Police Department
- * "Resident" is considered any person(s) living inside the City Limits of Lincolnton, N.C. or owns property. Also, any City of Lincolnton staff (including immediate family) or official will receive the "Resident" rate.
- * All Facility Rental Fees for non-profit organizations will be staff fee only if the Facility is being used Monday-Friday. This only applies to uses/users that do not include fees and/or charges.
- * Schools are allowed to take admission for ball games. All organizations must prove non-profit status..

**FOR QUESTIONS CONCERNING RECREATIONAL FEES PLEASE CALL THE LINCOLNTON
RECREATION DEPARTMENT (704) 735-2671.**



CITY OF LINCOLNTON

SCHEDULE OF FEES

2021-22

OFFENSES & MISCELLANEOUS PROVISIONS		
Civil Citations	First Citation	\$100.00
	Second Citation	\$250.00
	Third and Subsequent Citation	\$500.00
Firearms within city park or building	Class 3 Misdemeanor	Maximum fine of \$200.00 or imprisonment not to exceed 20 days.
Helmets for minors	Class 3 Misdemeanor or infraction defined in article 1 section 14-4 of the General Statutes	A first violation of this section shall be dismissed if the person charged with the violation submits proof that the operator or passenger has acquired a protective helmet meeting the standards for use.
False Alarm Fees	Third through fifth	\$50.00 per occurrence
	Sixth through eighth	\$100.00 per occurrence
	Ninth through eleventh	\$200.00 per occurrence
	Twelfth or more	\$300.00 per occurrence
Unregistered Alarm	Subsequent determination after one-time warning for failure to register alarm	\$50.00 per occurrence
Parking Violations	Initial violation After the third unpaid violation, or a minimum \$75.00 of past due fees will cause a Barnacle Device to be placed on windshield.	\$25.00 (plus an additional \$5.00 every fifteen (15) days not paid. Barnacle Removal Fee - \$50.00 plus any unpaid violations.
Cruising	1st violation to be paid within ten (10) days	\$25.00 (plus an additional twenty-five (\$25.00) delinquency charge upon non-payment)
	2nd citation within a seven (7) day period	Police Officer shall issue to the violator a traffic summons in lieu of a civil citation
Sidewalk Café Permit	Annually	\$35.00
Golf Cart Registration Fee	Annually	\$20.00

Violation of this section shall be punishable by a fine of fifty dollars (\$50.00)



CITY OF LINCOLNTON SCHEDULE OF FEES 2021-22

SPECIAL EVENTS

The City of Lincolnton supports outdoor venues for special events, including festivals, shows, performances and programs. The City will provide baseline support services for pre-approved existing events up to the projected cost according to the schedule below. The event organizers are responsible for support services that exceed the baseline city costs. All other events are subject to approval based on availability of city support services and associated costs according to the fee schedule.

1. Pre-Approved existing special events:
 - a. The city issues permits and is a co-sponsor for pre-approved community events:
 - i. Approved events must have broad community benefit for both residents and merchants, helping to create a vibrant community, adding to the quality of life and contributing to regional state tourism & reputation.
 - ii. Not all events will be approved; new events may be proposed without any guarantee of approval.
 - iii. Event application is required for each event request.
 - iv. City services are provided as an **"in-kind"** donation to support approved community events. In-kind services include street closures & barricades, use of sidewalks, food trucks on public property, sanitation & garbage roll-outs, public safety services from LPD/LFD and clean-up with organizer volunteer assistance.
 - b. Signature Community Events - Pre-Approved to receive in-kind support services, hours listed are for PUBLIC OPERATING hours not including 1 hour set-up & 1 hour tear-down.
 - c. City Celebrations - MLK parade, July 4th parade, July 4th fireworks, Veteran's parade, Christmas parade, Apple Drop
 - i. City absorbs all costs, may seek sponsorships to offset expenses.
2. All other events subject to permit approval and charges per city Special Event Policy.
 - a. Events or activities organized by private or non-profit group(s) that include use of sidewalks (for activity/vendors/performers), food trucks on streets or public property, street closures or barricades, sanitation or garbage rollouts, or public safety services from LPD/LFD require permit approval.
 - b. Event organizers are responsible for clean-up with organizer volunteer assistance.
 - c. This does not include individual merchant or business activity in front of an individual retail store or business location that does not impede sidewalk use.



CITY OF LINCOLNTON SCHEDULE OF FEES 2021-22

3. Runs & races:

- a. Must use approved race routes; no major street/road closures allowed; rail-trail use encouraged.
- b. Organizers must use volunteers to ensure route safety; city will provide cones & supplies but will not staff streets & intersections.
- c. No police escort unless organizer hires & pays off-duty law enforcement directly.
- d. No EMS/EMT or other on-site support services provided unless organizer hires/pays for services directly.

4. City inspection fees for special event tents, cooking locations, etc. are waived for approved and permitted special events.

Special Events Funded by City	
Event	Month
Alive After Five	May, June, July, & August
Winefest	April/May
Cruisin' For A Cause	September
Antique and Vintage Market Day	October
Apple Festival	October
MLK Celebration	January
July 4th Parade	July
July 4th Fireworks	July
Veterans Day Parade	November
Christmas Parade	November
Apple Drop	December

Baseline Public Operational Hours-Signature Events	
Alive After Five (6p-10p)	4 Hour Event
Winefest (11a-5p)	6 Hour Event
Antique & Vintage Market Day (10a-4p)	6 Hour Event
Cruisin' For A Cause	6 Hour Event
Apple Festival (9a-4p)	7 Hour Event
Setup	1 Hour
Tear down	1 Hour
Additional Costs-Not included as part of "in-kind" services	
Per Operational Hour	Per Fee Schedule
Per Set-up/Tear-down Hour	\$150/hour



CITY OF LINCOLNTON SCHEDULE OF FEES 2021-22

Special Events Fees

Note: All venues subject to availability

Events Requiring Main Street Closure- Non-Alcohol	Fee
-First 4 hours Minimum Charge	\$3,000
-Each Additional Operational Hour	\$225/hr
-Each Additional Setup/Tear down Hour	\$150/hr
Events Requiring Main Street Closure-Alcohol Served	Fee
-First 4 hours Minimum Charge	\$4,000
-Each Additional Operation Hour	\$300/hr
-Each Additional Setup/Tear down Hour	\$150/hr
Includes closing of Main Street (100-300 blocks), use of public restrooms.	

Events at Betty Ross Park- Non-Alcohol	Fee
-First 4 hours Minimum Charge	\$1,000
-Each Additional Operational Hour	\$150/hr
-Each Additional Setup/Tear down Hour	\$150/hr
Events at Betty Ross Park- Alcohol Served	Fee
-First 4 hours Minimum Charge	\$1,500
-Each Additional Operation Hour	\$225/hr
-Each Additional Setup/Tear down Hour	\$150/hr
Includes use of upper parking lot, park shelter & shelter restrooms, outdoor basketball, and tennis courts.	

Events at First Federal Park- Non-Alcohol	Fee
-First 4 hours Minimum Charge	\$750
-Each Additional Operational Hour	\$75/hr
-Each Additional Setup/Tear down Hour	\$75/hr
Events at First Federal Park- Alcohol Served	Fee
-First 4 hours Minimum Charge	\$1,000
-Each Additional Operation Hour	\$150/hr
-Each Additional Setup/Tear down Hour	\$150/hr
Includes closure of E Sycamore (100 and 200 blocks) and N Poplar (Main to Pine), use of restrooms and grassy area.	



CITY OF LINCOLNTON SCHEDULE OF FEES 2021-22

Events at Highland Drive Park- Non-Alcohol	Fee
-First 4 hours Minimum Charge	\$750
-Each Additional Operation Hour	\$75/hr
-Each Additional Setup/Tear down Hour	\$75/hr
Events at Highland Drive Park- Alcohol Served	
-First 4 hours Minimum Charge	\$1,000
-Each Additional Operation Hour	\$150/hr
-Each Additional Setup/Tear down Hour	\$150/hr
Includes use of parking lot, park shelter and restrooms.	

Events at City Park- Non-Alcohol	Fee
-First 4 hours Minimum Charge	\$750
-Each Additional Operation Hour	\$75/hr
-Each Additional Setup/Tear down Hour	\$75/hr
Events at City Park- Alcohol Served	
-First 4 hours Minimum Charge	\$1,000
-Each Additional Operation Hour	\$150/hr
-Each Additional Setup/Tear down Hour	\$150/hr
Includes use of parking lot, park shelter and restrooms.	

	Based on Event/Booth Size
Vendor Fees for Events Produced by City of Lincolnton	
-Food Vendors	\$50-250
-Artist/General Vendor	\$25-100
-Winery/Brewery	\$50-300



CITY OF LINCOLNTON

SCHEDULE OF FEES

2021-22

PLANNING AND ZONING ADMINISTRATION	
Abandoned Structures Ordinance	Actual contracted cost to City plus 25% administrative fee
Commercial Maintenance Ordinance	Actual contracted cost to City plus 25% administrative fee
Minimum Housing Ordinance	Actual contracted cost to City plus 25% administrative fee
Nuisance Ordinance	Actual contracted cost to City plus 25% administrative fee
Rezoning Application	\$200.00
Conditional Rezoning Application	\$250.00
Site Plan Review	\$100.00
Board of Adjustment Applications	
Conditional Use Permit (CUP) Application	\$100.00
Variance Application	\$200.00
Interpretation Application	\$200.00
Special Exception Application	\$200.00
Zoning Text Amendment Application	\$200.00
Zoning Permit	
Single and Two-Family Residential	\$50.00
Residential Accessory Use	\$30.00
Multifamily Residential and Non-Residential	\$100.00
Change in Use (Non-residential)	\$40.00
Permit Fee for Application for Backyard Hens	\$50.00
Mowing and Abatement Fees	Actual contracted cost to City plus 25% administrative fee
Sign Permits	\$40.00
Copy of Land Use Plan, Greenway Master Plan & Others	\$25.00
Copy of Zoning Ordinance (UDO)	\$30.00*
Copy of Zoning Map	\$5.00**
Subdivision Filing Fees	
Minor Subdivision Plat	\$100.00
Major Subdivision Preliminary Plat	\$150.00+
(Per Lot)	\$5.00
Major Subdivision Final Plat	\$100.00
Applications for Relief	\$200.00
GIS MAPS (8 1/2 x 11)	\$2.00

* \$.25 per page-less than full copy

** Full or partial copy

Fees could be waived if applicatn complies with NC General Statute 1-110, Suit as a pauper; counsel.

ITEM #

7

REPORTS

ITEM #

7a

Manager's
Report/Activity
Update

Executive Summary**March 2021 Year-To-Date**

General Fund		% of					
Fund 10		Budget 20-21	Actual 20-21	Budget	Budget 19-20	Actual 19-20	Difference
	Revenues	10,911,910	9,751,768	89%	11,543,700	9,426,627	325,141
	Fund Balance	-	-	-	825,000	-	-
		10,911,910	9,751,768		12,368,700	9,426,627	325,141
	City Manager/Clerk	248,220	146,739		222,495	101,474	45,264
	Human Resources	317,020	220,874		262,720	160,259	60,615
	Finance	158,230	33,049		129,630	(63,150)	96,199
	General Expense	1,280,731	970,266		1,103,160	776,874	193,392
	General Debt Service	334,757	61,361		430,632	65,565	(4,204)
	Police	3,400,120	2,556,923		3,223,020	2,376,814	180,109
	Fire	2,234,100	2,362,218		2,364,700	1,758,599	603,619
	Public Works	45,660	20,080		43,010	(33,793)	53,872
	Street	829,825	461,114		1,329,225	622,183	(161,069)
	Equipment Services	211,770	165,337		122,970	72,535	92,802
	Solid Waste	692,375	348,550		908,855	733,515	(384,965)
	General Services	-	-		-	-	-
	Plannin/Zoning	497,239	266,749		557,420	237,472	29,277
	Bus & Comm. Dev	123,200	112,145		423,200	33,715	78,430
	Recreation	1,038,663	683,163		1,247,663	906,021	(222,857)
	Expenses	11,411,910	8,408,567	74%	12,368,700	7,748,082	660,486
	Difference		1,343,201			1,678,545	(335,344)

% of					
Water & Sewer Fund					
Fund 61	Budget 20-21	Actual 20-21	Budget	Budget 19-20	Actual 19-20
	Revenues	6,264,977	77%	7,146,949	5,990,996
Fund Balance	-	-		3,725,010	
	8,146,950	6,264,977		10,871,959	5,990,996
Water Treatment	1,972,500	883,062		1,496,850	901,903
	Dist & Collection	1,539,330		3,652,160	2,613,160
Wastewater	1,625,000	996,123		1,547,000	899,240
	W & S Intangibles	1,019,020		4,175,949	1,191,312
Expenses	9,877,450	4,437,535	45%	10,871,959	5,605,615
Difference		1,827,442			385,381
					1,442,061

% of					
Electric Fund					
Fund 63	Budget 20-21	Actual 20-21	Budget	Budget 19-20	Actual 19-20
	Revenues	7,163,860	92%	7,937,102	6,110,358
Fund Balance	-	-		2,330,000	-
	7,788,350	7,163,860		10,267,102	6,110,358
Electric Dept.	8,696,830	6,046,616		10,267,102	5,971,376
	Expenses	6,046,616	70%	10,267,102	5,971,376
Difference		1,117,244			138,983
					978,261

Overtime 80+ hours

436,033

411,674

24,359