

A G E N D A

LINCOLNTON CITY COUNCIL



September 1, 2022

7:00 p.m.

Council Chambers

City hall



**LINCOLNTON CITY COUNCIL
AGENDA
September 1, 2022
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 for the August 4, 2022 Regular Meeting**

2. PUBLIC HEARINGS

2a. Consideration of Request to Close Cleveland Ave. - Delayed

3. REGULAR AGENDA

3a. Presentation – Proclamation for “Constitution Week” September 17th – September 23rd

Ed Hatley, Mayor

3b. Lincoln Economic Development Association (LEDA) Update

Cliff Brumfield, Executive Director

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

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3c. R-13-22 – Consideration of a request to adopt a Resolution Declaring Real Property Surplus from the Lincolnton-Lincoln County Regional Airport Authority

Martin Eaddy, Councilmember

4. REGULAR AGENDA - continued

4a. Presentation/Consideration of the Certificate of Sufficiency from the City Clerk Certifying the results of petition submitted for voluntary satellite annexation

Jean Derby, Planning Director

4b BA- 07-22 – Amendment to the Annual Budget Ordinance for fiscal year Ending June 30, 2023 (General Fund, Boger City Fire District, Water & Sewer Fund, Electric Fund and Special Revenue Fund)

Pamela McBryde, Finance Director

4c. C-16-22 – Consideration/Approval of Contract between the City of Lincolnton and Burch Environmental, LLC for Environmental Professional Services

Ritchie Haynes, City Manager

5. REGULAR AGENDA -continued

5a. R-14-22 – Approval of Resolution authorizing a request for grant assistance for 2022 Wastewater AIA Project

Ritchie Haynes, City Manager

5b. R-15-22 – Approval of Resolution authorizing a request for grant assistance for 2022 Water AIA Project

Ritchie Haynes, City Manager

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**5c. R-16-22 & R-17-22 - Continued discussion and Adoption of Resolution
Declaring Property Surplus and Authorizing the Sale of Said Property**

Ritchie Haynes, City Manager

6. OTHER BUSINESS

6a. Manager's Report / Update

Ritchie Haynes, City Manager

PUBLIC COMMENT

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

CLOSED SESSION

To discuss Property Acquisition in accordance with
NCGS 143-318.11(a)(5)

NEWS MEDIA

ADJOURNMENT

ITEM #

1

AGENDA

APPROVALS

ITEM #

1a

APPROVAL

OF

REGULAR AGENDA

ITEM #

1b

APPROVAL

OF

CONSENT AGENDA

Approval of Minutes from Previous Meeting

The Mayor and City Council met in regular session on Thursday, August 4, 2022 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. The following members were in attendance:

WHITE

POINSETTE

EADDY

JETTON

Councilmember Poinsette made a motion to approve the Regular Agenda as presented. Members voted 4-0 in favor of the motion.

Councilmember Jetton made a motion to approve the *CONSENT AGENDA* items as follows:

- **Approval of Minutes from June 30, 2022 - Regular Meeting**
- **R-09-22 – Resolution of Intent – Closure of Cleveland Avenue**

Members voted 4-0 in favor of the motion

PUBLIC HEARING

R-10-22

Resolution to consider the adoption of an Incentive Grant Agreement with Active Concepts, LLC, who has developed plans for the installation of new manufacturing machinery and equipment in the City of Lincolnton

Mayor Ed Hatley opened the Public Hearing. Mr. John Dancoff with Lincoln Economic Development Association presented an incentive grant agreement with Active Concepts, LLC, which is located within the city limits. Mr. Dancoff explained the intended use, as well as some of the terms and conditions of the grant. Resolution presented as follows:

RESOLUTION TO ADOPT INCENTIVE GRANT AGREEMENT WITH ACTIVE CONCEPTS, LLC

WHEREAS, the Lincolnton City Council verily believes that it is in the best interest of the citizens of the City of Lincolnton to encourage and support economic development

within the City of Lincolnton through the recruitment of new industries to the City and the expansion of existing industries in the City; and

WHEREAS, Active Concepts, has developed plans for the installation of new manufacturing machinery and equipment in the City of Lincolnton, North Carolina; 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.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINCOLNTON, NORTH CAROLINA:

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

There were no questions from councilmembers regarding the request. Mr. Wayne Howard requested and was granted permission to speak during this public hearing.

Councilmember White made a motion to close the public hearing. Members voted 4-0 in favor of the motion

Councilmember Eaddy made a motion to approve the incentive grant, therefore adopting the above resolution as presented. Members voted 4-0 in favor of the motion

O-06-2022

**Consideration of an Ordinance to Annex city owned property
located at 410 McAlister Road, Lincolnton (Station 2)**

Mayor Ed Hatley opened up the Public Hearing, after which Jean Derby, Planning Director, presented a proposed Ordinance to annex the city owned property at 410 McAlister Road, Lincolnton. Mrs. Derby explained that the resolution of intent to annex was adopted at the December 2021 council meeting. She stated that the annexation does meet the standards set forth in the General Statute and is also consistent with the City's satellite annexation policy. Mrs. Derby stated that staff does recommend annexation. The following Ordinance was presented for adoption:

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF
LINCOLNTON, NORTH CAROLINA**

WHEREAS, the Lincolnton City Council has adopted a resolution under G.S. 160A-58.7, stating its intent to annex the area described below; and

WHEREAS, a public hearing on the question of this annexation was held in the City Hall Council Chambers located at 114 W. Sycamore Street, Lincolnton at 7:00 p.m. on August 4, 2022, after due notice; and

WHEREAS, the Lincolnton City Council further finds that the area meets the requirements of G.S. 160A-58.1(b), as follows:

- a. The nearest point on the proposed satellite corporate limits is not more than three(3) miles from the primary corporate limits of the City; and
- b. No point on the proposed satellite corporate limits is closer to the primary corporate limits of another city than to the primary corporate limits of the City of Lincolnton; and
- c. The area is so situated that the City will be able to provide the same services within the proposed satellite corporate limits that it provides within the primary corporate limits; and
- d. No subdivision, as defined in G.S. 160A-376, will be fragmented by this proposed annexation; and
- e. The area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits, does not exceed ten percent (10%) of the area within the primary corporate limits of the City; and

WHEREAS, the Lincolnton City Council further finds that the annexation of the area is in the public interest.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Lincolnton, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-58.7, the following described non-contiguous property owned by the City is hereby annexed and made part of the City of Lincolnton immediately:

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 2. The Mayor shall cause to be recorded in the office of the Register of Deeds of Lincoln County, and in the Office of the Secretary of State in Raleigh, North Carolina, an accurate map of the annexed territory, with a certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections, as required by G.S. 163-288.1.

Councilmember White made a motion to close the public hearing. Members voted 4-0 in favor of the motion.

Councilmember Jetton made a motion to approve the request. Members voted 4-0 in favor of the motion.

ZMA-4-2022

Application from DSM Construction requesting the rezoning of 0.139 acres of land from Planned Business (PB) District to Residential-8 (R-8) District. The subject property is located on the north side of East Pine Street approximately 175 feet east of the intersection of East Pine Street and Dr. Martin Luther King Jr. Drive (Parcel ID 20471)

Mayor Ed Hatley opened the Public Hearing recognizing Mrs. Jean Derby, Planning Director, to review the application from DSM Construction requesting the rezoning. Mrs. Derby presented the information in regards to the location of the property and the reason for the request. Mrs. Derby provided a list of a number of the permitted uses under the current Planned Business zoning, and explained that the request rezoning to Residential-8 will restrict the use to a single family or a two family home. She reported that both planning board members and staff recommended approval of the request as the proposed rezoning request would be consistent with the Land Use Plan.

Councilmember Jetton made a motion to close the public hearing. Members voted 4-0 in favor of the motion.

Councilmember Poinsette made a motion to approve as recommended by the Planning Board. Members voted 1-3 against the motion. Motion fail. Councilmember Jetton made a motion to deny the request for rezoning. Members voted 4-0 in favor of the motion. Councilmember White made a

motion to approve the Statement of Consistency and Reasonableness for denial of the application. Members voted 4-0 in favor of the motion.

CZ-8-2022

Application from Joseph and Samantha Brown requesting the conditional zoning of .584 acres of land from General Manufacturing and Commercial Conditional Use (GMC-CU) to General Business Conditional District (GB-CD) for the purpose of using an existing building on site for a sporting goods store. The subject property is located at 607 West Highway 150 Bypass (Parcel ID 19632)

Planning Director Jean Derby reviewed the request for this rezoning before council. Mrs. Derby provided a site and area description. She gave some background information regarding that site, as well as provided the current zoning and a map of the property. Aerial and street views were referenced, and a drawing of the proposed building appearance was included.

Mrs. Derby reported Staff and Planning Board recommended actions as follows:

- Approval of the request for rezoning from CU-GMC to the General Business (Conditional District) GB(CD) subject to the staff review committee comments being made conditions of approval
- Approval of the statement of consistency from approval of the rezoning request
- The rezoning being effective upon receipt by the Zoning Administrator of written agreement from the applicant and property owner with the conditions of approval

Councilmember White made a motion to close the public hearing. Members voted 4-0 in favor of the motion.

Councilmember Eaddy made a motion to approve to request as presented. Members voted 4-0 in favor of the motion

R-11-2022

Resolution directing the City Clerk to investigate a petition received under G.S. 160A-58 (Satellite Annexation).

Planning Director Jean Derby informed council members that a petition for voluntary satellite annexation of the Clarks Creek Landing property has been received. As required under GS 160A-58.1, a resolution directing the clerk to investigate the petition has to be adopted by the governing board. The required resolution was submitted as follows:

**A RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION
RECEIVED UNDER G.S. 160A-58.1**

WHEREAS, a petition requesting annexation of an area described in said petition was received on August 4, 2022 by the Lincolnton City Council; and

WHEREAS, G.S. 160A-58.2 provided that the sufficiency of the petition shall be investigated by the City Clerk before further annexation proceedings may take place; and

WHEREAS, the City Council of the City of Lincolnton deems it advisable to proceed in response to this request for annexation;

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

The City Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the City Council the result of the investigation.

Councilmember Eaddy made a motion to adopt the resolution. Members voted 4-0 in favor of the motion.

REGULAR AGENDA

(Appt - 09-22)

**Announcement of appointment of new ETJ representative by County
Commissioners to the Lincolnton Planning Board**

Jean Derby, Planning Director, informed council member of the recent appointment made by the County Commissioners of Mrs. Rebecca Shaw to the Lincolnton Planning Board. Mrs. Shaw will fill the un-expired term of Steve Silva, the boards ETJ representative. Mr. Silva submitted his resignation, creating the vacancy.

(C-15-22)

Consideration of Agreement with Internetwork Engineering for Infrastructure Upgrades and Cyber Security mandates

Christ Jones, IT Director, addressed council and present a proposed agreement for infrastructure upgrades and cyber security mandates. Mr. Jones explained the reason for the request and stated that the entire city infrastructure will be upgraded (computer wise). Request included the following technology improvements:

Technology Improvements

Server Project

Compute

Hyper-convergence vs old structure

Pricing-Hyperflex,VCenter-\$73192.68

Licensing- Server

Windows Server Materials

Licensing Core Servers for future and migrating to supported platforms

Pricing-\$32896.80

Infrastructure

Switch gear refresh

New licensing models- subscription based

Pricing-\$110790.66

Multifactor Authentication (Cyber Insurance Requirement)

Duo

Pricing-\$21600

Installation-\$8953.00 (HX Implementation) \$11985.00(Server Upgrade)

Total Price: \$259418.14

Fiber Project- Potential Savings \$2 Million +

Phase 1:

City Hall- 114 W Sycamore St. Lincolnton NC 28092

Police Department- 627 E Main St. Lincolnton NC 28092

Welcome Center- 119 E Water St. Lincolnton NC 28092

Public Works- 128 Motz Ave Lincolnton NC 28092

Parks and Rec- 800 Madison St Lincolnton NC 28092

Phase 2:

Waste Water-550 W Hwy NC 150 Bypass

Water- 1338 Reepsville Rd. Lincolnton NC 28092

Fire Station 2- 410 McAlister Rd Lincolnton NC 28092- We did not visit this site.

Newly acquired but on the other side of town.

Councilmember Poinsette made a motion to approve the contract as presented. Members voted 4-0 in favor of the motion

(BA-06-22)
Request to amend the General Fund, Water & Sewer Fund and the Special Revenue Fund (expenditures and revenues)

Finance Director Pamela McBryde submitted the following budget amendment:

BA-06-22

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, 2023.

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

General Expense	\$	20,731
Police		200
Recreation		95,000
	<u>\$</u>	<u>115,931</u>

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

Grants - Other	\$	95,000
Police Dept Inspection Fees		200
Sale of Capital Assets-GF		15,175
Insurance Settlement		1,756
Federal Equitable Deposits		3,801
	<u>\$</u>	<u>115,931</u>

General Fund: (1) Reclass grant funding for the Rail Trail Plaza Project from an unearned income line back to Grant Revenue for FY2223. (2) Reclass Federal Equitable Revenue from an unearned income line back to Federal Equitable Revenue for FY2223. (3) GovDeal revenues received from vehicle sales. (4) Police Department inspection fees. (5) Insurance settlement from incident at Flint/Main Street dated 5/21/2022.

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

Water and Sewer Intangibles	\$	1,172
	<u>\$</u>	<u>1,172</u>

Section 8: To amend the Water and Sewer Fund, the revenues are to be changed as follows:

Other Operating Revenues	\$	1,172
	<u>\$</u>	<u>1,172</u>

Water and Sewer Fund: (1) Insurance settlement from incident at Flint/Main Street dated 5/21/2022.

REGULAR MEETING - August 4, 2022

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

American Rescue Plan Act (Fund 55)	\$	1,000,000
SCIF Grants (Fund 50)	\$	356,015
	\$	1,356,015

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

American Rescue Plan Act (Fund 55)	\$	1,000,000
SCIF Grants (Fund 50)	\$	356,015
	\$	1,356,015

Special Revenue Fund: Reclass ARPA & SCIF grant funding from a FY2122 unearned revenue line to Special Revenue Funds for FY2223.

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 \$ 1,473,118

Councilmember White made a motion to approve the budget amendment as presented. Members voted 4-0 in favor of the motion

(O-07-22 & O-08-22)

Request from Traffic Safety Committee to consider Ordinance changes

City Manager Ritchie Haynes presented and reviewed a request from the Traffic Safety Committee regarding the following Ordinance changes:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LINCOLNTON TO AMEND THE CODE OR ORDINANCES AS FOLLOWS:

**Title VII: Traffic Code
Chapter 74: Traffic Schedules
Schedules I - Stop Intersections**

Stop signs erected on the following city street:

**Barkley Avenue and North Generals Blvd. – South Entrance
Barkley Avenue and North Generals Blvd. – North Entrance**

And

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LINCOLNTON TO
AMEND THE CODE OR ORDINANCES AS FOLLOWS:

Title VII: Traffic Code
Chapter 74: Traffic Schedules
Schedules II - Traffic-Control Signal Light Locations

REMOVE - Traffic-Control Signal light from the following intersection:

North Government Street and West Sycamore Street

ADD - Stop signs at the following intersection:

West Sycamore Street and North Government St.
(sign to replace existing stoplight)

Councilmember Poinsette made a motion to approve the Ordinance changes as recommended. Members voted 4-0 in favor of the motion

**Discussion of the acceptance of a land donation and
the disposal of city owned surplus property**

City Manager Ritchie Haynes spoke to councilmember regarding two separate items, both dealing with property. Mr. Haynes began as he explained Mr. John Anderson's desire to donate a small parcel of land to the City of Lincolnton. **Councilmember Poinsette made a motion to accept the donation of land via the following resolution:**

RESOLUTION ACCEPTING DONATION

WHEREAS, the City of Lincolnton may acquire and hold any property, real and personal, devised, sold, or in any manner conveyed, dedicated to, or otherwise acquired pursuant to G.S. 160A-11; and

WHEREAS, the following person has offered to contribute the donation set forth below to the township:

WHEREAS, such donations contribute to the township for the benefit of its citizens, as allowed by law; and

WHEREAS, the staff finds it is appropriate to accept the donated offered.

NOW, THEREFORE BY IT RESOLVED BY THE CITY OF LINCOLNTON
that the donation described above is accepted and shall be used as allowed by law.

Adopted this 4th day of August, 2022

OTHER BUSINESS

MANAGER'S REPORT / UPDATE

PUBLIC COMMENT:

No one signed to speak

CLOSED SESSION

Councilmember Poinsette made a motion to enter into closed session to discuss property acquisition in accordance with NCGS 143-318.11(a)(5)

Councilmembers returned to regular session. No action reported

NEWS MEDIA:

Mr. Wayne Howard was present and directed several questions to council in reference to the denial of the rezoning request from DSM Construction.

ADJOURNMENT:

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

**DAPHNE INGRAM, CMC
CITY CLERK**

**ED HATLEY
MAYOR**

ITEM #

2

PUBLIC
HEARINGS

ITEM #

2a

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

NOTICE CITY OF LINCOLNTON PUBLIC NOTICE

The public will take notice that the City Council of the City of Lincolnton will, on the 1st day of September, 2022, in the Council Chambers of City Hall located at 114 West Sycamore Street, Lincolnton, NC 28092, pursuant to G.S. 160A-299, consider a resolution to close Cleveland Avenue, a 50' unopened right of way.

All abutting property owners are hereby notified to appear at this meeting to present any objections that they may have with respect to the closing of the street.

Daphne Ingram, CMC
City Clerk

ITEM #

2b

ITEM #

2c

ITEM #

3

REGULAR
AGENDA

ITEM #

3a

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.

PROCLAMATION Constitution Week 2022

WHEREAS: It is the privilege and duty of the American people to commemorate the two hundred and thirty-fifth anniversary of the drafting of the Constitution of the United States of America with appropriate ceremonies and activities; and

WHEREAS: September 17, 2022 marks the anniversary of the framing of this document by the Constitutional Convention; and

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

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

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

CONSTITUTION WEEK

and urge all citizens to study the Constitution and reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Lincolnton to be affixed this 1st day of September the year of our Lord two thousand twenty-two.

**ED HATLEY
MAYOR**

**DAPHNE INGRAM, CMC
CTY CLERK**

ITEM #

3b

NO BACK-UP

ITEM #

3c

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
(R-13-22)**

WHEREAS, by authority of N.C. G.S. 160A-265, cities may declare surplus any real and personal property owned by the city at the discretion of the City Council; and

WHEREAS, the City of Lincolnton jointly owns parcel #02864, 1.987 acres, located off Lee Moore Road, and recorded in the office of the Register of Deeds of Lincoln County, NC in Deed Book Number 635, page 136; and

WHEREAS, the Lincolnton-Lincoln County Regional Airport Authority is requesting that the City of Lincolnton declare the above mentioned parcel of land surplus; and

WHEREAS, the City of Lincolnton desires to declare said parcel of land surplus.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincolnton that the property identified above is declared surplus.

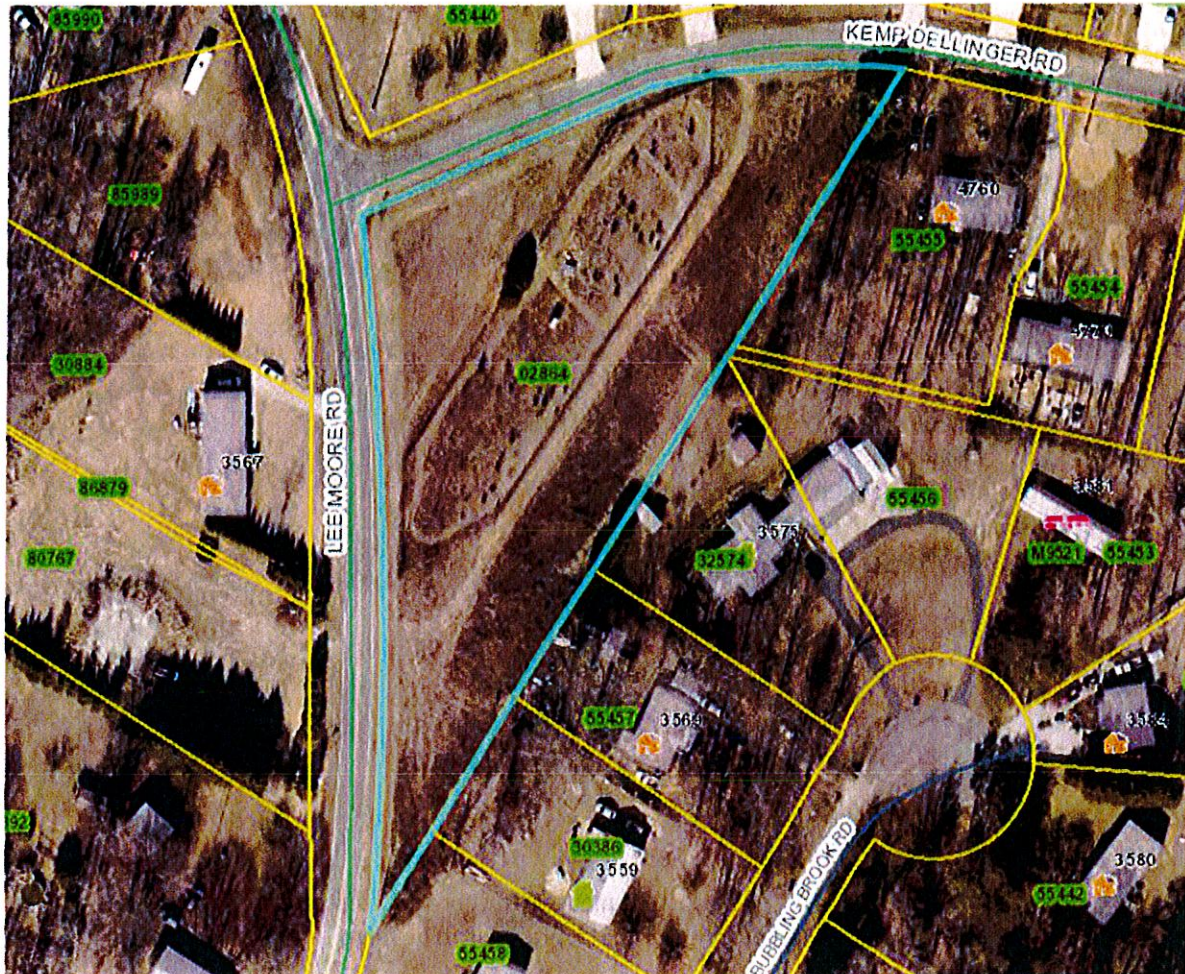
ADOPTED this the 1st day of September, 2022.

**Ed Hatley
Mayor**

Attest:

**Daphne Ingram
City Clerk**

Aerial Photograph





January 28, 2022

Mr. Joe Tate
Airport Manager
Lincolnton-Lincoln County Regional Airport Authority
714 Jack Dellinger Rd,
Iron Station, NC 28080

SUBJECT: Market Value Appraisal
 Vacant Land
 Lee Moore Road
 Lincolnton, Lincoln County, North Carolina 28650
 IRR - Charlotte File No. 105-2022-0033

Dear Mr. Tate:

Integra Realty Resources – Charlotte is pleased to submit the accompanying appraisal of the referenced property. The purpose of the appraisal is to develop the following opinions of value:

- The market value as is of the fee simple interest in the subject property as of the effective date of the appraisal, January 24, 2022
- We have also been asked to consider the prospective fee simple value assuming the removal of all improvements.

The client for the assignment is Lincolnton-Lincoln County Regional Airport Authority. The intended user of this report is the client. The intended use of the report is for internal purposes. No other party or parties may use or rely on the information, opinions, and conclusions contained in this report.

The subject is a parcel of vacant land containing a gross area of 2.318 acres or 100,972 square feet and a net area of 1.727 acres or 75,228 square feet. The net land area is the area located outside of the road rights-of-way. A recorded site plan/plat map divides the property into two lots. Lot #1 contains 0.864 acre and Lot #2 contains 0.863 acre. This lot subdivision appears reasonable based on the minimum lot size required by zoning which is

Mr. Joe Tate
Lincolnton-Lincoln County Regional Airport Authority
January 28, 2022
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32,500 square feet or 0.75 acre. The property is zoned R-T, Transitional Residential, which was established to accommodate a wide variety of residential oriented uses in portions of the County which to date have not experienced significant amounts of growth. The subject property has a Lincolnton address; however, it is located in an unincorporated area of Lincoln County. As of the effective date of appraisal, the property is improved with two, 40-foot tall, decommissioned radio antenna towers and approximately 750 feet of chain link fencing. The improvements are considered an under improvement of the property.

The appraisal conforms to the Uniform Standards of Professional Appraisal Practice (USPAP), the Code of Professional Ethics and Standards of Professional Practice of the Appraisal Institute and applicable state appraisal regulations.

Standards Rule 2-2 (Content of a Real Property Appraisal Report) contained in the Uniform Standards of Professional Appraisal Practice (USPAP) requires each written real property appraisal report to be prepared as either an Appraisal Report or a Restricted Appraisal Report. This report is prepared as an Appraisal Report as defined by USPAP under Standards Rule 2-2(a), and incorporates practical explanation of the data, reasoning, and analysis that were used to develop the opinion of value.



Mr. Joe Tate
Lincolnton-Lincoln County Regional Airport Authority
January 28, 2022
Page 3

Based on the valuation analysis in the accompanying report, and subject to the definitions, assumptions, and limiting conditions expressed in the report, the concluded opinions of value are as follows:

Value Conclusions			
Parcel	Interest Appraised	Date of Value	Value Conclusion
Lot #1	Fee Simple	January 24, 2022	\$49,000
Lot #2	Fee Simple	January 24, 2022	\$52,000
Total			\$101,000
Rounded			\$100,000
Less Removal of Radio Antennas & Fencing			-\$25,000
Indicated Value			\$75,000

Extraordinary Assumptions and Hypothetical Conditions

The value conclusions are subject to the following extraordinary assumptions. An extraordinary assumption is an assignment-specific assumption as of the effective date regarding uncertain information used in an analysis which, if found to be false, could alter the appraiser's opinions or conclusions.

1. We assume that the two radio antenna towers are decommissioned and provided no form of income to the site.
2. We contacted numerous scrap metal companies in an attempt to determine the cost of removing the two radio antenna towers and the chain link fencing. The majority of the companies stated that they do not provide demolition services. One company provided an estimate. Without seeing the property but seeing pictures of the property, they estimated a cost of \$20,000 to remove both antenna towers and \$5,000 to remove the chain link fencing. They stated that this cost estimate is tentative and could differ upon inspection of the property. Since this was the only quote available, we have utilized this cost estimate in our analysis and we assume that it is within a reasonable range of cost to remove the improvements since it does impact the value.
3. All information concerning the land area has been taken from the plat map/site plan provided. An updated survey was not provided. We assume all land areas to be correct.

The value conclusions are based on the following hypothetical conditions. A hypothetical condition is a condition, directly related to a specific assignment, which is contrary to what is known by the appraiser to exist on the effective date of the assignment results, but is used for the purpose of analysis.

1. None

The use of any extraordinary assumption or hypothetical condition may have affected the assignment results.

The value conclusion(s) in this report consider the impact of COVID-19 on the subject property.



Mr. Joe Tate
Lincolnton-Lincoln County Regional Airport Authority
January 28, 2022
Page 4

If you have any questions or comments, please contact the undersigned. Thank you for the opportunity to be of service.

Respectfully submitted,

Integra Realty Resources - Charlotte

Melissa D. Thompson



Melissa D. Thompson
North Carolina Certified General Real Estate
Appraiser #A4120
Telephone: 704.231.0844
Email: mthompson@irr.com

John D. Scott, Jr.



John D. Scott, Jr., MAI
North Carolina Certified General Real Estate
Appraiser #A4175
Telephone: 704.206.8258
Email: jscott@irr.com

ITEM #

4

REGULAR AGENDA
- Continued

ITEM #

4a

MEMO TO: Mayor and City Council Members

FROM: Jean Derby, Planning Director

SUBJECT: ANX-2-2022, Consideration of Annexation of Property located at the southeast corner of Startown Road and Clarks Creek Road (Parcel ID 15415).

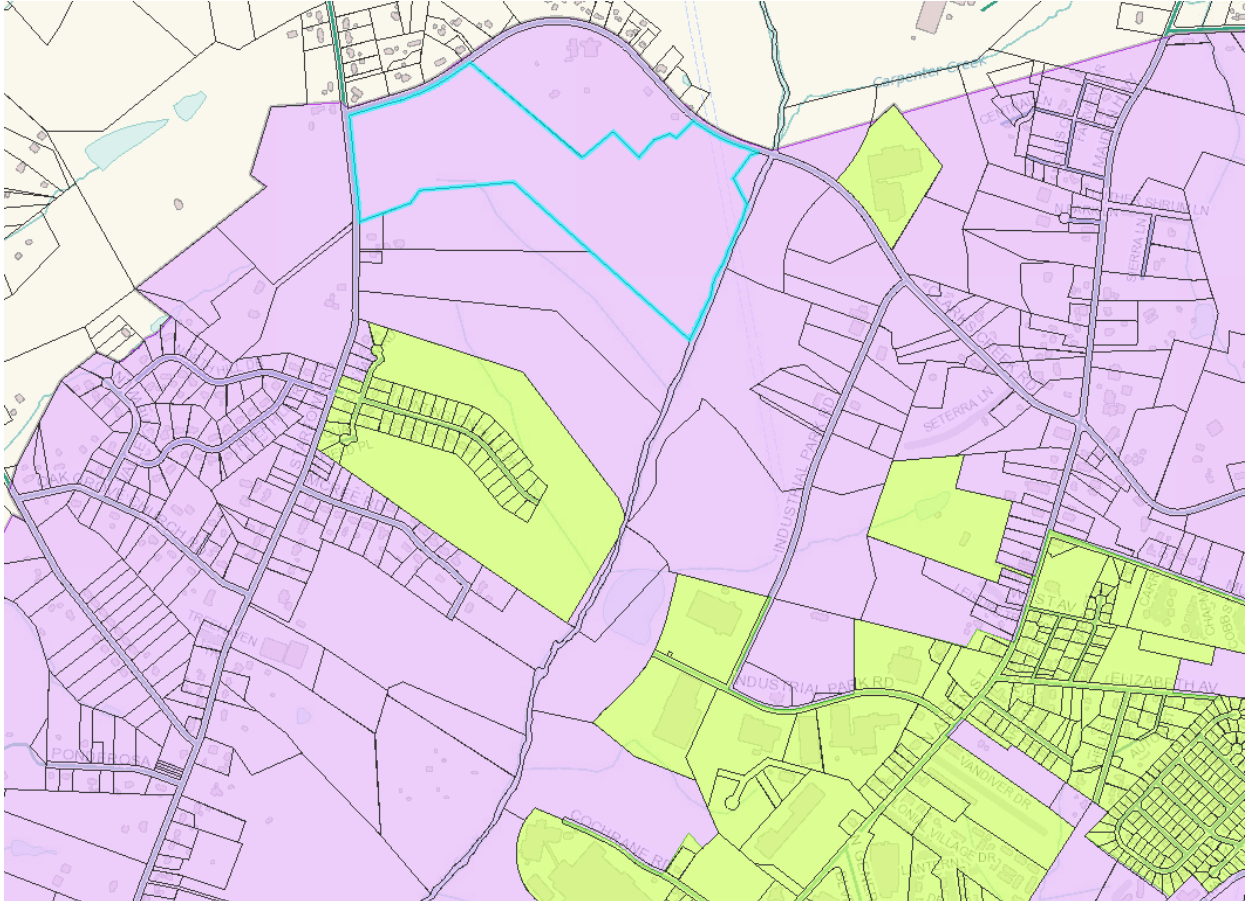
DATE: September 1, 2022

BACKGROUND

In August 2022, Council adopted a resolution to consider annexation of an approximately 84.654 acres of property located at the southeast corner of Startown Road and Clarks Creek Road (Parcel ID 15415).



CITY LIMITS / ETJ BOUNDARY



The property is located approximately 2,100 feet north of the city limits.

STATUTORY REQUIREMENTS

A qualified municipality may annex by ordinance noncontiguous area as specified in G.S. 160A-58.1(b), subject to the following standards:

1. The petition includes a metes and bounds description of the area proposed for annexation and has attached a map showing the proposed satellite area in relation to the primary corporate limits
2. The petition included the names and addresses of all owners of real property lying in the area described therein.
3. The petition includes the signatures of all owners of real property lying in the area described therein, except those not required to sign by G.S. 160A-58.1(a).

4. The nearest point on the proposed satellite corporate limits is no more than three (3) miles from the primary corporate limits of the City;
5. No point on the proposed satellite corporate limits is closer to the primary corporate limits of any municipality other than the city;
6. The satellite area is so situated that the City will be able to provide the same services as are provided within its primary corporate limits;
7. To the extent that the proposed satellite area contains any portion of a subdivision, the entire subdivision is included;
8. The area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits of the City, does not exceed ten(10%) of the area within the primary corporate limits of the City.

The area requested for annexation meets the above requirements.

ADDITIONAL STATUTORY REQUIREMENTS

The statutes require a public hearing on the potential annexation at which any resident of the city may appear and be heard on the question of the desirability of the annexation.

If the council finds that 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 six months from the date of passage.

COMPLIANCE WITH CITY ANNEXATION POLICY

The annexation of this property is consistent with the City's Satellite Annexation Policy adopted in 1993 in that:

It is located within the Extra Territorial Jurisdiction and is on a tract over two acres in size and

1. The annexation would not have an adverse impact on the City's overall annexation plans.

STAFF RECOMMENDATION

Staff recommends scheduling a public hearing for October 6, 2022.

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.

CERTIFICATE OF SUFFICIENCY

To the Lincolnton City Council of the City of Lincolnton, North Carolina;

I, Daphne Ingram, City Clerk, do hereby certify that I have investigated the attached petition and hereby make the following findings;

I further find that the area meets the standards for a noncontiguous area as specified in G.S. 160A-58.1(b), in that:

1. The petition includes a metes and bounds description of the area proposed for annexation and has attached a map showing the proposed satellite area in relation to the primary corporate limits
2. The petition included the names and addresses of all owners of real property lying in the area described therein.
3. The petition includes the signatures of all owners of real property lying in the area described therein, except those not required to sign by G.S. 160A-58.1 (a).
4. The nearest point on the proposed satellite corporate limits is no more than three (3) miles from the primary corporate limits of the City;
5. No point on the proposed satellite corporate limits is closer to the primary corporate limits of any municipality other than the city;
6. The satellite area is so situated that the City will be able to provide the same services as are provided within its primary corporate limits;
7. To the extent that the proposed satellite area contains any portion of a subdivision, the entire subdivision is included;
8. The area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits of the City, does not exceed ten (10%) of the area within the primary corporate limits of the City.

In witness whereof, I have hereunto set my hand and affixed the seal
of the City of Lincolnton, this 1st day of September, 2022.

Daphne Ingram, City Clerk

ITEM #

4b

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
d Ingram@lincolntonnc.org

CITY ATTORNEY

Thomas J. Wilson, Jr.

BA-07-22

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, 2023.

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

General Expense	\$	63,412
Recreation		10,000
	\$	73,412

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

Sale of Capital Assets-GF	\$	27,581
Insurance Settlement		35,831
Veterans Banner Project		10,000
	\$	73,412

General Fund: Record GovDeals revenue received on Capital Assets sold, Insurance settlements for property damage and Police Department building, and Proceeds for the Veterans banner project.

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

Boger Ciy Fire Tax	\$	8,339
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Section 4: To amend the Boger City Fire District Fund, the revenues are to be changed as follows:

Fire District Tax	\$	8,339
	\$	8,339

Boger City Fire District: Record true-up of Boger City Fire District Tax per County for FY2223.

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

Water Treatment Plant	\$	22,500
	\$	22,500

Section 8: To amend the Water and Sewer Fund, the revenues are to be changed as follows:

Other Operating Revenues	\$	22,500
	\$	22,500

Water and Sewer Fund: Record GovDeals revenue from sale of WTP Truck.

Section 9: To amend the Electric Fund, the expenditures are to be changes as follows:

Electric Operations	\$	1,685
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Section 10: To amend the Electric Fund, the revenues are to be changed as follows:

Other Operating Revenue	\$	1,685
	\$	1,685

Electric Fund: Record GovDeals revenue from sale of voltage regulators.

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

American Rescue Plan Act (Fund 55)	\$	1,784,706
	\$	1,784,706

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

American Rescue Plan Act (Fund 55)	\$	1,784,706
	\$	1,784,706

Special Revenue Fund: Record 2nd installment of ARPA funds from the Federal Government.

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	\$	1,890,642
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Adopted this 1st day of September, 2022

Attest:

Daphne Ingram
City Clerk

Edward L Hatley
Mayor

ITEM #

4c

CONTRACTUAL AGREEMENT BETWEEN OWNER (CITY OF LINCOLNTON) AND CONSULTANT (BURCH ENVIRONMENTAL, LLC) FOR ENVIRONMENTAL PROFESSIONAL SERVICES

THIS IS AN AGREEMENT effective as of the _____ day of _____, 2022 (“EFFECTIVE DATE”) between the City of Lincolnton (hereinafter referred to as “OWNER”) and Burch Environmental, LLC (hereinafter referred to as “CONSULTANT”).

OWNER’s Projects, of which CONSULTANT’s services under this AGREEMENT are a part, is generally identified as the following:

- 2022 Water AIA Project and
- 2022 Wastewater AIA Project.

WHEREAS, CONSULTANT is specially experienced and competent to provide to the OWNER, certain specialized services and/or advice to assist the OWNER with grant funding opportunities; and

WHEREAS, OWNER desires to obtain environmental and grant funding services for the projects described below; and

WHEREAS, CONSULTANT has indicated its willingness and commitment to provide its specialized services and/or advice to the OWNER on the terms hereafter set forth in this AGREEMENT.

CONSULTANT’s Services under this AGREEMENT are generally identified as follows per each project (as provided below):

ITEM #	TASKS (For 2022 Water and Wastewater AIA Projects)	COST
1A.	Complete and Submit <i>2022 Water AIA Grant Application</i> to NCDEQ (DWI) including Resolution, Project Description and Grant Narrative, Project Budget and other necessary Certifications (i.e., Financial Information Form, Affordability Calculations, etc.)	\$18,000

1B.	Complete and Submit 2022 Wastewater AIA Grant Application to NCDEQ (DWI) including Resolution, Project Description and Grant Narrative, Project Budget and other necessary Certifications (i.e., Financial Information Form, Affordability Calculations, etc.)	\$18,000
	TOTAL	\$36,000

OWNER and CONSULTANT further agree as follows:

1.1 *Basic Agreement and Period of Service*

- A. CONSULTANT shall provide the services set forth in this AGREEMENT. If authorized by OWNER, or if required because of changes in the Projects, CONSULTANT shall furnish services in addition to those set forth above.
- B. CONSULTANT shall complete its services with a reasonable time, or within the following specific time period: in accordance with the requirements of the State funding agency and upon approval for the AIA grant(s) by the State funding agency.

2.01 *Payment Procedures*

- A. *Invoices:* CONSULTANT shall prepare invoices in accordance with its standard invoicing practices and submit the invoices to OWNER starting after grant approval by the State funding agency.

3.01 *Termination*

- A. The obligation to continue performance under this AGREEMENT may be terminated:
 - 1. For cause,
 - a. By either party upon thirty (30) days written notice in the event of substantial failure by the other party to perform in accordance with the AGREEMENT's terms through no fault of the terminating party. Failure to pay CONSULTANT for its services is a substantial failure to perform and a basis for termination.
 - 2. By CONSULTANT:
 - a. Upon seven (7) days written notice if OWNER demands that CONSULTANT furnish or perform services contrary to CONSULTANT'S responsibilities as an environmental professional; or
 - b. Upon seven (7) days written notice if the CONSULTANT'S services for the Projects are delayed for more than 30 days for reasons beyond CONSULTANT'S control.

3. By OWNER:

- a. For convenience upon CONSULTANT'S receipt of written notice from OWNER.

4.01 *Basis of Payment*

- A. Using the procedures set forth in Paragraph 2.01, OWNER shall compensate CONSULTANT an amount not to exceed \$36,000.00 such amount being the total for all services identified herein. This amount will not be billed under after completion of tasks provided herein and upon approval by the State funding agency for the AIA grant(s).

IN WITNESS WHEREOF, the parties hereto have executed this AGREEMENT, the Effective Date of which is indicated on Page 1.

OWNER:

CONSULTANT:

By: _____

By: _____

Title: _____

Title: _____

Date Signed: _____

Date Signed: _____

Address for giving notices:

Address for giving notices:

CITY OF LINCOLNTON

BURCH ENVIRONMENTAL, LLC

P. O. BOX 617

5087 ICARD RIDGE ROAD

LINCOLNTON, NC 28093-0617

HICKORY, NC 28601

ITEM #

5

REGULAR AGENDA
- Continued

ITEM #

5a

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



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

RESOLUTION BY THE LINCOLNTON CITY COUNCIL

OF THE CITY OF LINCOLNTON

WHEREAS, The North Carolina Water Infrastructure Act of 2005 (NCGS 159G), as amended, has authorized the making of grants to aid eligible units of government in financing the cost to inventory existing water and/or sewer systems and document the condition of the inventoried infrastructure, and

WHEREAS, The City of Lincolnton has need for and intends to assess its wastewater treatment system by completing a project described as the **2022 Wastewater AIA Project**, and

WHEREAS, The City of Lincolnton intends to request State grant assistance for the project,

NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF DIRECTORS OF THE CITY OF LINCOLNTON:

That the City of Lincolnton, the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State grant award.

That **Richard Haynes, City Manager**, the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a grant to aid in the implementation of the project described above.

That the **Authorized Official**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the

2022 Wastewater AIA Project
September 1, 2022

project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants pertaining thereto.

Upon motion duly made by Councilmember _____, and unanimously approved, the above resolution was duly adopted this the _____ day of _____, 2022 at Lincolnton City Hall in Lincolnton, North Carolina by the Lincolnton City Council.

(Signature of Chief Executive Officer)

Ed Hatley, Mayor

ATTEST:

Daphne Ingram, City Clerk

2022 Wastewater AIA Project
September 1, 2022

CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified and acting Secretary of the City of Lincolnton does hereby certify: That the attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the Lincolnton City Council of the City of Lincolnton duly held on the _____ day of _____, 2022; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 2022.

(Signature of Recording Officer)

(Title of Recording Officer)

ITEM #

5b

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



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

RESOLUTION BY THE LINCOLNTON CITY COUNCIL

OF THE CITY OF LINCOLNTON

WHEREAS, The North Carolina Water Infrastructure Act of 2005 (NCGS 159G), as amended, has authorized the making of grants to aid eligible units of government in financing the cost to inventory existing water and/or sewer systems and document the condition of the inventoried infrastructure, and

WHEREAS, The City of Lincolnton has need for and intends to assess its water treatment system by completing a project described as the **2022 Water AIA Project**, and

WHEREAS, The City of Lincolnton intends to request State grant assistance for the project,

NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF DIRECTORS OF THE CITY OF LINCOLNTON:

That the City of Lincolnton, the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State grant award.

That **Richard Haynes, City Manager**, the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a grant to aid in the implementation of the project described above.

That the **Authorized Official**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the

2022 Water AIA Project
September 1, 2022

project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants pertaining thereto.

Upon motion duly made by Councilmember _____, and unanimously approved, the above resolution was duly adopted this the _____ day of _____, 2022 at Lincolnton City Hall in Lincolnton, North Carolina by the Lincolnton City Council.

(Signature of Chief Executive Officer)

Ed Hatley, Mayor

ATTEST:

Daphne Ingram, City Clerk

2022 Water AIA Project
September 1, 2022

CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified and acting Secretary of the City of Lincolnton does hereby certify: That the attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the Lincolnton City Council of the City of Lincolnton duly held on the _____ day of _____, 2022; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 2022.

(Signature of Recording Officer)

(Title of Recording Officer)

ITEM #

5c

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-16-22)

**Resolution Authorizing Sale of Real Property by Electronic Public Auction
Pursuant to G.S. 160A-270**

Whereas, G.S. 160A-270 authorizes the City Council to sell real property at public auction, including electronic public auction, upon adoption of a resolution authorizing the appropriate official to dispose of the property at public auction subject to Council's acceptance of the highest bid;

Whereas, the City Manager has recommended that the property listed on the attached Exhibit A should be sold at public auction as surplus property;

Now therefore, be it resolved, by the Lincolnton City Council that:

1. The City Manager or his designee is authorized to sell by electronic auction at www.govdeals.com, beginning on _____ and ending on _____, the surplus property described in Exhibit A.
2. The terms of the sale shall be _____

3. The City Manager or his designee is directed to have published a notice of the sale at least once and not less than 30 days before the date on which bidding opens. The notice shall contain a general description of the land sufficient to identify it, the terms of the sale, and a reference to this authorizing resolution as required by G.S. 160A-270(a).
4. The city reserves the right to withdraw any listed property from the auction at any time before the auction sale of that property.

Adopted September 1, 2022.

Ed Hatley, Mayor

CITY COUNCIL

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



CITY MANAGER

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

(R-17-22)

**Resolution Authorizing Sale of Real Property by Electronic Public Auction
Pursuant to G.S. 160A-270**

Whereas, G.S. 160A-270 authorizes the City Council to sell real property at public auction, including electronic public auction, upon adoption of a resolution authorizing the appropriate official to dispose of the property at public auction subject to Council's acceptance of the highest bid;

Whereas, the City Manager has recommended that the property listed on the attached Exhibit A should be sold at public auction as surplus property;

Now therefore, be it resolved, by the Lincolnton City Council that:

1. The City Manager or his designee is authorized to sell by electronic auction at _____, beginning on _____ and ending on _____, the surplus property described in Exhibit A.
2. The terms of the sale shall be _____

3. The City Manager or his designee is directed to have published a notice of the sale at least once and not less than 30 days before the date on which bidding opens. The notice shall contain a general description of the land sufficient to identify it, the terms of the sale, and a reference to this authorizing resolution as required by G.S. 160A-270(a).
4. The city reserves the right to withdraw any listed property from the auction at any time before the auction sale of that property.

Adopted September 1, 2022.

Ed Hatley, Mayor

EXHIBIT A

All that certain piece, parcel or lot of land, situate, lying and being in the City of Lincolnton, fronting on East Main Street and bounded on the east by North Flint Street on the north by East Sycamore Street and on the west by the property of Clark Tire & Auto, and more particularly described by metes and bounds in accordance with plat and survey prepared by Roy C. Turner, Registered Surveyor, dated April 28, 1993, as follows:

BEGINNING at an existing iron pin an old control corner on the right of way of East Main Street, which said iron pin and control corner is located, North 66 deg. 55 min. 22 sec. East 2668.43 feet from the N.C.G.S. Monument "Court" located on the North Court Square in the City of Lincolnton, also being a corner of the property of Clark Tire & Auto and runs thence with the right of way of East Main Street, North 64 deg. 29 min. 59 sec. East 161.74 feet to a new iron pin, corner of the right of way of East Main Street and North Flint Street, thence with the right of way of North Flint Street, North 26 deg. 28 min. 56 sec. West 103.49 feet to an existing iron pin, thence continuing with the right of way of North Flint Street, North 26 deg. 29 min. 36 sec. East 101.14 feet to a new iron pin, corner of the right of way of North Flint Street and the southern right of way of East Sycamore Street, thence, South 63 deg. 22 min. 16 sec. West 158.24 feet to a new iron pin, corner of the Clark Tire & Auto and the southern right of way of East Sycamore Street; thence with Clark Tire & Auto property, South 25 deg. 30 min. 00 sec. East 201.48 feet to the point and place of BEGINNING, containing 0.745 acres, more or less, and upon which is located the 2 story brick building formerly occupied and owned by Southeastern Savings & Loan Association.

Reference made to deeds recorded in Book 585, Page 323, Book 585, Page 299, Book 569, Page 493, and Book 567, Page 337, all in the Lincoln County Public Registry. Reference further made to Plat entitled Physical Survey for City of Lincolnton, North Carolina and prepared by Roy C. Turner, land surveyor, which is duly recorded in Plat Book G at Page 45, Lincoln County Public Registry.



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: 8/4/2022



Parcel ID	00670	Owner	CITY OF LINCOLNTON	
Map	3633	Mailing	C/O CITY MANAGER PO BOX 617	
Account	33757	Address	LINCOLNTON, NC 28093-0617	
Deed	832 606	Last Transaction Date	06/25/1993	Sale Price \$0
Plat		Subdivision		Lot
Land Value	\$299,334	Improvement Value	\$541,344	Total Value \$840,678
Previous Parcel				

-----All values for Tax Year 2022 -----

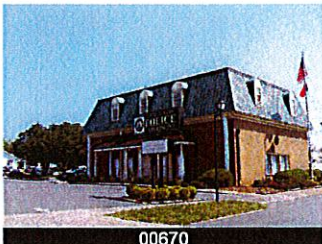
Description	627 E MAIN ST/POLICE BLDG	Deed Acres	0.75
Address	627 EAST MAIN ST	Tax Acres	0.733
Township	LINCOLNTON	Tax/Fire District	LINCOLNTON
Main Improvement	OFFICE	Value	\$513,219
Main Sq Feet	6834	Stories	2
		Year Built	1981

Zoning District	Calc Acres	Voting Precinct	Calc Acres
CBT	0.73	LN11	0.73

Watershed	0.73	Sewer District	0.73
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Census County	109	Tract	070100	Block	2032	0.73
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Flood	X	Zone Description	NO FLOOD HAZARD	Panel	3710363300	0.73
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ITEM #

6

OTHER BUSINESS

ITEM #

6a

CASETYPE	CASESUBTYPE	CASE_NAME	SITE_ADDR	STARTED	STATUS
LCE21-00095	LINCOLNTON CODE ENFORCEMENT	NUISANCE	Solid Waste/overgrown	109 KENNEDY DR	OPEN
LCE21-00096	LINCOLNTON CODE ENFORCEMENT	MINIMUM HOUSING	Minimum Housing	1122 E LINCOLN ST	OPEN
LCE21-00118	CODE ENFORCEMENT	SOLID WASTE	Solid Waste/overgrown	1492 RHODES RHYNE RD	OPEN
LCE21-00150	LINCOLNTON CODE ENFORCEMENT	MINIMUM HOUSING	Electrical Issues, Roof Issues, Heating & Air	113 JULIA DR	OPEN
LCE21-00165	LINCOLNTON CODE ENFORCEMENT	ABANDONED STRUCTURE		1015 E PINE ST	OPEN
LCE21-00168	LINCOLNTON CODE ENFORCEMENT	ABANDONED STRUCTURE		812 S ASPEN ST	OPEN
LCE21-00170	LINCOLNTON CODE ENFORCEMENT	ABANDONED STRUCTURE		130 DR MARTIN LUTHER KING JR DR	OPEN
LCE21-00193	LINCOLNTON CODE ENFORCEMENT	MINIMUM HOUSING	Minimum Housing / Abandoned structure.	128 E CARTER ST	OPEN
LCE22-00006	LINCOLNTON CODE ENFORCEMENT	ABANDONED STRUCTURE	Abandoned Structure	817 E SUMNER ST	OPEN
LCE22-00011	LINCOLNTON CODE ENFORCEMENT	ABANDONED STRUCTURE	Home was involved in a fire. Home is abandoned.	709 E CATAWBA ST	OPEN
LCE22-00020	LINCOLNTON CODE ENFORCEMENT	NUISANCE	Solid Waste	2531 N ASPEN ST	OPEN
LCE22-00023	LINCOLNTON CODE ENFORCEMENT	NUISANCE	Overgrown grass	320 W PINE ST	OPEN
LCE22-00024	LINCOLNTON CODE ENFORCEMENT	NUISANCE	RV Used As Residence and solid waste	407 MASSAPOAG RD	OPEN
LCE22-00054	LINCOLNTON CODE ENFORCEMENT	NUISANCE	Overgrown grass	ELIZABETH AV	OPEN
LCE22-00055	LINCOLNTON CODE ENFORCEMENT	NUISANCE	Solid Waste	519 MAGNOLIA ST	OPEN
LCE22-00056	LINCOLNTON CODE ENFORCEMENT	ZONING	RV Used As Residence.	HARRISON SANDERS LN	OPEN
LCE22-00066	LINCOLNTON CODE ENFORCEMENT	MINIMUM HOUSING	Minimum Housing Issues	601 HUSS ST	OPEN
LCE22-00067	LINCOLNTON CODE ENFORCEMENT	ZONING	RV Used As Residence.	618 W MAIN STREET EXT	OPEN
LCE22-00068	LINCOLNTON CODE ENFORCEMENT	MINIMUM HOUSING	Roof falling into structure.	618 W MAIN STREET EXT	OPEN
LCE22-00071	LINCOLNTON CODE ENFORCEMENT	JUNK VEHICLES	Junk Vehicles	769 BRADY BRANCH TR	OPEN
LCE22-00072	LINCOLNTON CODE ENFORCEMENT	JUNK VEHICLES	Junk Vehicles	1467 S ASPEN ST	OPEN
LCE22-00073	LINCOLNTON CODE ENFORCEMENT	NUISANCE	Overgrown	217 N HIGH ST	OPEN
LCE22-00074	LINCOLNTON CODE ENFORCEMENT	NUISANCE	Solid Waste	1423 ROSELAND DR	OPEN
LCE22-00075	LINCOLNTON CODE ENFORCEMENT	ZONING	Operating business in residential area	227 SHADY LN	OPEN