

A G E N D A

LINCOLNTON CITY COUNCIL



December 2, 2021

7:00 p.m.

Council Chambers

City hall



**LINCOLNTON CITY COUNCIL
AGENDA
December 2, 2021
7:00 p.m.**

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

1. AGENDA APPROVALS

1a. Approval of REGULAR AGENDA

1b. Approval of CONSENT AGENDA

All items placed under Consent Agenda are considered routine, to be enacted by one motion without discussion. If a member of the Governing Body requests discussion of an item, the item will be removed from the Consent Agenda and considered separately.

- Approval of Minutes from the November 4, 2021 Regular Meeting

(R-16-21)

- Consideration/Approval of Resolution Adopting the 2022 Calendar of Meeting Dates and Time for the Lincolnton City Council Order to Comply with the Open Meeting Law and NCGS 143.33

(R-17-21)

- Surplus handgun and badge for LPD Captain David Mocanu – “Glock” Handgun Model 19, Gen 4, Serial Number YCZ911 to be presented to him upon his retirement effective February 1, 2022
- Recognition of Upcoming Retirements as Follows:

James P. Sparks – Public Services Department – 26 Years of Service
Mary Huffman – Finance Department – 23 Years of Service
Ronald Specht – Waste Water Treatment – 17 Years of Service

(R-18-21)

- Adoption of the Records Retention and Disposition Schedules and Retention Periods governing the records in the 2021 Program Records Schedule and the 2021 General Records Schedule, in accordance with the provisions of Chapters 121 and 132 in the General Statutes of North Carolina.

GFOA Award

- Certificate of Achievement for Excellence in Financial Reporting Recognition

2. PUBLIC HEARINGS

2a. CZ-10-2021 – Application for Prestige Acquisitions, LLC requesting the rezoning of approximately 24 acres of land from Residential-25 (R-25) and Residential-Office (R-O) to Planned Residential District (PRD) for the purpose of developing a community of Single Family detached housing (51 units) and attached townhomes (49 units). The subject property is a portion of property owned by New Vision Ministries located at 621 Clarks Creek Road (Portion of Parcel ID 15614). The portion requested for rezoning is located on the south side of Clarks Creek Road adjacent Clarks Creek and running approximately 800 feet to the west.

Laura Elam, Planning Director

2b. CZ-11-2021 – Application from Century Communities Southeast, LLC requesting the rezoning of approximately 97.16 acres from Residential-25 (R-25) District to Planned Residential District (PRD) for the purpose of developing a community of 261 Single Family detached housing units. The subject property is located on the east side of Startown Road approximately 950 feet south of the intersection of Clarks Creek Road and Startown Road (Parcel ID's 16937, 21509, 21507, 21508 and 21510).

Laura Elam, Planning Director

(R-19-21) (C-12-21)

2c. INDUSTRIAL INCENTIVE GRANT - Proposed Industrial Incentive Grant agreement for a New Industry between the City of Lincolnton and Hodges International/H2 Home Collection. Under proposed incentive agreement, the City will provide cash grants to Hodges International of \$24,828.30 per year for a seven year period, paying such grants beginning in the tax year after the project's completion.

Kara Brown, Lincoln Economic Development

3. REGULAR AGENDA

3a. A Proclamation Honoring Dale Punch – Hometown Hero Banner Project

Ed Hatley, Mayor

(R-20-21)

3b. Resolution Authorizing and Directing City Attorney to Petition Superior Court for an Order Requiring the Owner of Certain Property Located at 714 Lithia Inn Road in the City of Lincolnton to Comply with Order of the Code Enforcement Office

Laura Elam, Planning Director

(R-21-21)

3c. Consideration of Resolution of Intent to Annex Property Located at 410 McAlister Road

Laura Elam, Planning Director

4. REGULAR AGENDA - Continued

(BA-07-21)

4a. Budget Amendment to the Annual Budget Ordinance for fiscal year ending June 30, 2022; Amending General Fund Section 1, Section 2, Section 16 and Section 17.

Pam McBryde, Finance Director

4b. Request to Approve the 2021/2022 Salary Schedule/Position Classification and Schedule of Budget Positions

Tanya Osborne, Human Resources Director

5. REGULAR AGENDA - continued

(APPT-07-21)

5a. Re-Appointments

ABC Board	Tommy Huskey
Recreation	Will Kiser
Airport Authority	Tim Smith
Planning Board	Greg McBryde

(one motion required for above reappointments)

(APPT-08-21)

5b. New Appointments -

LTDA Board	1 Vacancy
Recreation	2 Vacancies
Planning Board	1 Vacancy

(a motion will be required for each individual appointment)

5c. Request from Local Roots and Provisions owners to install a new TPO membrane roof with ISO for Thermal Insulation reasons and to address current water leaks during heavy rain events.

Ritchie Haynes, City Manager

6. OTHER BUSINESS

6a. Discussion of Mayor's Appointments/ Council Representatives to Various Boards

Ed Hatley, Mayor

6b. Manager's Report/Activity Update

Ritchie Haynes, City Manger

PUBLIC COMMENT

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

NEWS MEDIA

ADJOURNMENT

ITEM #

1

AGENDA APPROVALS

ITEM #

1a

APPROVAL

OF

REGULAR AGENDA

ITEM #

1b

APPROVAL

OF

CONSENT AGENDA

The Mayor and City Council met in regular session on Thursday, November 4, 2021 at 7:00 p.m. in the Council Chambers of City Hall located at 114 West Sycamore Street, Lincolnton North Carolina.

Mayor Ed Hatley opened the meeting with a moment of silence and led the Pledge of Allegiance.

POINSETTE EADDY JETTON

NOTE: **Councilwoman Mary Frances White was absent**

Councilwoman Poinsette made a motion to approve the *REGULAR AGENDA*. Members voted 3-0 in favor of the motion.

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

- Minutes for the October 7th meeting

Members voted 3-0 in favor or the motion.

REGULAR AGENDA:

Mayor Ed Hatley announced that Item #2a - Presentation of Timken Grant, would take place later in the meeting, and proceeded to item #2b.

RFP-01-21

Discussion and Consideration of Draft Request for Proposals for the Sale and Adaptive Reuse of the Second and Third Floors of the Welcome Center Building located at 119 East Court Square for Councils Approval

Laura Elam, Planning Director, presented a draft Request for Proposals for the sale/reuse of the second and third floors of the property at 119 East Court Square (Welcome Center Building). Mrs. Elam asked for direction on how to proceed. With no changes to the draft requested and no further discussion, **Councilwoman Poinsette made a motion to approve the draft proposal and proceed as outlined. Members voted 3-0 in favor of the motion.**

BA-06-21

Budget Amendment to the Annual Budget Ordinance for fiscal year - Amend General Fund - Federal payment received for the Brownfield

Grant; Amend Boger City Fire District Fund - Training Assets Grant from the Lincoln County NC Volunteer Firemen's Association, Inc.

Ritchie Haynes, City Manager, briefly spoke to this item, explaining that amendments are a wash, in that funds received on the revenue side had to be shown on the expenditure side. With no questions from members, **Councilman Eaddy made a motion to approve the budget amendment as requested. Members voted 3-0 in favor of the motion.**

Request from Downtown Development Association Regarding Adding An Additional Alive After Five Concert

Tommy Huskey, DDA Chair, came before council members with a request from the Downtown Development Association to add an additional concert to the Alive After Five concert series for the upcoming 2022 calendar year. Mr. Huskey explained that due to the continuing efforts of the Covid-19 pandemic restrictions, many of the fund raising events have not taken place. If approved, the 2022 concerts will be scheduled for May, June, July, August and September. This will help offset the loss of revenue they have experienced and improve income. **Councilmen Jetton made a motion to approve the request from DDA. Members voted 3-0 in favor of the requests.**

Consideration of Proposed Revision to Policy #15 Employee Service Recognition Awards

Tanya Osborne, Human Resources Director, presented a proposed revision to Policy #15 - Employee Service Recognition Awards. Mrs. Osborne explained the request involved two changes; using direct deposit instead of gift cards, as well as increasing the dollar amounts to more closely reflect the program amounts after taxes. **Councilman Eaddy made a motion to approve the request for the change in the Employee Service Recognition. Members voted 3-0 in favor of the motion.**

Vaccine Incentive Update

Tanya Osborne, Human Resources Director, gave a brief update on the status of the voluntary incentive vaccination incentive program, which ended October 29th. Mrs. Osborne reported among city employees, 49.8% fully vaccinated. She stated the cost being approximately \$44,000.00, all being paid with American Rescue Plan dollars.

Presentation - Timken Grant in the Amount of \$50,000.00 for the Marcia Cloninger Rail-Trail

Mr. Marty Hallman, the plant Manager for the Timken Company, presented City Manager Ritchie Haynes with a check in the amount of \$50,000.00 to be used for a proposed project on the Marcia Cloninger Rail Trail. Mr. Hallman briefly explained the source of the funds and the desire of the Timken family to invest into the communities where they are located. The said project will consist of the creation of a performance stage and patio area near First Federal Park.

Manager's Report/Action Update

Ritchie Hayne, City Manager, updated Council on a number of committee activities and provided an Executive Summary and Overtime report as follows:

Executive Summary September 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: 10 - General Fund								
Revenue	\$11,043,366.06	\$3,283,101.38	\$7,760,264.68	30%	\$14,004,059.00	\$3,666,563.08	(\$363,461.70)	
Total Revenue:	\$11,043,366.06	\$3,283,101.38	\$7,760,264.68	30%	\$14,004,059.00	\$3,666,563.08	(\$363,461.70)	
Expense								
4110-City Manager/Clerk	\$173,960.00	\$71,536.81	\$102,423.19		\$239,520.00	\$68,772.86	(\$2,763.95)	
4120-Human Resources	\$334,015.00	\$67,924.97	\$266,090.03		\$351,556.75	\$84,042.53	(\$3,882.44)	
4130-Finance	\$135,270.00	\$142,027.30	(\$6,757.30)		\$223,640.00	\$123,950.81	(\$18,076.40)	
4200-General Expense	\$1,452,715.06	\$660,781.77	\$791,933.29		\$1,736,756.49	\$496,881.61	(\$163,900.16)	
4285-General Debt Service	\$293,924.00	\$3,730.00	\$290,193.02		\$334,757.00	\$4,974.64	\$1,243.66	
4310-Police	\$3,350,520.00	\$854,599.39	\$2,495,920.61		\$3,077,049.47	\$878,429.54	\$23,830.15	
4340-Fire	\$2,217,589.00	\$597,748.53	\$1,619,840.47		\$3,031,949.00	\$512,029.15	(\$84,819.38)	
4510-Public Works Administration	\$44,580.00	\$42,685.31	\$1,894.69		\$86,300.00	\$42,130.07	(\$555.24)	
4520-Street and Maintenance	\$776,685.00	\$164,332.62	\$612,352.38		\$882,269.21	\$223,697.48	\$39,364.06	
4530-Equipment Services	\$223,200.00	\$65,047.38	\$158,152.62		\$268,789.04	\$61,186.08	(\$3,061.30)	
4710-Solid Waste	\$522,095.00	\$117,140.41	\$404,954.59		\$692,375.00	\$115,980.72	(\$1,159.69)	
4910-Planning and Zoning	\$330,440.00	\$72,849.90	\$257,590.10		\$500,239.00	\$82,119.14	\$9,269.24	
4930-Business & Community Dev.	\$123,200.00	\$25,364.51	\$97,835.49		\$639,145.04	\$81,087.45	\$55,722.94	
6100-Recreation	\$1,063,163.00	\$217,704.96	\$845,458.04		\$1,038,813.00	\$226,724.61	\$8,929.65	
Total Expense:	\$11,043,366.06	\$3,143,564.84	\$7,899,801.22	28%	\$14,004,059.00	\$3,002,906.69	(\$140,658.15)	
Fund 10 Surplus (Deficit):		\$139,536.54				\$663,656.39	(\$524,119.85)	
Fund: 20 - Boger City Fire District								
Revenue	\$985,000.00	\$163,500.00	\$821,500.00	17%	\$1,373,152.00	\$365,991.55	(\$202,491.55)	
Total Revenue:	\$985,000.00	\$163,500.00	\$821,500.00	17%	\$1,373,152.00	\$365,991.55	(\$202,491.55)	
Expense								
4340-Fire	\$985,000.00	\$245,350.29	\$739,649.71		\$1,373,152.00	\$129,770.45	(\$115,579.84)	
Total Expense:	\$985,000.00	\$245,350.29	\$739,649.71	25%	\$1,373,152.00	\$129,770.45	(\$115,579.84)	
Fund 20 Surplus (Deficit):		(\$81,850.29)				\$236,221.10	(\$318,071.39)	
Fund: 61 - Water and Sewer Fund								
Revenue	\$8,475,950.00	\$2,045,270.89	\$6,430,679.11	24%	\$11,577,450.00	\$2,051,257.44	(\$5,986.55)	
Total Revenue:	\$8,475,950.00	\$2,045,270.89	\$6,430,679.11	24%	\$11,577,450.00	\$2,051,257.44	(\$5,986.55)	
Expense								
7100-Water Treatment	\$2,006,350.00	\$411,518.08	\$1,594,831.92		\$1,945,700.00	\$398,717.88	(\$12,880.20)	
7110-Distribution & Collection	\$2,055,300.00	\$354,985.17	\$1,700,314.83		\$2,032,900.00	\$421,391.46	\$66,406.29	
7120-Wastewater Treatment	\$1,932,597.00	\$255,785.05	\$1,676,811.95		\$1,644,150.00	\$271,104.70	\$15,319.65	
7130-Water/Sewer Intangibles	\$2,481,703.00	\$224,789.94	\$2,256,913.06		\$5,954,700.00	\$165,254.56	(\$59,535.38)	
Total Expense:	\$8,475,950.00	\$1,247,078.24	\$7,228,871.76	15%	\$11,577,450.00	\$1,256,468.60	\$9,390.36	
Fund 61 Surplus (Deficit):		\$798,192.65				\$794,788.84	\$3,403.81	
Fund: 63 - Electric Fund								
Revenue	\$7,797,350.00	\$2,150,782.66	\$5,646,567.34	28%	\$8,596,830.00	\$3,033,572.30	(\$882,789.64)	
Total Revenue:	\$7,797,350.00	\$2,150,782.66	\$5,646,567.34	28%	\$8,596,830.00	\$3,033,572.30	(\$882,789.64)	
Expense								
7200-Electric	\$7,797,350.00	\$1,575,729.63	\$6,221,620.37		\$8,596,830.00	\$1,644,830.05	\$69,100.42	
Total Expense:	\$7,797,350.00	\$1,575,729.63	\$6,221,620.37	20%	\$8,596,830.00	\$1,644,830.05	\$69,100.42	
Fund 63 Surplus (Deficit):		\$575,053.03				\$1,388,742.25	(\$813,689.22)	
Total Surplus (Deficit):		\$1,430,931.93				\$3,083,408.58	(\$1,652,476.65)	

REGULAR MEETING - November 4, 2021

 Overtime Report September 2021 compared to September 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	5.50	\$246.46	0.00	\$0.00	(5.50)	(\$246.46)
	4120-Human Resources	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00
	4130-Finance	3.00	\$66.85	26.00	\$622.27	23.00	\$735.42
	4310-Police	256.60	\$8,146.55	300.30	\$9,034.40	43.70	\$887.85
	4340-Fire	3,036.25	\$65,292.65	1,923.50	\$40,221.21	(1,112.75)	(\$25,071.44)
	4510-Public Works Administration	0.00	\$0.00	5.00	\$137.62	5.00	\$137.62
	4520-Street and Maintenance	126.00	\$3,097.42	120.00	\$3,259.03	(6.00)	\$161.61
	4530-Equipment Services	22.00	\$785.17	24.00	\$673.42	2.00	\$88.25
	4710-Solid Waste	77.50	\$1,981.20	102.00	\$2,558.28	24.50	\$577.08
	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	105.75	\$3,227.41	32.00	\$938.92	(73.75)	(\$2,288.49)
10 - General Fund Total:		3,632.60	\$82,863.71	2,532.80	\$57,845.15	(1,099.80)	(\$25,018.56)
Fund 20 - Boger City Fire District	4340-Fire	1,307.80	\$26,727.64	507.60	\$11,366.53	(800.20)	(\$15,359.11)
	20 - Boger City Fire District Total:	1,307.80	\$26,727.64	507.60	\$11,366.53	(800.20)	(\$15,359.11)
Fund 61 - Water and Sewer	7100-Water Treatment	418.25	\$9,889.58	466.75	\$12,415.99	70.50	\$2,526.41
	7110-Distribution & Collection	279.50	\$8,286.23	509.50	\$14,549.43	230.00	\$6,263.20
	7120-Wastewater Treatment	433.50	\$11,197.13	476.50	\$13,754.32	43.00	\$2,557.19
	61 - Water and Sewer Fund Total:	1,131.25	\$29,372.94	1,474.75	\$40,719.74	343.50	\$11,346.80
Fund 63 - Electric	7200-Electric	105.50	\$3,569.30	158.25	\$5,062.14	52.75	\$1,492.84
	63 - Electric Fund Total:	105.50	\$3,569.30	158.25	\$5,062.14	52.75	\$1,492.84
Total Overtime:		6,177.15	142,553.59	4,673.40	115,015.56	(1,503.75)	(27,538.03)

PUBLIC COMMENT:

No public comment

NEWS MEDIA:

No news media present

ADJOURNMENT:

Councilman Jetton and 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.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
LINCOLNTON, NORTH CAROLINA DESIGNATING THE DATE
AND TIME OF THE MONTHLY MEETING OF THE MAYOR AND
CITY COUNCIL IN ORDER TO COMPLY WITH THE OPEN
MEETINGS LAW**

(R-16-21)

WHEREAS, Chapter 143-318.12 of the General Statutes of North Carolina requires that if a public body has established, by ordinance, resolution, or otherwise, a schedule of regular meeting, it shall cause a current copy of that schedule, showing the time and place of the regular meeting to be kept on file with the city clerk if a governing board and each other public body that is part of a city government; and

WHEREAS, if a public body has a Web site and has established a schedule of regular meetings, the public body shall post the schedule of regular meetings to the Web site; and

WHEREAS, one of the methods of giving such public notice is to advertise in a newspaper with a circulation in and around the City of Lincolnton; and

WHEREAS, the City Council desires to notify all citizens and residents of the City of Lincolnton of their regular meeting date and time.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Lincolnton that the regular meeting of the City Council shall be held the first Thursday of each month at 7:00 p.m. in the Council Chambers of the Lincolnton City Hall, located at 114 W. Sycamore Street, on the following dates:

January 6	May 5	September 1
February 3	June 2	October 6
March 3	June 30	November 3
April 7	August 4	December 1

All of these being held in 2022. The City Council, meeting in Regular Session on December 2, 2021, established these dates and time and ordered this resolution be published one time in the Lincoln Times-News at least fifteen days prior to January 6, 2022 meeting. The City Council further ordered a copy of this resolution be posted on the bulletin boards located on the first and second floors of the City Hall, located at 114 W. Sycamore Street. The purpose of this advertisement and the posting of this notice acknowledges the requirement as described in Chapter 143-318.12 of the General Statutes of North Carolina

Adopted this 2nd day of December, 2021.

CITY COUNCIL

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



CITY MANAGER

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

RESOLUTION

(R-17-21)

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

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

Captain David Mocanu– Glock, Model 19, Gen 4, - Serial # YCZ911
and Duty Badge

WHEREAS, the City Manager shall be authorized to dispose of the property by the direction of the City Council and in accordance with City policy will have \$260.00 deducted from the eligible monetary amount of \$600.00, with a remaining \$340.00 given to him upon retirement;

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

ADOPTED this the 2nd day of December 2021.

Ed Hatley
Mayor

Attest:

Daphne Ingram
City Clerk

*City of Lincolnton
In Appreciation of*

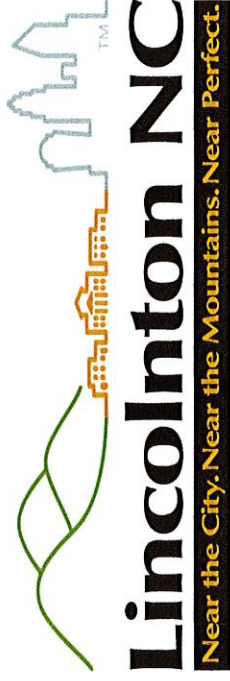
James P. Sparks

*Upon His Retirement On
December 1, 2021*

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

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

26 years of Service



City Manager

Mayor

*City of Lincolnton
In Appreciation of*

Mary H. Huffman

*Upon Her Retirement On
January 1, 2022*

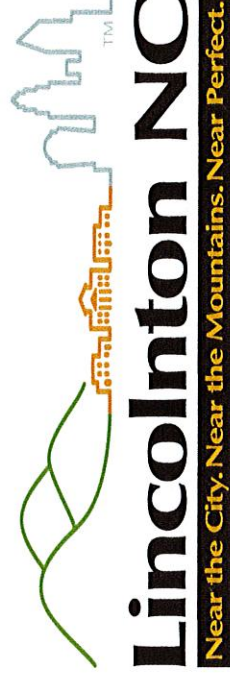
*The City of Lincolnton recognizes the employees of the City are its
greatest strength, and honors their dedication and contributions to the
City and its citizens.*

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

23 Years of Service

City Manager

Mayor



*City of Lincolnton
In Appreciation of*

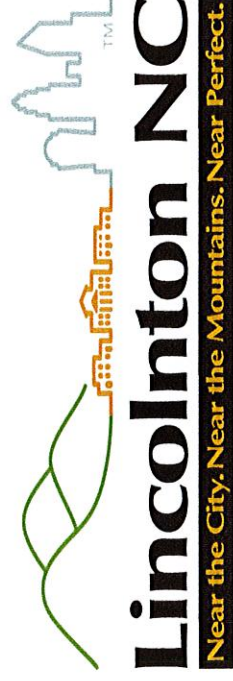
Ronald N. Specht

*Upon His Retirement On
January 1, 2022*

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

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

17 Years of Service



City Manager

Mayor

CITY COUNCIL

Ed L. Hatley, Mayor
Martin A. Eaddy, Mayor Pro-Tem
Mary Frances White
Christine Poinette
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-18-21)

**RESOLUTION TO ADOPT THE RECORDS RETENTION AND DISPOSITION
SCHEDULES AND RETENTION PERIODS GOVERNING RECORDS IN THE 2021
PROGRAM RECORDS SCHEDULE; LOCAL GOVERNMENT AGENCIES AND THE
2021 GENERAL RECORDS SCHEDULE; LOCAL GOVERNMENT AGENCIES, IN
ACCORDANCE WITH THE PROVISIONS OF CHAPTERS 121 AND 132 IN THE
GENERAL STATUTES OF NORTH CAROLINA**

WHEREAS, the North Carolina Department of Natural and Cultural Resources, Division of Archives and Records, Government Records Section has published the 2021 Program Records Schedule and the 2021 General Records Schedule, which supersedes General Records Schedule for Local Government Agencies; and

WHEREAS, G.S. §121-5 and G.S. §132-3 require a municipality to approve the schedule in order to conduct routine disposal of records which must otherwise be retained without specific permission for disposal by the Division of Archives and Records; and

WHEREAS, the document attached to this Resolution is the form acknowledging the approval of the schedule as required by the Division of Archives and Records, Government Records Section; and

WHEREAS, to reduce the burden and costs of record retention and maintain efficient City records management, the City Council finds and determines that this Resolution should be approved.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINCOLNTON THAT the City of Lincolnton Adopts the 2021 Program Records Schedule; Local Government Agencies and the 2021 General Records Schedule, replacing the 2012 Municipal Schedule.

DAPHNE INGRAM
CITY CLERK

ED HATLEY
MAYOR



Government Finance Officers Association
203 North LaSalle Street, Suite 2700
Chicago, Illinois 60601-1210
312.977.9700 fax: 312.977.4806

11/17/2021

Ed Hatley
Mayor
City of Lincolnton, North Carolina

Dear Mayor Hatley:

We are pleased to notify you that your annual comprehensive financial report for the fiscal year ended June 30, 2020 qualifies for GFOA's Certificate of Achievement for Excellence in Financial Reporting. The Certificate of Achievement is the highest form of recognition in governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

When a Certificate of Achievement is awarded to a government, an Award of Financial Reporting Achievement (AFRA) is also presented to the individual(s) or department designated by the government as primarily responsible for its having earned the Certificate. This award has been sent to the submitter as designated on the application.

We hope that you will arrange for a formal presentation of the Certificate and Award of Financial Reporting Achievement, and give appropriate publicity to this notable achievement. A sample news release is included to assist with this effort.

We hope that your example will encourage other government officials in their efforts to achieve and maintain an appropriate standard of excellence in financial reporting.

Sincerely,

Michele Mark Levine
Director, Technical Services



Government Finance Officers Association

**Certificate of
Achievement
for Excellence
in Financial
Reporting**

Presented to

**City of Lincolnton
North Carolina**

For its Annual Comprehensive
Financial Report
For the Fiscal Year Ended

June 30, 2020

Christopher P. Morill

Executive Director/CEO

ITEM #

2

PUBLIC HEARINGS

ITEM #

2a

CZ-10-21

MEMO TO: Mayor and City Council Members

FROM: Laura Elam, Planning Director

SUBJECT: CZ-10-2021 Request for rezoning of approximately 24 acres from R-25 to PRD

DATE: December 2, 2021

SITE AND AREA DESCRIPTION

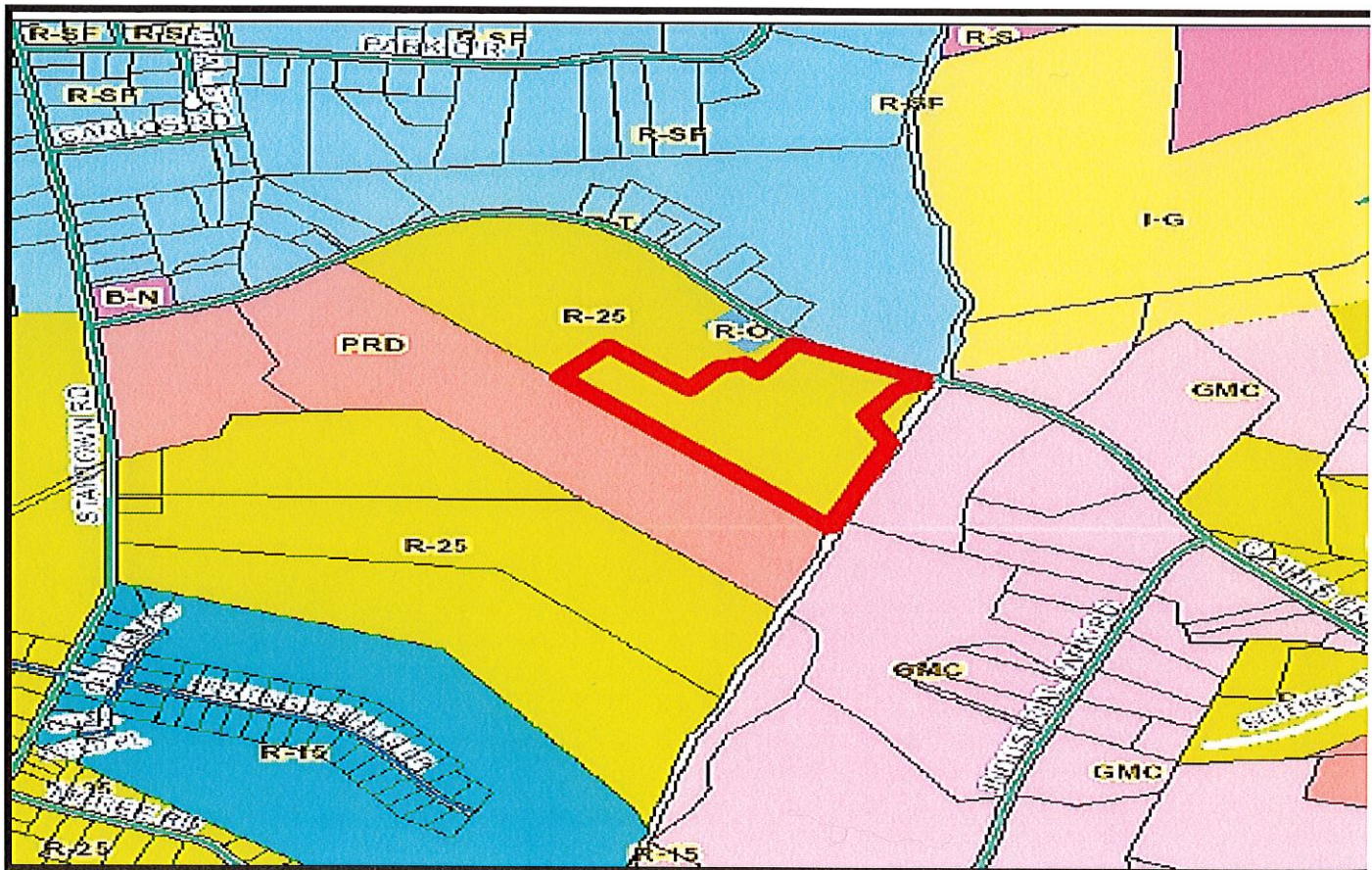
The applicant is requesting a conditional rezoning from R-25 to the Planned Residential District (PRD) for the purpose of developing a community of single family detached housing (51 units) and attached townhomes (49 units).

The subject property is a portion of property owned by New Vision Ministries located at 621 Clarks Creek Road (portion of Parcel ID 15614). The portion requested for rezoning is located on the south side of Clark Creek Road adjacent to Clarks Creek and running approximately 800 feet to the west.

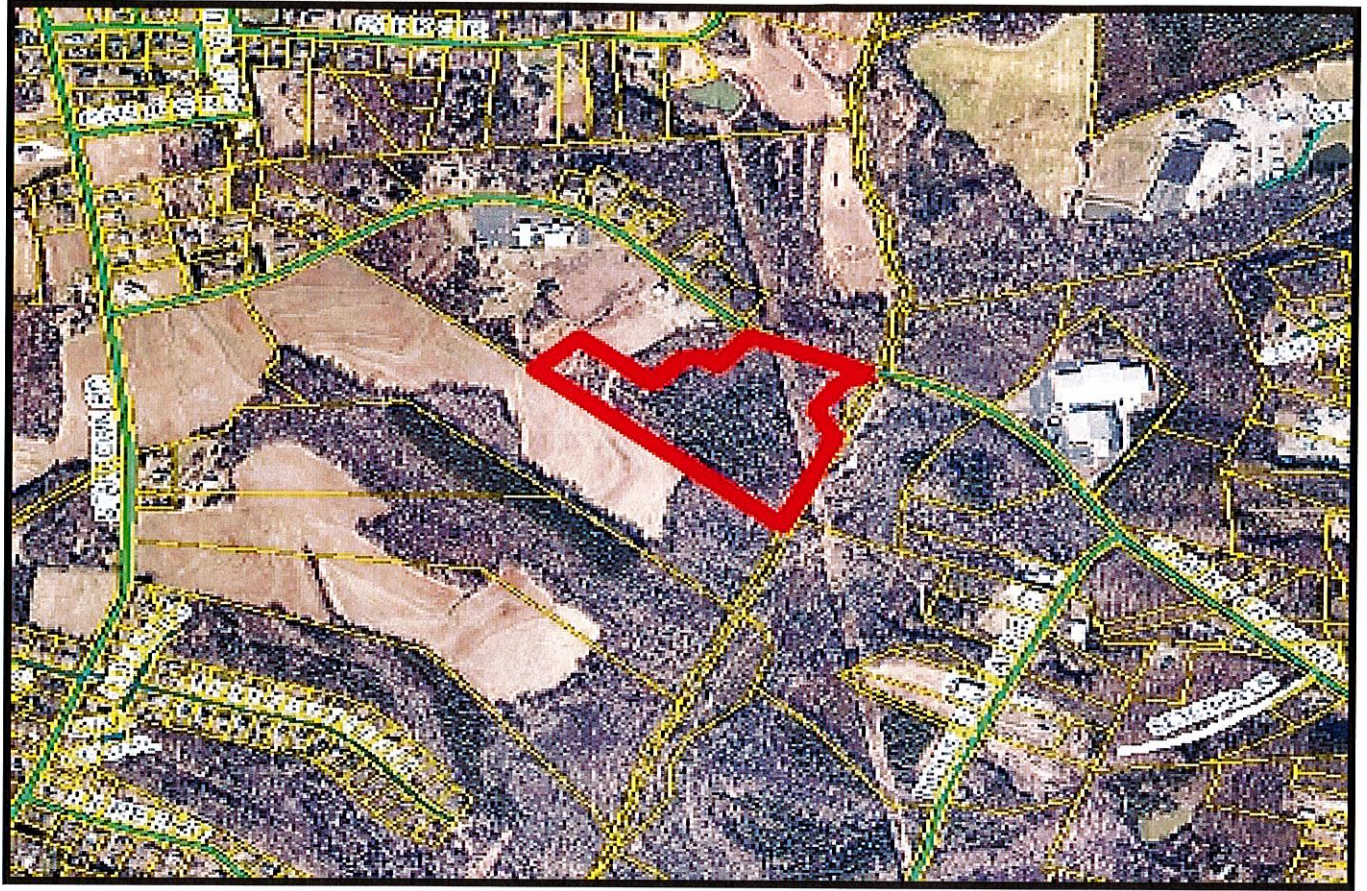
The property is vacant. Adjacent properties include New Vision Ministries, single family homes and vacant properties.

The site is located outside of the city limits but within the ETJ.

CURRENT ZONING MAP



AERIAL VIEW

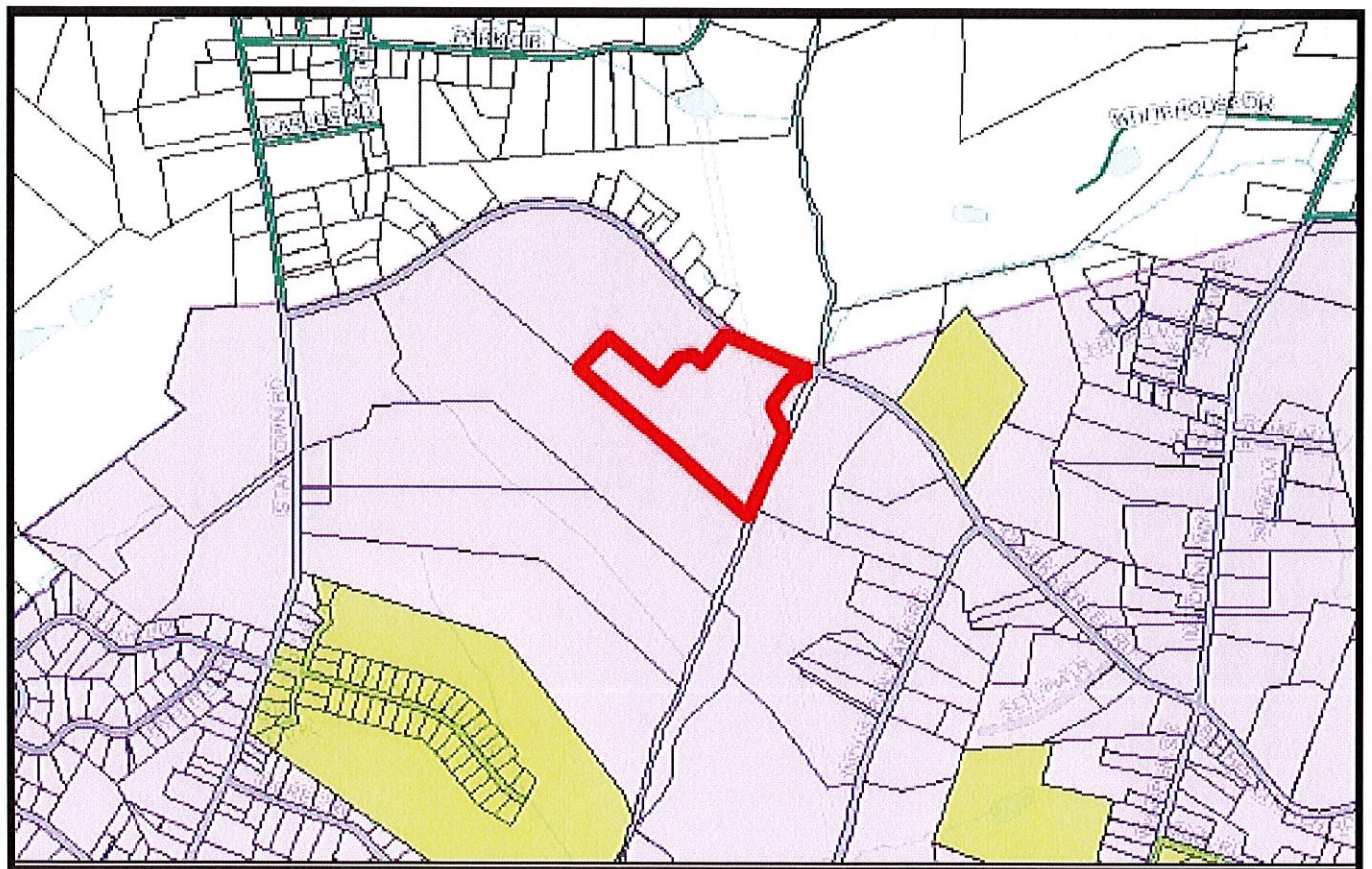


STREET VIEWS





CITY LIMITS/ETJ



PROJECT DETAILS

- The project is a proposed expansion of the recently approved Clark Creek Landing development.
- The proposed expansion site includes 24 acres.
- The site plan allows up to 51 single family lots and up to 49 lots for attached townhomes for a total of up to 100 dwelling units with an overall density of approximately 4.17 units per acre.
- The site plan provides 4.8 acres (20 percent) for common open space.
- Access will be provided by one public street connection to Startown Road.
- Sidewalks will be located on both sides of all streets within the site.
- Building height will not exceed 45 feet.
- The single family lots will be 40 feet x 125 feet.
- The townhome lots will be 20 feet x 60 feet.
- The plan outlines the below additional minimum lot 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 submitted by the applicant is below.

Located in:
Livingston, North Carolina



CLARK CREEK LANDING 2 - DEVELOPMENT STANDARDS

I. GENERAL PROVISIONS

1. THESE DEVELOPMENT STANDARDS FORM A PART OF THE CONDITIONAL REZONING SITE PLAN ASSOCIATED WITH THE CONDITIONAL REZONING PETITION. THE PETITION FILED BY PRESTIGE ACQUISITIONS, LLC (THE "PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A RESIDENTIAL COMMUNITY ON AN APPROXIMATELY 24-ACRE SITE LOCATED WITH FRONTAGE ALONG CLARK CREEK ROAD, DEPICTED ON THE CONDITIONAL REZONING SITE PLAN (THE "SITE"). THE SITE IS FURTHER DESCRIBED AS A PORTION OF TAX PARCEL NUMBER 3624984736.
2. DEVELOPMENT OF THE SITE SHALL BE GOVERNED BY THE CONDITIONAL REZONING SITE PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE LINCOLNTON UNIFIED DEVELOPMENT ORDINANCE - UDO. (THE "ORDINANCE").
3. BASE INFORMATION PROVIDED BY LINCOLN COUNTY GIS DATA.

II. TRAFFIC/TRANSPORTATION

1. VEHICULAR ACCESS TO THE PROPERTY SHALL BE AS GENERALLY DEPICTED ON THE CONDITIONAL REZONING SITE PLAN. THE PLACEMENTS AND CONFIGURATIONS OF THE VEHICULAR ACCESS POINTS SHOWN ON THE CONDITIONAL REZONING SITE PLAN ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS ALONG WITH ANY ADJUSTMENTS REQUIRED BY THE CITY AND/OR NCDOT FOR APPROVAL.
2. AS DEPICTED ON THE CONDITIONAL REZONING SITE PLAN, THE SITE SHALL BE SERVED BY INTERNAL PUBLIC STREETS. MINOR ADJUSTMENTS TO THE LOCATIONS OF THE INTERNAL PUBLIC STREETS SHALL BE ALLOWED DURING THE CONSTRUCTION PERMITTING PROCESS.
3. THE PETITIONER SHALL CONSTRUCT INTERNAL PUBLIC STREETS TO MEET CITY PUBLIC ROADWAY STANDARDS.

III. STREETScape / LIGHTING / LANDSCAPING / UTILITIES

1. STREET LIGHTING, STREET SIGNAGE AND MAIL KIOSKS WITHIN THE PROPOSED DEVELOPMENT SHALL ADHERE TO CITY REQUIREMENTS. RECOMMENDED SCALING OF STREET LIGHTS IS SUBJECT TO APPROVAL OF THE UTILITIES & ENGINEERING DEPARTMENT. THE DEVELOPER SHALL BECOME RESPONSIBLE FOR MONTHLY COSTS ONCE THE PUBLIC ROADWAYS ARE ACCEPTED FOR MAINTENANCE.
2. LANDSCAPING TO MEET OR EXCEED ALL REQUIREMENTS.
3. WATER AND SEWER CONNECTIONS TO BE COORDINATED WITH CITY UTILITIES & ENGINEERING DEPARTMENT.
4. SIDEWALK AND UTILITY PLACEMENT SHALL BE IN ACCORDANCE WITH THE CITY'S STANDARD SPECIFICATIONS AND DETAILS.

IV. ARCHITECTURE

1. WHERE PRACTICAL, BUILDINGS SHALL BE ORIENTED TOWARDS THE INTERNAL STREET SYSTEM TO REINFORCE THE STREETScape.
3. BUILDING HEIGHT SHALL NOT EXCEED 45'.
4. ACCESSORY STRUCTURES SHALL BE CONSISTENT WITH THE PRINCIPAL BUILDING IN MATERIAL, TEXTURE, AND COLOR.

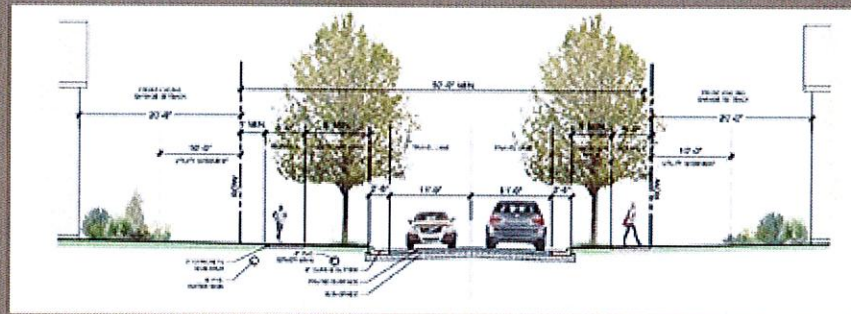
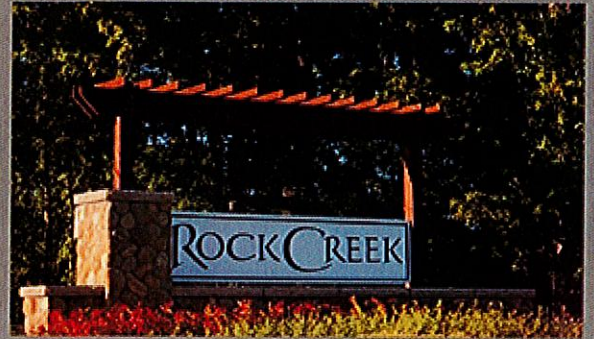
V. AMENDMENTS TO REZONING PLAN

1. FUTURE AMENDMENTS TO THE CONDITIONAL REZONING SITE PLAN AND THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF A PARTICULAR TRACT WITHIN THE SITE INVOLVED IN ACCORDANCE WITH THE PROVISIONS IN THE ORDINANCE.

VI. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

1. IF THIS CONDITIONAL REZONING PETITION IS APPROVED, CONDITIONS APPLICABLE TO DEVELOPMENT OF THE SITE IMPOSED UNDER THE CONDITIONAL REZONING SITE PLAN AND THESE DEVELOPMENT STANDARDS SHALL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE SUCCESSORS IN INTEREST AND ASSIGNS.
2. THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERMS, "PETITIONER" AND "OWNER" OR "OWNERS" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF THE PETITIONER OR THE OWNER OR OWNERS OF ANY PART OF THE SITE FROM TIME TO TIME WHO MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.

COMMUNITY FEATURES



QUALITY HOMES OUTSIDE



LAND USE PLAN

The Land Use Plan shows the property in the Institutional / Office planning area recognizing the church's ownership.

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 Institutional / Office designation. However, the proposed development is consistent with the Land Use Plan in the following ways:

- It proposes residential development in an area with 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. A subdivision plat will have to be completed and approved dividing the 24 acres from the church property.
3. Sidewalks constructed to City of Lincoln specifications must be constructed along the frontage of Clarks Creek Road and throughout the subdivision meeting all city sidewalk and subdivision requirements.

4. Required minimum unobstructed open space is fifty (50) percent of the site. This must be detailed on plan.
5. Detailed phasing of when units will be constructed must be shown on the plans.
6. Detailed water and sewer plans will need to be submitted and approved by the City prior to development.
7. The applicant will be responsible for making the utility tap.
8. 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.
9. If buildings are over 30 feet in height, internal streets must be a minimum of 26 feet in width and "No Parking" signs required.
10. Fire Marshal will need a letter stating the secondary access will be provided as part of Phase I of the development.
11. The City is currently having a hydraulics study performed to determine water capacity. Approval of the proposed development is contingent upon the City's review of the hydraulics study and subsequent determination of available capacity. .
12. Public Works recommends the developer extend the water line over to Clark Creek Road so that water is available in the event that water on Startown Road has to be cut off,
13. Detailed landscaping and screening plan will need to be provided.
14. NCDOT driveway permit required with the following offsite improvements:
 - o Clarks Creek access point will require a 50 foot westbound left turn lane and eastbound right taper.
15. Street trees are subject to NCDOT's Guidelines For Planting Within Highway Right-of-Way (should not be larger than 4 inch diameter). .
16. 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.
17. Building plans must be submitted to and approved by Lincoln County Inspections prior to development.
18. Townhomes must have parking for at least one and half cars at each dwelling unit.
19. 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:
 - o Vegetation management including mowing, trimming, invasive/ nuisance vegetation treatment and weed control
 - o Slope stabilization and erosion control
 - o Debris and trash removal
 - o Removal of sediment buildup from the basin
 - o Maintenance of the inlet and outlet pipes to ensure they do not get clogged.
20. 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.

21. Setbacks along Clark Creek Road are to be a minimum of 50 feet from the right of way.
22. Screening that meets minimum ordinance standards is to be provided in the 50 foot setback areas along Clark Creek Road and other areas required to be screened under the ordinance.
23. 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.
24. Building elevations need to include depictions of the sides and rears of buildings.
25. 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.
26. 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 subject to the staff review committee comments being made conditions of approval and recommends 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, and
- 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.
- amendment of the Land Use Plan to show the properties in the Residential High Density Planning Area.

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

Case No. CZ-10-2021

Applicant: Prestige Acquisitions, LLC

Parcel ID#: Portion of Parcel ID 15614

Location: Clarks Creek Road

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

Proposed Consistency and Reasonableness Statement:

The Lincolnnton Land Use Plan designates this property as part of the Institutional/Office Planning Area.

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

- It proposes residential development in an area with 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-10-2021

Applicant: Prestige Acquisitions, LLC

Parcel ID#: Portion of Parcel ID 15614

Location: Clarks Creek Road

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

Proposed Consistency and Reasonableness Statement:

The Lincolnton Land Use Plan designates this property as part of the Institutional/Office Planning Area.

The proposed rezoning request **is not consistent** with the Lincolnton 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 #

2b

CZ-11-21

MEMO TO: Mayor and City Council Members

FROM: Laura Elam, Planning Director

SUBJECT: CZ-11-2021-Request for rezoning of approximately 97 acres from R-25 to PRD

DATE: December 2, 2021

SITE AND AREA DESCRIPTION

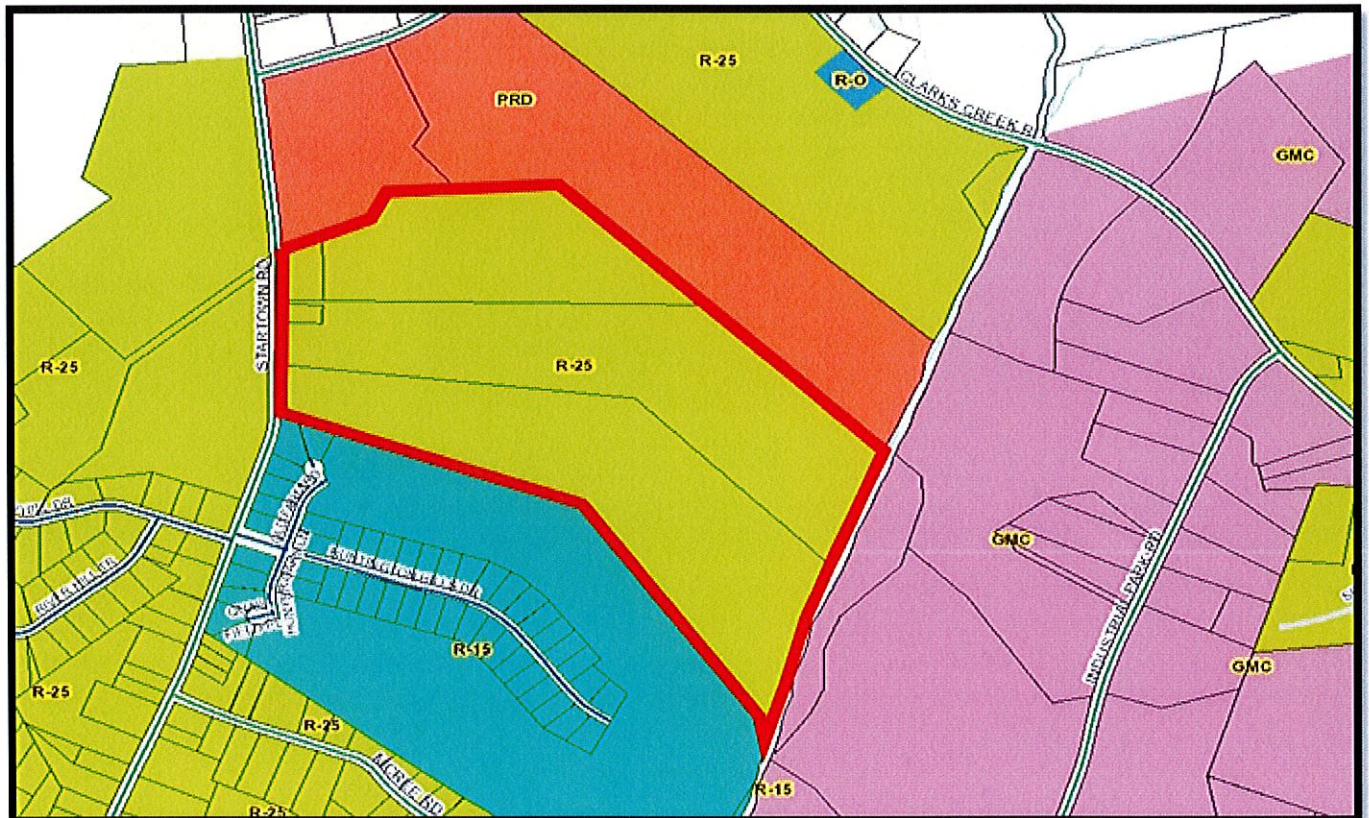
The applicant is requesting a conditional rezoning from R-25 to the Planned Residential District (PRD) for the purpose of developing a single family residential community with 261 homes.

The subject property is located on the east side of Startown Road approximately 950 feet south of the intersection of Clarks Creek Road and Startown Road (Parcel ID's 16937, 21509, 21507, 21508, and 21510).

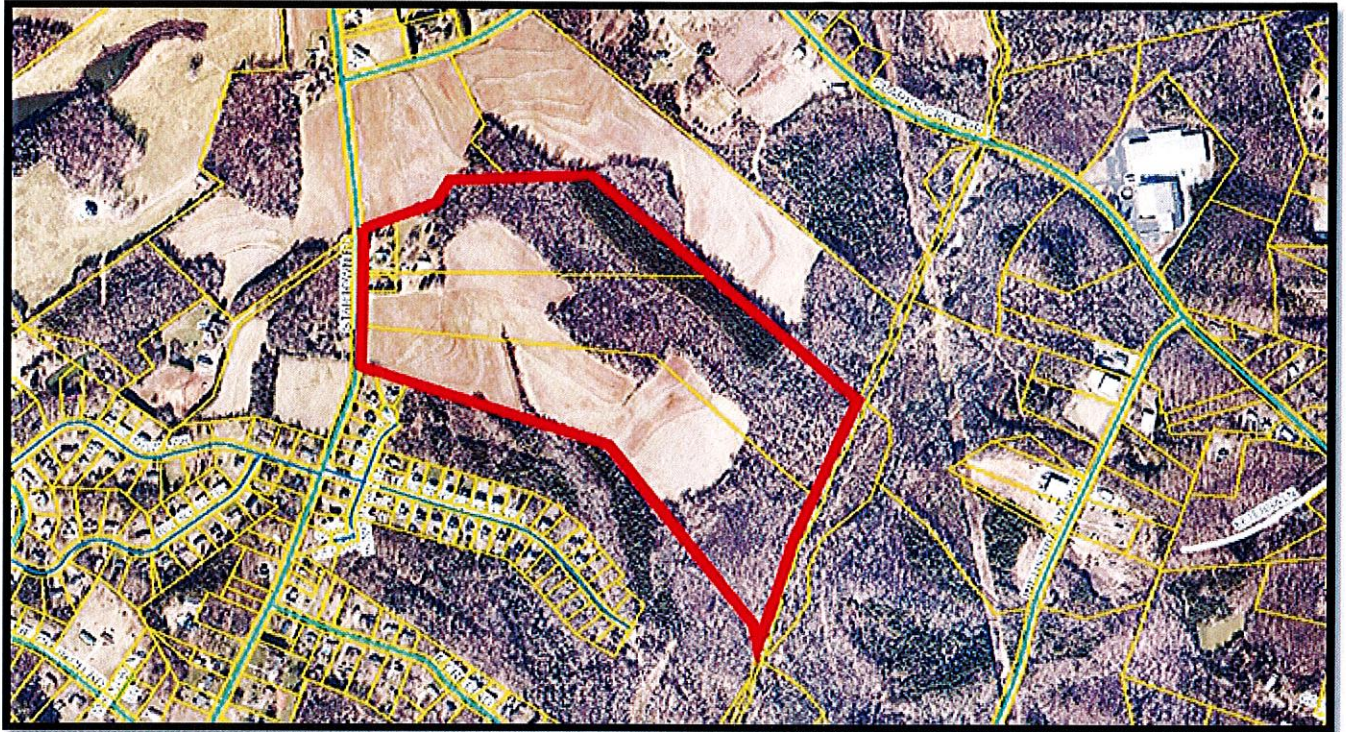
The property is undeveloped with the exception of two homes and several barns. Adjacent properties include single family homes and vacant properties.

The site is located outside of the city limits but within the ETJ.

CURRENT ZONING MAP



AERIAL VIEW

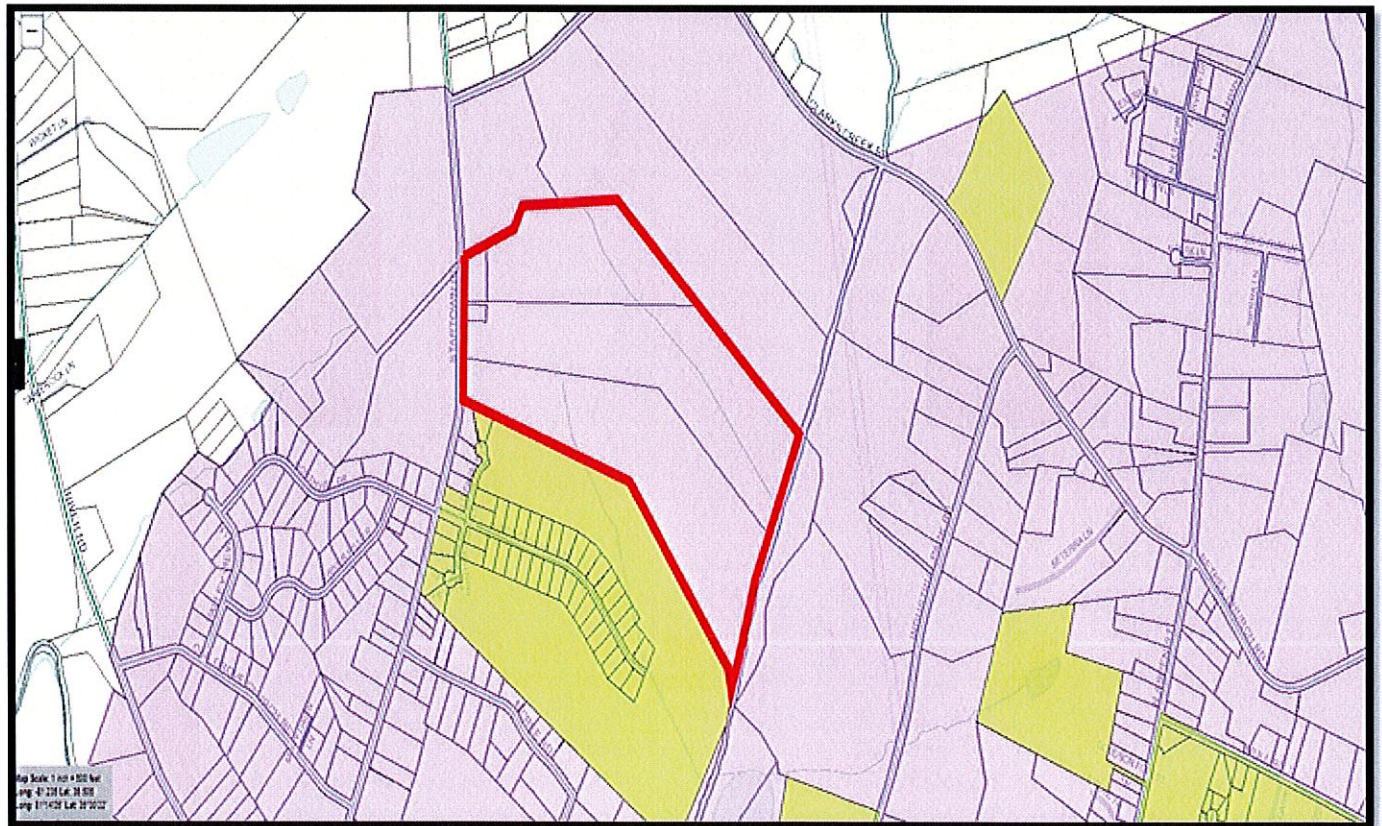


STREET VIEWS



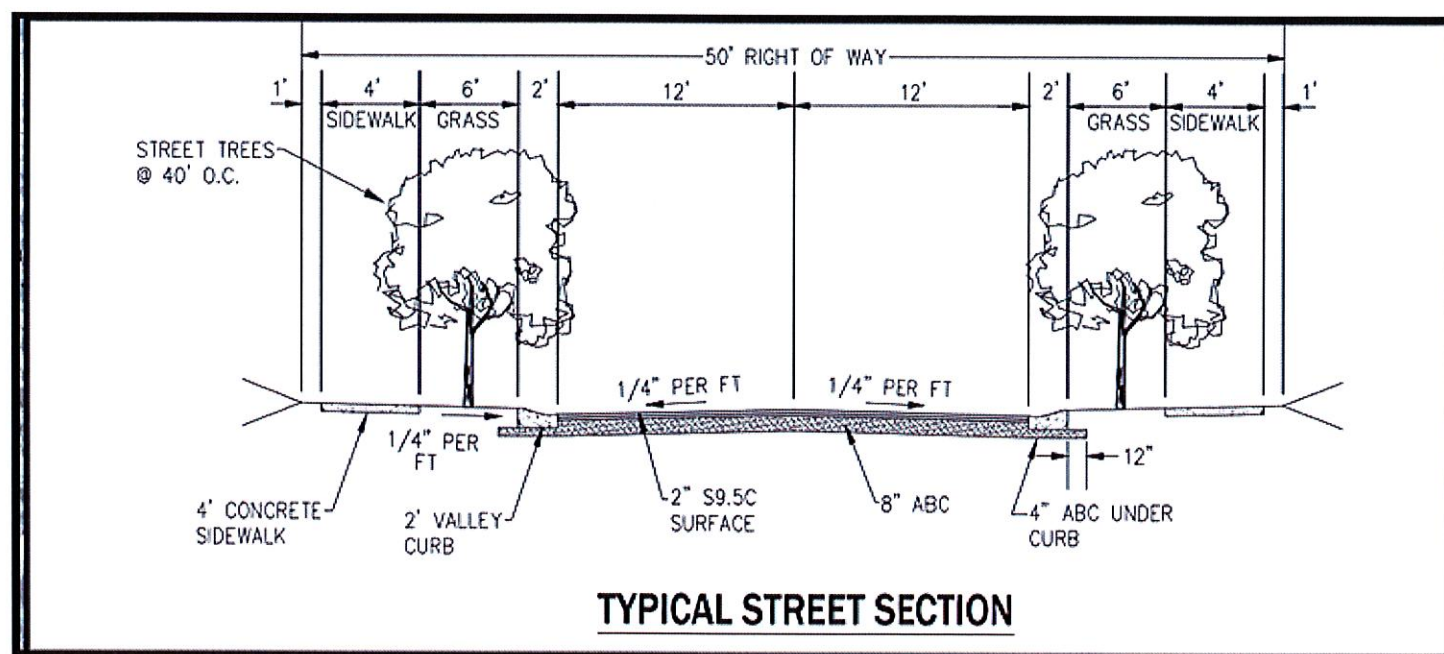
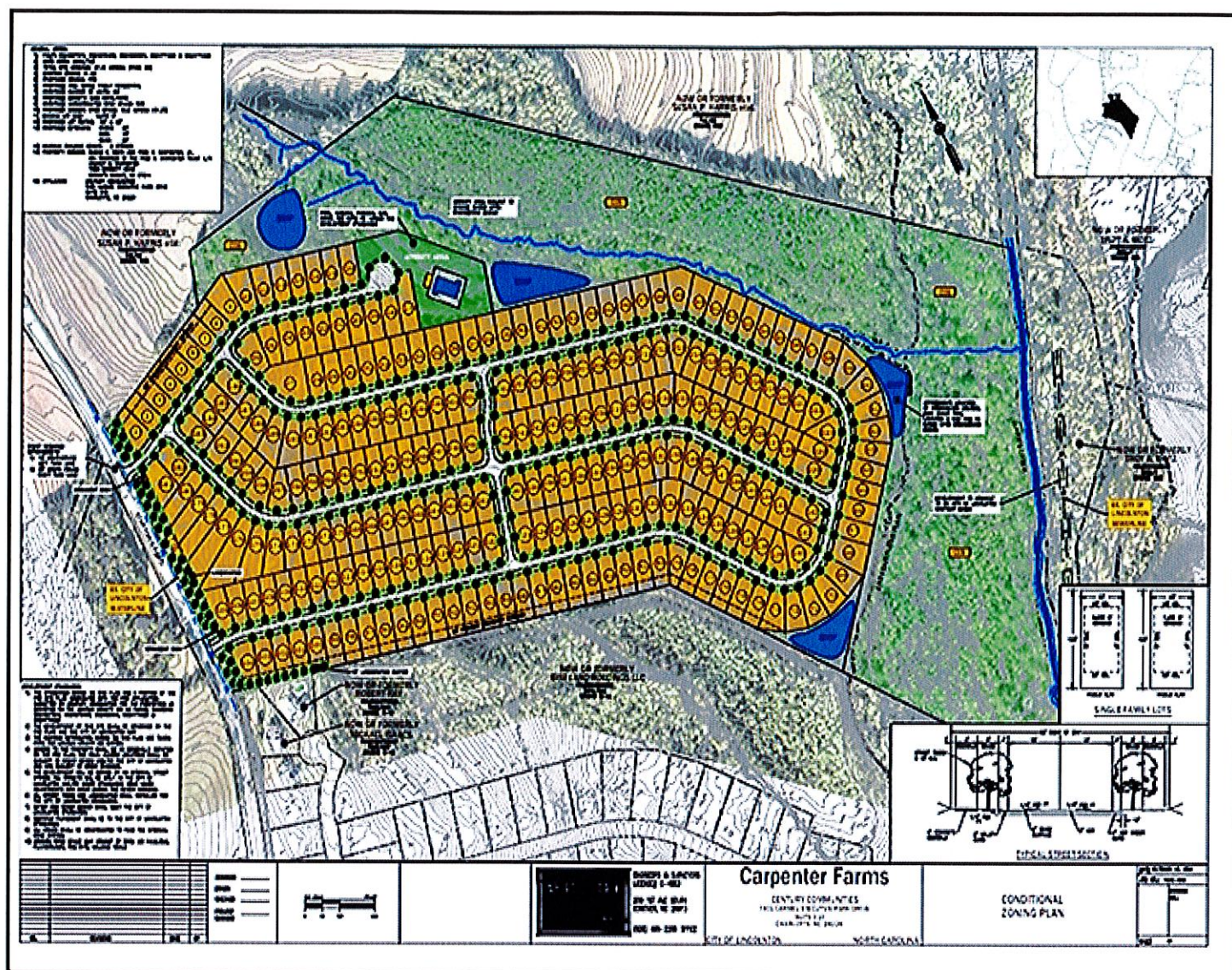


CITY LIMITS/ETJ



PROJECT DETAILS

- The project is a proposed single family residential subdivision.
- The site includes 97.16 acres.
- The site plan allows up to 261 single family lots with an overall density of approximately 2.68 units per acre.
- The site plan provides 40.2 acres of common open space.
- Access will be provided by two public street connections to Startown Road.
- The plan outlines the below minimum building setbacks:
 - *Front: 20'
 - *Side: 8'
 - *Rear: 20'
- The site plan submitted by the applicant is below.



DEVELOPMENT STANDARDS:

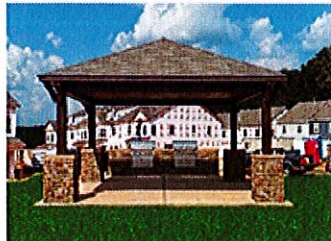
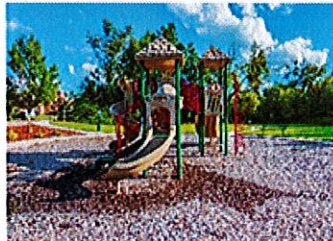
- 1) THE STANDARDS SHOWN ON THIS PLAN ARE A PORTION OF THE PRD SITE PLAN ASSOCIATED WITH THE PRD APPLICATION SUBMITTED BY CENTURY COMMUNITIES FOR THE PROPERTIES AS IDENTIFIED ON THE LINCOLN COUNTY GIS AS PARCEL NUMBERS: 3624867814, 3624878468, 362488004, 3624771920 & 3624771628
- 2) THE DEVELOPMENT OF THIS SITE SHALL BE GOVERNED BY THE PRD PLAN AND THE CITY OF LINCOLNTON UDO
- 3) THE EXISTING INFORMATION SHOWN ON THIS PLAN ARE TAKEN FROM THE LINCOLN COUNTY GIS SYSTEM.
- 4) ACCESS TO THE PROPERTY SHALL BE AS GENERALLY DEPICTED ON THE PRD PLAN. THE FINAL ACCESS LOCATIONS SHALL BE SUBJECT TO NCDOT REVIEW AND/OR THE CITY OF LINCOLNTON AND ARE SUBJECT TO MINOR CHANGES.
- 5) THE DEVELOPMENT WILL BE SERVED BY AN INTERNAL STREET SYSTEM. ALL STREETS WILL BE BUILT TO THE CITY OF LINCOLNTON AND/OR NCDOT STANDARDS. SOME MINOR ADJUSTMENTS MAY INCUR DURING THE REVIEW PROCESS.
- 6) ALL STREET TREES AND LANDSCAPING SHALL INSTALLED PER THE CITY OF LINCOLNTON STANDARDS.
- 7) WATER AND SEWER DESIGN SHALL MEET THE CITY OF LINCOLNTON STANDARDS.
- 8) SIDEWALK PLACEMENT SHALL BE TO THE CITY OF LINCOLNTON STANDARDS.
- 9) ALL HOMES SHALL BE CONSTRUCTED TO FACE THE INTERNAL ROAD SYSTEM.
- 10) COMMON OPEN SPACE MAY CONSIST OF OPEN AIR PAVILIONS, PLAYGROUNDS, FIRE PITS, WALKING TRAILS



Century Communities



Amenity Examples



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. Such areas currently have public water and sewer or are likely to have such facilities within the next ten years. Most new single family residential development within Lincolnton is likely to occur in such areas.

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 consistent with the Land Use Plan's Residential Suburban designation. It is also 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. Detailed phasing of when units will be constructed must be shown on the plans.
2. Sidewalks constructed to City of Lincolnton specifications must be constructed along the frontage of Startown Road.

3. Detailed water and sewer plans will need to be submitted and approved by the City prior to development.
4. The applicant will be responsible for making the utility tap.
5. 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.
6. If buildings are over 30 feet in height, internal streets must be a minimum of 26 feet in width and "No Parking" signs required.
7. Fire Marshal will require the secondary access to be provided as part of the initial phase of the development.
8. The City is currently having a hydraulics study performed to determine water capacity. Approval of the proposed development is contingent upon the City's review of the hydraulics study and subsequent determination of available capacity. .
9. NCDOT driveway permit required. Turning lanes will be required.
10. Street trees are subject to NCDOT's Guidelines For Planting Within Highway Right-of-Way (should not be larger than 4 inch diameter). .
11. Detailed landscaping and screening plan will need to be provided.
12. 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 wetlands exist and will be disturbed, a 404 and 401 permit approval will need to be submitted with the original erosion control plan packet. Civil plans are subject to review and approval of Lincoln County Natural Resources.
13. No flood zone encroachments permitted. Stream buffers required.
14. Building plans must be submitted to and approved by Lincoln County Inspections prior to development.
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 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 .
18. The HOA is responsible for ongoing maintenance of screening area. Ongoing maintenance is to include replacement of any required vegetation that dies or is removed.
19. 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.
20. 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 subject to the Staff Review Committee comments being made conditions of approval and recommends 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, and
- 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.

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

Case No. CZ-11-2021

Applicant: Century Communities Southeast, LLC

Parcel ID#: Portion of Parcel ID 15614

Location: Clarks Creek Road

Request: Rezone from R-25 to PRD for the purpose of developing a single family residential subdivision with 261 lots.

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 consistent** with the area's Residential Suburban designation by the land use plan and is also 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-11-2021

Applicant: Century Communities Southeast, LLC

Parcel ID#: Portion of Parcel ID 15614

Location: Clarks Creek Road

Request: Rezone from R-25 to PRD for the purpose of developing a single family residential subdivision with 261 lots.

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 consistent** with the Lincolnnton Land Use Plan. However, 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 #

2c

INDUSTRIAL INCENTIVE
GRANT

(R-19-21)
RESOLUTION TO ADOPT ECONOMIC INCENTIVE
GRANT AGREEMENT WITH HODGES INTERNATIONAL

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

WHEREAS, Hodges International, have developed plans to invest in a manufacturing facility in the City of Lincolnnton; 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 Lincolnnton City Council hereby approves the City of Lincolnnton Incentive Grant Agreement (attached hereto as Exhibit A and incorporated herein by reference) among the City of Lincolnnton, Hodges International.

2. The Mayor of the City of Lincolnnton and the Clerk to the Council are hereby authorized to sign all necessary documents on behalf of the City of Lincolnnton in order to effectuate this transaction.

3. This resolution shall become effective upon adoption.

This 2nd day of December, 2021.

Ed Hatley, Mayor
City of Lincolnnton

ATTEST:

Daphne Ingram, Clerk to the Council

CITY OF LINCOLNTON INCENTIVE GRANT AGREEMENT

NORTH CAROLINA

LINCOLN COUNTY

THIS AGREEMENT is made and entered into as of the 2nd day of December 2021, by and between THE CITY OF LINCOLNTON , a body corporate and politic (hereinafter referred to as “the CITY”), and Hodes International/H2 Home Collection, a North Carolina corporation (hereinafter referred to as “Hodges International”).

WITNESSETH:

WHEREAS, Hodges International has developed plans for the construction renovations and up-grades of an existing facility and installation of manufacturing machinery and equipment in the City of Lincolnton, North Carolina; and

WHEREAS, the City Council of the City of Lincolnton verily believes that the location of new industries and the expansion of existing industries is vital to the economic health of The City of Lincolnton and to the welfare of its citizens; and

WHEREAS, the City Council wishes to encourage such development by means of offering incentives to recruit new industries and to aid in expansion of existing industries; and

WHEREAS, such incentives are predicated on the notion of expanding the City of Lincolnton’s tax base and providing additional jobs for City of Lincolnton’s citizens that pay wages higher than the current prevailing average hourly wage in the particular industry; and

WHEREAS, the City Council has determined that it is appropriate and in the best interests of The City of Lincolnton and its citizens to offer incentives in the form of both cash grants and assistance with making public services available; and

WHEREAS, the City Council believes that it is appropriate and reasonable to expect Hodges International to bind itself to the City to produce certain results in conjunction with the project described herein as conditions of the incentives being offered by the City;

NOW, THEREFORE, and in consideration of the mutual promises and covenants herein set forth, the parties hereby agree as follows:

1. On or before December 15, 2021 (actual effective date will be the start of the project) Hodges International shall begin construction/up-grades of an existing manufacturing facility and installation of equipment and machinery in the City of Lincolnton, North Carolina.
2. Within two years of the effective date of this agreement (said effective date being referred in item 1.), Hodges International shall make an investment upon such site in (building/land and/or machinery and equipment of \$7,045,000, (the expected capital investment) of which \$5,911,500 will qualify for incentives under the City of Lincolnton Industrial Incentive Grant Policy.

3. Within two years of the effective date of this agreement, Hodges International shall provide at such site at least 75 new jobs paying average yearly wages of \$41,059 plus full benefits.

4. In consideration of the performance of the aforesaid obligations by Hodges International, the City will provide cash grants to Hodges International of \$24,828.30 per year for a seven-year period. The City of Lincolnton will pay such grants beginning in the tax year after the project's completion. Grants will be paid to Hodges International within 30 days after Hodges International has made its tax payment for the then-current year and has notified Lincoln Economic Development Association of the payment. This amount represents a Level two grant under the City of Lincolnton Industrial Development Incentive Grant Policy for New and Existing Industries.

5. Hodges International shall on a no less than annual basis provide evidence satisfactory to the City of Lincolnton how many jobs (as provided in Paragraph 3 herein) it has maintained.

6. a. In the event that the value of the investment actually made by Hodges International pursuant to this agreement is greater or less than the Expected Capital Investment then the grant will be equitably adjusted upward or downward on a pro-rata basis.

b. In the event that the number of people in qualifying jobs actually employed by Hodges International pursuant to this Agreement in any year during the term of the Agreement is fewer than the Expected Number of Jobs, then the City may, in its discretion, reduce the amount of the Grant to be paid for the year (or seek reimbursement for the Grant already paid for said year) in the amount of \$1,000.00 per job shortfall.

7. Hodges International specifically agrees that in the event that all or any portion of this agreement or any incentive grant or payment to be made hereunder is declared to be unconstitutional, illegal, or otherwise enjoined by a court of competent jurisdiction, Hodges International shall indemnify and hold harmless the City of Lincolnton and the members of the City Council, individually and collectively, from any loss or liability and shall reimburse the City of Lincolnton by the amount of any such grant or payment.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals as of the day and year first above written.

COMPANY

By: _____
President

CITY OF LINCOLNTON

By: _____
Ed Hatley, Mayor

City of Lincolnton

ATTEST:

Daphne Ingram
Clerk to the City Council

STATE

COUNTY

This the ____ day of _____, 20____, _____ personally came before me _____ and acknowledged that he/she is _____ of _____, a _____ corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument its name on its behalf as its act and deed.

Witness my hand and official stamp or seal, this ____ day of _____, 201__.

My Commission Expires:_____

Notary Public

NORTH CAROLINA

LINCOLN COUNTY

This the ____ day of _____, 20____, personally came before me Daphne Ingram , Clerk to the City Council of the City of Lincolnton, North Carolina, who being by me duly sworn says that she knows the common seal of the City of Lincolnton, North Carolina and is acquainted with Ed Hatley, who is the Mayor of the City of Lincolnton, North Carolina, and that she, the said Daphne Ingram, is Clerk to the City Council of the City of Lincolnton, North Carolina, and saw the Mayor of the City of Lincolnton, North Carolina, sign the foregoing instrument and affix said seal to said instrument and that she, the said Daphne Ingram, signed her name in attestation of said instrument in the presence of said Mayor of the City of Lincolnton, North Carolina.

My Commission Expires:_____

Notary Public

ITEM #

3

REGULAR AGENDA

ITEM #

3a

PROCLAMATION

CITY COUNCIL

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



CITY MANAGER

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

A PROCLAMATION HONORING DALE PUNCH

WHEREAS, Veterans of every branch of our armed services deserve the highest degree of respect for their patriotic acts, and should be revered for the lives they lived selflessly in service of others; and

WHEREAS, the Lincolnton City Council takes pleasure in the recognition of noteworthy people, programs and causes that contribute to the greater good of the citizens of Lincolnton; and

WHEREAS, the Lincolnton City Council desires to recognize Dale Punch as one such person, who is known in the community for his passion for honoring those who have served this country; and

WHEREAS, Dale Punch, Vietnam veteran, has demonstrated his selflessness and compassion through his recent work implementing a banner project to honor our veterans; and

WHEREAS, being well received, this initiative has been a huge success with an overwhelming response from the citizens of Lincolnton and Lincoln County; and

WHEREAS, as approved by council members, each year during the month of November, these banners will be displayed in downtown Lincolnton, saluting and celebrating our ***HOMETOWN HEROS***.

NOW, THEREFORE, I, *Mayor Ed Hatley and the Lincolnton City Council*, ask all to join us in honoring Dale for his loyalty to our veterans and inspiring example of service to the City of Lincolnton.

Proclaimed this second day of December, in the year of our Lord Two Thousand and Twenty-one.

**ED HATLEY
MAYOR**

**DAPHNE INGRAM
CITY CLERK**

ITEM #

3b

(R-20-21)

Resolution to Petition
Superior Court

MEMO TO: Mayor and City Council Members

FROM: Laura Elam

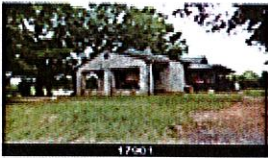
SUBJECT: Resolution to Authorize and Direct City Attorney to Petition for Court Order Directing Compliance with Order from Code Enforcement Officer Regarding Nuisance Ordinance for **714 Lithia Inn Road**

DATE: December 2, 2022

Property Address

714 Lithia Inn Road

		Lincoln County, NC Office of the Tax Administrator, GIS Mapping Division Lincoln County and its mapping contractors assume no legal responsibility for the information contained on this map. This map is not to be used for land conveyance. The map is based on NC State Plane Coordinate System 1983 NAD. Date: 11/17/2021			
					
Parcel ID	17901	Owner	WARREN PEGGY KISTLER		
Map	3633	Mailing	602 LITHIA INN RD		
Account	0118429	Address	LINCOLNTON, NC 28092		
Deed	08E 16	Last Transaction Date	03/14/2008	Sale Price	\$0
Plat		Subdivision		Lot	6
Land Value	\$58,070	Improvement Value	\$23,574	Total Value	\$81,644
Previous Parcel					
-----All values for Tax Year 2020 -----					
Description	PT OF WARREN LAND			Deed Acres	4.4
Address	714 LITHIA INN RD			Tax Acres	3.704
Township	LINCOLNTON			Tax/Fire District	LINCOLNTON
Main Improvement	CONVENTIONAL (PRE WWD)			Value	\$23,574
Main Sq Feet	1655	Stories	1	Year Built	1950
Zoning District	Calc Acres	Voting Precinct		Calc Acres	
R-15	3.7	E114		3.7	
Watershed	3.7		Sewer District	3.7	



17901

Property Owner

Peggy Kistler Warren

Code Enforcement Activity Summary

Code Violation Determined: Accumulation of rubbish, trash or junk located on the property

Notices of Violation/ Order of Code Enforcement Officer sent by regular mail.

- Notice of Violation: 11.6.2020
- Warning Citation: 4.8.2021
- Citation #1: 5.5.2021
- Citation #2: 6.16.2021
- Citation #3: 7.30.2021
- Citation #4: 9.24.2021
- Final Notice: 10.18.2021

Above notices of violation along with photo documentation of violations are attached.

Communication from Owner:

Mrs. Warren has come to the Planning Department office on many occasions. The below is a basic summary of what Mrs Warren has indicated to be the ongoing issues regarding the nuisance ordinance violation:

- Mrs Warren has stated that the violation is due to and caused by her former daughter-in- law who is occupying the house and grounds without her permission,
- Mrs. Warren has stated that she has been unsuccessful in past attempts to have her former daughter-in-law evicted.
- Mrs. Warren has indicated that she has removed the junk materials from the front porch and the grounds on several occasions only to have additional junk materials accumulate soon afterwards due to her former daughter-in-law's occupancy.

Action Requested

Adoption of attached resolution to authorize and direct the City Attorney to petition Superior Court for an order directing the owner to comply with the order of the Code Enforcement Officer.

**RESOLUTION AUTHORIZING AND DIRECTING CITY ATTORNEY
TO PETITION SUPERIOR COURT FOR AN ORDER
REQUIRING THE OWNER OF CERTAIN PROPERTY LOCATED AT
714 LITHIA INN ROAD IN THE CITY OF LINCOLNTON
TO COMPLY WITH ORDER
OF THE CODE ENFORCEMENT OFFICER**

WHEREAS, the City Council of the City of Lincolnton finds that the situation herein described is an accumulation of rubbish, trash or junk causing or threatening to cause a fire hazard, or causing or threatening to cause the accumulation of stagnant water, or causing or threatening to cause the inhabitation therein of rats, snakes or vermin of any kind which are dangerous or prejudicial to the public health in violation of the Section 93.047 of the City Code, Declaration of Nuisance, and thereby constitutes a safety hazard and is dangerous to life, health and other property and that all of the procedures of the Code of the City of Lincolnton, North Carolina, have been complied with; and

WHEREAS, the owner of this property has failed to comply with a lawful Order of the Code Enforcement Official to remedy the same within the time therein prescribed; and

WHEREAS, G. S. 160A-175 and Sections 93.065 through 93.999 of the Code of the City of Lincolnton, North Carolina, empowers the City of Lincolnton to seek enforcement when an Order of the Code Enforcement Official is not complied with; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lincolnton that the City Attorney is hereby authorized and directed to proceed, as authorized by G. S. 160A-175 to petition the Superior Court of Lincoln County for an order requiring the owner, Peggy Kistler Warren, of the property located at 714 Lithia Inn Road in the City of Lincolnton, North Carolina, to take such steps as may be necessary to comply fully with the Order of the Code Enforcement Official issued pursuant to the Nuisance Ordinance contained in Chapter 93 of the Code of the City of Lincolnton, North Carolina.

This Resolution shall become effective upon adoption.

ED HATLEY, MAYOR

ATTEST:

DAPHNE INGRAM, CITY CLERK

VIOLATION NOTICE AND ORDER

November 6, 2020

Peggy Kistler Warren
602 Lithia Inn Rd
Lincolnton, NC 28092

Attention Property Owner:

The City of Lincolnton has received a complaint concerning your property located at 714 Lithia Inn Rd Parcel ID# (17901)

NUISANCE VIOLATIONS: Junk Material

Located on the property stated above is an accumulation of rubbish, trash or junk causing or threatening to cause a fire hazard, or causing or threatening to cause the accumulation of stagnant water, or causing or threatening to cause the inhabitation therein of rats, snakes or vermin of any kind which are dangerous or prejudicial to the public health and safety of residence in the area. This is a violation of the City of Lincolnton Nuisance Ordinance.

Please correct this violation within fifteen (15) days so that no further action will need to be taken. The Compliance deadline is (date) Please contact me at 704-736-8729 between the hours of 8:30 a.m. and 5:00 p.m. Monday-Friday or taprker@lincolncounty.org; if you have any questions. Thank you in advance for your cooperation.

A handwritten signature in black ink, appearing to be 'Trey Parker', with a stylized, cursive script.

Trey Parker
Code Enforcement Officer

April 8, 2021

Peggy Kistler Warren
602 Lithia Inn Rd
Lincolnton, NC 28092

Subject: Warning citation for violation of Nuisance Ordinance

Property owner:

This letter serves to notify you of a violation of the City of Lincolnton Nuisance Ordinance your property at 714 Lithia Inn Rd. (Parcel ID#17901)

This violation involves garbage on the property that has not been properly disposed of. The Solid Waste Ordinance requires that garbage be properly disposed of or, if it is stored outside, be kept in a watertight, rodent-proof container with a close-fitting lid. To correct this violation, please remove all garbage from the property or store it appropriately.

Under the ordinance, you have 10 days to correct this violation or you will be subject to a civil penalty.

If you have any questions or would like to discuss this matter, please feel free to contact me at (704) 736-8729. Our office hours are 8 a.m. to 5 p.m., Monday through Friday.

A handwritten signature in black ink, appearing to read 'Trey Parker', with a stylized, looping flourish at the end.

Trey Parker
Code Enforcement Officer

May 5, 2021

Peggy Kistler Warren
602 Lithia Inn Rd
Lincolnton, NC 28092

Subject: First citation for nuisance violation

Property Owner:

On April 8, 2021, a warning citation was sent notifying you of a violation of City of Lincolnton's zoning regulations on your property at 714 Lithia Inn Rd. (Parcel ID#17901). As of May 5, 2021, this violation has not been corrected. Accompanying this letter is a citation for this violation.

NUISANCE VIOLATIONS: Junk Material

Located on the property stated above is an accumulation of rubbish, trash or junk causing or threatening to cause a fire hazard, or causing or threatening to cause the accumulation of stagnant water, or causing or threatening to cause the inhabitation therein of rats, snakes or vermin of any kind which are dangerous or prejudicial to the public health and safety of residence in the area. This is a violation of the City of Lincolnton Nuisance Ordinance.

This citation carries a civil penalty of \$100.00. You have 7 days to correct this violation or you will be subject to an additional civil penalty of \$250.00 if the violation is not corrected.

If you have any questions or would like to discuss this matter, please feel free to contact me at (704) 736-8729. Our office hours are 8 a.m. to 5 p.m., Monday through Friday.



Trey Parker
Code Enforcement Officer

Citation Number 1
Case Number LCE20-00047
Date May 5, 2021
Location of Violation: 714 Lithia Inn Rd
Name: Peggy Kistler Warren
Address: 602 Lithia Inn Rd
City: Lincolnton State: NC Zip: 28092

You are charged with a violation of the Lincoln County Unified Development Ordinance as set forth below:

Description of Offense: Rubbish scattered across porch.

Officer: Trey A. Parker

If you fail to pay the penalty within 20 days, the city may recover the penalty in a civil action

in the nature of debt. Failure to correct the violation within seven (7) days shall result in the assessment of an additional civil penalty of \$250.00.

This penalty may be paid at the City of Lincolnton Planning and Development Department, City Hall, 2nd Floor 114 W Sycamore St. Lincolnton, NC 28092. Business hours are 8 a.m. to 5 p.m., Monday through Friday.

June 16, 2021

Peggy Kistler Warren
602 Lithia Inn Rd
Lincolnton, NC 28092

Subject: Second citation for zoning violation

Property Owner:

On May 5, 2021, a first citation letter was sent notifying you of a violation of Lincoln County's zoning regulations on your property at 714 Lithia Inn Rd. (Parcel ID#17901). An inspection on June 16, 2021 found that this violation has not been corrected. Accompanying this letter is a second citation for this violation.

NUISANCE VIOLATIONS: Junk Material

Located on the property stated above is an accumulation of rubbish, trash or junk causing or threatening to cause a fire hazard, or causing or threatening to cause the accumulation of stagnant water, or causing or threatening to cause the inhabitation therein of rats, snakes or vermin of any kind which are dangerous or prejudicial to the public health and safety of residence in the area. This is a violation of the City of Lincolnton Nuisance Ordinance.

This citation carries a civil penalty \$250.00 You have 7 days to correct this violation or you will be subject to an additional civil penalty of \$500.00 if the violation is not corrected.

If you have any questions or would like to discuss this matter, please feel free to contact me at (704) 736-8729. Our office hours are 8 a.m. to 5 p.m., Monday through Friday.

A handwritten signature in black ink, appearing to be a stylized 'P' followed by a flourish.

Trey Parker
Code Enforcement Officer

Citation Number 2
Case Number LCE20-00047
Date June 16, 2021
Location of Violation: 714 Lithia Inn Rd
Name: Peggy Kistler Warren
Address: 602 Lithia Inn Rd
City: Lincolnton State: NC Zip: 28092

You are charged with a violation of the Lincoln County Unified Development Ordinance as set forth below:

Description of Offense: Rubbish scattered across porch and beside the home.

Officer: Trey A. Parker

Under the provisions of the City of Lincolnton Unified Development Ordinance, a penalty of \$250.00 is hereby assessed. If this violation is not corrected, the penalty will increase to \$500.00. If you fail to pay any penalties owed within 20 days, the city may recover the amount in a civil action in the nature of debt.

This penalty may be paid at the City of Lincolnton Planning and Development Department, City Hall, 2nd Floor 114 W Sycamore St. Lincolnton, NC 28092. Business hours are 8 a.m. to 5 p.m., Monday through Friday.

July 30, 2021

Peggy Kistler Warren
602 Lithia Inn Rd
Lincolnton, NC 28092

Subject: Third citation for zoning violation

Property Owner:

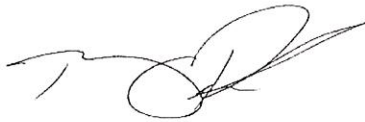
Accompanying this letter is a third citation for a violation of the City of Lincolnton zoning regulations on your property at 714 Lithia Inn Rd (Parcel ID# 17901).

NUISANCE VIOLATIONS: Junk Material

Located on the property stated above is an accumulation of rubbish, trash or junk causing or threatening to cause a fire hazard, or causing or threatening to cause the accumulation of stagnant water, or causing or threatening to cause the inhabitation therein of rats, snakes or vermin of any kind which are dangerous or prejudicial to the public health and safety of residence in the area. This is a violation of the City of Lincolnton Nuisance Ordinance.

This citation continues a civil penalty of \$500.00 To date, the penalties assessed against you amount to **\$850.00**. This letter serves as notice that the City of Lincolnton will seek to recover these penalties in a civil action through Small Claims Court.

If you have any questions or would like to discuss this matter, please feel free to contact me at (704) 736-8729. Our office hours are 8 a.m. to 5 p.m., Monday through Friday.

A handwritten signature in black ink, appearing to read 'Trey Parker', with a stylized, cursive flourish.

Trey Parker

Code Enforcement Officer

Citation Number 3
Case Number LCE20-00047
Date July 30, 2021
Location of Violation: 714 Lithia Inn Rd
Name: Peggy Kistler Warren
Address: 602 Lithia Inn Rd
City: Lincolnton State: NC Zip: 28092

You are charged with a violation of the Lincoln County Unified Development Ordinance as set forth below:

Description of Offense: Rubbish scattered across porch and beside the home.

Officer: Trey A. Parker

This citation continues a penalty of \$500.00. To date, the penalties assessed in this case amount to \$850.00. If you fail to pay any penalties owed within 20 days, the city may recover the amount in a civil action in the nature of debt.

This penalty may be paid at the City of Lincolnton Planning and Development Department, City Hall, 2nd Floor 114 W Sycamore St. Lincolnton, NC 28092. Business hours are 8 a.m. to 5 p.m., Monday through Friday.

September 24, 2021

Peggy Kistler Warren
602 Lithia Inn Rd
Lincolnton, NC 28092

Subject: Fourth citation for zoning violation

Property Owner:

On July 30, 2021, a third citation letter was sent notifying you of a violation of Lincoln County's zoning regulations on your property at 714 Lithia Inn Rd (Parcel ID# 17901). An inspection on September 24, 2021, found that this violation has not been corrected. Accompanying this letter is a fourth citation for this violation.

NUISANCE VIOLATIONS: Junk Material

Located on the property stated above is an accumulation of rubbish, trash or junk causing or threatening to cause a fire hazard, or causing or threatening to cause the accumulation of stagnant water, or causing or threatening to cause the inhabitation therein of rats, snakes or vermin of any kind which are dangerous or prejudicial to the public health and safety of residence in the area. This is a violation of the City of Lincolnton Nuisance Ordinance.

This citation continues a civil penalty of \$500.00 per day the violation exists. To date, the penalties assessed against you amount to **\$1350.00**. This letter serves as notice that the City of Lincolnton will seek to recover these penalties in a civil action through Small Claims Court.

If you have any questions or would like to discuss this matter, please feel free to contact me at (704) 736-8729. Our office hours are 8 a.m. to 5 p.m., Monday through Friday.



Trey Parker

Code Enforcement Officer

Citation Number 4
Case Number LCE20-00047
Date September 24, 2021
Location of Violation: 714 Lithia Inn Rd
Name: Peggy Kistler Warren
Address: 602 Lithia Inn Rd
City: Lincolnton **State:** NC **Zip:** 28092

You are charged with a violation of the Lincoln County Unified Development Ordinance as set forth below:

Description of Offense: Rubbish scattered across porch and beside the home.

Officer: Trey A. Parker

You are charged with a violation of the City of Lincolnton Unified Development Ordinance as set forth below:

Description of Offense: Rubbish scattered across porch and beside the home.

Officer: Trey A. Parker

This citation continues a penalty of \$500.00 per day. To date, the penalties assessed in this

case amount to \$1350.00. If you fail to pay any penalties owed within 20 days, the city may recover the amount in a civil action in the nature of debt.

This penalty may be paid at the City of Lincolnton Planning and Development Department, City Hall, 2nd Floor 114 W Sycamore St. Lincolnton, NC 28092. Business hours are 8 a.m. to 5 p.m., Monday through Friday.



Code Enforcement

October 18, 2021

Peggy Kistler Warren
602 Lithia Inn Rd
Lincolnton, NC 28092

Subject: Case status

Property Owner:

The intent of this letter is to advise you of the current status of the case we have against your property at 714 Lithia Inn Rd (Parcel ID#17901) Listed here are the letters that have been sent to you.

November 6, 2021 - Notice of Violation
April 8, 2021 - Warning Citation
May 5, 2021 - Citation #1 \$100 Fine
June 16, 2021 - Citation #2 \$ 250 Fine
July 30, 2021 - Citation #3 \$ 500 Fine
September 24, 2021 - Citation #4 \$500 Fine Per Day

To date, the \$500.00 per day civil penalties assessed against you amount to \$7,350.00. No additional notifications will be provided. If the violation remains uncorrected or reoccurs, the matter will be referred to the City Attorney for legal action.

Trey Parker
Code Enforcement Officer

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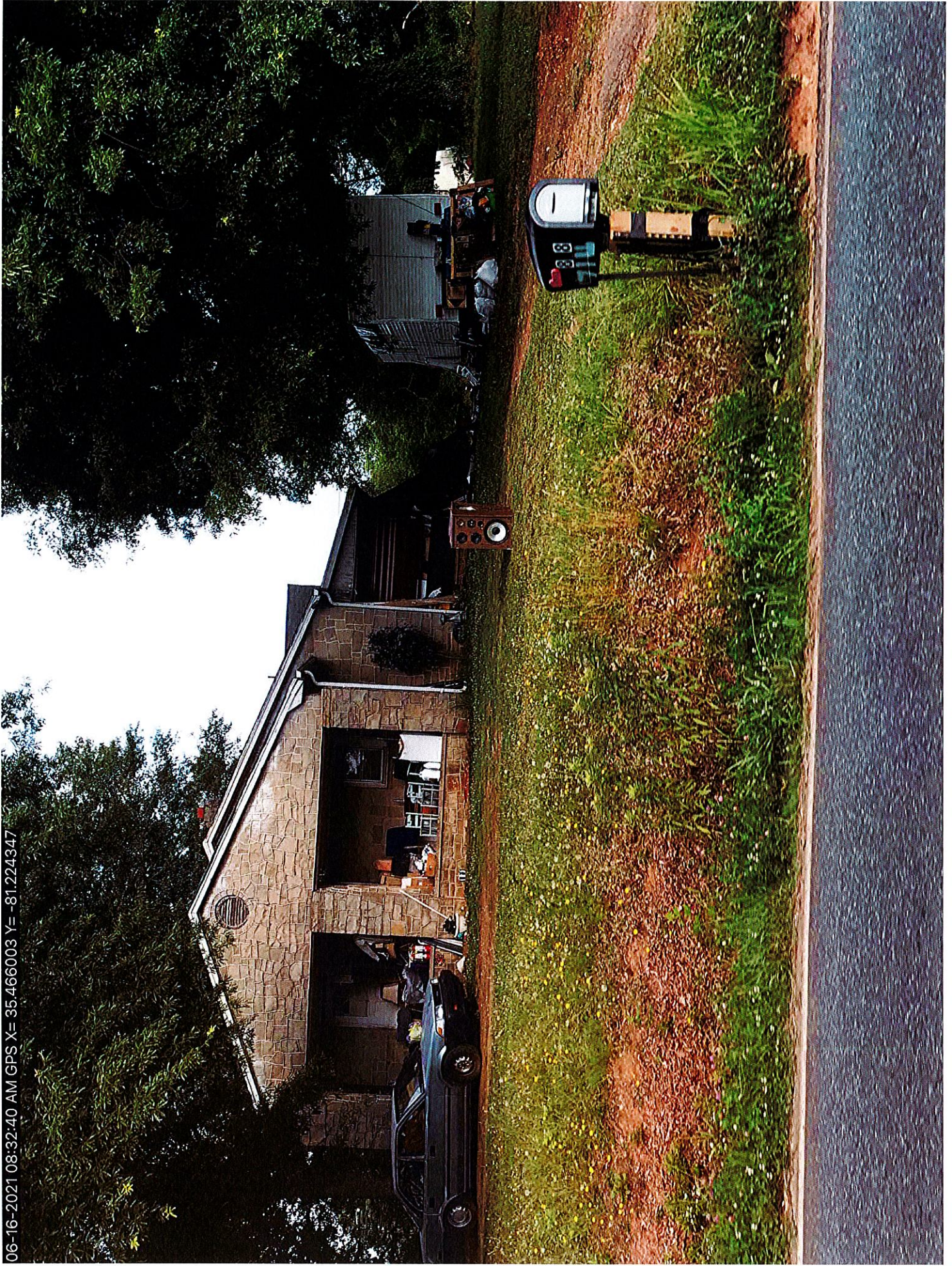
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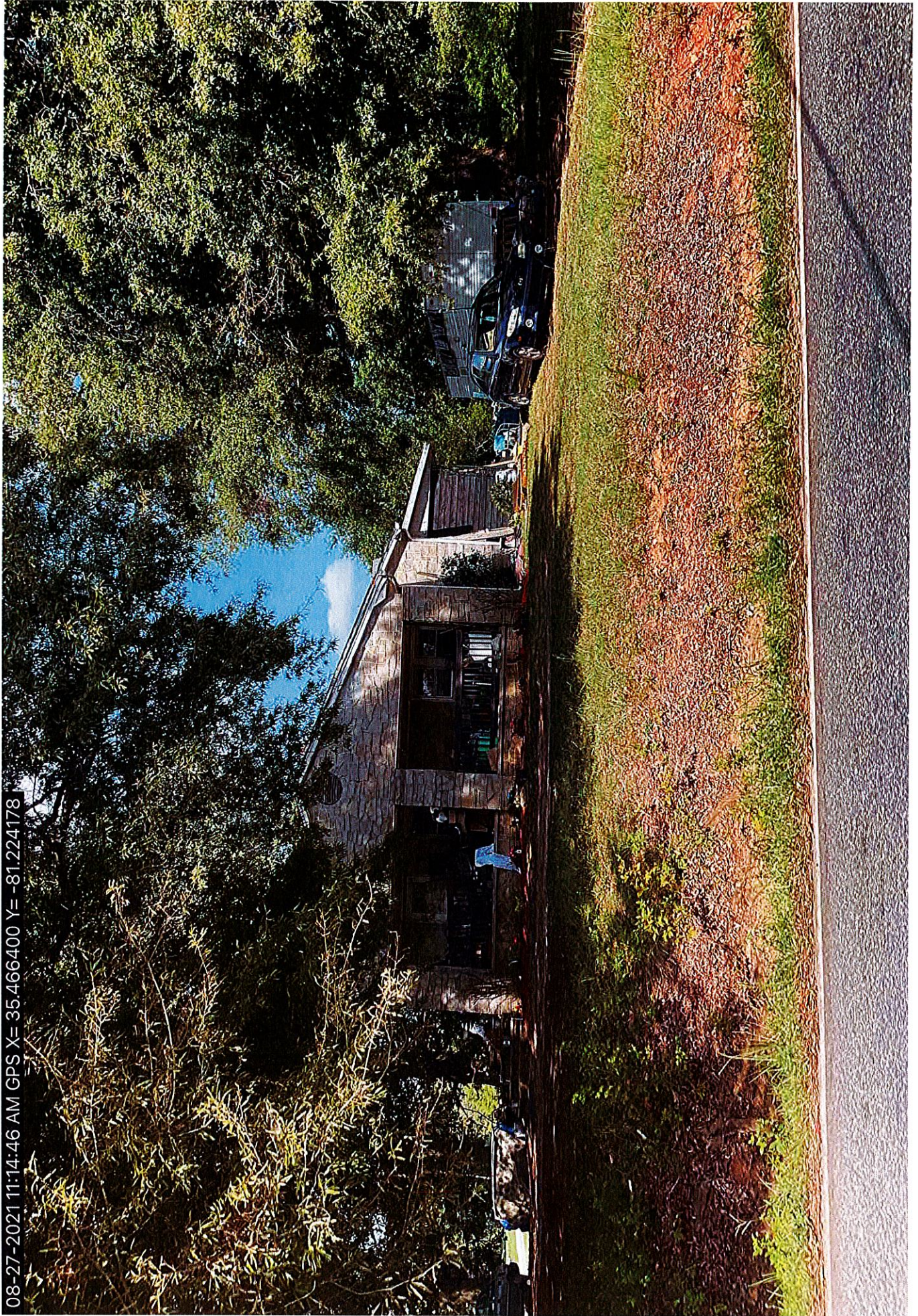
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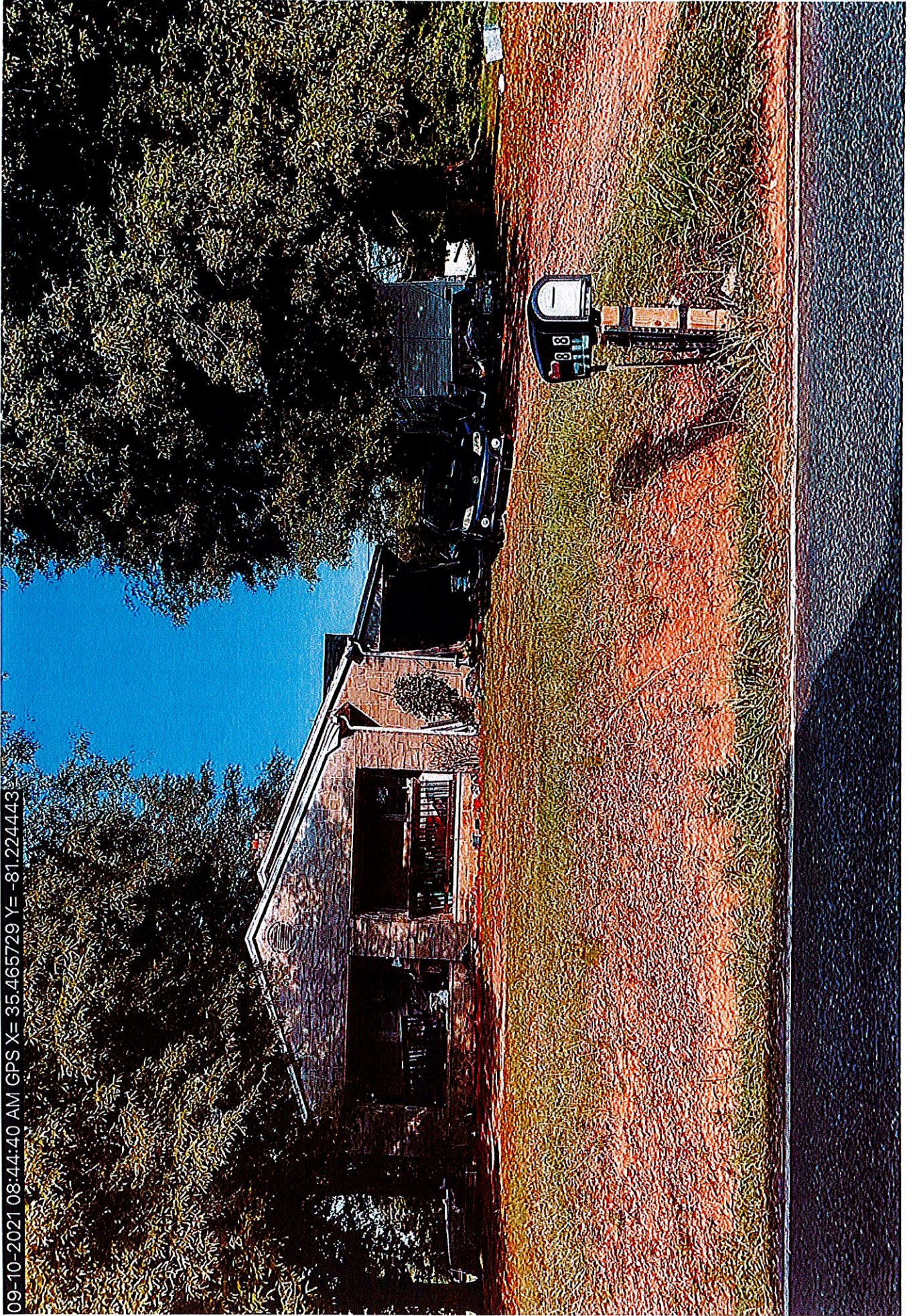
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08-27-2021 11:14:46 AM GPS X= 35.466400 Y= -81.224178



09-10-2021 08:44:40 AM GPS X= 35.465729 Y= -81.224443



09-24-2021 08:40:31 AM GPS X= 35.464722 Y= -81.224912



09-24-2021 08:40:31 AM GPS X= 35.464722 Y= -81.224912



10-04-2021 01:29:21 PM GPS X= 35.465576 Y= -81.224524



11-01-2021 08:36:25 AM GPS X= 35.464905 Y= -81.224830



01-07-2021 09:41:31 AM GPS X= 35.465363 Y= -81.224659



11-15-2021 08:39:11 AM GPS X= 35.464722 Y= -81.225260



ITEM #

3c

(R-21-21)

Consideration of Resolution of
Intent to Annex Property - 410
McAlister Road

MEMO TO: Mayor and City Council Members
FROM: Laura Elam, Planning Director
SUBJECT: Consideration of Resolution of Intent to Annex Property Located at 410 McAlister Road
DATE: December 2, 2021

The following outlines the process the City would need to follow in order to consider annexation of the former Boger City Volunteer Fire Department site located at 410 McAlister Road.

- A. Adopt attached resolution stating the City's intent to annex the property and setting the date for the public hearing.
- B. The resolution must affirm the following five statutory standards for satellite annexation:
 - 1. The nearest point on the proposed satellite corporate limits must be not more than three miles from the primary corporate limits of the annexing city.
 - 2. No point on the proposed satellite corporate limits may be closer to the primary corporate limits of another city than to the primary corporate limits of the annexing city.
 - 3. The area must be so situated that the annexing city will be able to provide the same services within the proposed satellite corporate limits that it provides within its primary corporate limits.
 - 4. If the area proposed for annexation, or any portion thereof, is a subdivision as defined in G.S. 160A-376, all of the subdivision must be included.
 - 5. The area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits, may not exceed ten percent (10%) of the area within the primary corporate limits of the annexing city.
- C. Advertise the public hearing at least 10 days prior to the hearing. .
- D. Hold the public hearing and allow any interested parties to be heard on the desirability of the annexation.
- E. If the Council finds that the annexation is in the public interest, it may adopt an ordinance annexing the property. The ordinance may be made effective immediately or on any specified date within 6 months of adoption of the ordinance.

**RESOLUTION STATING THE INTENT OF THE CITY OF LINCOLNTON TO ANNEX
PROPERTY OWNED BY THE CITY WHICH IS NOT CONTIGUOUS TO THE EXISTING
MUNICIPAL BOUNDARIES**

BE IT RESOLVED by the City Council of the City of Lincolnton that:

Section 1. It is the intent of the City Council, pursuant to G.S. 160A-58.7, to annex the property described in Section 2, which s owned by the City of Lincolnton,

Section 2. The legal description of the property is as follows:

Beginning at a point in the center of State Road No. 1334, northwest corner of property of W. A. Abernethy, Jr., and runs thence with his line, South 40 deg. 30 min. 00 sec. East (crossing an old iron stake at 15.79 feet) 362.44 feet to an old iron stake; thence with Walker, South 28 deg. 15 min. 00 sec. West 100.00 feet to a stake; thence with Allen Goodson, South 30 deg. 20 min. 00 sec. West 27.00 feet to a stake and South 36 deg. 49 min. 30 sec. West 169.36 feet to a stake; thence with McKinney, South 44 deg. 55 min. 57 sec. West 141.64 feet to an old iron stake (which is located North 29 deg. 53 min. 11 sec. East 12.85 feet from an old iron stake control corner); thence with Sigmon, Hoover, Jarrett and Allen, North 42 deg. 28 min. 29 sec. West 458.36 feet to a point in the center of State Road No. 1334; thence with the center of said road, North 49 deg. 46 min. 23 sec. East 440.94 feet to the BEGINNING, containing 4.22 acres, more or less, and being the northwest portion of property described in Deed Book 535 at Page 288, as surveyed and platted by Ronnie Dedmon, Registered Surveyor, dated March 13, 1986.

Section 3. The property described in Section 2 is not contiguous to the current municipal boundaries but will meet the requirements of G.S. 160A-58.1(b).

Section 4. A public hearing on the question of annexation will be held on Thursday, January 6, 2022 at 7:00 p.m. in the Council Chambers of Lincolnton City Hall located at 114 West Sycamore Street Lincolnton, NC.

Section 5. Notice of the public hearing shall be published once in the Lincoln Times News , a newspaper having general circulation in the City of Lincolnton, at least ten (10) days prior to the date of the public hearing.

Adopted this second day of December, 2021.

Mayor

Attest:

Clerk

ITEM #

4

REGULAR AGENDA
(continued)

ITEM #

4a

Budget
Amendment

CITY COUNCIL

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

**CITY MANGER**

Richard Haynes
rhaynes@lincolntonnc.org

CITY CLERK

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

CITY ATTORNEY

Thomas J. Wilson, Jr.

BA-07-21

BE IT ORDAINED by the Governing Board of the City of Lincolnton, North Carolina, that the following amendment be made to the Annual Budget Ordinance for the fiscal year ending June 30, 2022.

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

Police	\$	23,266
Planning/Zoning		20,039
Recreation		50,000
	\$	93,305

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

Federal Grants-Brownfield	\$	20,039
Grants - Other		50,000
SRO Reimbursement		22,257
Police Dept-Misc. Revenue		1,009
	\$	93,305

General Fund: Additional federal payments received for the Brownfield Grant. Grant ended October 2021. Timken Foundation Grant for the Rail Trail Patio Project. Miscellaneous revenue and reimbursements for Police related expenditures.

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 \$ 93,305

Adopted this 2nd day of December, 2021

Attest:

 Daphne Ingram
 City Clerk

 Edward L Hatley
 Mayor

ITEM #

4b

Request to
Approve Salary Schedule/
Position Classification and
Schedule of Budgeted
Positions

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 Members

Through: Ritchie Haynes, City Manager

From: Tanya Osborne, Human Resources Director

Re: 2021/2022 Salary Schedule/Position Classification and Schedule of Budgeted Positions

Date: November 23, 2021

Over the last few months, we have met several times to discuss the reorganization of positions within departments due to identified city staffing needs and upcoming retirements. Following is a summary of position changes discussed and recommended.

1. The Finance Department has a staff member retiring January 1, 2022. The Finance Director, Pam McBryde, has recommended the following changes:
 - a. Eliminate the Accounting Services Manager G.21 and Accountant G.17 positions
 - b. Add a new position classification of Assistant Finance Director G.21
2. The Police Department has a staff member retiring February 1, 2022. In preparation for the upcoming retirement, Chief Jordan has recommended the following changes:
 - a. Eliminate a Captain G.22 and a Police Officer G.17 position
 - b. Add two Sergeant G.20 positions
3. Discussions with you, department heads and the current part time IT staff member indicate the City's technology needs can no longer be supported adequately with the current arrangements. The recommendation is to reclassify the part time Information Technology Manager G.24 to a full time position of IT-Technology & Innovation Manager G.27.
4. The Fire Department currently utilizes part time Fire Inspector positions. Chief Heavner has indicated it is difficult to respond to the requests for services in a timely manner with part time staff, and has requested a full time position classification of Fire Marshal G.22. In preparation for the potential implementation of this position, the job specifications have been developed. Identification of funding for the position is under review by the Fire Chief and Finance Director.

It is anticipated the cost of the position changes within the Finance, IT, and Police departments will remain within the funding currently budgeted.

Memo-Position Changes

November 23, 2021

Page 2

Based upon the discussions with you and the department heads, a revised 2021/2022 Salary Schedule/Position Classification and Schedule of Budgeted Position listing is attached for City Council's review. Changes are highlighted with the effective dates. The recommended classification changes will change the overall number of full time budgeted positions by one to 163.

Action for City Council consideration:

1. Approval of proposed changes to 2021/2022 Salary Schedule/Position Classification listing
2. Approval of proposed changes to 2021-2022 Schedule of Budgeted Positions listing

attachments

Salary Schedule-Position Classification

City of Lincolnton

Effective December 2, 2021

Grade	Position Title	Minimum	Midpoint	Maximum	Schedule	FLSA
3	Not assigned	21,046	26,307	31,569		N
4	Not assigned	22,098	27,623	33,147		N
5	Not assigned	23,203	29,004	34,805		N
6	Not assigned	24,363	30,454	36,545		N
7	Not assigned	25,582	31,977	38,372		N
8	Building Services Attendant	26,861	33,576	40,291	C	N
8	General Maintenance Worker	26,861	33,576	40,291	B	N
8	Property Maintenance Technician	26,861	33,576	40,291	B	N
9	Not Assigned	28,204	35,255	42,305		N
10	Customer Service Representative	29,614	37,017	44,421	C	N
10	Equipment Operator I	29,614	37,017	44,421	B	N
10	Meter Specialist	29,614	37,017	44,421	B	N
10	Parking Enforcement Officer	29,614	37,017	44,421	A	N
11	Accounting Support Technician	31,095	38,868	46,642	C	N
11	Administrative Support Assistant	31,095	38,868	46,642	C	N
11	Administrative Support Assistant/Recpt	31,095	38,868	46,642	C	N
11	Distribution/Collection Maintenance Tech I	31,095	38,868	46,642	B	N
11	Lead Meter Specialist	31,095	38,868	46,642	B	N
11	Police Evidence Technician	31,095	38,868	46,642	C	N
11	WTP Operator C	31,095	38,868	46,642	B	N
11	WWTP Operator I	31,095	38,868	46,642	B	N
12	Accounting Tech-Accounts Payable	32,649	40,812	48,974	C	N
12	Distribution/Collection Maintenance Tech II	32,649	40,812	48,974	B	N
12	Equipment Operator II	32,649	40,812	48,974	B	N
12	Sr. Administrative Support Assistant	32,649	40,812	48,974	C	N
12	WTP Operator B	32,649	40,812	48,974	B	N
12	WWTP Operator II	32,649	40,812	48,974	B	N
13	Electric Line Technician (Class C)	34,282	42,852	51,423	B	N
13	Firefighter I	34,282	42,852	51,423	A	N
13	Fleet Maintenance Mechanic	34,282	42,852	51,423	A	N
13	WTP Laboratory Analyst	34,282	42,852	51,423	B	N
13	WTP Maintenance Mechanic	34,282	42,852	51,423	B	N
13	WWTP Maintenance Mechanic	34,282	42,852	51,423	B	N
14	Distribution/Collection Maint Tech III	35,996	44,995	53,994	B	N
14	Firefighter II	35,996	44,995	53,994	A	N
14	Fire Inspector I	35,996	44,995	53,994	A	N

Salary Schedule-Position Classification

City of Lincolnton

Effective December 2, 2021

14	Payroll Specialist	35,996	44,995	53,994	C	N
14	Street Maintenance Crew Leader	35,996	44,995	53,994	B	N
14	Utility Billing Customer Service Supervisor	35,996	44,995	53,994	C	N
14	WTP Operator A	35,996	44,995	53,994	B	N
14	WWTP Operator III	35,996	44,995	53,994	B	N
15	Distribution/Collection Crew Leader	37,796	47,244	56,693	B	N
15	Fire Engineer	37,796	47,244	56,693	A	N
15	Fire Inspector II	37,796	47,244	56,693	A	N
15	Lead WTP Maintenance Mechanic	37,796	47,244	56,693	B	N
15	Lead WWTP Maintenance Mechanic	37,796	47,244	56,693	B	N
15	Planning Assistant	37,796	47,244	56,693	C	N
15	WWTP Laboratory Analyst	37,796	47,244	56,693	B	N
16	Electric Line Technician (Class B)	39,685	49,607	59,528	B	N
16	Fire Inspector III	39,685	49,607	59,528	A	N
16	Recreation Program Coordinator	39,685	49,607	59,528	C	N
17	Accountant	41,670	52,087	62,504	C	N
17	Distribution/Collection Supv	41,670	52,087	62,504	B	N
17	Fire Lieutenant	41,670	52,087	62,504	A	N
17	General Services Supervisor	41,670	52,087	62,504	B	N
17	Police Officer	41,670	52,087	62,504	A	N
17	Police Officer-SRO	41,670	52,087	62,504	A	N
17	Public Works Supervisor	41,670	52,087	62,504	B	N
17	Sr. Recreation Program Coordinator	41,670	52,087	62,504	C	N
17	WTP Chief Operator	41,670	52,087	62,504	B	N
17	WWTP Pretreatment Coordinator	41,670	52,087	62,504	B	N
17	Zoning Administrator	41,670	52,087	62,504	C	N
18	Electric Line Technician (Class A)	43,753	54,691	65,630	B	N
18	Fleet Services Superintendent	43,753	54,691	65,630	B	N
18	HR Benefits Administrator	43,753	54,691	65,630	C	N
18	Master Police Officer	43,753	54,691	65,630	A	N
18	Police Investigator	43,753	54,691	65,630	A	N
19	Not Assigned	45,941	57,426	68,911		N
20	Asst to City Mgr Office/City Clerk	48,238	60,297	72,357	C	N
20	Building Inspections Consultant	48,238	60,297	72,357	C	N
20	Electric Distribution System Supv	48,238	60,297	72,357	B	N
20	Police Sergeant	48,238	60,297	72,357	A	N
21	Accounting Services Manager	50,650	63,312	75,975	C	N
21	Assistant Finance Director	50,650	63,312	75,975	C	N

Salary Schedule-Position Classification
City of Lincoln
Effective December 2, 2021

21	Distribution/Collection System Supt	50,650	63,312	75,975	B	E
21	Parks & Recreation Superintendent	50,650	63,312	75,975	B	E
21	Public Works Superintendent	50,650	63,312	75,975	B	E
21	WTP Superintendent	50,650	63,312	75,975	B	E
21	WWTP Superintendent	50,650	63,312	75,975	B	E
22	Fire Marshall	53,182	66,478	79,771	A	N
22	Fire Captain	53,182	66,478	79,773	A	N
22	Police Captain	53,182	66,478	79,773	A	N
23	Fire Training Officer	55,841	69,802	83,762	A	E
24	Community Relations Director	58,633	73,292	87,950	C	E
24	Information Technology Manager	58,633	73,292	87,950	C	E
25	Assistant Fire Chief	61,565	76,956	92,347	A	E
25	Electric Distribution System Supt	61,565	76,956	92,347	B	E
25	Police Major	61,565	76,956	92,347	A	E
26	Business Services Director	64,643	80,804	96,965	C	E
27	IT-Technology & Innovation Director	67,875	84,844	101,813	C	E
27	Parks & Recreation Director	67,875	84,844	101,813	C	E
28	Human Resources Director	71,269	89,086	106,904	C	E
28	Planning & Comm Develop Director	71,269	89,086	106,904	C	E
29	Public Services Director	74,833	93,541	112,249	A	E
29	Public Utilities Director	74,833	93,541	112,249	B	E
30	Finance Director	78,574	98,218	117,861	C	E
30	Fire Chief	78,574	98,218	117,861	A	E
30	Police Chief	78,574	98,218	117,861	A	E
31	Not assigned	82,503	103,129	123,754		E
32	Not assigned	86,628	108,285	129,942		E
33	Not assigned	90,960	113,699	136,439		E
34	Assistant City Manager	95,508	119,384	143,261	C	E
35	Not assigned	100,283	125,354	150,424		E
36	Not assigned	105,297	131,621	157,946		E
37	City Manager	110,562	138,202	165,843	C	E

Salary Schedule-Position Classification
City of Lincolnton
Effective December 2, 2021

38	Not assigned	116,090	145,112	174,135		
39	Not assigned	121,894	152,368	182,842		
40	Not assigned	127,989	159,986	191,984		
41	Not assigned	134,389	167,985	201,584		
42	Not assigned	141,108	176,385	211,663		
	<u>Part-Time Classifications</u>	<u>Hourly</u>		<u>Hourly</u>		
	Lifeguards-Non Experienced	9.00		9.00	C	N
	Lifeguards-Experienced	10.50		10.50	C	N
	Scorekeepers/Concession Workers	8.75		8.75	C	N
	Recreation Worker	10.89		12.91	C	N

			CITY OF LINCOLNTON			
			SCHEDULE OF BUDGETED POSITIONS			
			Effective 12/02/2021			
Position Title			Grade	E or N-E	Bi-Weekly Hours	
Administration 10.00.4110						
City Manager			37	E	75	
Asst to City Mgr Office/City Clerk			20	N-E	75	
Full Time Positions		2				
Human Resources 10.00.4120						
Human Resources Director			28	E	75	
HR Benefits Administrator			18	N-E	75	
Sr. Admin Support Assistant			12	N-E	75	
Admin Support Assistant/Recpt.			11	N-E	75	
Building Services Attendant			8	N-E	75	
Full Time Positions		5				
Finance 10.00.4130						
Finance Director			30	E	75	
Business Services Director			26	E	75	
IT-Technology & Innovation Manager			27	E	75	effective 01-01-2022
Information Tech Manager			24	N-E	PT	eliminate 01-01-2022
Accounting Services Manager			21	N-E	75	eliminate 01-01-2022
Assistant Finance Director			21	N-E	75	effective 01-01-2022
Accountant			17	N-E	75	eliminate 01-01-2022
Accounting Technician-Payroll Specialist			14	N-E	75	
Accounting Technician-AP			12	N-E	75	
Acct Support Tech			11	N-E	75	
Full Time Positions		7				

<u>Position Title</u>		<u>Grade</u>	<u>E or N-E</u>	<u>Bi-Weekly Hours</u>	
Police Department 10.10.4310					
Police Chief		30	E	80	
Police Major		25	E	80	
Police Investigations Captain		22	N-E	80	
Community Service/Training Captain		22	N-E	80	eliminate 02-01-22
Police Captain		22	N-E	84	
Police Captain		22	N-E	84	
Police Investigations Sergeant		20	N-E	80	
Police Sergeant		20	N-E	80	effective 12-02-21
Police Sergeant		20	N-E	80	effective 02-01-22
Police Sergeant		20	N-E	84	
Police Sergeant		20	N-E	84	
Police Sergeant		20	N-E	84	
Police Sergeant		20	N-E	84	
Police Investigator		17	N-E	80	
Police Investigator		17	N-E	80	
Police Investigator		17	N-E	80	
Police Officer-MPO		17	N-E	84	
Police Officer-MPO		17	N-E	84	
Police Officer-MPO		17	N-E	84	
Police Officer-MPO		17	N-E	84	
Police Officer		16	N-E	84	
Police Officer		16	N-E	84	
Police Officer		16	N-E	84	
Police Officer		16	N-E	84	
Police Officer		16	N-E	84	
Police Officer		16	N-E	84	
Police Officer		16	N-E	84	
Police Officer		16	N-E	84	
Police Officer		16	N-E	84	
Police Officer		16	N-E	84	
Police Officer		16	N-E	84	
Police Officer		16	N-E	80	
Police Officer		16	N-E	80	eliminate 12-02-21
Police Officer-SRO (MPO)		17	N-E	80	
Police Officer-SRO		16	N-E	80	
Sr Administrative Support Assistant		12	N-E	75	
Police Evidence Technician		11	N-E	75	
Administrative Support Assistant		11	N-E	75	
Full Time Positions	37				

<u>Position Title</u>		<u>Grade</u>	<u>E or N-E</u>	<u>Bi-Weekly Hours</u>	
Fire Department 10.10.4340					
Fire Chief		30	E	80	
Assistant Fire Chief		25	E	80	
Fire Captain		22	N-E	106	
Fire Captain		22	N-E	106	
Fire Captain		22	N-E	106	
Fire Marshall		22	N-E	80	effective 12-02-2021
Training Officer		23	N-E	80	
Fire Inspector I,II,III		14,15,16	N-E	PT	
Fire Lieutenant		17	N-E	106	
Fire Lieutenant		17	N-E	106	
Fire Lieutenant		17	N-E	106	
Fire Lieutenant		17	N-E	106	
Fire Lieutenant		17	N-E	106	
Fire Lieutenant		17	N-E	106	
Fire Engineer		15	N-E	106	
Fire Engineer		15	N-E	106	
Fire Engineer		15	N-E	106	
Fire Engineer		15	N-E	106	
Fire Engineer		15	N-E	106	
Fire Engineer		15	N-E	106	
Fire Engineer		15	N-E	106	
Fire Engineer		15	N-E	106	
Fire Engineer		15	N-E	106	
Fire Engineer		15	N-E	106	
Fire Engineer		15	N-E	106	
Firefighter II		14	N-E	106	
Firefighter II		14	N-E	106	
Firefighter II		14	N-E	106	
Firefighter II		14	N-E	106	
Firefighter II		14	N-E	106	
Firefighter II		14	N-E	106	
Firefighter II		14	N-E	106	
Firefighter		13	N-E	106	
Firefighter		13	N-E	106	
Firefighter		13	N-E	106	
Firefighter		13	N-E	106	
Firefighter		13	N-E	106	
Firefighter		13	N-E	106	
Firefighter		13	N-E	106	
Firefighter		13	N-E	106	
Sr. Admin Support Assistant		12	N-E	75	
Full Time Positions					
		41			

Public Works - Administration 10.20.4510						
Senior Admin Support Assistant	12	N-E	75			
Public Works Superintendent	21	E	80			
Accounting Technician	12	N-E	PT			
Full Time Positions	2					
Position Title	Grade	E or N-E	Bi-Weekly Hours			
Public Works - Streets & Property Maintenance 10.20.4520						
Public Works Supervisor	17	N-E	80			
Street Maint Crew Leader	14	N-E	80			
Equipment Operator II	12	N-E	80			
Equipment Operator I	10	N-E	80			
Equipment Operator I	10	N-E	80			
Equipment Operator I	10	N-E	80			
Equipment Operator I	10	N-E	80			
Equipment Operator I	10	N-E	80			
General Maint Worker	8	N-E	80			
General Maint Worker	8	N-E	80			
General Maint Worker	8	N-E	80			
Full Time Positions	11					
Public Works - Equip Services 10.20.4530						
Fleet Services Superintendent	18	N-E	80			
Fleet Maintenance Mechanic	13	N-E	80			
Full Time Positions	2					
Public Works - Solid Waste 10.30.4710						
Equipment Operator II	12	N-E	80			
Equipment Operator II	12	N-E	80			
Equipment Operator II	12	N-E	80			
Equipment Operator II	12	N-E	80			
Equipment Operator II	12	N-E	80			
Equipment Operator II	12	N-E	80			
General Maint Worker	8	N-E	80			
Full Time Positions	7					

Position Title		Grade		E or N-E		Bi-Weekly Hours	
Planning 10.40.4910							
Planning & Comm Develop Director		28		E		75	
Zoning Administrator		17		N-E		PT	
Building Inspections Consultant		20		N-E		PT	
Planning Assistant		15		N-E		75	
Full Time Positions		2					
Parks & Recreation 10.80.6100							
Public Services Director		29		E		80	
Parks & Recreation Superintendent		21		E		80	
Admin Support Assistant		11		N-E		PT	
Recreation Program Coordinator		16		N-E		80	
Recreation Program Coordinator		16		N-E		80	
Community Relations Director		24		E		75	
General Services Supervisor		14		N-E		80	
Property Maintenance Technician		8		N-E		80	
Full Time Positions		7					

<u>Position Title</u>		<u>Grade</u>	<u>E or N-E</u>	<u>Bi-Weekly Hours</u>	
Public Works - Water Treatment 61.91.7100					
Public Utilities Director		29	E	80	
WTP Superintendent		21	E	80	
Lead WTP Maint Mech		15	N-E	80	
Laboratory Analyst		13	N-E	80	
WTP Maintenance Mechanic		13	N-E	80	
WTP Operator C		11	N-E	80	
WTP Operator C		11	N-E	80	
WTP Operator C		11	N-E	80	
WTP Operator C		11	N-E	80	
Sr. Admin Support Assistant		12	N-E	75	
Full Time Positions	10				
Public Works - Distribution & Collection 61.91.7110					
Distribution & Coll System Supt		21	E	80	
Distribution & Coll System Supervisor		17	N-E	80	
Distribution/Collection Crew Leader		15	N-E	80	
Distribution/Collection Crew Leader		15	N-E	80	
Distribution/Collection Crew Leader		15	N-E	80	
Distribution/Collection Maint Tech II		12	N-E	80	
Distribution/Collection Maint Tech II		12	N-E	80	
Distribution/Collection Maint Tech I		11	N-E	80	
Distribution/Collection Maint Tech I		11	N-E	80	
Distribution/Collection Maint Tech I		11	N-E	80	
Distribution/Collection Maint Tech I		11	N-E	80	
Lead Meter Specialist		11	N-E	80	
Accounting Support Tech		11	N-E	75	
Full Time Positions	13				

<u>Position Title</u>		<u>Grade</u>	<u>E or N-E</u>	<u>Bi-Weekly Hours</u>	
Public Works - Waste Water Treatment 61.91.7120					
WWTP Superintendent		21	E	80	
Pretreatment Technician		17	N-E	80	
Laboratory Analyst		15	N-E	80	
Lead WWTP Maint Mechanic		15	N-E	80	
WWTP Maint Mechanic		13	N-E	80	
WWTP Operator III		14	N-E	80	
WWTP Operator III		14	N-E	80	
WWTP Operator II		12	N-E	80	
WWTP Operator I		11	N-E	80	
Full Time Positions	9				
Public Works - Electric 63.93.7200					
Electric Distribution Sys Supt		25	E	80	
Electric Distribution Sys Supv		20	N-E	80	
Electric Line Technician Class A		18	N-E	80	
Electric Line Technician Class A		18	N-E	80	
Electric Line Technician Class A		18	N-E	80	
Electric Line Technician Class C		13	N-E	80	
Utility Billing Customer Service Supervisor		14	N-E	75	
Accounting Support Tech		11	N-E	75	
Full Time Positions	8				
Total Full Time City Positions:	163				

ITEM #

5

REGULAR AGENDA
continued

ITEM #

5a & 5b

Re-Appointments and
New Appointments

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.

TO: Mayor & City Council Members

FROM: Daphne, City Clerk

DATE: December 2, 2021

SUBJECT: Re-Appointments and New Appointments

RE-APPOINTMENTS:

In keeping with City Policy, the below current appointees were contacted notifying them they are eligible for a second three year term, which will begin January 2022 through December 2024. The following have agreed to serve a second term:

ABC Board – Tommy Huskey
Recreation Advisory Board – Will Kiser
Airport Authority – Tim Smith
Planning Board – Greg McBryde

NEW APPOINTMENTS:

Applications were received for several vacancies to boards/commissions. The following people have applied and are eligible to serve if appointed:

- Recreation Advisory Board (2 vacancies) – Ricky Parker and Randall Williams
- LTDA – (1 vacancy) – Jamel Farley and Ricky Parker
- Planning Board – (1 vacancy) – Monte Tyson, Candice Fleming, John Gregory and Randall Williams

A motion for each appointment will be necessary. Should you have any questions regarding these items please feel free to contact me. Thank you.

ITEM #

5c

Request from
Local Roots



Ritchie Haynes <rhaynes@lincolntonnc.org>

Fwd: Local Roots - Replacement Roof

2 messages

Ethan Herman <ethan@localrootstowntown.com>

Wed, Sep 15, 2021 at 5:57 PM

To: richardhaynes@ci.lincolnton.nc.us, rhaynes@lincolntonnc.org

Richie,

The email below was undeliverable to the following email address: richardhaynes@ci.lincolnton.nc.us. I found another email for you rhaynes@lincolntonnc.org. Can you please confirm the email below has been received?

Thanks,

----- Forwarded message -----

From: **Ethan Herman** <ethan@localrootstowntown.com>

Date: Mon, Sep 13, 2021 at 2:38 PM

Subject: Local Roots - Replacement Roof

To: <richardhaynes@ci.lincolnton.nc.us>Cc: Wes Spainhour <wes@localrootstowntown.com>, Deana Spainhour <deana@localrootstowntown.com>, Rachel Herman <rachel@localrootstowntown.com>

Richie,

Great speaking with you last week about the roof at Local Roots and Provisions. As a recap from our conversation, we have had several water leaks on the 2 story side of the building and back bar area. When we started this construction project we fully anticipated replacing the roof on the church/kitchen/provisions side of the building. We decided to put a 060 TPO 4.4" ISO roof on with a 25 year warranty. This has provided great thermal value on that side of the building in comparison to the other side. We have had issues holding temperature on the two story side of the building with 10-15 degree temperature differentials from thermostat settings to actual temperature. As you know we installed 5 brand new roof top units and they are working hard to keep temperate in the building. I believe the previous owner had the 2 story portion and bar roof replaced with a singly ply roof but its not insulated and has given us trouble chasing leaks. At this point we want to install a new TPO membrane roof with ISO for thermal insulation reasons and to address current water leaks during heavy rain events. I do believe a new roof would help tremendously on our power/gas bill and make the building overall more energy efficient.

As discussed, this might be something the city would interested in helping us out with. We are ramping up on our event space and want to make sure our guests are comfortable and dry during their booked event.

In the meantime I can work on getting a few quotes from roofing contractors to replace the roof so we have some numbers to go off of. Let me know if you need anything else and we really appreciate the consideration.

Thanks,

--

Ethan Herman

Co-Owner

Local Roots and Provisions



--

Ethan Herman



To: Mr. Ethan Herman
Hemlock Builders

Date: August 5, 2020

Revised: October 7, 2021 Main Upper & Back Lower Roofs Only

Re: Roof Inspection and Recommendations

Project: Local Roots & Provisions
110 E. Water Street
Lincolnton, NC 28092



Customer Care Center
407 E. Long Ave.
Gastonia, NC 28054

704.864.0344- Office
704.867.8883 - Fax
www.GSMsince1927.com

Production Service Center
1535 W. May St.
Gastonia, NC 28052



Ethan,

Thanks for the opportunity to help you with this project.

This report is based on our discussions, our meeting, and our previous inspection of the roofs at 110 E. Water Street in Lincoln. This revised report is for the main upper and back lower roofs only.

Our discussions included;

- Existing conditions
- Lack of insulation thermal value
- GSM supplying reroof quote options

Our multiple onsite inspections included;

- An inspection of the roof areas
- Sample roof cores
- Photos

This report includes;

- Existing conditions
- Supplying different reroof options to consider
- Outlining the Scope of Work included with each option

Thanks again for allowing us to help with your roofing and sheet metal needs.

I am available to meet with you as needed to discuss my findings and recommendations. You can reach me at 704-913 1368 (cell).

Sincerely,

Brent Farmer
Commercial Roofing Sales Manager
GSM Services



Existing Conditions and Recommendations

Condition:	<u>Upper & Lower EPDM Roofs</u> Poor to Fair The EPDM roof systems are showing typical signs of aging. Base flashings are in poor condition. Metal coping cap is missing on the lower roof section. Metal coping cap is rusted on the upper roof section.
Main Roof Area:	2,146 square feet
Low Roof Area:	<u>696 square feet</u>
TOTAL:	2,842 square feet
Year Installed:	Unknown
Roof Assembly:	<u>Upper and Lower EPDM Roofs</u> <u>Roof R Value – R 1.39</u> 045 EPDM membrane ½" Wood Fiber Insulation Wood Deck
Roof Flashings:	EPDM
Drainage:	Gutters and Downspouts on upper and rear roofs
Conclusion:	We recommend to Re-Cover the existing roofs with a new TPO membrane roof system. <u>There is no R value present within the flat roof assemblies. We recommend adding R value to the roof system due to the open ceiling design to minimize your energy expenses related to heating and cooling the building.</u> We are supplying you with multiple options to include different TPO thicknesses, EPS insulation thicknesses, and extended warranties.



Photo 1 – Typical Condition of Upper Roof. Failed base flashings. Failed metal coping.



Photo 2 – Typical Condition of Upper Roof. Metal coping is rusted out.

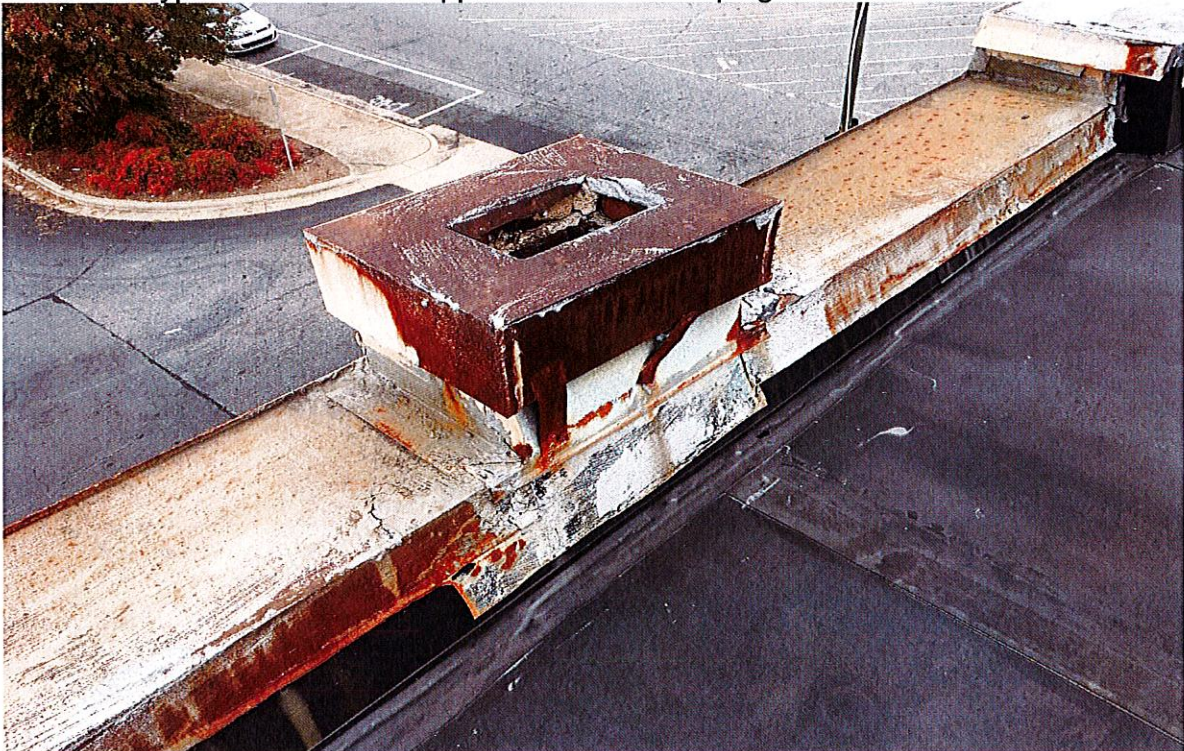




Photo 3 – Typical Condition of Lower Roof. Failed base flashings. Missing metal coping.



Photo 4 – Typical Condition of Lower Roof. Terra cotta coping is in good shape.





Reroof Scope of Work Options

The Roofing Industry is experiencing the most volatile material pricing the industry has ever experienced. This is a direct result of raw material suppliers claiming “force majeure” for various reasons, increased demand and lack of raw materials. Due to these factors, manufacturers are not honoring any quoted pricing and material lead times have been extended greatly. Our suppliers are currently setting the price for materials at time of delivery.

As of October 1, 2021, lead times for standard materials such as roof membrane and membrane related accessories are estimated at four (4) months. Iso-board roof insulation lead times are currently projected at ten (10) to twelve (12) months. We have witnessed lead times for material delivery drastically change within the last few months and these constant changes are expected to increase in the upcoming months. There are different roof insulation options that have less lead times than Iso-board. Price increases are projected to continue to increase in the 10% per quarter range during 2022.

We are outlining within our proposal what the projected cost impact could be if the roof does not take place until the 1st quarter of 2022. The added amount is directly related to our material cost. If the projected increase amount does not come to fruition, we will credit back any unused material contingency. Conversely, if the price exceeds the projected amount, we reserve the right to increase the amount of the contract.

<u>Option 1: .045 TPO MF, R-15 EPS, 15-Yr. Warranty</u>	<u>4TH Quarter 2021</u>	<u>\$ 40,900.00</u>
	<u>Projected Cost 1st Quarter 2022</u>	<u>\$ 44,500.00</u>

<u>Add for Removing Existing Terra Cotta Coping</u>	
<u>Installing Wood Nailers and New Metal Coping</u>	<u>\$ 4,500.00</u>

1. The existing roofs and terra cotta coping will remain in place.
2. Remove existing gutter, downspouts, and metal copings.
3. Install one layer of 3.5" EPS roof insulation to provide R-15 thermal value per NC reroof Building Code.
4. Install new treated wood nailers at the eave to match the height of the new EPS.
5. Install a white, mechanically fastened, .045 TPO membrane roof system.
6. At the perimeter parapet walls with metal coping, we will extend the new TPO up and over the parapet walls, and install new metal coping.
7. At the perimeter parapet walls with existing terra cotta coping, we will extend the new TPO up the masonry wall to the precast coping. We will terminate the TPO with water block sealant and aluminum termination bar at the base of the terra cotta coping and add skirt metal at the connection. We are supplying you with an add-on price to remove the terra cotta, add new wood nailers, and metal coping.
8. Install TPO curb and pipe flashings for new HVAC and kitchen equipment.
9. New roof penetration flashings include:
 - 1 RTU on the back low roof – one conduit flashing at the curb
 - 3 small kitchen curbs – 2' x 2' estimated



10. Install new 24-gauge pre-finished w/ Kynar 500 paint system, as follows:
 - Gutters and downspouts at all the low eaves
 - Coping and cover plates – at existing metal coping detail
 - Skirt metal at HVAC curbs and terra cotta coping details
11. Provide a 2-year GSM Services labor and material
12. Provide a 15-year Manufacturers No Dollar Limit labor and material warranty

The value of this option is:

- New R-15 roof insulation w/ standard .045 TPO membrane
- 15-year Manufacturer's NDL Labor and Material warranty

Option 2: 060 TPO MF, R-20 EPS, 20-Yr. Warranty 4 Quarter 2021	\$ 45,500.00
Projected Cost 1st Quarter 2022	\$ 49,500.00

Add for Removing Existing Terra Cotta Coping - Upper and lower back roofs	
Installing Wood Nailers and New Metal Coping	\$ 4,500.00

Option 2 includes all items listed in Option 1 along with the following upgrades:

1. Upgrade the thickness of the EPS roof insulation to 5" for an R-20 thermal value.
2. Upgrade the TPO membrane from .045 to .060 thickness.
3. Increase the manufacturer's warranty from a 15-year NDL to a 20-year NDL.

The value of this option is:

- The thicker EPS board insulation provides more thermal value. (R-20)
- The thicker membrane gives added protection against punctures and adds life expectancy to the membrane
- The 20-year warranty adds 5 extra years of NDL labor and material warranty protection

Standard Notes and Exclusions:

1. Roof access will be needed at the rear of the building with access also needed at the adjacent buildings rear drive way entrance to access the rear parking lot.
2. No structural work or decking work included.
3. No wood work included other than as listed
4. No HVAC, Plumbing, or Electrical work included other than as listed
5. No work associated with the front low shingle roof.
6. No Overtime, Holiday, or Sunday work included.
7. Ponding Water Disclaimer – GSM does not express or imply any guarantee that there will not be any areas of ponding water present on the roof surface after the roof project is complete due to irregularities in the roof deck or structure.
8. GSM to follow OSHA approved safety guidelines during the project.
9. This Proposal is good for 30 days. If our proposal is accepted after the bid expiration date, we will notify you as to any need for adjustments.



To accept this contract, please initial the accepted item, sign, date, and return one copy with an original signature back to our office.
By signing, you are stating you are an authorized agent and have the authority to approve this proposal.

Initial Accepted Item

Option 1- 045 TPO Membrane	4th Quarter 2021	\$ 40,900.00	-	-
	1st Quarter 2022	\$ 44,500.00	-	-

Mechanically Fastened Roof System
3.5" EPS board Insulation (R-15)
15-year NDL Labor and Material Warranty

Option 2- 060 TPO Membrane	4th Quarter 2021	\$ 45,500.00	-	-
	1st Quarter 2022	\$ 49,500.00	-	-

Mechanically Fastened Roof System
5" EPS board Insulation (R-20)
20-year NDL Labor and Material Warranty

Option 3- Add for Removing Existing Terra Cotta Coping				
Upper Roof and Lower Back Roof				
Installing Wood Nailers and Metal Coping to				
Options 1 or 2 at Terra Cotta coping sections		\$ 4,500.00	-	-

Signature of Officer - _____

Printed Name and Title - _____

Date - _____

Payment Terms:

Option #1 – Invoice for materials upon delivery
Monthly invoices for labor and material to date
Balance due net upon completion _____

Or

Option #2 – 15% of contract due upfront,
Invoice for materials upon delivery
Monthly invoices for labor and material to date
Balance due 30 days from final bill _____



Please fill out the following information to assist us in processing all invoicing and warranty paperwork.

Billing Information:

Company Name: - _____ -

Contact Name: - _____ -

Billing Address: - _____ -

City: - _____ -State- _____ -Zip Code- _____ -

Warranty Information:

Same as Billing Information? ☐

Company Name: - _____ -

Contact Name: - _____ -

Billing Address: - _____ -

City: - _____ -State- _____ -Zip Code- _____ -

Conover Construction & Roofing, Inc.

***1168 27TH STREET DRIVE SE
HICKORY, NC 28602***

Telephone (828) 304-0103

Fax (828) 304-0191

October 19, 2021

Ethan Herman
Hemlock Builders

Re: Local Roots High Roof and Back Roof (Total Roof Area – 2,900 s.f.)

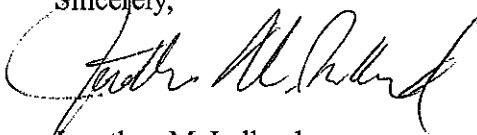
We propose to furnish labor and material for this project as follows:

1. Remove the existing roof down to the wood deck and properly dispose of.
2. Remove wood decking necessary to install roof on the low back roof.
3. Furnish and install one layer of 2.6" ISO (R-15) over the wood deck.
4. Furnish and install a .060 TPO membrane roof system flashing all parapet walls and penetrations.
5. Furnish and install new metal wrapped fascia, 6" OGEE seamless aluminum guttering and 3x4 downspouts (reusing the metal coping).
6. Furnish a standard two year roofing contractor's warranty and a 20 year labor and material membrane manufacturer's warranty.

Our price for this project is Thirty Nine Thousand Five Hundred Eighty Dollars (\$39,580.00). **(WE CURRENTLY HAVE ALL MATERIALS IN STOCK NEEDED TO DO THIS PROJECT. AS LONG AS A P.O. OR CONTRACT IS ISSUED BEFORE THESE MATERIALS ARE SOLD WE WILL HONOR THIS PRICE) IF MATERIALS ARE NOT AVAILABLE WHEN WE ARE RELEASED TO DO THE PROJECT PRICING WILL BE SUBJECT TO MATERIAL PRICING AT TIME OF DELIVERY.**

Alternate #1: If 2 layers of 2.6" ISO (R-30) is desired in place of 1 layer (R-15) quoted above please ADD Five Thousand Six Hundred Twenty Dollars (\$5,620.00) to the base bid above.

Sincerely,



Jonathan McLelland
Vice President

Our prices are good for (14) days ONLY

ITEM #

6

OTHER BUSINESS

ITEM #

6a

Mayor's
Appointments

NO BACK-UP

ITEM #

6b

Manager's
Report/Activity
Update