

A G E N D A

LINCOLNTON CITY COUNCIL



October 7, 2021

7:00 p.m.

Council Chambers

City hall



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

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

1. AGENDA APPROVAL

1a. Approval of REGULAR AGENDA

1b. Approval of CONSENT AGENDA

- Approval of Minutes for the September 2, 2021 meeting
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.
- Proclamation – Public Power Week October 3rd – 9th, 2021

2. PUBLIC HEARINGS

2a. CZ-9-2021 – Application from Prestige Acquisitions, LLC requesting the rezoning of approximately 59.8 acres of land from Residential-25 (R-25) district to Planned District (PRD) for the purpose of developing a community of single family detached housing and attached Town Homes. The subject property consists of two lots located at the southeast corner of Startown Road and Clarks Creek Road (Parcel ID 90684 and 151)

Laura Elam, Planning Director

3. REGULAR AGENDA

3a. Approval of newly required OSHA Covid-19 Healthcare Emergency Temporary Standard (ETS) Policy.

Debby Rogers-Lowery, Safety Consultant

(APPT-06-21)

3b. Appointment – Consideration of nominees from area high schools for the 2021-2022 Lincolnton Student Advisory Council

Ed Hatley, Mayor

O-09-21

3c. Amendment to City of Lincolnton Code of Ordinances – Title IX: General Regulations- Chapter 91: Cemeteries – Section 91.18

Nathan Eurey, Public Services Director

4. OTHER BUSINESS

4a. Manager's Report/Activity Update

Ritchie Haynes, City Manger

4b. Consideration/Discussion regarding the City's Christmas Parade, Tree Lighting Ceremony, Employee Luncheon, Boards and Commissions Banquet and Apple Drop Event

Ritchie Haynes, City Manager

PUBLIC COMMENT

Speakers will be limited to three (3) minutes to address Mayor and City Council concerning non-agenda items. You must sign in with the City Clerk to be eligible to speak

NEWS MEDIA

ADJOURNMENT

ITEM #

1

AGENDA

APPROVAL

ITEM #

1a

APPROVAL

OF

REGULAR AGENDA

ITEM #

1b

APPROVAL

OF

CONSENT AGENDA

Approval of
Minutes for the
September 2, 2021
meeting

The Mayor and City Council met in regular session on Thursday, September 2, 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 called the Lincolnton Council meeting to order, pausing for a moment of silence. Mayor Hatley then called the Sons of the American Revolution forwarded to lead the Pledge of Allegiance. The following Council Members were in attendance:

WHITE EADDY POINSETTE

NOTE: *Councilman Roby Jetton WAS NOT in attendance*

Prior to action being taken, Mayor Hatley made a request to add Item #6c - Filing Fees to the regular agenda. Councilwoman POINSETTE made a motion to approve the *REGULAR AGENDA* as amended. Members voted 3-0 in favor of the motion.

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

- Approval of Minutes for the August 5, 2021 meeting
- R-13-21 - Resolution Approving Conveyance of Property
- C-10-21 - Contract for the Antique & Vintage Market Day event

(the aforementioned Resolution and Contract are attached and made an official part of these minutes)

PROCLAMATION FOR CONSTITUTION WEEK 2021

Mayor Ed Hatley called members of the Daughters of the American Revolution, who were accompanied by the Sons of the American Revolution, forward and presented the following proclamation:

PROCLAMATION Constitution Week 2021

WHEREAS, The Constitution of the United States of America, the guardian of our liberties, embodies the principles of limited government in a Republic dedicated to rule by law; and

REGULAR MEETING - SEPTEMBER 2, 2021

WHEREAS, September 17, 2021, marks the two hundred and thirty-fourth anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations which will commemorate it; and

WHEREAS, Public law 915 guarantees the issuing of a proclamation each year by the president of the United States of America designating September 17th through 23rd as Constitution Week,

NOW, THEREFORE, I, Ed Hatley, by virtue of the authority vested in me as Mayor of the City of Lincolnton do hereby proclaim the week of September 17th through 23rd as

CONSTITUTION WEEK

and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Lincolnton to be affixed this 2nd day of September the year of our Lord two thousand twenty-one.

Ms. Barbara Stevens gave brief comments on behalf of the Jacob Forney Chapter of the National Society Daughters of the American Revolution, thanking Mayor Hatley and the City Council for the proclamation and for recognizing the importance of the U.S. Constitution.

ADVANCED LAW ENFORCEMENT TRAINING CERTIFICATE

Mayor Ed Hatley called Police Chief Rodney Jordan and Sergeant Isaiah Matthews forward. Chief Jordan presented Sergeant Matthews a framed copy of the Advanced Law Enforcement Training Certificate he recently received. Chief Jordan explained the significance of achieving this goal, which is the highest award issued by the North Carolina Training and Standards Commission, and the amount of hard work and dedication it takes to get to this level. Sergeant Matthews expressed his thanks to City Council, Police Chief, City Manager and to the City of Lincolnton as a whole for the support officers receive.

PUBLIC HEARING

CZ-6-2021 - Application from Piedmont Companies Inc., requesting the rezoning of 0.75 acres of land from Central Business (CB) District to the Traditional Infill Development (TID) District. Applicant proposing to

construct eight (8) townhomes. Subject property consists of two lots, one located at 119 East Pine Street (Parcel ID 01117) and the second on the west side of North Academy Street approximately 90 feet North of the intersection of East Pine Street and North Academy Street (Parcel ID 89317)

Laura Elam, Planning Director, gave an overview of the request, giving details as to the specific location and the adjacent property uses. Mrs. Elam provided different street views of the site, referenced the request being consistent with the land use plan and gave an extensive list of staff review committee comments which included the construction of a sidewalk, screening and landscaping and buildings are to be constructed of brick that matches the color of Memorial Hall in accordance with the development agreement as amended June 3, 2021.

Mrs. Elam reported the Planning Boards recommendation being approval of the request subject to staff review committee comments being made conditions of approval. She also informed members of a letter received from the proposed builder regarding the brick color of the townhomes.

Mr. Craig Upshaw with Piedmont Companies was in attendance briefly addressed Council as the project manager and offered to answer any questions regarding the project. There was some discussion regarding the brick colors to be used. Councilman Eaddy expressed his desire to require that the brick color used match the brick color of the existing building.

Councilman EADDY made a motion to close the Public Hearing. Members voted 3-0 in favor of the motion.

Councilman EADDY made a motion to approve the request with the brick stipulation. Members voted 3-0 in favor of the motion.

CZ-7-2021

Application from Brandy White requesting a conditional district rezoning of 0.54 acres from the Planned Business (PB) District to the General Business (Conditional District) GB(CD) for the purpose of opening an auto sales lot. Subject property is located at 799 W. NC Highway 27 (Parcel ID 17410)

Laura Elam, Planning Director, reviewed the request before council. Mrs. Elam presented the details of, and purpose for the request. She explained that the Planning Board reviewed the request as appropriate for approval

subject to some minor staff review committee comments being made conditions of the approval, as well as approval of the statement of consistency.

Councilwoman WHITE made a motion to close the Public Hearing. Members voted 3-0 in favor of the motion

Councilwoman POINSETTE made a motion to approve as recommended by the Planning Board. Members voted 3-0 in favor of the motion.

CZ-8-2021 -
Application from TrueCraft Properties, LLC requesting a conditional
district rezoning of approximately eleven (11) acres from the
Residential-25 (R-25) District to the General Business (Conditional
District GB(CD) for the purpose of constructing a new office building for
a construction company. The subject property is located on the south
side of Bethel Church Road approximately 1.200 feet east of the
intersection of Bethel Church Road and Maiden Highway
(Portion of Parcel ID 16976)

Laura Elam, Planning Director, explained the request for conditional rezoning to members of city council. Mrs. Elam presented aerial and street views of the property, providing detailed information regarding the project. She informed Council of the applicants request to use the property for an 8,000 square foot office for a construction company. Mrs. Elam concluded stating Planning Board and staffs recommendation to approve request subject to - 1. staff review committee comments being made conditions of approval, 2. approval of the statement of consistency for approval of the rezoning request, 3. rezoning being effective upon receipt of written agreement from applicant and property owner with conditions of approval and 4. amendment of the Land Use Plan to show the property in the General Business Planning Area.

The applicant, Caleb Williams, was present, and gave a brief summary of the companies history and their desire to expand. He spoke to the intent and goal of the company to continue the positive image they currently exhibit. There was some discussion regarding screening that will be used.

Councilwoman POINSETTE made a motion to close the Public Hearing. Members voted 3-0 in favor of the motion

Councilman EADDY made a motion to approve the request as recommend by the Planning Board. Members voted 3-0 in favor of the motion.

TIG-01-2021

Application from City Cellar for a Targeted Incentive Grant for building renovations to accommodate a wine bar/restaurant at 409 East Main Street

Laura Elam, Planning Director, presented an application from City Cellar for a Targeted Incentive Grant. Mrs. Elam confirmed the application being the first received for this new grant. She reviewed the project information, explaining the applicants proposed intentions for the requested funds, revealing the total project cost estimate as a little over \$150,000, with the grant request being \$50,000. In the absence of the applicant, Rhonda Hunter with LEDA addressed council regarding the applicants hard work and the success of the project. She expressed her appreciation to council for the program being in place.

Councilwoman POINSETTE made a motion to close the Public Hearing. Members voted 3-0 in favor of the motion.

Councilwoman WHITE made a motion to approve the request for a Targeted Incentive Grant. Members voted 3-0 in favor of the motion

Industrial Development Incentive Grant Agreement between the City of Lincolnton and Spantek

Mr. John Dancoff with the Lincoln Economic Development Association, came before council members representing an existing industry (Spantek) located at 352 N. Generals Blvd., Lincolnton. Mr. Dancoff explained what the company manufactures and the purpose for the grant request. He addressed Council, asking that council members adopt a resolution, which, upon adoption, will approve an incentive grant agreement between the City of Lincolnton and Spantek. He also explained this as a level 2 incentive and how this grant will help support increased production and equipment expansion at the current location. Resolution is as follows:

**RESOLUTION TO ADOPT ECONOMIC INCENTIVE
GRANT AGREEMENT WITH SPANTEK**

WHEREAS, the Lincolnton City Council verily believes that it is in the best interests of the citizens of the City of Lincolnton to encourage and support economic development within the City of Lincolnton through the recruitment of new industries to the City and the expansion of existing industries in the City; and

WHEREAS, Spantek, have developed plans for expansion of the manufacturing facility in the City of Lincolnton; and

WHEREAS, the City Council wishes to encourage such development by means of offering incentives to aid in such efforts;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED AS FOLLOWS:

1. The Lincolnton City Council hereby approves the City of Lincolnton Incentive Grant Agreement (attached hereto as Exhibit A and incorporated herein by reference) among City of Lincolnton and Spantek.
2. The Mayor of the City of Lincolnton and the Clerk to the Council are hereby authorized to sign all necessary documents on behalf of the City of Lincolnton in order to effectuate this transaction.
3. This resolution shall become effective upon adoption.

Councilwoman Poinsette made a motion to close the Public Hearing. Members voted 3-0 in favor of the motion.

Councilwoman Poinsette made a motion to approve the Incentive Grant as outlined by Mr. Dancoff. Members voted 3-0 in favor of the motion.

BA-05-21

Budget Amendment to amend General Fund (forfeited assets related to seizure) and Special Revenue Fund (American Rescue Plan Act)

Pam McBryde, Finance Director, came before council to request a budget amendment as follows:

REGULAR MEETING - SEPTEMBER 2, 2021

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, 2022.

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

General Expense	\$	2,820
	\$	2,820

Section 2: To amend the General Fund, the revenues are to be changed as follows:

Federal Equitable Deposits	\$	2,820
	\$	2,820

General Fund: Proportionate share from the US Drug Enforcement Administration for forfeited assets related to seizure date 10/14/2020.

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

American Rescue Plan Act	\$	144,706
		-
	\$	144,706

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

American Rescue Plan Act	\$	144,706
	\$	144,706

Special Revenue Fund: Additional funds received from the Federal Government in our first installment of the American Rescue Plan Act. Original amount projected was \$1,640,000.

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 AMENDMENT \$ 147,526

Adopted this 2nd day of September, 2021

Attest:

Daphne Ingram
City Clerk

Edward L Hatley
Mayor

Councilwomen POINSETTE made a motion to approve the budget amendment as presented. Members voted 3-0 in favor of the motion

R-15-21 **RESOLUTION OF SUPPORT REGARDING** **COURTHOUSE RE-USE PROJECT**

City Manager Ritchie Haynes presented the following resolution of support regarding the courthouse reuse project. Mr. Haynes noted this requested action resulting from the joint city/county meeting on the project. Mr. Haynes reported the City's cost being \$39,850.00

RESOLUTION OF SUPPORT

WHEREAS, the Lincoln County Board of Commissioners requested a proposal for technical assistance from Development Finance Initiative in July 2021 to attract a private development partner to a County-owned property, the soon-to-be vacated historic courthouse in downtown Lincolnton; and

WHEREAS, in anticipation of this project, the County has convened a working group comprised of key stakeholders to determine a vision for the project, including identification of desired uses, alignment with downtown's revitalization strategy, and a review of case studies of repurposed historic courthouses in other communities; and

WHEREAS, the Lincoln County Board of Commissioners did, at their August 16, 2021 meeting, approve the proposal for the UNC School of Government to provide full pre-development services on the courthouse reuse project for the historic building at a cost of \$79,700.00; and

WHEREAS, because the building has been an important asset to downtown Lincolnton's vitality, and both the County and City would like its future use to continue this trend, the Lincolnton City Council has verbally committed to assisting with the cost associated with the technical assistance from Development Finance Initiative.

NOW, THEREFORE, BE IT RESOLVED that the Lincolnton City Council supports the action of the Lincoln County Board of Commissioners in its decision to proceed with the re-use project and agree to pay 50% of the \$79,700.00 cost associated with the technical assistance from the Development Finance Initiative.

Councilman EADDY made a motion to adopt the Resolution of Support as presented. Members voted 3-0 in favor of the motion.

Consideration of using ARP funds for Voluntary Employee Vaccination Incentives

Tanya Osborne, Human Resources Director, presented a request to council members to consider implementation of a voluntary vaccination incentive program to all city employees. Mrs. Osborne stated that ARP funds can be used but specific guidelines must be followed, therefore the proposed program has been written to comply with those guidelines. She informed that the cost for both full-time and part-time employees would be approximately \$73,000.00. Some discussion was generated regarding those eligible and the timeline for getting the vaccination.

Councilman EADDY made a motion to approve ARP funds for Voluntary Employee Vaccination Incentives as presented. Members voted 3-0 in favor of the motion.

Manager's Report / Activity Update

City Manager Ritchie presented the Executive Report as follows:

Executive Summary July 2021 Year-to-Date																
Lincolnton NC Near the City, Near the Mountains, Near Perfect																
		2021-2022 Budget	2021-2022 YTD Activity	Budget Remaining	Variance %	2020-2021 Budget	2020-2021 YTD Activity	Variance Favorable / (Unfavorable)								
Department																
Fund: 10 - General Fund																
Revenue		\$11,040,546.00	\$86,060.26	\$10,954,485.74	1%	\$12,480,504.59	(\$269,996.88)	\$356,057.14								
	Total Revenue:	\$11,040,546.00	\$86,060.26	\$10,954,485.74	1%	\$12,480,504.59	(\$269,996.88)	\$356,057.14								
Expense																
4110-City Manager/Clerk		\$173,960.00	\$25,281.09	\$148,678.91		\$222,207.28	\$24,644.10	(\$636.99)								
4120-Human Resources		\$334,015.00	\$22,356.50	\$311,658.50		\$303,425.72	\$30,454.30	\$8,097.80								
4130-Finance		\$135,270.00	\$45,706.08	\$89,563.92		\$186,313.75	\$38,328.42	(\$7,377.66)								
4280-General Expense		\$1,449,895.00	\$222,323.10	\$1,227,571.90		\$1,294,947.14	\$228,895.25	\$6,572.15								
4285-General Debt Service		\$293,924.00	\$1,243.66	\$292,680.34		\$289,591.78	\$2,487.32	\$1,243.66								
4310-Police		\$3,350,520.00	\$294,664.23	\$3,055,855.77		\$3,307,828.95	\$336,515.10	\$41,850.87								
4340-Fire		\$2,217,589.00	\$208,750.06	\$2,008,838.94		\$2,924,181.00	\$186,470.77	(\$22,279.29)								
4510-Public Works Administration		\$44,580.00	\$15,292.28	\$29,287.72		\$72,943.50	\$15,312.18	\$19.90								
4520-Street and Maintenance		\$778,605.00	\$78,242.45	\$700,362.55		\$728,443.01	\$79,776.86	\$1,534.41								
4530-Equipment Services		\$223,290.00	\$21,167.69	\$202,122.31		\$239,935.07	\$20,604.22	(\$563.47)								
4710-Solid Waste		\$522,095.00	\$46,886.48	\$475,208.52		\$641,936.97	\$47,458.36	\$571.88								
4910-Planning and Zoning		\$330,440.00	\$30,147.96	\$300,292.04		\$367,207.38	\$19,584.37	(\$10,563.59)								
4930-Business & Community Dev.		\$123,200.00	\$5,366.58	\$117,833.42		\$115,343.33	\$16,576.66	\$11,210.08								
6100-Recreation		\$1,063,163.00	\$77,419.99	\$985,743.01		\$974,987.59	\$99,709.02	\$22,289.03								
	Total Expense:	\$11,040,546.00	\$1,094,848.15	\$9,945,697.85	10%	\$11,669,292.47	\$1,146,816.93	\$51,968.78								
	Fund 10 Surplus (Deficit):		(\$1,008,787.89)				(\$1,416,813.81)	\$408,025.92								
Fund: 20 - Boger City Fire District																
Revenue		\$985,000.00	\$0.00	\$985,000.00	0%	\$1,022,016.23	\$200,000.00	(\$200,000.00)								
	Total Revenue:	\$985,000.00	\$0.00	\$985,000.00	0%	\$1,022,016.23	\$200,000.00	(\$200,000.00)								
Expense																
4340-Fire		\$985,000.00	\$75,606.61	\$909,393.39		\$1,022,016.23	\$34,686.11	(\$40,920.50)								
	Total Expense:	\$985,000.00	\$75,606.61	\$909,393.39	8%	\$1,022,016.23	\$34,686.11	(\$40,920.50)								
	Fund 20 Surplus (Deficit):		(\$75,606.61)				\$165,313.89	(\$240,920.50)								
Fund: 61 - Water and Sewer Fund																
Revenue		\$8,475,950.00	\$633,055.94	\$7,842,894.06	7%	\$8,934,197.60	\$711,723.62	(\$78,667.68)								
	Total Revenue:	\$8,475,950.00	\$633,055.94	\$7,842,894.06	7%	\$8,934,197.60	\$711,723.62	(\$78,667.68)								
Expense																
7100-Water Treatment		\$2,006,350.00	\$219,122.88	\$1,787,227.12		\$1,450,678.88	\$233,397.80	\$14,274.92								
7110-Distribution & Collection		\$2,056,300.00	\$153,237.06	\$1,903,062.94		\$1,919,668.83	\$110,007.16	(\$43,229.90)								
7120-Wastewater ater Treatment		\$1,931,597.00	\$96,820.14	\$1,834,776.86		\$1,579,745.99	\$96,509.49	(\$310.65)								
7130-Water/Sewer Intangibles		\$2,481,703.00	\$149,336.89	\$2,332,366.11		\$3,984,103.90	\$93,927.34	(\$55,409.55)								
	Total Expense:	\$8,475,950.00	\$618,516.97	\$7,857,433.03	7%	\$8,934,197.60	\$533,841.79	(\$84,675.18)								
	Fund 61 Surplus (Deficit):		\$14,538.97				\$177,881.83	(\$163,342.86)								
Fund: 63 - Electric Fund																
Revenue		\$7,797,350.00	\$642,286.13	\$7,155,063.87	8%	\$8,364,746.33	\$817,478.04	(\$175,191.91)								
	Total Revenue:	\$7,797,350.00	\$642,286.13	\$7,155,063.87	8%	\$8,364,746.33	\$817,478.04	(\$175,191.91)								
Expense																
7200-Electric		\$7,797,350.00	\$165,579.17	\$7,631,770.83		\$8,364,746.33	\$741,902.31	\$576,323.14								
	Total Expense:	\$7,797,350.00	\$165,579.17	\$7,631,770.83	2%	\$8,364,746.33	\$741,902.31	\$576,323.14								
	Fund 63 Surplus (Deficit):		\$476,706.96				\$75,575.73	\$401,131.23								
	Total Surplus (Deficit):		(\$593,148.57)				(\$998,042.36)	\$404,893.79								

Lincolnton NC
Near the City. Near the Mountains. Near Perfect.

July 2021 compared to July 2020

Ritchie Haynes, City Manager, mentioned several dates and events happening in the city. He also spoke to the subject of code enforcement and the progress he feels has been made with the agreement with Lincoln County. He informed that he plans to provide a report each month to keep council updated on the status of the code violations. There was some discussion generated regarding several ongoing property violations and what is currently being done. In closing Mr. Haynes expressed his thanks and appreciation for city staff and all that they do to keep the city going.

Adoption of the 2020 Election Filing Fees

Addressing the one item that was added to the meeting agenda, Mayor Ed Hatley informed members that action was needed to set filing fees for the upcoming 2020 election. He reminded council of the current filing fees, \$48.00 for the Mayoral race and \$36.00 for a City Council Member.

Councilman EADDY made a motion to set the filing fees as specified. Members voted 3-0 in favor of the motion.

PUBLIC COMMENT: No public comment

NEWS MEDIA: No news media in attendance

ADJOURNMENT:

Councilwoman Poinsette made a motion to adjourn the meeting. Members voted 3-0 in favor of the motion.

Daphne Ingram
City Clerk

Ed Hatley
Mayor

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.

R-13-21

**Resolution Approving Conveyance of Property to
Another Unit of Government in North Carolina
Pursuant to G.S. 160A-274**

WHEREAS, the City of Lincolnton owns a 40ft aluminum flag pole; and

WHEREAS, North Carolina General Statute § 160A-274 authorizes a governmental unit in this state to exchange with, lease to, lease from, sell to, or purchase from any other governmental unit any interest in real or personal property upon such terms and conditions as the governmental unit deems wise, with or without consideration; and

WHEREAS, the City of Lincolnton has determined that it is in the best interest of the City to convey said flag pole to Lincolnton High School, and deems it wise to do so for no consideration.

THEREFORE, THE LINCOLNTON CITY COUNCIL RESOLVES THAT:

1. The City of Lincolnton hereby conveys to Lincolnton High School the following property: 40ft. Aluminum Flag Pole
2. The property herein described shall be conveyed for no consideration.
3. The city manager is authorized to execute all documents necessary to convey the property in the manner authorized by this Resolution.

Adopted this the 2nd day of September, 2021

Seal

Ed Hatley, Mayor

Lincolnton Antique & Vintage Market Day 2021

CONTRACT

**STATE OF NORTH CAROLINA
COUNTY OF LINCOLN**

THIS CONTRACT AND AGREEMENT made and entered into on this the 2nd day of September 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 Antique & Vintage Market Day” event, which will be staged in downtown Lincolnton on Saturday October 9, 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 Antique & Vintage Market Day” event 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 Antique & Vintage Market Day” event, scheduled to be held on Saturday September 9, 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 10 a.m. or after 4:00 p.m. on the day of the event.

III.

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

IV.

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

V.

That the City reserves the exclusive right to modify, cancel, and rescind this Contract at any time hereafter if, in its sole discretion, the sale and consumption of alcoholic beverages at any “Lincolnton Antique & Vintage Market Day” 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

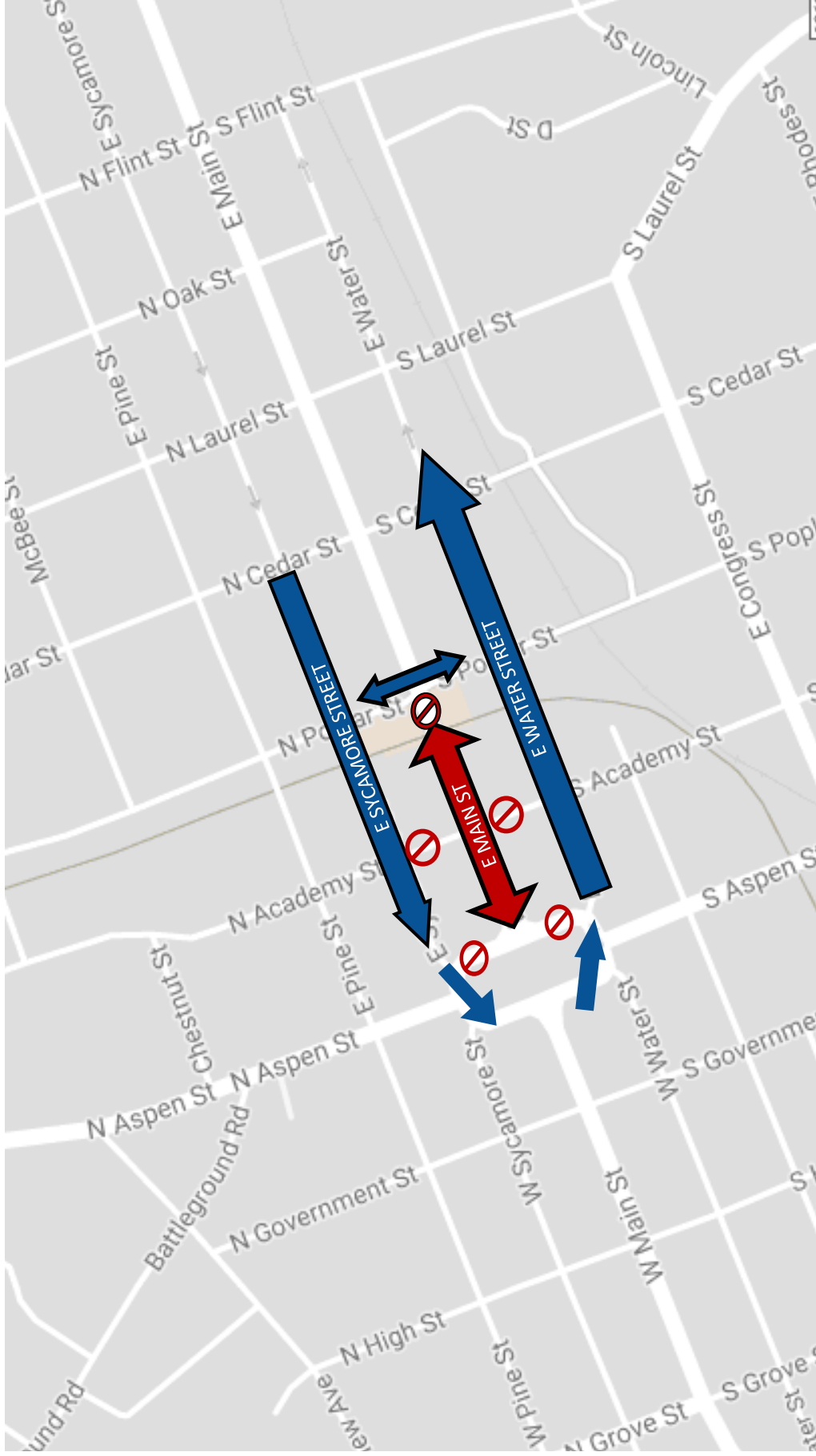
By: _____
Ed Hatley, Mayor

Attest:

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

2021 Antique & Vintage Market Day

Saturday, 10/9/21, 10a-4p



Set-up Start: 7:00am
Break-down Finish: 6:00pm



PROCLAMATION

Public Power Week
October 3rd – 9th, 2021

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.

**PROCLAMATION RECOGNIZING PUBLIC POWER WEEK
OCTOBER 3RD – 9TH, 2021
A WEEK-LONG CELEBRATION OF THE CITY'S YEAR-ROUND
SERVICE TO LINCOLNTON**

WHEREAS, public power is a crucial component of cities and towns across North Carolina, contributing to the overall health of communities by providing reliable electricity, excellent local service, and prompt restoration; and

WHEREAS, North Carolina's more than 70 public power cities and towns are among more than 2,000 across the country; and

WHEREAS, many of North Carolina's public power cities and towns have been electric providers for more than 100 years, assisting their communities through boom times as well as pandemics and economic downturns; and

WHEREAS, public power meets the electric needs of 49 million Americans, who make up almost 15 percent of electricity consumers; and

WHEREAS, North Carolina's public power utilities are valuable community assets that contribute to the well-being of the community and provide economic development opportunities; and

WHEREAS, North Carolina's public power utilities are dependable institutions that are committed to providing excellent service; and

WHEREAS, the City of Lincolnton recognizes Public Power Week and commends the public power cities and towns across our state for their outstanding contributions to our communities;

NOW, THEREFORE, the City of Lincolnton hereby proclaims October 3rd - 9th, 2021, as "**PUBLIC POWER WEEK**" in the City of Lincolnton and commends its observation to all citizens.

Dated this 7th day of October, 2021

Ed Hatley, Mayor

ATTEST:

Daphne Ingram, City Clerk

ITEM #

2

PUBLIC HEARINGS

ITEM #

2a

CZ-9-2021

DATE: October 7, 2021

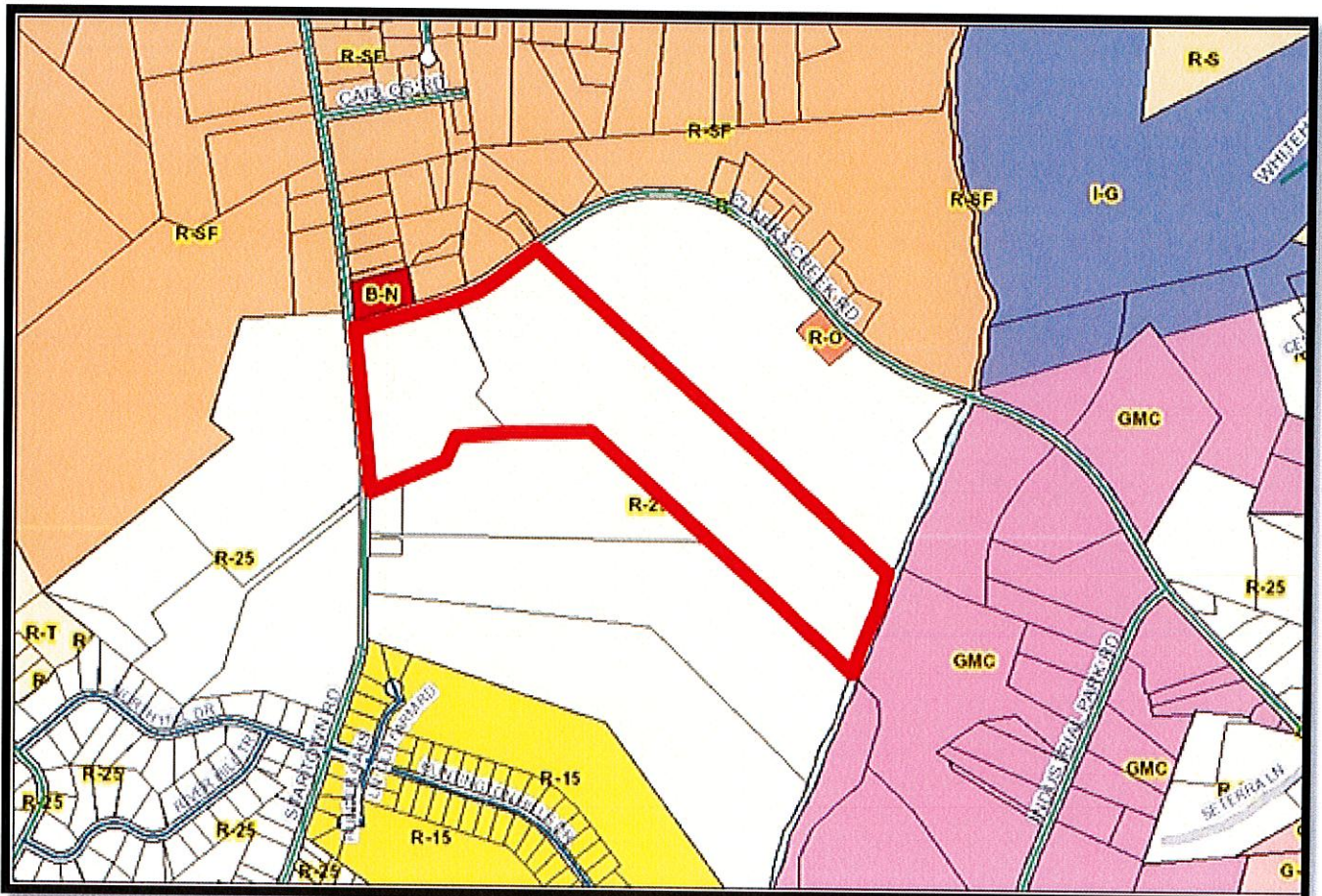
SITE AND AREA DESCRIPTION

The applicant is requesting a conditional rezoning from R-25 to the Planned Residential District (PRD) for the purpose of developing a community of single family detached housing and attached townhomes.

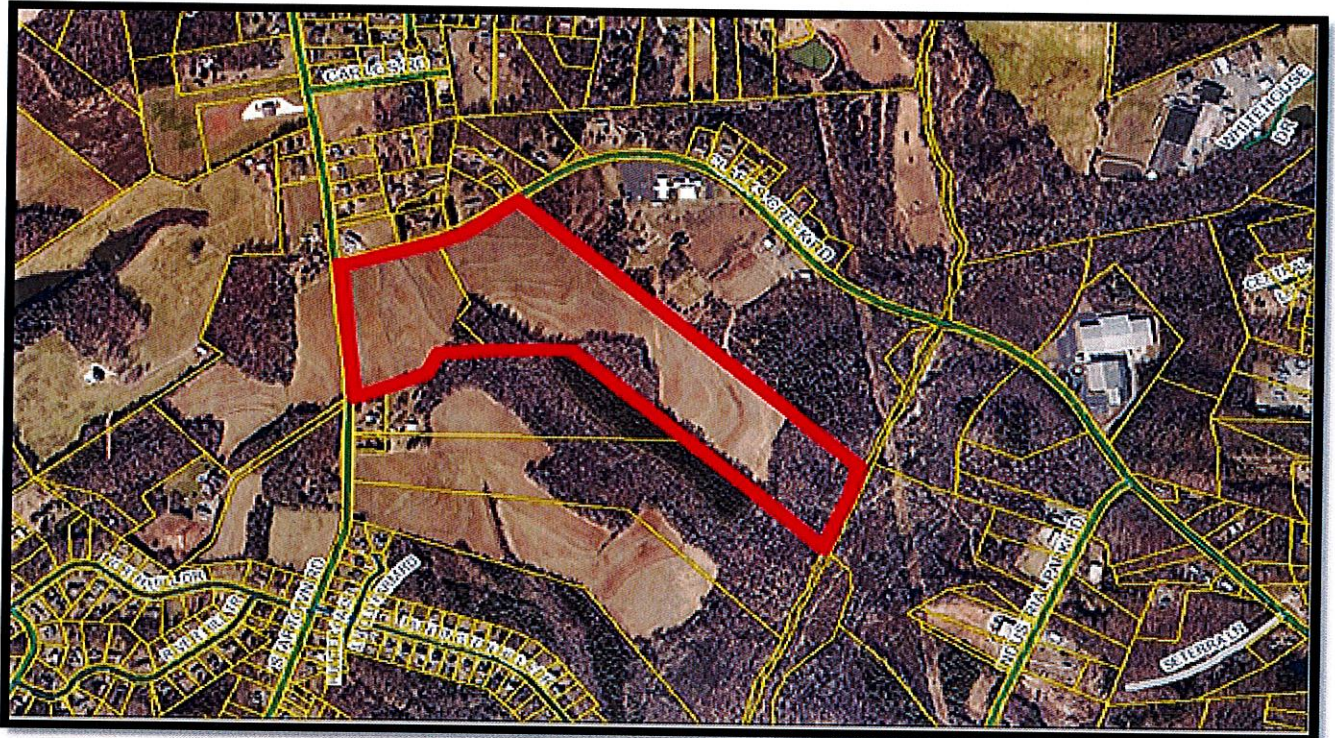
The subject property consists of two (2) lots located at the southeast corner of Startown Road and Clarks Creek Road (Parcel ID 90684 and 15415). The property currently is vacant. The site is located outside of the city limits but within the ETJ.

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.

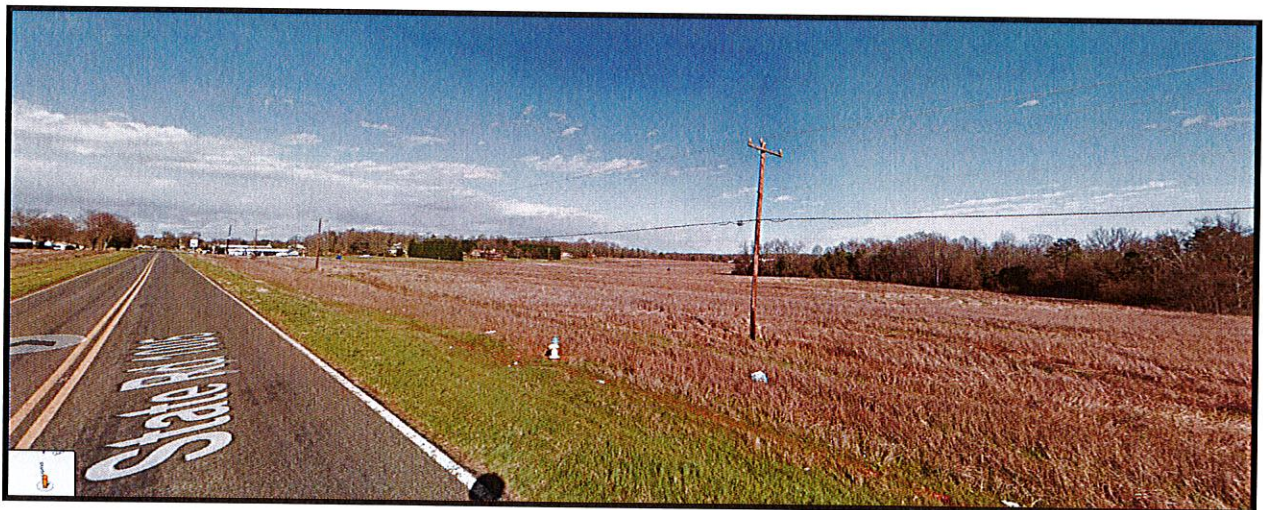
CURRENT ZONING MAP



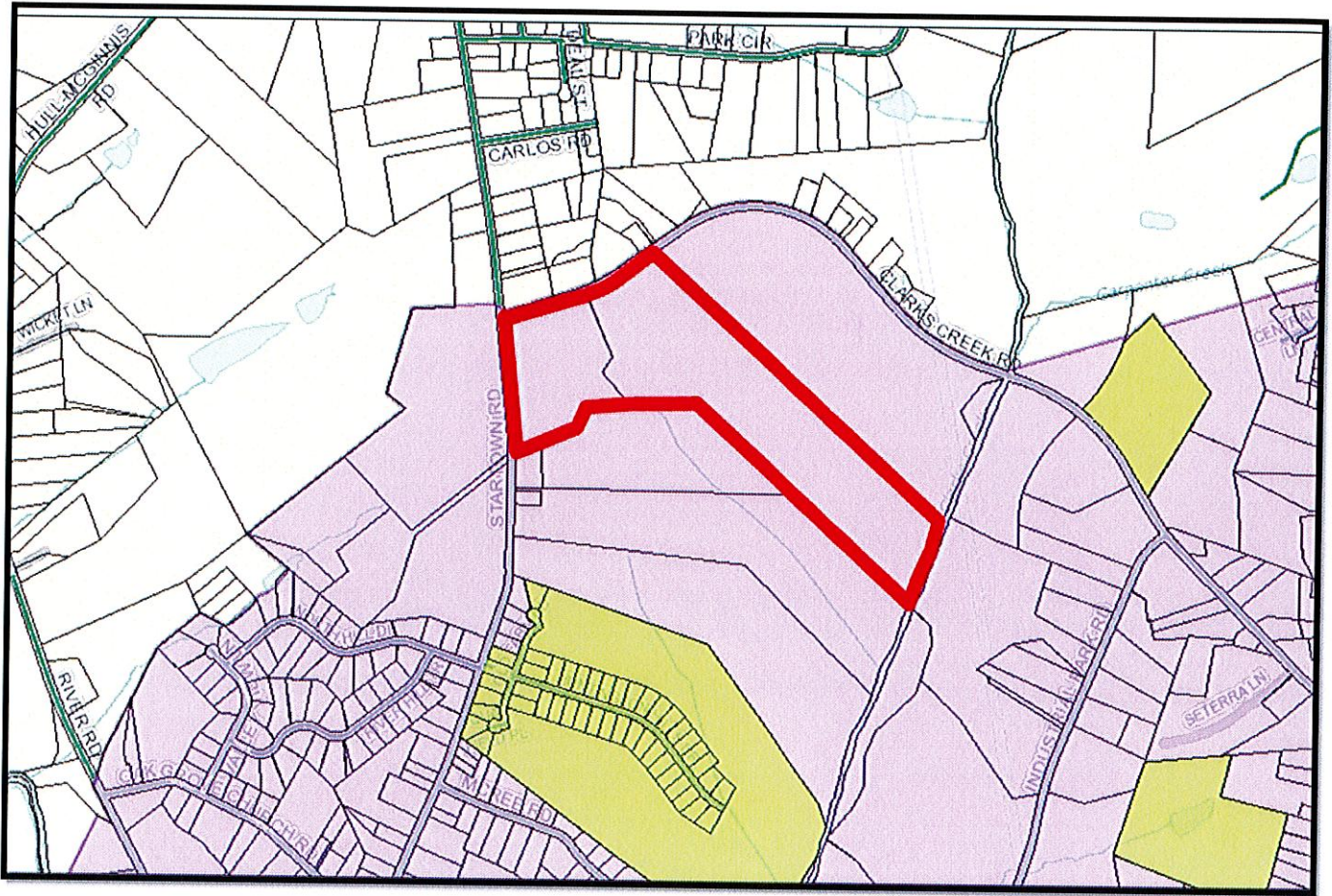
AERIAL VIEWS



STREET VIEWS



CITY LIMITS/ETJ



PROJECT DETAILS

- The site is 59.8 acres in size.
- The site plan allows up to 125 single family lots and up to 140 lots for attached townhomes for a total of up to 265 dwelling units and an overall density of approximately 4.43 units per acre.
- The site plan provides 11.96 acres (20 percent) of common open space.
- There will be two entrances into the development. The main entrance will be off Startown Road with a second entrance onto Clarks Creek Road.
- Sidewalks will be located on both sides of all streets within the site.
- The single family lots will be 40 feet x 125 feet.

- The townhome lots will be 20 feet x 60 feet.
- Building height will not exceed 45 feet.
- The site plan outlines the below minimum standards:

Minimum Lot Standards (Single Family Detached):

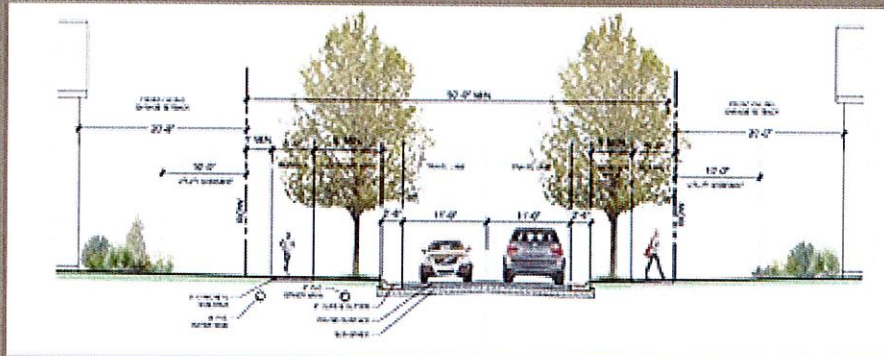
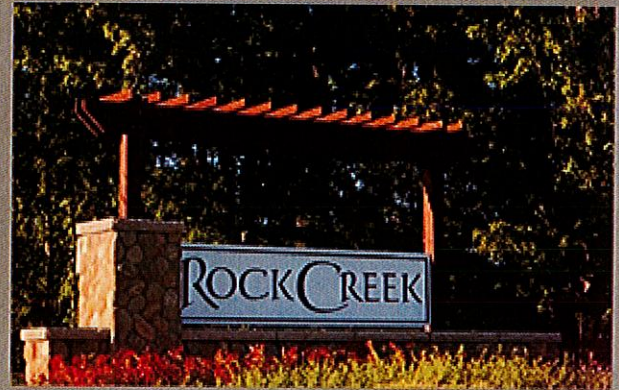
- Minimum Lot Width: 40'
- Minimum Lot Area: 5,000 S.F.
- Setbacks:
 - *Front: 20' from ROW
 - *Side: 5'
 - *Rear: 10'
- Max Building Height: 3 Stories
- Minimum Parking Provided: 2 Spaces per Unit (2 Spaces Provided in Driveway)

Minimum Lot/Unit Standards (Attached Townhomes):

- Minimum Unit Width: 20'
- Minimum Lot Area: 1,800 S.F.
- Setbacks:
 - *Front: 20' from ROW
 - *Side: 0'
 - *Rear: 10'
- Max Building Height: 3 Stories
- Minimum Parking Provided: 1 Space per Unit (1 space provided in driveway)

- The site plan is below.

COMMUNITY FEATURES



QUALITY HOMES OUTSIDE



LAND USE PLAN

The Land Use Plan shows the property in the Residential Suburban Planning area. The Plan notes these areas are primarily single family in character and the primary development pattern should continue to be single family dwellings.

The Land Use Plan also includes the following recommendations:

- Future residential development should be located in areas where City infrastructure and services can be economically provided.
- Promote home ownership throughout the City's planning jurisdiction by providing a mix of housing choices and lot sizes to promote affordability.
- Promote innovative zoning to accommodate home ownership.
- Ensure that residential development promotes pedestrian and bicycle use.
- Provide for sidewalks within and on the outside boundaries of new residential developments.

The proposed development is not consistent with the land use plan's Residential Suburban designation. However, the proposed development is consistent with the land use plan in the following ways:

- The site has access to city utilities with available capacity.
- Additional home ownership opportunities are provided.
- Additional housing type choices are provided.
- Additional lot sizes are provided.

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, major subdivision, and all UDO requirements must be submitted to and approved by staff.
2. Sidewalks constructed to City of Lincolnton specifications must be constructed along the frontage of Clarks Creek Road, Startown Road and throughout the subdivision meeting all city sidewalk and subdivision requirements.
3. Required minimum unobstructed open space is fifty (50) percent of the site. This must be detailed on plan.
4. Detailed phasing of when units will be constructed must be shown on the plans.

5. Detailed water and sewer plans will need to be submitted and approved by the City prior to development.
6. The applicant will be responsible for making the utility tap.
7. City Fire Inspector will need to review and approve all plans prior to development. Hydrant locations will need to be determined, no more than 400 feet between hydrants, Appendix D of the Fire Code will need to be met. Eight inch minimum water line dedicated for fire hydrants.
8. An off-site easement providing additional emergency vehicle access to the site may be required in order to meet Appendix D.
9. Detailed landscaping and screening plan will need to be provided.
10. NCDOT driveway permit required with the following offsite improvements:
 - Clarks Creek access point will require a 50 foot westbound left turn lane and eastbound right taper
 - Startown access point will require a 50 foot northbound right turn lane
11. Erosion control plans must be submitted to and approved by Lincoln County Soil and Erosion prior to development. Wetland and stream surveys will need to be conducted. If this area exists and will be disturbed a 404 and 401 permit approval will need to be submitted with the original erosion control plan packet.
12. Building plans must be submitted to and approved by Lincoln County Inspections prior to development.
13. Townhomes must have parking for at least one and half cars at each dwelling unit.
14. The HOA is responsible for ongoing maintenance of the detention pond and will make any necessary repairs to the pond to ensure its continued effectiveness. Ongoing maintenance is to include:
 - Vegetation management including mowing, trimming, invasive/ nuisance vegetation treatment and weed control
 - Slope stabilization and erosion control
 - Debris and trash removal
 - Removal of sediment buildup from the basin
 - Maintenance of the inlet and outlet pipes to ensure they do not get clogged.
15. In the event the site is annexed by the City, the City reserves the right to require the internal streets to be brought up to minimum standards prior to acceptance of the streets for maintenance. This includes but is not limited to repaving all or a portion of the street system prior to acceptance by the City.
16. Setbacks along Startown Road and Clark Creek Road are to be a minimum of 50 feet from the right of way.
17. Screening that meets minimum ordinance standards is to be provided in the 50 foot setback areas along Startown Road and Clark Creek Road and other areas required to be screened under the ordinance.
18. The HOA is responsible for ongoing maintenance of all required screening areas. Ongoing maintenance is to include replacement of any required vegetation that dies or is removed.
19. Building elevations need to include depictions of the sides and rears of buildings.

20. All sides of the buildings are to include materials and design characteristics consistent with those on the front. Large expanses of blank walls will not be permitted.
21. Building design is to be generally consistent with the quality, character and fenestration portrayed in the renderings. Minor variations from the renderings that do not detract from the quality, character and fenestration may be permitted.

PLANNING BOARD AND STAFF RECOMMENDATION

Planning Board and Staff view the request as appropriate for approval and recommend the following actions:

- approval of the request for rezoning from R-25 to the Planned Residential District (PRD) subject to the staff review committee comments being made conditions of approval,
- approval of the statement of consistency for approval of the rezoning request,
- the rezoning being effective upon receipt by the Zoning Administrator of written agreement from the applicant and property owner to abide by the conditions of approval, and
- amendment of the Land Use Plan to show the property in the Residential High Density Planning Area.

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

Case No. CZ-9-2021

Applicant: Prestige Acquisitions, LLC

Parcel ID#: 90684 & 15415

Location: Clarks Creek Road and Startown Road

Request: Rezone from R-25 to PRD for the use of the property for Single Family Detached Housing and Attached Townhomes. 240 Units Total

Proposed Consistency and Reasonableness Statement:

The Lincolnton Land Use Plan designates this property as part of the Residential Suburban Planning Area. The Plan notes these areas are primarily single family in character and the primary development pattern should continue to be single family dwellings.

The proposed rezoning request **is not consistent** with the area's Residential Suburban designation by the land use plan.. However, the proposed development is consistent with the Land Use Plan in the following ways:

- The site has access to city utilities with available capacity.
- Additional home ownership opportunities are provided.
- Additional housing type choices are provided.
- Additional lot sizes are provided.

Therefore, **approval of the proposed amendment is reasonable and in the public interest.**

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

Case No. CZ-9-2021

Applicant: Prestige Acquisitions, LLC

Parcel ID#: 90684 & 15415

Location: Clarks Creek Road and Startown Road

Request: Rezone from R-25 to PRD for the use of the property for Single Family Detached Housing and Attached Townhomes. 240 Units Total

Proposed Consistency and Reasonableness Statement:

The Lincolnnton Land Use Plan designates this property as part of the Residential Suburban Planning Area. The Plan notes these areas are primarily single family in character and the primary development pattern should continue to be single family dwellings.

The proposed rezoning request **is not consistent** with the Lincolnnton Land Use Plan. In addition, the proposed development is not consistent with the established rural/suburban character of the area. Therefore, **denial of the proposed amendment is reasonable and in the public interest.**

MOTIONS FOR PUBLIC HEARING

For approval of request:

- Motion to approve as recommended by Planning Board.

For denial of request:

- Motion to deny request for rezoning.
- Motion to approve statement of consistency for denial of request.

ITEM #

3

REGULAR AGENDA

ITEM #

3a

City of Lincolnton
114 West Sycamore Street
P. O. Box 617
Lincolnton, North Carolina
28093-0617



Human Resources Department
Phone (704) 736-8980
FAX (704) 736-8975
www.lincolntonnc.org

MEMORANDUM

To: Mayor and City Council

Thru: Ritchie Haynes, City Manager

From: Tanya Osborne, Human Resources Director 

Re: OSHA's Covid-19 Healthcare Emergency Temporary Standard (ETS) Policy

Date: September 29, 2021

OSHA's Covid-19 Healthcare Emergency Temporary Standard (ETS) requires employers with more than 10 employees to develop and implement a Covid-19 plan for each workplace to protect workers from Covid-19. Initially, it was believed the ETS applied to employees in healthcare services only. However, Diane Juffras with the SOG has clarified the ETS also covers emergency medical response which would include emergency medical services provided by firefighters and law enforcement officers within their scope of duties whether at accident scenes, at fires or in other circumstances.

To comply with OSHA's directive, the City's Safety Consultant Debbie Rogers-Lowery has developed the required plan for the City using a template provided by OSHA. This plan outlines the processes the Police and Fire Department staff must follow in the event of a Covid-19 exposure as outlined in the plan.

Debbie will be available at the council meeting to address any questions council may have regarding the OSHA ETS plan.

attachment-OSHA Covid-19 Healthcare Emergency Temporary Standard (ETS) Plan

One of the following actions needed by Council:

1. To approve the OSHA Covid-19 ETS Plan as presented,
or
2. To deny or table request for further information.

COVID-19 ETS Plan

- OSHA's COVID-19 Healthcare Emergency Temporary Standard (ETS), paragraph (c), requires employers to develop and implement a COVID-19 plan for each workplace to protect workers from COVID-19. If an employer has more than 10 employees, the plan must be written. Employers may use this template to develop a COVID-19 plan for their workplace.
- Effective date: 9/1/2021

1. Purpose and Scope

The City of Lincoln is committed to providing a safe and healthy workplace for all our employees. The City of Lincoln has developed the following COVID-19 plan, which includes policies and procedures to minimize the risk of transmission of COVID-19, in accordance with OSHA's COVID-19 Emergency Temporary Standard (ETS). The City of Lincoln will update this COVID-19 plan as needed to address changes in workplace specific to COVID-19 hazards and exposures.

The two areas impacted by this plan are the Fire Department and the Police Department. Both provide emergency response care outside of our facilities which could put them at a greater risk for exposure.

2. Roles and Responsibilities

The City of Lincoln's goal is to prevent the transmission of COVID-19 in the workplace(s). Managers as well as non-managerial employees and their representatives are all responsible for supporting, complying with, and providing recommendations to further improve this COVID-19 plan.

The COVID-19 Safety Coordinator(s), listed below, implements and monitors this COVID-19 plan. The COVID-19 Safety Coordinator(s) has the City of Lincoln's full support in implementing and monitoring this COVID-19 plan, and has authority to ensure compliance with all aspects of this plan.

The City of Lincoln and the COVID-19 Safety Coordinator(s) will work cooperatively with non-managerial employees and their representatives to conduct a workplace-specific hazard assessment and in the development, implementation, and updating of this COVID-19 plan.

COVID-19 Safety Coordinator(s)		
Name	Title/Facility Location	Contact Information (office location, phone, email address)
Rusty Reynolds	Fire Department	rreynolds@lincolntonnc.org (980)525-6888
Non Managerial Fire Department Employees Reviewed Plan		
David Mocanu	Police Department	dmocanu@lincolntonpolice.com (980)241-3709
Non Managerial Police Department Employees Reviewed Plan		

3. Hazard Assessment and Worker Protections

The City of Lincoln will conduct a workplace-specific hazard assessment of its workplace(s) to determine potential workplace hazards related to COVID-19. A hazard assessment will be conducted initially and whenever changes at the workplace create a new potential risk of employee exposure to COVID-19 (e.g., new work activities at the workplace).

The City of Lincoln will provide and ensure that employees wear facemasks when required for work purposes; provide and ensure employees use respirators and other personal protective equipment (PPE) for exposure to people with suspected or confirmed COVID-19 and for aerosol-generating procedures (AGPs) on a person with suspected or confirmed COVID-19; and provide respirators and other PPE in accordance with Standard and Transmission-Based Precautions.

For aerosol-generating procedures (AGPs) on a person with suspected or confirmed COVID-19 such as in the case of CPR or clearing an airway, the City of Lincoln will provide a respirator to each employee and ensure it is used in

accordance with the OSHA Respiratory Protection standard (29 CFR 1910.134). The City of Lincoln will also provide gloves, an isolation gown or protective clothing, and eye protection to each employee, and ensure use in accordance with OSHA's PPE standards (29 CFR 1910 subpart I).

The City of Lincoln and the COVID-19 Safety Coordinator(s) will work collaboratively with non-managerial employees or representatives to assess and address COVID-19 hazards, including when there is employee exposure to people with suspected or confirmed COVID-19.

Aerosol-generating procedures (AGPs) on a person with suspected or confirmed COVID-19.

When an AGP is performed on a person with suspected or confirmed COVID-19, the City of Lincoln will:

- Provide a respirator and other PPE, as discussed in the previous section;
- Limit the number of employees present during the procedure to only those essential for patient care and procedure support;
- Clean and disinfect the equipment used when the procedure was performed, after the procedure is completed.

The City of Lincoln and the COVID-19 Safety Coordinator(s) will work collaboratively with non-managerial employees and their representatives to assess and address COVID-19 hazards while performing AGPs. (See Appendix A – Hazard Assessment)

Physical Distancing

The City of Lincoln will ensure that each employee is separated from all other people in the workplace by at least 6 feet when indoors, unless it can be demonstrated that such physical distance is not feasible for a specific activity such as direct patient care. Where maintaining 6 feet of physical distance is not feasible, The City of Lincoln will ensure employees are as far apart from other people as possible. Physical distancing will be implemented, along with the other provisions required by OSHA's COVID-19 ETS, as part of a multi-layered infection control approach.

The City of Lincoln and the COVID-19 Safety Coordinator(s) will work collaboratively with non-managerial employees and their representatives to utilize physical distancing when providing patient care, responding to vehicle accidents, fire response, etc. when possible.

Cleaning and Disinfection

The City of Lincoln will implement policies and procedures for cleaning, disinfection, and hand hygiene, along with the other provisions required by OSHA's COVID-19 ETS, as part of a multi-layered infection control approach. The City of Lincoln and the COVID-19 Safety Coordinator(s) will work collaboratively with non-managerial employees and their representatives to implement cleaning, disinfection, and hand hygiene in the workplace.

In all other areas:

- The City of Lincoln requires the cleaning of high-touch surfaces regularly and cleaning equipment used for patient care immediately following the completion of the patient care procedures.
- When a person who is COVID-19 positive has been in the workplace within the last 24 hours, The City of Lincoln requires cleaning and disinfection, in accordance with CDC's "[Cleaning and Disinfecting Guidance](#)," of any areas, materials, and equipment that have likely been contaminated by that person (e.g., rooms they occupied, items they touched). These guidelines can be found in Appendix B – attached.
- The City of Lincoln will provide alcohol-based hand rub that is at least 60% alcohol or provide readily accessible hand washing facilities.

Ventilation

The City of Lincoln will utilize contractors for each facility's heating, ventilation, and air conditioning (HVAC) system and ensure that:

- The HVAC system(s) is used in accordance with the manufacturer's instructions and the design specifications of the HVAC system(s);
- The amount of outside air circulated through the HVAC system(s) and the number of air changes per hour are maximized to the extent appropriate;
- All air filters are maintained and replaced as necessary to ensure the proper function and performance of the HVAC system;
- All intake ports that provide outside air to the HVAC system(s) are cleaned, maintained, and cleared of any debris that may affect the function and performance of the HVAC system(s); and

Health Screening and Medical Management

The City of Lincoln requires employees to self-screen for symptoms before each work day and each shift. Employees are required to notify the safety coordinator when:

- Employee tests positive for COVID-19 or received a medical diagnosis of COVID-19
- Employee has been told by healthcare provider that they are suspected to have COVID-19
- Experience a loss of taste or smell
- Experience a fever and new unexplained cough associated with shortness of breath
- ****Please do not report to work and notify your supervisor immediately.****

Employee Notification to Employer of COVID-19 Illness or Symptoms

The City of Lincoln will require employees to promptly notify their supervisor when they have tested positive for COVID-19, been diagnosed with COVID-19 by a licensed healthcare provider, have been told by a licensed healthcare provider that they are suspected to have COVID-19, are experiencing recent loss of taste and/or smell with no other explanation, or are experiencing both fever ($\geq 100.4^{\circ}$ F) and new unexplained cough associated with shortness of breath. The supervisor will then complete the **COVID-19 Employee Reporting Form** included as "Appendix C" to this policy, which will include: employee name, date and time reported, last date worked, date of symptoms or positive test results, date and time Safety Coordinator is notified, signature of supervisor and date signed.

The Safety Coordinator will communicate with the supervisor to determine names of potentially exposed individuals as outlined in the Employer Notification to Employees of COVID-19 Exposure in the Workplace section below and list the name and contact information of exposed individuals. Once completed, the form will be signed, dated, and forwarded to Human Resources for relevant notification of exposure in the workplace.

Employer Notification to Employees of COVID-19 Exposure in the Workplace

Human Resources will notify employees if they have been exposed to a person with COVID-19 at their workplace, as described below. Once all exposed contacts have been notified and documented on the *COVID-19 Employee Reporting Form*, Human Resources will then sign, date, and file the form appropriately.

- Human Resources will reference the **ETS Compliance Guidance for Employers – Paid Medical Removal of Employees and Return to Work** flow chart included as "Appendix D" to this policy to determine the employee's course of action regarding required quarantine or return to work. Human Resources will then notify the Safety Coordinator of quarantined or otherwise affected employees.

The notification provisions below are not triggered by the presence of a patient with confirmed COVID-19 in a workplace where services are normally provided to suspected or confirmed COVID-19 patients (e.g., emergency rooms, urgent care facilities, COVID-19 testing sites, COVID-19 wards in hospitals). When The City of Lincoln is notified that a person who has been in the workplace (including employees, clients, patients, residents, vendors, contractors, customers, delivery people and other visitors, or other non-employees) is COVID-19 positive, The Human Resources Department will, within 24 hours:

- Notify each employee who was not wearing a respirator and any other required PPE and has been in *close contact with the person with COVID-19 in the workplace. The notification must state the fact that the employee was in close contact with someone with COVID-19 along with the date(s) the contact occurred.
- Notify all other employees who were not wearing a respirator and any other required PPE and worked in a well-defined portion of a workplace (e.g., a particular floor) in which the person with COVID-19 was present during the potential transmission period. The notification must specify the date(s) the person with COVID-19 was in the workplace during the potential transmission period.
- Notify other employers whose employees were not wearing a respirator and any other required PPE and have been in close contact with the person with COVID-19, or worked in a well-defined portion of a workplace (e.g., a particular floor) in which that person was present, during the potential transmission period. The notification must specify the date(s) the person with COVID-19 was in the workplace during the potential transmission period and the location(s) where the person with COVID-19 was in the workplace.

Notifications will not include the name, contact information, or occupation of the COVID-19 positive person.

*Note: Close contact means being within 6 feet of the person for a cumulative total of 15 minutes or more over a 24-

hour period during the person's potential transmission period. The potential transmission period runs from 2 days before the person felt sick (or, if not showing symptoms, 2 days before testing) until the time the person is isolated. Casual passing by in the hallway is not considered close contact.

Medical Removal from the Workplace

The City of Lincoln has also implemented a policy for removing employees from the workplace in certain circumstances. The City of Lincoln will immediately remove an employee from the workplace when:

- The employee is COVID-19 positive (i.e., confirmed positive test for, or has been diagnosed by a licensed healthcare provider with, COVID-19);
- The employee has been told by a licensed healthcare provider that they are suspected to have COVID-19;
- The employee is experiencing recent loss of taste and/or smell with no other explanation; or
- The employee is experiencing both a fever of at least 100.4°F and new unexplained cough associated with shortness of breath.

For employees removed because they are COVID-19 positive, The City of Lincoln will keep them removed until they meet the return-to-work criteria discussed below. For employees removed because they have been told by a licensed healthcare provider that they are suspected to have COVID-19, or are experiencing symptoms as discussed above, The City of Lincoln will keep them removed until they meet return to work criteria.

If The City of Lincoln notifies an employee that they were in close contact with a person in the workplace (including employees, clients, patients, residents, vendors, contractors, customers, delivery people and other visitors, or other non-employees) who is COVID-19 positive when that employee was not wearing a respirator and any other required PPE, The City of Lincoln will immediately remove the employee from the workplace unless:

1. The employee does not experience recent loss of taste and/or smell with no other explanation, or fever of at least 100.4°F and new unexplained cough associated with shortness of breath; AND
2. The employee has either been fully vaccinated against COVID-19 (i.e., 2 weeks or more following the final dose) or had COVID-19 and recovered within the past 3 months.

The City of Lincoln will keep the employee removed from the workplace for 14 days or will keep the employee removed and provide a COVID-19 test at least 5 days after the exposure at no cost to the employee. If the employee tests negative, they may return to work 7 days following exposure. If the employee tests positive, the employee must remain excluded from the workplace until the return-to-work criteria below are met. If the employee refuses a test, The City of Lincoln will keep the employee excluded for 14 days, but is not obligated to provide the medical removal protection benefits discussed below (Note: absent undue hardship, employers must make reasonable accommodations for employees who cannot take the test for religious or disability-related medical reasons, consistent with applicable non-discrimination laws).

Any time an employee must be removed from the workplace, The City of Lincoln may require the employee to work remotely or in isolation if suitable work is available. When allowing an employee to work remotely or in isolation, The City of Lincoln will continue to pay that employee the same regular pay and benefits the employee would have received had the employee not been absent.

The City of Lincoln will not subject its employees to any adverse action or deprivation of rights or benefits because of their removal from the workplace due to COVID-19.

Return to Work Criteria

The City of Lincoln will only allow employees who have been removed from the workplace to return to work in accordance with guidance from a licensed healthcare provider or in accordance with the CDC's "[Isolation Guidance](#)" and "[Return to Work Healthcare Guidance](#)." Pursuant to CDC guidance, symptomatic employees may return to work after all the following are true:

- At least 10 days have passed since symptoms first appeared, and
- At least 24 hours have passed with no fever without fever-reducing medication, and
- Other symptoms of COVID-19 are improving (loss of taste and smell may persist for weeks or months and need not delay the end of isolation).

If an employee has severe COVID-19 or an immune disease, The City of Lincoln will follow the guidance of a licensed healthcare provider regarding return to work.

Pursuant to CDC guidance, asymptomatic employees may return to work after at least 10 days have passed since a positive COVID-19 test. If an employer receives guidance from a healthcare provider that the employee may not return to work, they must follow that guidance.

Medical Removal Protection Benefits

The City of Lincoln will continue to pay employees who have been removed from the workplace under the medical removal provisions of OSHA's COVID-19 ETS. When an employee has been removed from the workplace and is not working remotely or in isolation, The City of Lincoln will:

- Pay the employee up to the \$1,400 per week cap but, beginning in the third week of an employee's removal, the amount is reduced to only two-thirds of the same regular pay the employee would have received had the employee not been absent from work, up to \$200 per day (\$1000 per week in most cases).
- Payment obligation is reduced by the amount of compensation the employee receives from any other source, such as a publicly or employer-funded compensation program (e.g., paid sick leave, vacation leave, administrative leave), for earnings lost during the period of removal or any additional source of income the employee receives that is made possible by virtue of the employee's removal.

Vaccination

The City of Lincoln encourages employees to receive the COVID-19 vaccination as a part of a multi-layered infection control approach. The City of Lincoln will support COVID-19 vaccination for each employee by providing reasonable time and paid leave to each employee for vaccination (up to 4 hours for each dose) and any side effects experienced following vaccination (up to 8 hours for each dose, not to exceed 16 hours).

Training

The City of Lincoln will implement policies and procedures for employee training, along with the other provisions required by OSHA's COVID-19 ETS, as part of a multi-layered infection control approach. The City of Lincoln and the COVID-19 Safety Coordinator(s) will work collaboratively with non-managerial employees and their representatives to assess COVID-19 hazards and implement an employee training program at each facility.

The City of Lincoln COVID-19 training program will be accessible in the following ways:

Online education, department meetings, discussion with supervisors or the COVID-19 training coordinator.

The City of Lincoln will ensure that each employee receives training, in a language and at a literacy level the employee understands, on the following topics:

- COVID-19, including:
 - How COVID-19 is transmitted (including pre-symptomatic and asymptomatic transmission);
 - The importance of hand hygiene to reduce the risk of spreading COVID-19 infections;
 - Ways to reduce the risk of spreading COVID-19 through proper covering of the nose and mouth;
 - The signs and symptoms of COVID-19;
 - Risk factors for severe illness; and
 - When to seek medical attention;
- The City of Lincoln policies and procedures on patient screening and management;
- Tasks and situations in the workplace that could result in COVID-19 infection;
- Workplace-specific policies and procedures to prevent the spread of COVID-19 that are applicable to the employee's duties (e.g., policies on Standard and Transmission-Based Precautions, physical distancing, physical barriers, ventilation, aerosol-generating procedures);
- Employer-specific multi-employer workplace agreements related to infection control policies and procedures, the use of common areas, and the use of shared equipment that affect employees at the workplace;
- The City of Lincoln policies and procedures for PPE worn to comply with OSHA's COVID-19 ETS, including:
 - When PPE is required for protection against COVID-19;
 - Limitations of PPE for protection against COVID-19;
 - How to properly put on, wear, and take off PPE;

- How to properly care for, store, clean, maintain, and dispose of PPE; and
- Any modifications to donning, doffing, cleaning, storage, maintenance, and disposal procedures needed to address COVID-19 when PPE is worn to address workplace hazards other than COVID-19;
- Workplace-specific policies and procedures for cleaning and disinfection;
- The City of Lincoln policies and procedures on health screening and medical management;
- Available sick leave policies, any COVID-19-related benefits to which the employee may be entitled under applicable federal, state, or local laws, and other supportive policies and practices (e.g., telework, flexible hours);
- The identity of The City of Lincoln Safety Coordinator(s) specified in this COVID-19 plan;
- OSHA's COVID-19 Emergency Temporary Standard (ETS)
- How the employee can obtain copies of OSHA's COVID-19 ETS and any employer-specific policies and procedures developed under OSHA's COVID-19 ETS, including this written COVID-19 plan.

The City of Lincoln will ensure that the training is overseen or conducted by a person knowledgeable in the covered subject matter as it relates to the employee's job duties, and that the training provides an opportunity for interactive questions and answers with a person knowledgeable in the covered subject matter as it relates to the employee's job duties.

The City of Lincoln will provide additional training whenever changes occur that affect the employee's risk of contracting COVID-19 at work (e.g., new job tasks), policies or procedures are changed, or there is an indication that the employee has not retained the necessary understanding or skill.

Anti-Retaliation

The City of Lincoln will inform each employee that employees have a right to the protections required by OSHA's COVID-19 ETS, and that employers are prohibited from discharging or in any manner discriminating against any employee for exercising their right to protections required by OSHA's COVID-19 ETS, or for engaging in actions that are required by OSHA's COVID-19 ETS.

The City of Lincoln will not discharge or in any manner discriminate against any employee for exercising their right to the protections required by OSHA's COVID-19 ETS, or for engaging in actions that are required by OSHA's COVID-19 ETS.

Requirements implemented at no cost to employees

The City of Lincoln will comply with the provisions of OSHA's COVID-19 ETS at no cost to its employees, with the exception of any employee self-monitoring conducted under the Health Screening and Medical Management section of this Plan.

Recordkeeping

The City of Lincoln will retain all versions of this COVID-19 plan implemented to comply with OSHA's COVID-19 ETS while the ETS remains in effect.

The City of Lincoln Human Resources Department will establish and maintain a COVID-19 log to record each instance in which an employee is COVID-19 positive, regardless of whether the instance is connected to exposure to COVID-19 at work. The COVID-19 log will contain, for each instance, the employee's name, one form of contact information, occupation, location where the employee worked, the date of the employee's last day at the workplace, the date of the positive test for, or diagnosis of, COVID-19, and the date the employee first had one or more COVID-19 symptoms, if any were experienced.

The City of Lincoln Human Resources Department will record the information on the COVID-19 log within 24 hours of learning that the employee is COVID-19 positive. The City of Lincoln will maintain the COVID-19 log as a confidential medical record and will not disclose it except as required by OSHA's COVID-19 ETS or other federal law.

The City of Lincoln will maintain and preserve the COVID-19 log while OSHA's COVID-19 ETS remains in effect.

By the end of the next business day after a request, The City of Lincoln will provide, for examination and copying:

- All versions of the written COVID-19 plan to all of the following: any employees, their personal representatives, and their authorized representatives.

- The individual COVID-19 log entry for a particular employee to that employee and to anyone having written authorized consent of that employee;
- A version of the COVID-19 log that removes the names of employees, contact information, and occupation, and only includes, for each employee in the COVID-19 log, the location where the employee worked, the last day that the employee was at the workplace before removal, the date of that employee's positive test for, or diagnosis of, COVID-19, and the date the employee first had one or more COVID-19 symptoms, if any were experienced, to all of the following: any employees, their potential representatives, and their authorized representatives.

Reporting

The City of Lincoln Human Resources Department will report to OSHA:

- Each **work-related** COVID-19 fatality within 8 hours of the safety coordinator learning about the fatality;
- Each **work-related** COVID-19 in-patient hospitalization within 24 hours of the safety coordinator learning about the in-patient hospitalization.

4. Monitoring Effectiveness

The City of Lincoln and the COVID-19 Safety Coordinator(s) will work collaboratively with non-managerial employees and their representatives to monitor the effectiveness of this COVID-19 plan so as to ensure ongoing progress and efficacy.

The City of Lincoln will update this COVID-19 plan as needed to address changes in workplace-specific COVID-19 hazards and exposures.

5. Coordination with Other Employers: N/A

6. Entering Residences

The City of Lincoln will identify potential hazards and implement measures to protect employees who, in the course of their employment, enter into private residences and other physical locations controlled by a person not covered by the Occupational Safety & Health Act of 1970 (OSH Act) such as a private citizen's home.

The City of Lincoln requires that the City's COVID-19 protocols be communicated to homeowners and sole proprietors prior to conducting work activities at private residences or other physical locations not covered by the OSH Act.

7. Signature and Plan Availability

The City of Lincoln has prepared and issued this COVID-19 plan on 09/01/21.

Employer Name:	The City of Lincoln Fire and Police Departments
Address:	P.O. Box 617, Lincoln, NC 28092

This COVID-19 plan is available:

☒ Via hard copy at the Fire & Police Depts.

☒ Via email request:
dmocanu@lincolntonpolice.com
rreynolds@lincolntonnc.org

Appendix A: Hazard Assessment

The tasks listed below have the potential exposure to COVID-19:

<i>Potential Hazard: Area, activity, or work duty that potentially exposes employees to COVID-19 hazards</i>	<i>Engineering Controls: What controls can be implemented to remove the hazard from the workplace?</i>	<i>Work Practice Controls: Employee work practices that can mitigate the hazard.</i>	<i>Use of PPE: What PPE could be used to mitigate the hazard?</i>
Performing CPR or Intubation	Limit the number of employees in the area. Move patient outside when possible.	Thoroughly clean and sanitize all equipment used during the emergency response procedure.	Employees assisting with AGPs on suspected or confirmed COVID-19 persons should wear N 95 respirators, eye protection, gown or turnout gear and gloves.
Suction on choking or cardiac arrest patients	Limit the number of employees in the area. Move patient outside when possible.	Thoroughly clean and sanitize all equipment used during the emergency response procedure.	Employees assisting with AGPs on suspected or confirmed COVID-19 persons should wear N 95 respirators, eye protection, gown or turnout gear and gloves.
Assist EMS with CPAP	Limit the number of employees in the area. Move patient outside when possible.	Thoroughly clean and sanitize all equipment used during the emergency response procedure.	Employees assisting with AGPs on suspected or confirmed COVID-19 persons should wear N 95 respirators, eye protection, gown or turnout gear and gloves.
Interaction with public requiring close contact	Practice social distancing when possible.	Practice social distancing when possible.	Wear respirators, utilize practice of social distancing and washing or sanitizing hands often.

Effective Date: 09/01/21

Appendix B: **Cleaning and Disinfecting Your Facility**

Every Day and When Someone is Sick

The virus that causes COVID-19 can land on surfaces. It's possible for people to become infected if they touch those surfaces and then touch their nose, mouth, or eyes. In most situations, the risk of infection from touching a surface is low. The most reliable way to prevent infection from surfaces is to regularly wash hands or use hand sanitizer.

Cleaning and disinfecting surfaces can also reduce the risk of infection.

Always follow standard practices and appropriate regulations specific to your type of facility for minimum standards for cleaning and disinfection.

When to Clean and When to Disinfect

Cleaning with products containing soap or detergent reduces germs on surfaces by removing contaminants and decreases risk of infection from surfaces.

When no people with confirmed or suspected COVID-19 are known to have been in a space, cleaning once a day is usually enough to sufficiently remove virus that may be on surfaces and help maintain a healthy facility.

Disinfecting using U.S. Environmental Protection Agency (EPA) List N disinfectant kills any remaining germs on surfaces, which further reduces any risk of spreading infection.

You may want to either clean more frequently or choose to disinfect (in addition to cleaning) in shared spaces if the space is a high traffic area or if certain conditions apply that can increase the risk of infection from touching surfaces:

- High transmission of COVID-19 in your community;
- Low vaccination rates in your community;
- Infrequent use of other prevention measures, such as mask wearing (among unvaccinated people) and hand hygiene; or
- The space is occupied by people at increased risk for severe illness from COVID-19

If there has been a sick person or someone who tested positive for COVID-19 in your facility within the last 24 hours, you should clean AND disinfect the space.

Clean High-Touch Surfaces

Clean high-touch surfaces at least once a day or as often as determined is necessary. Examples of high-touch surfaces include: pens, counters, shopping carts, tables, doorknobs, light switches, handles, stair rails, elevator buttons, desks, keyboards, phones, toilets, faucets, and sinks.

Protect Yourself and Other Cleaning Staff

- Ensure cleaning staff are trained on proper use of cleaning (and disinfecting, if applicable) products.
- Read the instructions on the product label to determine what safety precautions are necessary while using the product. This could include PPE (such as gloves, glasses, or goggles), additional ventilation, or other precautions.
- Wash your hands with soap and water for 20 seconds after cleaning. Be sure to wash your hands immediately after removing gloves.

- If hands are visibly dirty, always wash hands with soap and water.
- If soap and water are not available and hands are not visibly dirty, use an alcohol-based hand sanitizer that contains at least 60% alcohol, and wash with soap and water as soon as you can.
- Special considerations should be made for people with asthma. Some cleaning and disinfection products can trigger asthma. Learn more about reducing your chance of an asthma attack while disinfecting to prevent COVID-19.

Disinfect Safely When Needed

If you determine that regular disinfection may be needed

- If your disinfectant product label does not specify that it can be used for both cleaning and disinfection, clean visibly dirty surfaces with soap or detergent before disinfection.
- Use a disinfectant product from the EPA List N that is effective against COVID-19. Check that the EPA Registration on the product matches the registration number in the List N search tool.
 - If products on EPA List N Disinfectants for Coronavirus (COVID-19) external icon are not available, bleach solutions can be used if appropriate for the surface.
- **Always follow the directions on the label** to ensure safe and effective use of the product. The label will include safety information and application instructions. Keep disinfectants out of the reach of children. Many products recommend keeping the surface wet with a disinfectant for a certain period (see “contact time” on the product label).
 - Check the product label to see what PPE (such as gloves, glasses, or goggles) is required based on potential hazards.
 - Ensure adequate ventilation (for example, open windows).
 - Use only the amount recommended on the label.
 - If diluting with water is indicated for use, use water at room temperature (unless stated otherwise on the label).
 - Label diluted cleaning or disinfectant solutions.
 - Store and use chemicals out of the reach of children and pets.
 - Do not mix products or chemicals.
 - Do not eat, drink, breathe, or inject cleaning and disinfection products into your body or apply directly to your skin. They can cause serious harm.
 - Do not wipe or bathe people or pets with any surface cleaning and disinfection products.

Clean and Disinfect Specific Types of Surfaces

Soft surfaces such as carpet, rugs, and drapes

- Clean the surface using a product containing soap, detergent, or other type of cleaner appropriate for use on these surfaces.
- Launder items (if possible) according to the manufacturer’s instructions. Use the warmest appropriate water setting and dry items completely.
- If you need to disinfect, use a product from EPA List N external icon approved for use on soft surfaces.
- Vacuum as usual.

Electronics such as tablets, touch screens, keyboards, remote controls, and ATM machines

- Consider putting a wipeable cover on electronics, which makes cleaning and disinfecting easier.

- Follow the manufacturer's instructions and recommendations for cleaning the electronic device.
- For electronic surfaces that need to be disinfected, use a product on EPA List icon that meets manufacturer's recommendations. Many of the products for electronics contain alcohol because it dries quickly.

Outdoor areas

- Spraying cleaning products or disinfectants in outdoor areas – such as on sidewalks, roads, or groundcover – is **not** necessary, effective, or recommended.
- High-touch surfaces made of plastic or metal, such as grab bars, play structures, and railings, should be cleaned regularly.
- Cleaning and disinfection of wooden surfaces (such as wood play structures, benches, tables) or groundcovers (such as mulch and sand) is not recommended.

Clean and Disinfect Your Facility When Someone is Sick

If there has been a sick person or someone who tested positive for COVID-19 in your facility within the last 24 hours, you should clean and disinfect the spaces they occupied.

Before cleaning and disinfecting

- Close off areas used by the person who is sick and do not use those areas until after cleaning and disinfecting.
- Wait as long as possible (at least several hours) before you clean and disinfect.

While cleaning and disinfecting

- Open doors and windows and use fans or HVAC (heating, ventilation, and air conditioning) settings to increase air circulation in the area.
- Use products from EPA List N icon according to the instructions on the product label.
- Wear a mask and gloves while cleaning and disinfecting.
- Focus on the immediate areas occupied by the person who is sick or diagnosed with COVID-19 unless they have already been cleaned and disinfected.
- Vacuum the space if needed. Use a vacuum equipped with high-efficiency particulate air (HEPA) filter and bags, if available.
 - While vacuuming, temporarily turn off in-room, window-mounted, or on-wall recirculation heating, ventilation, and air conditioning systems to avoid contamination of HVAC units.
 - Do NOT deactivate central HVAC systems. These systems provide better filtration capabilities and introduce outdoor air into the areas that they serve.
- It is safe to wash dirty laundry from a person who is sick with COVID-19 with other people's items, if needed.
- Ensure safe and correct use and storage of cleaning and disinfectant products, including storing such products securely and using PPE needed for the cleaning and disinfection products.

If less than 24 hours have passed since the person who is sick or diagnosed with COVID-19 has been in the space, clean and disinfect the space.

If more than 24 hours have passed since the person who is sick or diagnosed with COVID-19 has been in the space, cleaning is enough. You may choose to also disinfect depending on certain conditions or everyday practices required by your facility.

If more than 3 days have passed since the person who is sick or diagnosed with COVID-19 has been in the space, no additional cleaning (beyond regular cleaning practices) is needed.



City of Lincolnton – ETS Plan COVID-19 Employee Reporting Form

The reporting supervisor should complete the shaded area and forward the form to the Safety Coordinator for follow up. This document is intended for reporting and documenting COVID-19 employee cases as required by Emergency Temporary Standards (ETS) outlined by OSHA. **Only collect information required on this form. Any additional information volunteered by the employee should remain confidential and should not be discussed with anyone outside of Human Resources.**

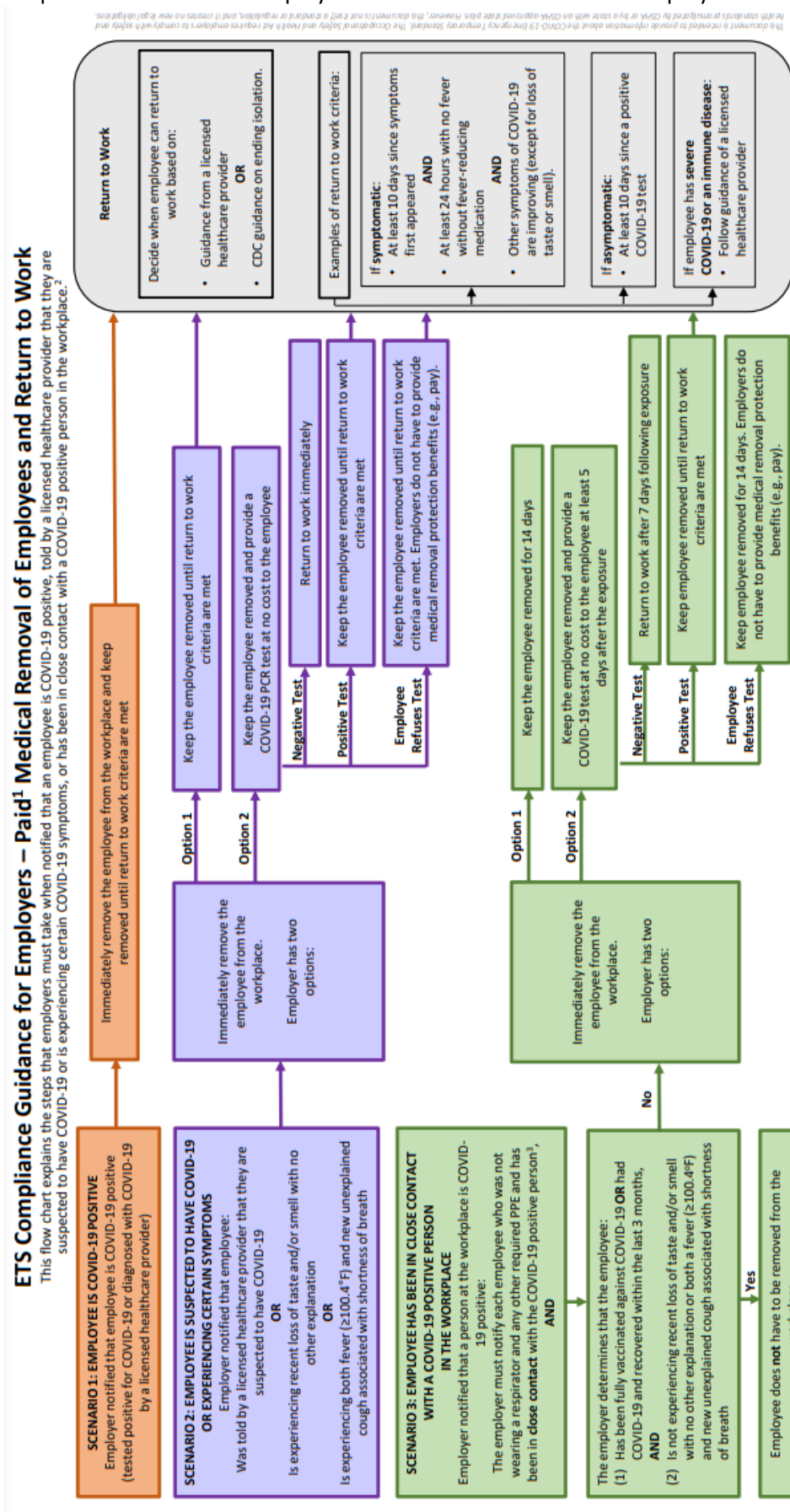
Employee Name: _____ Date/Time Reported: _____ / _____ a.m. p.m.
 Last Date Worked: _____ Date of Symptoms or +Result: _____
 Date/Time Safety Coordinator Notified: _____ / _____ a.m. p.m.
 Supervisor Signature: _____ Date: _____

Date/Time Human Resources Notified: _____ / _____ a.m. p.m.
 Safety Coordinator Signature: _____ Date: _____

Close Contact Employee Information:

Name	Contact Information	***For Human Resources Use Only***
		Date: _____ Time: _____ Vaccinated: ☐ Yes ☐ No + COVID Test in last 90 Days: ☐ Yes ☐ No Outcome: _____
		Date: _____ Time: _____ Vaccinated: ☐ Yes ☐ No + COVID Test in last 90 Days: ☐ Yes ☐ No Outcome: _____
		Date: _____ Time: _____ Vaccinated: ☐ Yes ☐ No + COVID Test in last 90 Days: ☐ Yes ☐ No Outcome: _____
		Date: _____ Time: _____ Vaccinated: ☐ Yes ☐ No + COVID Test in last 90 Days: ☐ Yes ☐ No Outcome: _____
		Date: _____ Time: _____ Vaccinated: ☐ Yes ☐ No + COVID Test in last 90 Days: ☐ Yes ☐ No Outcome: _____

Human Resources Signature: _____ Date: _____



¹ OSHA is requiring medical removal protection benefits to be paid only by employers that have more than 10 employees.

² Employers may choose to remove or test employees for other COVID-19-related reasons not required by the ETS (e.g., additional symptoms from the CDC list or exposure to someone who is COVID-19 positive outside the workplace).

³ This notification provision is not triggered by the presence of a patient with confirmed COVID-19 in a workplace where services are normally provided to suspected or confirmed COVID-19 patients (e.g., emergency rooms, urgent care facilities).

ITEM #

3b

2 0 2 1 - 2 0 2 2
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

WEST LINCOLN HIGH SCHOOL

Allison Bailey – Senior
3396 Sorrells Baxter Road
Cherryville, NC 28021
allison.bailey@students.lincoln.k12.nc.us
704-692-8649 – Home
704-477-3100 – Cell

Brad Jimenez – Senior
3629 Oakdale Drive
Crouse, NC 28033
brad.jimenez@students.lincoln.k12.nc.us
704-740-2328 – home
704-748-3778 – cell

Andy Saine – Junior
4272 Highway 182
Crouse, NC 28033
andy.saine@students.lincoln.k12.nc.us
704-473-6541 – home
980-251-0964 – cell

Allyson Scronce – Senior
391 Dave Peterson Lane
Vale, NC 28168
chloe.scronce@students.lincoln.k12.nc.us
704-276-3141 – home
828-838-0248

Genevieve Shutt – Senior
1173 Cat Square Road
Vale, NC 28168
genevieve.shutt@students.lincoln.k12.nc.us
828-851-1690 – home
704-530-2980 – cell

NORTH LINCOLN HIGH SCHOOL

Madison File – Senior
7960 Buena Vista Drive
Denver, NC 28037
madison.file@students.lincoln.k12.nc.us
980-241-2423 – parents cell #
980-240-0808 – cell

Peyton Lee – Senior
13313 Centennial Commons Parkway
Huntersville, NC 28078
peyton.lee@students.lincoln.k12.nc.us
336-407-9315 – guardian's cell #
910-620-0353 – Cell

Sydney Hudson – Senior
2070 Ivey Church Road
Maiden, NC 28650
sydney.hudson@students.lincoln.k12.nc.us
828-850-1558 – parents cell #
828-851-6862 – cell

Camden Caldwell – Junior
8030 McConnell Road
Denver, NC 28037
camden.caldwell@students.lincoln.k12.nc.us
704-634-8721 – parents cell#
980-279-0601 – cell

Carly Correll – Junior
6186 King Wilkinson Road
Denver, NC 28037
carly.correll@students.lincoln.k12.nc.us
704-458-9766 – parent's cell#
704-351-5246 – cell

EAST LINCOLN HIGH SCHOOL

Isaac Armstrong - Junior
7261 Drury Lane
Denver, NC 28037
isaac.armstrong@students.lincoln.k12.nc.us
704-806-0396 - cell
704-877-9520 - Parent

Myasia Benson - Senior
2214 Pine Valley Drive
Denver, NC 28037
myasia.benson@students.lincoln.k12.nc.us
704-340-7865

Raven Ross – Senior
7058 Jerry Ross Lane
Iron Station, NC 28080
raven.ross@students.lincoln.k12.nc.us
704-483-6520
704-309-4055 – Parent

Lori Woodrum – Junior
7827 Hickory Creek Drive
Denver, NC 28037
lori.woodrum@students.lincoln.k12.nc.us
704-626-8866

Laura Zacharaukas – Junior
7188 Quail Hunt Drive
Stanley, NC 28164
laura.zacharaukas@students.lincoln.k12.nc.us
704-530-1027
704-745-7302 – parent

LINCOLNTON HIGH SCHOOL

Andrew Secrest - Junior

1601 Salem Church Road

Lincolnton, NC 28092

stephen.secrest@students.lincoln.k12.nc.us.

980-925-1300 – Cell

704-732-4579 - Home

Ashley Antonio-Larios – Senior

2053 Lithia Springs Road

Lincolnton, NC 28092

ashley.antoniolarios@students.lincoln.k12.nc.us

704-308-0117

Collin Clinch – Senior

302 Terrace Place

Lincolnton, NC 28092

collin.clinch@students.lincoln.k12.nc.us

914-469-3763

Jaclyn Harrison - Junior

113 Kennedy Drive

Lincolnton, NC 28092

Jaclyn.harrison@students.lincoln.k12.nc.us

704-914-7364 – Cell

704-913-4771 – Home

Caroline Carpenter – Junior

1275 Carpenter Drive

Lincolnton, NC 28092

caroline.carpenter@students.lincoln.k12.nc.us

980-241-8650 – Cell

704-92-0680 – Home

Lincoln Charter School

Mason Fitzpatrick - Senior
6256 Rustover Lane
Cherryville, NC 28021
mfitzpatrick@student.lincolncharter.org
704-685-0762

Sara Williams - Junior
108 Guernsey Court
Dallas, NC
Wsara0330@gmail.com ; swilliams2@student.lincolncharter.org
704-998-7013

Council Member Appointments

Charles (Charlie)Wyant – Senior
2748 Wyant Road
Vale, NC 28168
charlie.wyant04@icloud.com
980-429-7267
704-276-3978

Kellie Derby – Junior
4767 Reepsville Rd.
Vale, NC 28168
kellieqderby@gmail.com
980-241-2550

ITEM #

3c

From: Nathan Eurey
Sent: Tuesday, April 27, 2021 6:21 PM
To: Ritchie Haynes
Cc: Mary Huffman
Subject: Cemetery Ordinance Amendment

Ritchie,

I researched and gathered cemetery code of ordinances from 10 local municipalities that included: Cherryville, Belmont, Gastonia, Maiden, Newton, Shelby, Forest City, Lenior, Dallas, & Mount Holly.

7 of the 10 (or 70%) required a grave liner or vault.

Cherryville, Forest City, and Mt. Holly had no verbiage in their ordinances that spelled out the requirement of having a vault or grave liner.

I took the liberty of drafting out two recommended revisions to our cemetery code of ordinances. What's highlighted will be new text added to the current ordinances.

Mary and I met this morning to review the proposed draft revisions to make any final revisions before sending it on to you. Please read over it and let me know what you think.

Thanks and Have a Great Day!

Nathan C. Eurey

Director of Public Services

City of Lincolnton Parks and Recreation & Public Works Departments

P.O. Drawer 617, Lincolnton, NC 28093

Phone: (704) 735-2671 Fax: (704) 735-1662

Email: neurey@lincolntonnc.org

Website: www.ci.lincolnton.nc.us

O-09-21

**AN ORDINANCE TO AMEND THE CITY OF LINCOLNTON
CODE OF ORDINANCES, TITLE IX: GENERAL REGULATIONS;
CHAPTER 91: CEMETERIES – SECTION 91.18**

WHEREAS, Section 91.18 Internment; Disinternment; Depth of Graves, needs to be retitled and amended to include additional text regarding grave specifications.

NOW, THEREFORE, BE IT RESOVED BY THE CITY COUNCIL OF THE CITY OF LINCOLNTON THAT:

Section 1. Title be changed from: Internment; Disinternment; Depth of Graves, to:

Internment; Disinternment; Specifications for Graves

Section 2. Amend Section 91.18 to include subsections as follows:

Internment and Disinternment

- A. No person shall be interred or disinterred in the cemetery without lawful authority and permission. Internment and disinternment must be performed by expert(s) whose primary occupation is in this profession.

Specification of Graves

- B. Depth of Graves – All graves over four and on-half feet (4-1/2') in length shall be a minimum of six feet in depth. All graves shall be of sufficient depth to allow 18" inches of space between the top of the vault or other container and ground level.
- C. Vault or Grave Lines Required – No burial, for the internment of human remains in caskets, shall be permitted without the use of a minimum of a concrete, metal, or plastic burial vault or give liner. No wooden burial vaults shall be allowed. All cremation burials outside of the columbarium shall be contained within a waterproof, tightly-sealed container designed for such purposes and disposition

This ordinance shall become effective upon adoption

Adopted the _____ day of _____, 2021

Daphne Ingram, City Clerk

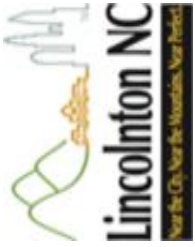
ITEM #

4

OTHER BUSINESS

ITEM #

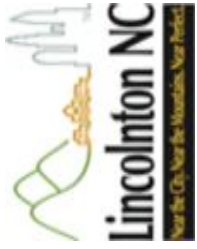
4a



Executive Summary

August 2021 Year-to-Date

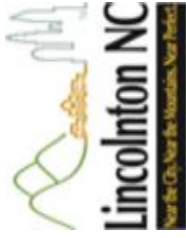
Department		2021-2022	2021-2022 YTD	Budget	Variance %	2020-2021	2020-2021 YTD	Variance
Fund: 10 - General Fund		Budget	Activity	Remaining		Budget	Activity	Favorable / (Unfavorable)
Revenue								
Total Revenue:		\$11,043,366.06	\$981,766.38	\$10,061,599.68	9%	\$14,004,059.00	\$646,918.62	\$334,847.76
		\$11,043,366.06	\$981,766.38	\$10,061,599.68	9%	\$14,004,059.00	\$646,918.62	\$334,847.76
Expense								
4110-City Manager/Clerk		\$173,960.00	\$49,089.07	\$124,870.93		\$239,520.00	\$46,867.03	(\$2,222.04)
4120-Human Resources		\$334,015.00	\$62,599.43	\$271,415.57		\$351,556.75	\$62,646.73	\$47.30
4130-Finance		\$135,270.00	\$102,730.52	\$32,539.48		\$223,640.00	\$87,797.73	(\$14,932.79)
4280-General Expense		\$1,452,715.06	\$502,422.76	\$950,292.30		\$1,736,756.49	\$336,051.15	(\$166,371.61)
4285-General Debt Service		\$293,924.00	\$2,487.32	\$291,436.68		\$334,757.00	\$3,730.98	\$1,243.66
4310-Police		\$3,350,520.00	\$549,055.20	\$2,801,464.80		\$3,977,949.47	\$562,540.47	\$13,485.27
4340-Fire		\$2,217,589.00	\$398,713.06	\$1,818,875.94		\$3,031,949.00	\$340,274.30	(\$58,438.76)
4510-Public Works Administration		\$44,580.00	\$29,756.44	\$14,823.56		\$86,300.00	\$29,034.87	(\$721.57)
4520-Street and Maintenance		\$778,605.00	\$131,388.99	\$647,216.01		\$882,269.21	\$133,277.66	\$1,888.67
4530-Equipment Services		\$223,290.00	\$43,849.93	\$179,440.07		\$268,789.04	\$37,552.19	(\$6,297.74)
4710-Solid Waste		\$522,095.00	\$87,349.42	\$434,745.58		\$692,375.00	\$80,971.39	(\$6,378.03)
4910-Planning and Zoning		\$330,440.00	\$47,838.27	\$282,601.73		\$500,239.00	\$65,473.06	\$17,634.79
4930-Business & Community Dev.		\$123,200.00	\$8,592.57	\$114,607.43		\$639,145.04	\$75,727.37	\$67,134.80
6100-Recreation		\$1,063,163.00	\$151,378.60	\$911,784.40		\$1,038,813.00	\$151,544.42	\$165.82
Total Expense:		\$11,043,366.06	\$2,167,251.58	\$8,876,114.48	20%	\$14,004,059.00	\$2,013,489.35	(\$153,762.23)
Fund 10 Surplus (Deficit):			(\$1,185,485.20)				(\$1,366,570.73)	\$181,085.53
Fund: 20 - Boger City Fire District								
Revenue								
Total Revenue:		\$985,000.00	\$81,750.00	\$903,250.00	8%	\$1,373,152.00	\$285,252.63	(\$203,502.63)
		\$985,000.00	\$81,750.00	\$903,250.00	8%	\$1,373,152.00	\$285,252.63	(\$203,502.63)
Expense								
4340-Fire		\$985,000.00	\$160,000.12	\$824,999.88		\$1,373,152.00	\$78,176.21	(\$81,823.91)
Total Expense:		\$985,000.00	\$160,000.12	\$824,999.88	16%	\$1,373,152.00	\$78,176.21	(\$81,823.91)
Fund 20 Surplus (Deficit):			(\$78,250.12)				\$207,076.42	(\$285,326.54)



Executive Summary

August 2021 Year-to-Date

	2021-2022 Budget	2021-2022 YTD Activity	Budget Remaining	Variance %	2020-2021 Budget	2020-2021 YTD Activity	Variance Favorable / (Unfavorable)
Fund: 61 - Water and Sewer Fund							
Revenue							
	\$8,475,950.00	\$1,337,456.22	\$7,138,493.78	16%	\$9,677,450.00	\$1,310,072.94	\$27,383.28
Total Revenue:	\$8,475,950.00	\$1,337,456.22	\$7,138,493.78	16%	\$9,677,450.00	\$1,310,072.94	\$27,383.28
Expense							
7100-Water Treatment	\$2,006,350.00	\$303,515.64	\$1,702,834.36		\$1,945,700.00	\$307,700.26	\$4,184.62
7110-Distribution & Collection	\$2,056,300.00	\$262,640.52	\$1,793,659.48		\$2,032,900.00	\$227,986.59	(\$34,653.93)
7120-Wastewater Treatment	\$1,931,597.00	\$165,575.52	\$1,766,021.48		\$1,644,150.00	\$198,174.04	\$32,598.52
7130-Water/Sewer Intangibles	\$2,481,703.00	\$188,113.67	\$2,293,589.33		\$4,054,700.00	\$129,264.58	(\$58,849.09)
Total Expense:	\$8,475,950.00	\$919,845.35	\$7,556,104.65	11%	\$9,677,450.00	\$863,125.47	(\$56,719.88)
Fund 61 Surplus (Deficit):		\$417,610.87				\$446,947.47	(\$29,336.60)
Fund: 63 - Electric Fund							
Revenue							
	\$7,797,350.00	\$1,369,169.16	\$6,428,180.84	18%	\$8,596,830.00	\$2,243,890.25	(\$874,721.09)
Total Revenue:	\$7,797,350.00	\$1,369,169.16	\$6,428,180.84	18%	\$8,596,830.00	\$2,243,890.25	(\$874,721.09)
Expense							
7200-Electric	\$7,797,350.00	\$877,220.70	\$6,920,129.30		\$8,596,830.00	\$961,129.60	\$83,908.90
Total Expense:	\$7,797,350.00	\$877,220.70	\$6,920,129.30	11%	\$8,596,830.00	\$961,129.60	\$83,908.90
Fund 63 Surplus (Deficit):		\$491,948.46				\$1,282,760.65	(\$790,812.19)
Total Surplus (Deficit):		(\$354,175.99)				\$570,213.81	(\$924,389.80)



Overtime Report

August 2021 compared to August 2020 Year-to Date

Fund:	Description:	FY2122		FY2021		Variance Favorable / (Unfavorable)	
		OT Hours:	Pay Amount:	OT Hours:	Pay Amount:	OT Hours:	Pay Amount:
Fund 10 - General	4110-City Manager/Clerk	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00
	4120-Human Resources	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00
	4130-Finance	3.00	\$86.85	25.75	\$816.24	22.75	\$729.39
	4310-Police	156.20	\$4,783.66	185.90	\$5,564.58	29.70	\$780.92
	4340-Fire	2,057.40	\$43,308.97	1,330.30	\$27,541.75	(727.10)	(\$15,767.22)
	4510-Public Works Administration	0.00	\$0.00	5.00	\$137.62	5.00	\$137.62
	4520-Street and Maintenance	100.00	\$2,442.58	72.00	\$1,927.62	(28.00)	(\$514.96)
	4530-Equipment Services	0.00	\$0.00	24.00	\$873.42	24.00	\$873.42
	4710-Solid Waste	58.50	\$1,499.34	78.00	\$1,968.39	19.50	\$469.05
	4910-Planning and Zoning	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00
	4930-Business & Community Dev.	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00
	6100-Recreation	90.75	\$2,711.90	20.00	\$590.52	(70.75)	(\$2,121.38)
	10 - General Fund Total:	2,465.85	\$54,833.30	1,740.95	\$39,420.14	(724.90)	(\$15,413.16)
Fund 20 - Boger City Fire District	4340-Fire	973.40	\$19,530.87	211.00	\$4,639.55	(762.40)	(\$14,891.32)
	20 - Boger City Fire District Total:	973.40	\$19,530.87	211.00	\$4,639.55	(762.40)	(\$14,891.32)
Fund 61 - Water and Sewer	7100-Water Treatment	283.25	\$6,665.97	352.50	\$8,930.02	69.25	\$2,264.05
	7110-Distribution & Collection	183.00	\$5,209.62	299.50	\$8,103.92	116.50	\$2,894.30
	7120-Wastewater Treatment	289.50	\$7,545.67	307.50	\$8,735.24	18.00	\$1,189.57
	61 - Water and Sewer Fund Total:	755.75	\$19,421.26	959.50	\$25,769.18	203.75	\$6,347.92
Fund 63 - Electric	7200-Electric	68.50	\$2,346.62	114.00	\$3,662.06	45.50	\$1,315.44
	63 - Electric Fund Total:	68.50	\$2,346.62	114.00	\$3,662.06	45.50	\$1,315.44
	Total Overtime:	4,263.50	96,132.05	3,025.45	73,490.93	(1,238.05)	(22,641.12)

ITEM #

4b

**NO BACK-UP
AVAILABLE**