

A G E N D A

LINCOLNTON CITY COUNCIL



April 6, 2023

7:00 p.m.

Council Chambers

City hall



**LINCOLNTON
AGENDA
April 6, 2023
7:00 PM**

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

1. AGENDA APPROVALS

1a Approval of REGULAR AGENDA

1b Approval of CONSENT AGENDA

- Minutes of the March 2, 2023 Regular Meeting
- Proclamation - 2023 Week of the Young Child

2. SPECIAL RECOGNITION

2a C-Shift

2b B-Shift

3. PUBLIC COMMENT

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

4. PUBLIC HEARINGS

4a Consideration of a Request for the Closure of Cleveland Avenue - A 50' unopened right of way

Daphne Ingram, City Clerk

4b ZMA-2-2023 - Application from Carolina Elite Builders requesting the rezoning of 11.844 acres of land from General Manufacturing and Commercial (GMC) to Residential-25 (R-25). Subject property is located at the southwest corner of South Grove Street Ext. and Burris Blvd. (Parcel ID 52489)

Jean Derby, Planning Director

4c ZTA-1-2023 - Zoning Text Amendments to Chapter 153 Unified Development Ordinance

Jean Derby, Planning Director

5. REGULAR AGENDA

5a Recognition of the 2022-2023 Lincolnton Student Advisory Council

Jill Eaddy

5b BA-03-23 Budget Amendment

Pamela McBryde, Finance Director

5c Pay Plan Addition

Tanya Osborne, Human Resources Director

6. OTHER BUSINESS

6a Manager's Report/Activity Update

Ritchie Haynes, City Manager

NEWS MEDIA

ADJOURNMENT

The Mayor and City Council met in regular session on Thursday, March 2, 2023 at 7:00 PM. in the Council Chambers of City Hall located at 114 West Sycamore Street, Lincolnton, North Carolina.

Mayor Ed Hatley called the March 2, 2023 Lincolnton City Council meeting to order. Those in attendance were as Follows:

DEMENY

POINSETTE

TIPTON

JETTON

A moment of silence was observed.

Mayor Hatley asked all to rise for the pledge of allegiance.

Approval of Regular Agenda

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

Approval of Consent Agenda

Councilmember Jill Tipton made a motion to approve the Consent Agenda items as follows:

- **Regular Meeting Minutes - February 2-2-23**
- **Approval of Surplus Request - Glock Handgun - Laptop - Duty Badge**

Members voted 4-0 in favor of the motion.

PUBLIC COMMENT

Mr. John Waters, who resides at 502 Victor Street, spoke under the public comment portion of the meeting. Mr. Waters addressed council members regarding the re-installation of cross walks on North Grove Street at Linwood Drive and the West Main Street intersections. He said that NCDOT has agreed to re-install the crosswalks at these locations, however, the City will need to improve both intersections, making them ADA compliant. City Manager Ritchie Haynes informed members that he has included funds in the upcoming budget for an ADA transition plan. There was discussion among both council members and staff regarding the request and the options available.

PUBLIC HEARINGS

CZ-1-2023 - Application from Morris Long requesting a conditional district zoning map amendment from Central Business Transitional (CBT) to Transitional Infill Development (TID) for the purpose of building four duplex units on 0.733 acres of land. The subject property is located at the northwest corner of North Flint Street and East Main Street (Parcel ID 00670)

Planning Director Jean Derby reviewed the rezoning request from Mr. Morris Long for a conditional district zoning map amendment from Central Business Transitional (CBT) to Transitional Infill Development (TID) for the purpose of building four duplex units on the property located at the northwest corner of North Flint Street and East Main Street. Mrs. Derby reminded members of the mixture of the current zoning around the site, pointing out that the adjacent properties are both commercial and residential. She provided both an aerial view and a street view of the property. The site plan was displayed and she explained, in detail, what each unit would offer. Front, side and back elevations were also displayed. Mrs. Derby referred to the Lincolnnton Land Use Plan and informed that the rezoning of the property is consistent with the intent of the Land Use Plan. She also informed members that the Planning Board voted 7-0 in favor of approving this conditional rezoning, but asked that the front of the units facing East Main Street be entirely brick veneer. She also reported staff's recommendation to approve the request subject to staff review comments.

Mr. Dennis Williams the architect for the project, was present and addressed members. Mr. Williams spoke to the project, and explained how it is in keeping with the concept of what the Central Business Transitional District was designed to do. He gave some detailed background information on the intent of those who were involved in creating the district, and explained that as the driving force for the proposed design of the units. Mr. Williams informed members that other options were being considered but explained why those were not chosen. Mr. Morris Long, the property owner, also addressed the council, expressing his passion for Lincolnnton and desire to give back to this community by making an investment in the area. Mr. Mark Ingle, 208 North Oak Street, spoke to the request, expressing is opposition to the rezoning as he feels it needs to be a commercial use.

There was some questions asked regarding the project and discussion among council members as they expressed their concerns with the possible negative impact allowing this project could have on the Central Business District.

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

Councilmember Christine Poinsette made a motion to deny the request. Members voted 4-0 in favor of the motion.

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

ZMA-1-2023 Application from JJW Properties, LLC requesting the rezoning of 0.403 acres of land from residential-10 (R-10) to Residential-8 (R-8). The subject property is located on the east side of North Cedar Street approximately 125 feet north of the intersection of North

Cedar Street and East Dixon Street (Parcel ID 17871)

Planning Director Jean Derby reviewed the request for a zoning map amendment to rezone 0.403 acres of land from residential-10 (R-10) to Residential -8 (R-8). Mrs. Derby disclosed the subject properties location, 710 N. Cedar Street, and informed members of the current zoning to the north, south, east and west of the property. She showed a comparison of the allowed uses of the current zoning and the proposed zoning, and spoke to what the Land Use Plan shows regarding the area. She also informed of the Planning Boards recommendation, as well as staffs recommendation, to deny the request.

Alexandra Eldridge of 327 E. Dixon Street and Dwight Moody of 718 N. Cedar Street addressed council regarding this request. Both expressed their views and were opposed to the rezoning.

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

Councilmember RobyJetton made a motion that the request be denied. Members voted 4-0 in favor of the motion.

Presentation of a long-term land use request by the LEDA Board of Directors - Roper Drive Properties

Mayor Ed Hatley recognized Mr. Cliff Brumfield with Lincoln Economic Development Association, who appeared before Council to update members on some potential long-term land use plans. Mr. Brumfield thanked the council for their strong attendance at the numerous openings of both large and small businesses, and expressed how much that is appreciated by the business owners.

To begin, Mr. Brumfield gave an update on the strong business interest currently being seen around several properties within the City. He spoke first to the acreage on Roper Drive, located behind Lowe's and the Hampton Inn, pointing out it's great visibility from Hwy. 321. He mentioned it being the largest site for potential new development within the city and informed that the 24 acres are currently on the market. Mr. Brumfield moved on, turning his attention to industrial re-development of a number of sites. He spoke to the strong interest currently being expressed in several properties, naming the former Textile Piece Dye site on General Blvd., the Former Packaging Unlimited site on Legionaire Dr., the former Leslie Fay/ General Mill facility on Generals Blvd. and the former Bosch building on Legionaire Dr., all receiving interest from potential buyers. Mr. Brumfield stated that although no request was being submitted, he wanted to alert members of potential requests in the near future.

Presentation/Consideration of Conceptual Design for City Park

Public Services Director Nathan Eurey briefly gave a recap of the timeline, and gave some basic background information on this item. After updating council on where the city is in the

process, he explained that based on feedback received, a final design plan, incorporating council's wishes, would be drafted and presented to members for approval at the city's annual budget retreat. He reminded council of the two community input meeting held in council chambers at which attendees were given an opportunity to provide input as to what they would like to see at the park.

Mr. Eurey introduced and allowed Mr. Nate Halubka with McGill Associates, to speak to the two conceptual designs being presented for the proposed city park project. Mr. Halubka gave a detailed report of the process that was used to gather the information needed. He reviewed each of the concepts presented and then spoke to the different options available. Discussion was generated among council, staff and Mr. Halubka regarding the designs, and the benefits each would offer. Mr. Halubka segued into the subject of funding and the importance of submitting grant requests in a timely manner. Before moving to funding options, as directed by Mayor Hatley, Mr. Halubka confirmed that feedback received would be used to draft a final design.

Presentation of Grant Options/Authorization for McGill Associates to Proceed with Pursuing Grant Funding Opportunities for City Park

Mr. Nat Halubka informed council of the state grant deadline coming up May 1st, and the importance of getting an application in as quickly as possible. He explained that this NC Parks & Recreation Trust Fund (NC PARTF) state grant, has a maximum request of \$500,000, with a dollar for dollar match. He stated that the Land & Water Conservation Fund (LWCF), a federal grant, also has a dollar for dollar match with a \$500,000 maximum. There was some questions asked which generated discussion regarding the project and the application timeline.

Being no further questions or discussion, Nathan Eurey asked for action to be taken on a contract between the City and McGill Associates. Councilmember Kevin Demeny made a motion to approve the contract for \$11,800.00 with McGill Associates to proceed with pursuing and submitting the application for state grant funding (PARTF) for the proposed City Park project on behalf of the City.

O-04-23 Request from Chief of Police to amend the wording of the Oversize Vehicle ordinance.

Police Chief Rodney Jordan presented a request to amend the wording in the City of Lincolnton's Code of Ordinances regarding oversized vehicles (O-04-23) . Chief recommended that the current wording in Section 72.03 PARKING OVERSIZED VEHICLES, CONTAINERS OR TRAILERS ON STREETS be removed and replaced with the following verbage:

(B) A vehicle to which this section shall be applicable shall be a truck, tractor, semi-trailer or bus which has a gross weight in excess of 10,000 pounds or which has a length of 270 inches (22 feet and six inches) overall or a width in excess of 96 inches (eight feet) or a height

in excess of 96 inches (eight feet). Other vehicles and containers to which this ordinance applies is any trailer, utility trailer, dumpster, storage container, POD etc. (Regardless of size and weight).

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

R-05-23 Resolution of Intent - Request for Closure of Cleveland Avenue

Councilmember Jill Tipton made a motion to adopt the Resolution of Intent (R-05-23), A request for the closure of Cleveland Avenue as follows:

A RESOLUTION DECLARING THE INTENTION OF THE CITY COUNCIL OF THE CITY OF LINCOLNTON TO CONSIDER A REQUEST FOR THE CLOSURE OF CLEVELAND AVENUE

WHEREAS, G.S. 160A-299 authorizes the Lincolnton City Council to close streets and public alleys; and

WHEREAS, the Lincolnton City Council has received a formal request to close Cleveland Avenue, a 50' unopened right of way, pursuant to N.C.G.S. §160A-299; and

WHEREAS, the Lincolnton City Council agrees that the closure of this street will not be detrimental to the public interest or the property rights of any individual; and

WHEREAS, the Lincolnton City Council agrees that none of the adjoining owners will be deprived of reasonable means of ingress and egress to their respective parcels of real property.

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

1. A meeting will be held at 7:00 p.m. on the 6th day of April, 2023 in the Council Chambers of City Hall to consider a resolution closing Cleveland Avenue, a 50' unopened right of way.
1. The City Clerk is hereby directed to publish this Resolution of Intent once a week for four successive weeks in the Lincoln Times News, or other newspaper of general circulation in the area.
1. The City Clerk is further directed to transmit by registered or certified mail to each

owner of property abutting upon that portion of said street a copy of this Resolution of Intent.

1. The City Clerk is further directed to cause adequate notices of this Resolution of Intent and the scheduled public hearing to be posted as required by G.S. 160A-299

Appointment to the Lincolnton Tourism Development Authority

Councilmember Kevin Demeny made a motion to point Mr. Wayne Brooks to the Lincolnton Tourism Development Authority. Members voted 4-0 in favor of the motion. *Mr. Brookes will serve as one (1) of the two (2) hotel/motel industry appointments that make up the board.*

Councilmember Jill Tipton made a motion to nominate and appoint Mrs. Carol King to the Lincolnton Tourism Development Authority. There being no more nominations, members voted 4-0 in favor of the motion.

Consideration/Approval to Proceed with Exploring Potential Interest in surplus equipment acquired with the Purchase of Excel Property.

David Ramsey, the city's Business Services Director, appeared before council to request permission to proceed with disposing of various pieces of surplus property that was included in the purchase of the recently acquired old Excel property on Sigmon Road. Mr. Ramsey explained that due to the type and size of the equipment that was left, using the GovDeals online auction site would not be the best option for disposing of the property, and suggested that he be authorized to contact some of the local businesses (manufactures/fabricators) that may have an interest in purchasing some of the equipment.

Councilmember Christine Poinsette made a motion to authorize David to proceed with what was outlined. Members voted 4-0 in favor of the motion.

Discussion regarding the Application Process to fill the Chief of Police Position

City Manager Ritchie Haynes asked for permission to move forward with identifying a company to conduct an assessment center needed to hire the city's next Chief of Police. Mr. Haynes explained the importance of this process and stressed how necessary it is to hire the right company to help with vetting candidates for this key position. He stated that he would have more information on the topic at the upcoming budget retreat.

Manager's Update/ Report

City Manager Ritchie Haynes updated members on a number of current and upcoming events/projects. He mentioned tax re-evaluation notices and his plan to discuss this in the afternoon session of the budget meeting. He spoke to the increase in the average sale price. He shared some positive feedback received from a resident thanking the public works department. He also recognized the Fire Department employees that helped deliver a baby (Joe Fletcher, Marcus Shoemaker and Branson McNeely) and the employee that helped rescue an individual on the second floor of a burning house (Jason Ingle, Hayden Andrews, Brady Hickman, Tyler Ross and Carson Chapman). Mr. Haynes stated that he would like to make know publicly and recognize Chief Heavner, Assistant Chief Smith, Capt. Rusty Reynolds and Julie McIntyre, for taking on the additional work when the Boger City Fire Department was combined with the city. He thanked them for the excellent job they are doing. In conclusion, Mr. Haynes recognized Chief Jordan and his tenure with the police department. He expressed his appreciation for his friendship and thanked him for his service to the City of Lincoln

NEWS MEDIA

There were no questions from the news media

ADJOURNMENT

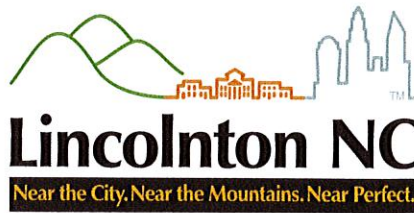
Being no further business, Councilmember Roby Jetton made a motion to adjourn. Members voted 4-0 in favor of the motion.

DAPHNE INGRAM, CMC
CITY CLERK

ED HATLEY
MAYOR

CITY COUNCIL

Ed L. Hatley, Mayor
Christine Poinsette, Mayor Pro-Tem
Kevin Demeny
Jill Tipton
Roby Jetton



CITY MANAGER

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

**Proclamation
2023 Week of the Young Child**

WHEREAS, the Partnership for Children of Lincoln and Gaston Counties, in conjunction with the North Carolina Association for the Education of Young Children and the National Association for the Education of Young Children, are celebrating the “**Week of the Young Child**”, April 1-7, 2023; and

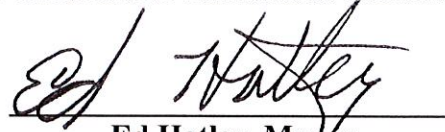
WHEREAS, these organizations are committed to the healthy development of all young children through strengthening and building systems of equitable access to high-quality, early childhood education; and

WHEREAS, Children’s cognitive, physical, social and emotional, and language and literacy development are built on a foundation of children’s positive interactions with adults, peers, and their environment; and

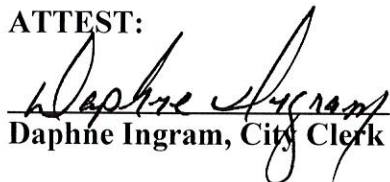
WHEREAS, the early childhood education workforce is vital to providing a nurturing and educational foundation of early care and learning experiences for young children; and

WHEREAS, teachers and others who work with or on behalf of young children birth through age eight, and who make a difference in the lives of young children deserve thanks and recognition.

NOW, THEREFORE I, Ed Hatley, Mayor of the City of Lincolnton, do hereby proclaim April 1-7, 2023 as the “**WEEK OF THE YOUNG CHILD**” in the City of Lincolnton, and encourage all citizens to work to support and invest in early childhood in education in Lincolnton and surrounding areas.


Ed Hatley, Mayor

ATTEST:


Daphne Ingram, City Clerk

C-Shift Childbirth Call

02/08/2023

On the morning of February 8th, 2023 the Lincolnton Fire Department was dispatched to a pregnancy at 614 Clark Drive. While responding dispatchers provided information of a premature twin birth and possible breach delivery. When entering, firefighters were met by the father holding his newborn child still connected to mother by its umbilical cord. Firefighters immediately initiated lifesaving care to the newborn while ensuring care was given to the mother. Preparations were underway for the imminent birth of another child before other first responders arrived. The fire crew was tasked with ensuring that care of the first newborn was overseen and to assist other EMS crews with getting the infant to the hospital. Lincolnton firefighters, along with Lincoln County EMS Medic 2 safely transported the child to Atrium Lincoln emergency department.

Captains Note:

This was a high intensity incident with 3 patients being care for at one time. Engineer Shoemaker and Firefighter McNeeley performed flawlessly and showed great skill and professionalism. A combined effort from fire, ems and city police yielded a positive outcome for this family who are citizens of the City of Lincolnton. These members acted without hesitation in what most would consider a terrifying situation. These guys are truly heroes and it's my honor and privilege to serve with them. These members are worthy of a commendation and recognition for the outstanding job they did not only on this call, but each day they serve the citizens and visitors of Lincolnton.



Lincolnton Fire Department

Office of the Fire Chief ISO 2

C. Ryan Heavner
Chief, Lincolnton Fire Department
PO Box 617,
Lincolnton, NC 28092
rheavner@lincolntonnc.org
(704) 736-8920

According to the Firefighter Commendation Guidelines: *Written by Captain Jason Ingle*

To receive the Medal of Valor, a firefighter must be a member of the department who, in the performance of duty while on a call, under hazardous conditions, in which the member is confronted with imminent personal risk, performs an act of conspicuous heroism which furthers the highest traditions of the fire service.

On the evening of February 28, Engine 1 was dispatched to assist South Fork Fire Department with a structure fire. Engine 1 arrived on the scene of a two story residential structure with smoke emitting from the second floor. Evacuated occupants advised that there was a female still inside the house, and was most likely in a second story bedroom. Without hesitation, Firefighter Andrews got a ladder from the fire apparatus and positioned it at the second story window. Myself and Firefighter Andrews ascended the ladder, took the window, and entered the bedroom under heavy smoke and fire conditions to find the female unconscious and gasping for breath on the bed. The lady was moved to the window and alone Firefighter Andrews lowered the patient to safety. After she was on the ground, still in his firefighting ensemble, Andrews administered patient care until EMS relieved him. This act of heroism was all completed under heavy smoke and heavy fire conditions. Hayden Andrews along with his crew members and their unselfish actions under hazardous conditions without due regard for personal safety does not go unnoticed.

Therefore, let it be known, the Lincolnton Fire Department and the City of Lincolnton awards Firefighter Andrews, Captain Jason Ingle and Engineer Brady Hickman the medal of Valor for the unwavering determination to public safety.

C. Ryan Heavner

CITY OF LINCOLNTON FIRE DEPARTMENT

PO Box 617 Lincolnton, NC 28093 | (704) 736-8920 | www.ci.lincolnton.nc.us

THE JONAS LAW FIRM

A Professional Limited Liability Company
www.jonaslaw.com

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210 EAST MAIN STREET
POST OFFICE BOX 38
LINCOLNTON, N.C. 28093-0038
TELEPHONE (704) 735-1423
TELEFACSIMILE (704) 735-6480

CHARLES A. JONAS (1876-1955)
CHARLES R. JONAS (1904-1988)
JEREMY S. WILSON (1978-2011)
HARVEY A. JONAS, JR (1919-2018)

JOHNATHAN L. RHYNE, JR.*
REBECCA J. POMEROY
ROBERT J. BROWN (Denver Office)
REBECCA J. YODER *

RICHARD E. JONAS - Of Counsel
MARTHA C. RHYNE - Of Counsel
ELLEN B. FICHTELMAN - Associate (Denver Office)

**Board Certified Specialist in Family Law*

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rbrown@jonaslaw.com

Assistant:
Crissy Anthony Gaus
cgaus@jonaslaw.com

PLEASE REPLY TO DENVER PO BOX

June 21, 2022

City of Lincolnton

Attn: Ritchie Haynes, City Manager; Ed Hatley, Mayor; and T.J. Wilson, City Attorney
PO Drawer 617
Lincolnton, NC 28093-0617

Re: Request for closure of Cleveland Avenue

Dear Gentlemen:

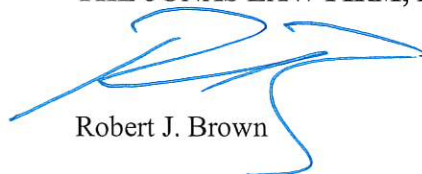
This letter will serve as a formal request on behalf of my client, Downtown Mini Storage, LLC (Walter Clark), to have the City close Cleveland Avenue, a 50' unopened right of way, pursuant to N.C.G.S. §160A-299.

I have enclosed a GIS map and a recent survey depicting the portion of Cleveland Avenue that my client desires to have closed. This un-opened road is located east of S Edwards St and north of E Lincoln Street.

It is our opinion that the closure of this street would not be detrimental to the public interest or the property rights of any individual, nor would any adjoining owners be deprived of reasonable means of ingress and egress to their respective parcels of real property.

Please let me know what additional information you need to begin the process and publish the notices.

Sincerely Yours,
THE JONAS LAW FIRM, PLLC



Robert J. Brown

RJB/cag
Encl:

NOTES:
* PROPERTY MAY BE SUBJECT TO RECORDED OR UNRECORDED RIGHTS OF WAYS OR EASEMENTS NOT OBSERVED.
* OWNER TO VERIFY ALL SETBACKS AND ZONING REGULATIONS PRIOR TO ANY PLANNING OR CONSTRUCTION.
* DIMENSIONS OF ALL IMPROVEMENTS SHOWN ON THIS PLAT SHOULD NOT BE SCALED OR RELIED UPON FOR DESIGN OR CONSTRUCTION WITHOUT A FIELD VERIFICATION OF ALL DIMENSIONS.
* DIGITAL COPIES OF THIS FILE ARE FOR REFERENCE ONLY AND MAY NOT BE USED FOR DESIGN WORK.
* 10' DRAIN, & UTILITY EASEMENT MAY EXIST ALONG EACH LOT LINE.
* NO USGS MONUMENT FOUND WITHIN 2000' OF SUBJECT PROPERTY.
* THIS PROPERTY IS NOT LOCATED IN A 100 YEAR FLOOD PLAIN.

PROPERTY IS ZONED - GMC
SETBACKS:
FRONT 50'
REAR 30' (50' IF RESIDENTIAL ADJOINER)
SIDE 10'
PROPERTY IS IN THE WS - IV WATERSHED.

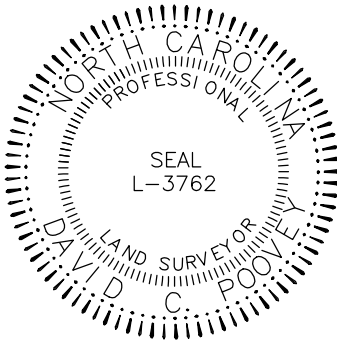
LEGEND

- R/W RIGHT-OF-WAY
E/P EDGE OF PAVEMENT
C/L CENTERLINE
PDE PERMANENT DRAINAGE EASEMENT
X UTILITY POLE
X LIGHT POLE
S UNDERGROUND POWER
S SANITARY SEWER LINE
OVERHEAD UTILITY LINE
RAILROAD TRACK
UNDERGROUND TELECOMMUNICATIONS LINE
G GAS LINE
W WATER LINE
F FIBER OPTIC CABLE LINE

STATE OF NORTH CAROLINA
I, DAVID C. POOVEY CERTIFY THAT THIS MAP WAS (DRAWN BY ME)
(DRAWN UNDER MY SUPERVISION) FROM (AN ACTUAL SURVEY MADE
BY ME) (AN ACTUAL SURVEY MADE UNDER MY SUPERVISION) (DEED
DESCRIPTION RECORDED IN BOOK 156, PAGE 085;
BOOK _____, PAGE _____; BOOK _____, PAGE _____;
THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND
DEPARTURE IS 1: 10,000, (THAT THE BOUNDRIES NOT SURVEYED
ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND
IN BOOK 11, PAGE 159); THAT THIS MAP WAS
PREPARED IN ACCORDANCE WITH G.S. 47-30, AS AMENDED.
WITNESS MY HAND AND SEAL THIS THE 19 DAY OF
DECEMBER, A.D. 2020.

David C. Poovey

PROFESSIONAL LAND SURVEYOR - PLS #3762



LINCOLNTON DEV. PARTNERS, LLC
PB 14-325

NO DOCUMENTATION FOUND (AS PER PB 11-159)
60' REPUTED R/W PER GIS
CSX RAILROAD

R/W SHOULD BE CONFIRMED WITH CSX IF AT ALL POSSIBLE
N 81°43'34"E 353.79'

PARCEL #00621

2.750 AC.+- TOTAL

SOUTH EDWARDS ST 40' PUBLIC R/W

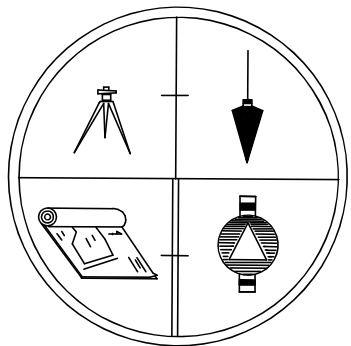
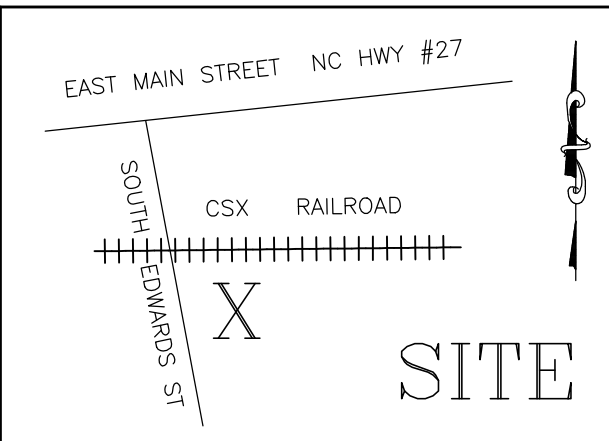
CLEVELAND AVE 50' R/W (UNOPENED)

HESED HOUSE
PB 11-159

HESED HOUSE
PB 11-159



VICINITY MAP



DEDMON SURVEYS

DEDMON SURVEYS

CHUCK POOVEY, PLS #3762
ROBERT DEDMON, PLS #3899
3704 NC HIGHWAY #16 BUSINESS NORTH
P.O. BOX 494 - DENVER, NC 28037
PHONE: 704/483/4908
FAX: 704/483/2170

DATE 12-19-2020
SCALE: 1" = 50'

DB: 156 PG: 085
DB: PG:
PB: 11 PG: 159

LINCOLNTON TOWNSHIP
LINCOLN COUNTY, NC

SURV. BY: CP DRAWN: CP JOB# SOUTHEED

PHYSICAL SURVEY
FOR
DOWNTOWN MINI
STORAGE. LLC

PARCEL #00621
PIN 3633-14-8767



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: 8/11/2022

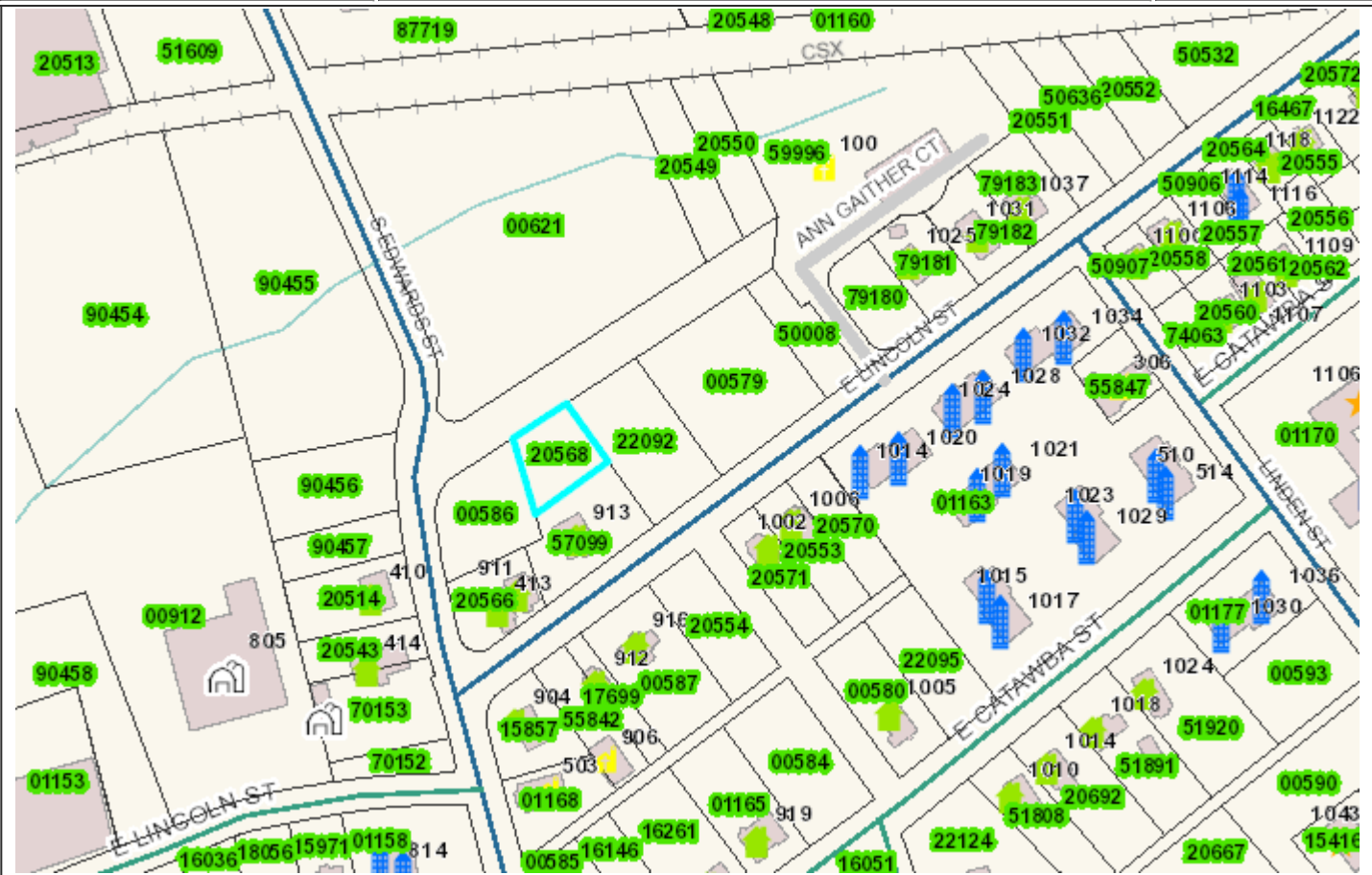


Photo Not
Available

Parcel ID	20568	Owner	BAKER-DEAN INVESTMENTS LLC
Map	3633	Mailing	PO BOX 579
Account	0160079	Address	LINCOLNTON, NC 28093
Deed	1364 100	Last Transaction Date	07/30/2002
Plat		Subdivision	LINCOLN PARK
Land Value	\$4,950	Improvement Value	\$0
Previous Parcel		Sale Price	\$2,000
		Lot	3-5
		Total Value	\$4,950

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

Description	908-912 EDWARDS	Deed Acres	0
Address	E LINCOLN ST	Tax Acres	0.19
Township	LINCOLNTON	Tax/Fire District	LINCOLNTON
Main Improvement		Value	
Main Sq Feet		Year Built	
Zoning District	Calc Acres	Voting Precinct	Calc Acres
R-8	0.19	LS12	0.19
Watershed	0.19	Sewer District	0.19
Census County	109	Tract	070100
		Block	5018
			0.19
Flood	Zone Description	Panel	
X	NO FLOOD HAZARD	3710363300	0.19

A RESOLUTION ORDERING THE CLOSING OF CLEVELAND AVENUE

WHEREAS, on the 2nd day of March, 2023, the Lincolnton City Council of the City of Lincolnton directed the City Clerk to publish the Resolution of Intent of the City Council to consider closing Cleveland Avenue, in the Lincoln Times News newspaper once each week for four successive weeks, such resolution advising the public that a meeting would be conducted in council chambers on April 6, 2023; and

WHEREAS, the Lincolnton City Council on the 2nd day of March, 2023, ordered the City Clerk to notify all persons owning property abutting on Cleveland Avenue, as shown on the county tax records, by registered or certified mail, enclosing with such notification a copy of the Resolution of Intent; and

WHEREAS, the City Clerk has advised the City Council that she sent a letter to each of the abutting property owners advising them of the day, time and place of the meeting, enclosing a copy of the Resolution of Intent, and advising the abutting property owners that the question as to closing Cleveland Avenue would be acted upon, said letters having been sent by registered or certified mail; and

WHEREAS, the City Clerk has advised the City Council that adequate notices were posted on the applicable street as required by G.S. 160A-299; and

WHEREAS, after full and complete consideration of the matter and after having granted full and complete opportunity for all interested persons to appear and register any objections that they might have with respect to the closing of said street in the public hearing held on April 6, 2023; and

WHEREAS, it now appears to the satisfaction of the City Council that the closing of said street is not contrary to the public interest, and that no individual owning property, either abutting the street or in the vicinity of the street or in the subdivision in which the street is located, will as a result of the closing be thereby deprived of a reasonable means of ingress and egress to his or her property.

NOW, THEREFORE, subject to the reservation of easements to the City of Lincolnton for utility purposes as shown on a map recorded in the office of the Lincoln County Register of Deeds, Cleveland Avenue is hereby ordered closed, and all rights, title, and interest that may be vested in the public to said area for street purposes is hereby released and quitclaimed to the abutting property owners in accordance with the provisions of G.S. 160A-299.

The Mayor and the City Clerk are hereby authorized to execute quitclaim deeds or other necessary documents in order to evidence vesting of all rights, title and interest in those persons owning lots or parcels of land adjacent to the street or alley, such title, for the width of the abutting land owned by them, to extend to the centerline of the

herein closed street(with provision for reservation of easements to the City of
Lincolnton for utility purposed) in accordance with the provision of G.S. 160A-299.

The City Clerk is hereby ordered and directed to file in the Office of The Register
of Deeds of Lincoln County a certified copy of this resolution and order.

Upon motion duly made by Councilmember_____, the above
resolution was duly adopted by the Lincolnton City Council at a meeting held on the 6th
day of April, 2023, in the council chambers at city hall.

Upon call for a vote the following Councilmembers voted in the affirmative:

and the following Councilmember voted in the negative:

This the 6th day of April, 2023

Mayor

ATTEST:

City Clerk

MEMO TO: Mayor and City Council

FROM: City of Lincoln Planning Department

SUBJECT: ZMA-2-2023 – Application from Carolina Elite Builders

DATE: April 6, 2023

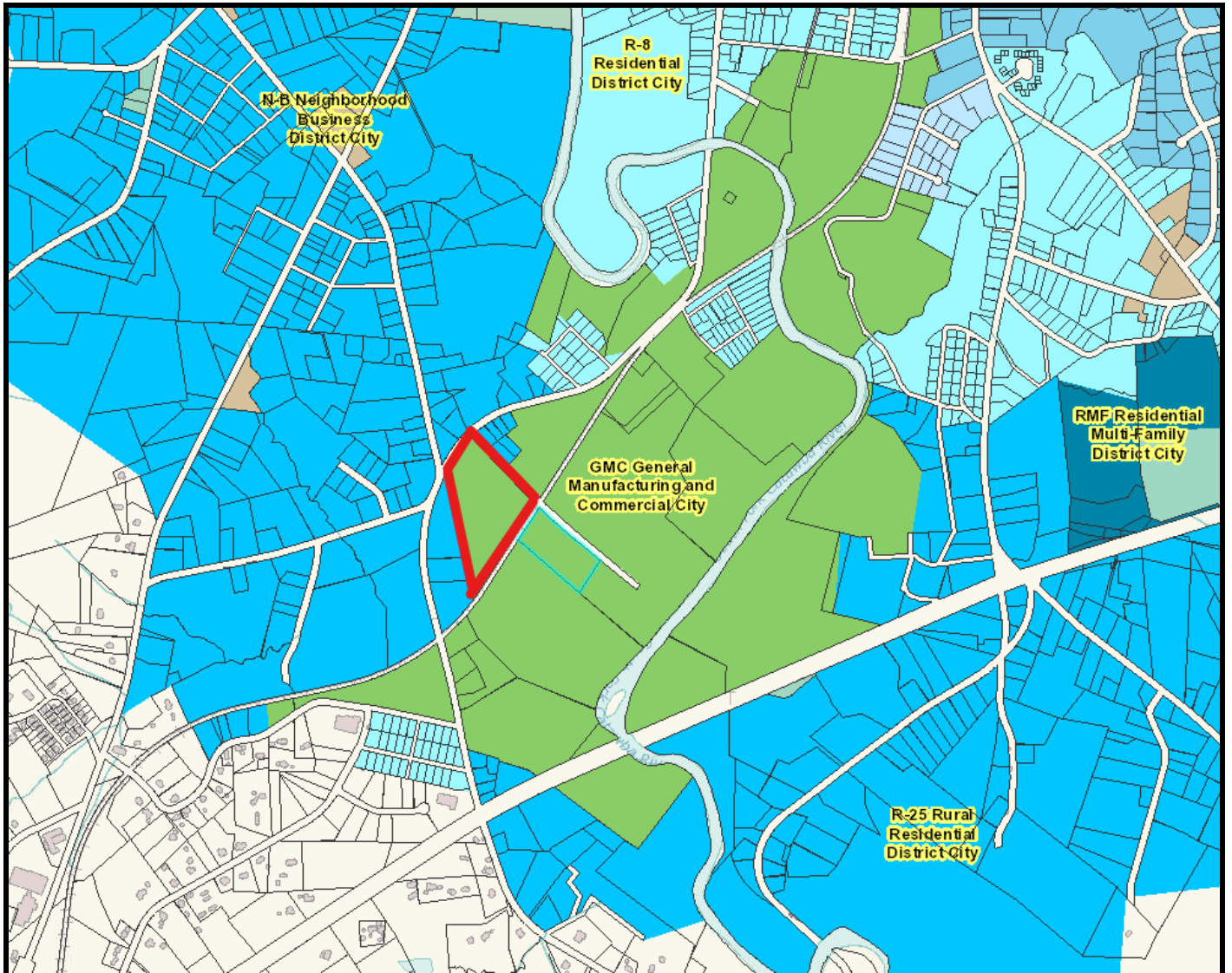
SITE AND AREA DESCRIPTION

The applicant is requesting the rezoning of 11.844 acres of land from General Manufacturing Commercial (GMC) District to Residential-25 (R-25) District. The subject property is located at Burris Boulevard at the intersection of S. Grove Street (Parcel ID 52489).

AERIAL VIEW:



ZONING



The subject property is vacant land. Land uses in the area include a mixture of residential and commercial uses. The property is surrounded by GMC and Residential-25 zoning.

The change to R-25 zoning would allow for any permitted R-25 use to be constructed on the property.

PERMITTED USES:

When a use is permitted it **does not** come before City Council for approval, the use would only require site plan approval by staff and a zoning permit.

<u>CURRENT ZONING - GMC*</u>	<u>PROPOSED ZONING - R-25*</u>
Manufacturing, refining, processing or assembly of goods or products;	Single-family dwellings
Auction houses, indoors, excluding livestock;	Two-family dwellings
Automobile service stations	Manufactured homes, Class A
Contractors storage and equipment yards	Agriculture uses
Machinery repair	Family care homes
Manufactured home and recreational vehicle sales and service	Day care centers, small group
Product distribution plants	Customary home occupations in accordance with § 153.045 of this chapter
Recycling terminals and yards or sorting facility	Essential services, Class I
Trucking terminals	Churches with a maximum sanctuary seating capacity of not greater than 500 seats. Customary accessory uses shall also be permitted. Church owned and maintained cemeteries as an accessory use are permitted

****These are just some of the permitted uses, complete lists for GMC and R-25 are attached***

DESCRIPTION OF EACH ZONING DISTRICT:

GMC General Manufacturing and Commercial. This district is designed primarily for general commercial and industrial land uses, including manufacturing, processing and assembling of parts and products; distribution of products at wholesale outlets, retail outlets; transportation terminals; various public and utility uses; and a broad variety of specialized commercial and industrial operations.

R-25 Rural Residential District. This district is intended to accommodate very low density residential and agricultural uses in fringe areas of the zoning jurisdiction that generally are non-intensely developed. This district is established to accommodate very low-density

development where public utilities are nonexistent or partially existent, and to accommodate greater densities where services are present, therefore, density levels are variable to the existence of the facilities. The continuance of agricultural operations is encouraged within this district.

STREET VIEW:



SURROUNDING PROPERTIES TO THE SOUTH:



SURROUNDING PROPERTIES TO THE EAST (DIRECTLY ACROSS BURRIS):



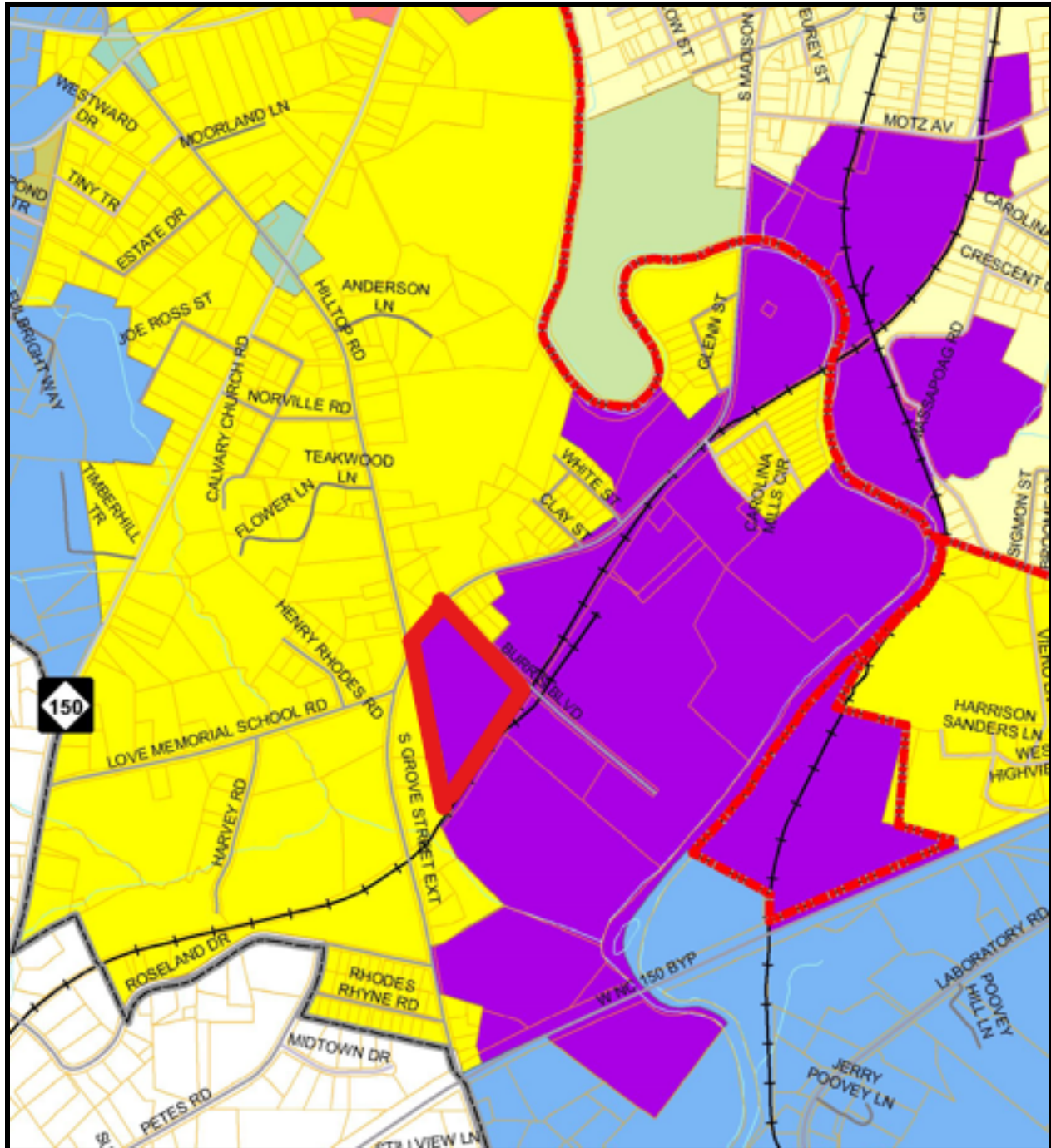
SURROUNDING PROPERTIES TO THE NORTH (DIRECTLY ACROSS S. GROVE):



SURROUNDING PROPERTIES TO THE WEST (ADJACENT TO SITE ON S. GROVE):



LAND USE PLAN COMPLIANCE



The land use plan shows the property in the **Industrial Planning Area**.

These are areas in use or designated for future industrial/manufacturing use. As industrial uses play a vital role in the local economy, any such planning areas designated on the Future Land Use Map should be reserved for industrial uses and should be protected from encroachment from other uses. Industrial park development is encouraged. Industrial developments located along or in close proximity to the City's major thoroughfares should be developed so as to protect and enhance the viewsheds from these thoroughfares. Adaptive reuse of older manufacturing buildings (for both manufacturing and other compatible non-industrial uses) is also encouraged.

Residential Suburban These planning areas are primarily single-family in character and where 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 twenty years. Most new single-family residential development within Lincolnton is likely to occur in such areas.

The proposed rezoning request would be inconsistent with the Land Use Plan. However, the area surrounding the property is primarily zoned for residential development and the owner is requesting to use it for residential purposes. Amending the Land Use Plan to Residential Suburban could be considered.

PLANNING BOARD:

Vote 7-0 in favor of approving the rezoning from GMC to R-25

STAFF AND PLANNING BOARD RECOMMENDATION

Staff recommends the following action:

1. Recommend approval of rezoning of the property from GMC to R-25
2. Approve the Consistency Statement for Approval of the rezoning
3. If the rezoning is approved, the land use plan would need to be amended to show the property in the Residential Suburban Planning Area.

Zoning Amendment

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

Case No. ZMA-2-2023

Applicant: Carolina Elite Builders

Parcel ID#: 52489

Location: Burris Boulevard at S. Grove Street

Request: Rezone from GMC to R-25

Proposed Consistency and Reasonableness Statement:

The Lincolnton Land Use Plan designates this property as part of the Traditional Single Family Planning Area. The proposed rezoning request **is not consistent** with the Lincolnton Land Use Plan but is reasonable in the following way:

A large portion of the area surrounding the property is primarily zoned for residential development and the owner is requesting to use it for residential purposes

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

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

Case No. ZMA-2-2023

Applicant: Carolina Elite Builders

Parcel ID#: 52489

Location: Burris Boulevard at S. Grove Street

Request: Rezone from GMC to R-25

Proposed Consistency and Reasonableness Statement:

The Lincolnton Land Use Plan designates this property as part of the Traditional Single Family Planning Area. The proposed rezoning request **is not consistent** with the Lincolnton Land Use Plan and **denial of the proposed amendment is reasonable and in the public interest.**

§ 153.117 GMC GENERAL MANUFACTURING AND COMMERCIAL DISTRICT.

(A) *Permitted uses.* The following uses are permitted by right.

- (1) Manufacturing, refining, processing or assembly of goods or products;
- (2) Agriculture equipment, sales and service;
- (3) Assembly halls, coliseums, and ballrooms;
- (4) Auction houses, indoors, excluding livestock;
- (5) Automobile parking lots;
- (6) Automobile painting, upholstering, repairs, reconditioning and body work;
- (7) Automobile sales;
- (8) Automobile service stations;
- (9) Automobile wash establishments;
- (10) Bookbinding shops;
- (11) Building materials and lumber sales;
- (12) Cabinet, woodworking and upholstery shops;
- (13) Commercial schools and schools providing training in any of the arts, sciences, trades and professions;
- (14) Contractors storage and equipment yards;
- (15) Convenience stores;
- (16) Domestic violence shelter;
- (17) Dry cleaning and laundry plants;
- (18) Electric, plumbing, heating ventilating and air conditioning and construction supply houses;
- (19) Essential services, Class I and II;
- (20) Farm equipment sales and service;
- (21) Financial institution;
- (22) Florist, wholesale;
- (23) Food catering service and food vending supply;

- (24) Freezer lockers;
- (25) Government facilities not otherwise listed (excluding jails, prisons and similar penal institutions);
- (26) Greenhouses and horticultural nurseries;
- (27) Ice plants;
- (28) Laboratories: dental, medical, optical and research;
- (29) Machinery repair;
- (30) Manufactured home and recreational vehicle sales and service;
- (31) Moving and storage facilities (including mini-warehouses);
- (32) Office-business, medical, optical and professional;
- (33) Passenger bus terminal;
- (34) Photo processing laboratories;
- (35) Postal and parcel service processing facility;
- (36) Post office;
- (37) Product distribution plants;
- (38) Public safety stations;
- (39) Railroad terminals and yards;
- (40) Recycling terminals and yards;
- (41) Recycling sorting facility;
- (42) Restaurants, including fast-food restaurants;
- (43) Roofing manufacturing, repair and installation facilities;
- (44) Sign painting and manufacturing shops;
- (45) Slaughterhouse/abattoir;
- (46) Tin and sheet metal shops;
- (47) Tire recapping shops;
- (48) Towers and antennas 50 feet or less in height;
- (49) Truck sales and repair;

- (50) Trucking terminals;
 - (51) Union halls, fraternal and civic organization meeting facility;
 - (52) Vehicular and equipment outdoor storage (as a principal use) not for retail sales where:
 - (a) The items are owned and/or operated by the owner of the lot upon which they are located; and
 - (b) The items are in operating condition or intended to be operated.
 - (53) Warehouses, including mini-warehouses;
 - (54) Wholesaler, jobbers, bulk warehouses; and
 - (55) Accessory outlet store, provided that parking for the store shall be computed separately from the principal use and reserved for those purposes.
- (B) *Uses subject to prescribed standards.* The following uses are allowed upon the issuance of a zoning permit by the Zoning Administrator in accordance with §§ [153.255](#) through [153.259](#) of this chapter and subject to the associated below prescribed standards.
- (1) Tavern provided the site is located a minimum of 100 feet from any residential use, vehicular access is not provided by a local residential road and the use is screened from any abutting property located in a residential district in accordance with § [153.046](#).

§ 153.105 R-25 RURAL RESIDENTIAL DISTRICT.

- (A) *Permitted uses.* The following uses are permitted by right.
- (1) Single-family dwellings;
 - (2) Two-family dwellings;
 - (3) Manufactured homes, Class A;
 - (4) Agriculture uses;
 - (5) Family care homes;
 - (6) Day care centers, small group;
 - (7) Customary home occupations in accordance with § [153.045](#) of this chapter;
 - (8) Essential services, Class I;

(9) Churches with a maximum sanctuary seating capacity of not greater than 500 seats. Customary accessory uses shall also be permitted. Church owned and maintained cemeteries as an accessory use are permitted;

(10) Publicly owned and operated outdoor recreation facilities which are one acre or less in area. No facility shall contain a swimming pool or indoor community center or meeting facility;

(11) Private recreation facilities constructed pursuant to a permit authorizing the construction of some residential development and intended primarily for the use and enjoyment of the residents thereof;

(12) Public and private elementary and secondary schools and private schools district administrative offices where located on the same parcel as a school;

(13) Stands for the in-season sale of produce out of a home garden located on the premises where the produce is being sold;

(14) Accessory structures in accordance with § [153.057](#) of this chapter;

(15) Signs in accordance with §§ [153.160](#) through [153.172](#) of this chapter;

(16) Off-street parking in accordance with §§ [153.185](#) through [153.188](#) of this chapter; and

(17) Private residential quarters provided there is sufficient off-street parking to accommodate the private residential quarters in addition to the spaces required for the principal dwelling.

(B) *Uses subject to prescribed standards.* The following uses are allowed upon the issuance of a zoning permit by the Zoning Administrator in accordance with §§ [153.255](#) through [153.259](#) of this chapter and subject to the associated below prescribed standards.

(1) Cemeteries as a principal use (setbacks apply to both buildings and graves) provided primary vehicular access is not provided by a local residential road;

(2) Customary home occupations which meet all the criteria as set forth in § [153.045](#) of this chapter except § [153.045](#)(B) of the section; provided however, if an accessory or outside storage building is used in connection with a home occupation it shall not exceed 800 square feet in floor area and not more than one building shall be devoted to the home occupation and the building is located in the rear yard and not less than 50 feet from any property line.

(3) Auto hobbyist (see Definitions, § [153.031](#)) provided the use is screened from any abutting property located in a residential district in accordance with § [153.046](#);

(4) Churches having a sanctuary seating capacity in excess of 500 seats provided that primary vehicular access is not provided by a local residential road and the use is screened from any adjoining property located in a residential district in accordance with § [153.046](#);

(5) Country clubs and privately-owned outdoor recreation facilities provided that go-cart tracks and outdoor vehicular racing facilities shall not be permitted provided that primary vehicular access is not provided by a local residential road and the use is screened from any adjoining property located in a residential district in accordance with § [153.046](#);

(6) Publicly owned and operated outdoor recreation facilities in excess of one acre in area and/or containing a swimming pool, or indoor community center or meeting facility provided that primary vehicular access is not provided by a local residential road and the use is screened from any adjoining property located in a residential district in accordance with § [153.046](#);

(7) Bed and breakfast inns provided the use is screened from any abutting property located in a residential district in accordance with § [153.046](#);

(8) Public safety stations provided that the use is screened from any adjoining property located in a residential district in accordance with § [153.046](#);

(9) Rest homes, nursing care facilities and continuing care communities provided that primary vehicular access is not provided by a local residential road and the use is screened from any adjoining property located in a residential district in accordance with § [153.046](#);

(10) Public schools administrative offices (freestanding) provided that primary vehicular access is not provided by a local residential road and the use is screened from any adjoining property located in a residential district in accordance with § [153.046](#);

(11) Communication towers subject to the following standards.

(a) The height of the communication tower may not exceed 199 feet above ground level;

(b) The tower may only be placed on a property containing a minimum of three acres;

(c) The tower must be set back a distance of at least 200 feet from any public right-of-way and 200 feet from any property line;

(d) The tower must provide technically-suitable space for at least four users;

(e) The tower shall be constructed using a monopole design;

(f) A new communication tower cannot be placed within a one-quarter mile radius of an existing tower that could accommodate an additional user;

(g) No equipment, mobile or immobile, not used in direct support of the transmission or relay facility shall be stored or parked on the site unless repairs to the facility are being made;

(h) Towers shall not be artificially lighted except to insure human safety as required by the Federal Aviation Administration (FAA) regulations;

(i) Screening in accordance with § [153.046](#) shall be planted around the perimeter of the area occupied by the tower, security fencing, and auxiliary uses such as parking. In addition, existing on-site trees and other vegetation shall be preserved to the extent possible;

(j) No more than one communication tower shall be constructed on a single tract of land;

(k) The tower will not result in interference with the safe operation of aircraft in relation to existing or planned airport facilities; and

(l) All obsolete or unused facilities must be removed within 12 months of cessation of operations at the site.

MEMO TO: Mayor and City Council

FROM: Planning Staff

SUBJECT: ZTA-1-2023 - Zoning Text Amendments to Chapter 153 Unified Development Ordinance

DATE: April 6, 2023

Background

Amendments to the Unified Development Ordinance are needed from time to time to correct minor errors in text or to respond to changing conditions.

There are several ordinance sections outlined below that need to be changed, updated or added to help make the UDO a better and more enforceable document.

Proposed changes are highlighted in yellow and language to be removed is stricken through.

Proposed Amendment Section 153.046 Screening

(4) Open storage and open structures.

(a) Within any NB, ~~CB, CBT~~, GB, CC, HB, PB, GMC or GI District, screening shall be required for the open storage of any goods other than vending machines, retail goods left outside only during business hours, vehicles, trailers, other equipment capable of being driven on a roadway and any fixtures fastened to a building, ground or impervious surface; or for any unenclosed structure consisting of a roof, but no walls used for storage of materials, products, wastes or equipment, whenever the storage or structure is located within 100 feet of the street right-of-way line.

(b) Open storage of vehicles, trailers and other equipment is not permitted in the CB or CBT Districts.

Staff Comment: Open storage is not appropriate for the Central Business and Central Business Transitional Districts.

Proposed Amendment Section 153.074 Supplementary Requirements (CB and CBT)

(a) *Awnings and canopies.* When used, awnings and canopies shall be placed at the top of window openings and shall relate to the shape of the top of the window. **Awnings shall be made of canvas or treated canvas material; or standing seam prefinished metal on open metal framing.** Awnings, where existing conditions are in place and subject to staff review, can be recovered with slate or simulated slate, shingles, or standing seam metal in neutral or earth tone colors. In new construction the above standards may be incorporated when determined by staff that it is appropriate, based on review of other nearby structures, generally within approximately 300 feet of the new building and within the same zoning district. Vinyl ~~or metal~~ awnings are not permitted. No awning shall extend more than two-thirds the width of the sidewalk or nine feet, whichever is less. Awnings and canopies must be self-supporting from the wall; no supports shall rest on or interfere with the use of pedestrian walkways or streets. In no case shall any awning extend beyond the street curb or interfere with street trees or public utilities. The use of metal or other rigid roofing material is not intended to be used as a vertical facade for awnings or canopies. A vertical drop of acceptable scale is permitted. Metal is not permitted as a vertical wall face or screen.

Staff Comment: Delete metal awnings from the text. We do allow metal awnings. Good examples of metal awnings are Good Wood and Burton's General Store.

Proposed Amendment Section 153.110 Residential Office District

(6) Family care homes, ~~provided the family care home will not be located within one-half mile radius of another family care home existing at the time the application for zoning permit is made;~~

Staff Comment: In 1991, a zoning text amendment was made to remove the distance requirement for Family Care Homes in all zoning districts. The RO district still has the old wording. Make it consistent with all other zoning districts.

Proposed Amendment Section 153.115.1 Highway Commercial District

The following uses are allowed upon the issuance of a zoning permit by the Zoning Administrator in accordance with §§ 153.255 through 153.259 of this chapter and

subject to the associated below prescribed standards. (1) Adult establishments subject to ~~§ 153.238~~ 153.130 (B) of this chapter; (2) Arcade or amusement center or game room subject to ~~§ 153.238~~ 153.130 of this chapter and approval of a license in accordance with Chapter 111 ; (3) Planned unit developments (mixed uses) in accordance with § 153.216 of this chapter and provided the uses within the development are otherwise listed as permitted uses or uses subject to in the HC District and the use is screened from any abutting property located in a residential district in accordance with § 153.046 ; and (4) Accessory apartments in commercial structures provided all building and fire codes are met, living quarters do not exceed 30% of the total square footage of the structure and occupancy is limited to employees of the business located in the commercial structure on the premises. (5) Indoor shooting range subject to ~~§ 153.238~~ 153.130 (D); and (6) Outdoor shooting range subject to ~~§ 153.238~~ 153.130(E).

Staff Comment: When the Ordinance was amended, section number 153.238 changed to 153.130. These numbers just need to be corrected.

Proposed Amendment Section 153.117.1 General Industrial District

The following uses are permitted by right. (1) All uses as permitted in 153.117 (A) of this chapter. (2) Airports and air strips/airplane sales, services and fuel and rentals; (3) Auctions, outdoors and/or livestock; (4) Churches; (5) Day care centers; (6) Essential services; (7) Express fuel/mini-marts; (8) Farmers' markets; (9) Fish hatcheries; (10) Flea markets; (11) Fuel oil distribution facilities; (12) Haunted attractions (indoor/outdoor); (13) Indoor shooting range subject to ~~§ 153.238~~ 153.130 (D) of this chapter; (14) Junkyards, automobile graveyards and scrap salvage yards; (15) Kennels (indoor and outdoor); (16) Military reserve center/national guard armory; (17) Mines and quarries; (18) Outdoor storage of vehicles and/or equipment (19) Paintball gaming facility subject to ~~§ 153.238~~ 153.130 (C) of this chapter; (20) Penal institutions; (21) Race tracks; (22) Septic tank cleaning service; (23) Outdoor shooting range subject to ~~§ 153.238~~ 153.130 (E) of this chapter; (24) Recycling station - construction and demolition material- subject to ~~§ 153.238~~ 153.130 (F) of this chapter; (25) Restaurant; and (26) Tavern.

Staff Comment: When the Ordinance was amended, section number 153.238 changed to 153.130. These numbers just need to be corrected.

Proposed Amendment Section 153.130 Supplementary Requirements for Certain Uses

(7) Tattoo studio

(a) The use shall not be located within 1000 feet from another tattoo studio.

Staff Comment: Planning Board recommended the following from the November, 2020 meeting:

1. Allow tattoo studios in the General Business District as a permitted use.
2. Allow tattoo studios in the Central Business District as a conditional use and subject to a 1000 foot separation from any other tattoo studio.

At the December 2020 City Council meeting, City Council voted 4-0 to approve tattoo studios as a conditional use in Planned Business. When the UDO was amended for 160D regulations, we did away with conditional uses and went with a conditional zoning process. Tattoo studios now are listed in Planned Business as a permitted use with prescribed standards. However, there are no prescribed standards attached to the use. Staff recommends using the Planning Board recommendation of 1000 foot separation from any other tattoo studio as the prescribed standard.

Proposed Amendment Section 153.258 Site Plan Review

(C) Procedure for preparation.

(7) Five paper copies and one digital copy of the site plan shall be submitted to the Administrator for review. The Administrator may request additional copies for outside agency review.

Staff Comment: The ordinance doesn't currently require a digital copy of the site plan.

Proposed Amendment Section 153.382 Procedure for Minor Subdivisions

(A) Sketch plan for minor subdivisions.

(1) This section shall apply to minor subdivisions only. For all minor subdivisions, a preliminary plat shall not be required. All subdivisions, however, shall require the submittal, approval and recordation in the Deeds Office of a final plat. Prior to submission of a final plat, the subdivider may submit to the Administrator two paper

copies and a digital copy of a sketch plan of the proposed subdivision. The purpose of the sketch plan is to familiarize the Administrator with the proposed development and to ensure that it is in compliance with all applicable regulations. While the submittal of a sketch plan is optional, it is suggested that the subdivider submit a plan in order to familiarize the Administrator of the proposed development and, upon review, notify the subdivider of any likely problems with the proposed development.

Staff Comment: The ordinance doesn't currently require a digital copy of the site plan.

Proposed Amendment Section 153.384 Preliminary Major Subdivision Plat Submission and Review

(E) At least eight complete paper copies and one digital copy of the preliminary plat shall be submitted to the Administrator with one of these copies being on reproducible material. The remaining copies shall be considered complete if they contain all of the information required by § 153.387 of these regulations and if the required submittal fee has been paid.

Staff Comment: The ordinance doesn't currently require a digital copy of the site plan.

Proposed Amendment Sections 153.259 Right of Appeal, 153.260 Remedies and 153.262 Enforcement

§ 153.259 RIGHT OF APPEAL.

~~—If a request for a zoning permit is disapproved or if a ruling of the Administrator is questioned, the aggrieved party may appeal the ruling to the Board of Adjustment in accordance with § 153.276 of this chapter.~~

~~(Prior UDO, § 14.5)~~

§ 153.260 REMEDIES.

~~—(A) In case any structure is erected, constructed, reconstructed, altered, repaired, converted or maintained or any building structure or land is used or developed in violation of this chapter, the Administrator, or any other appropriate city official, or any person who would be damaged by the violation, in addition to other remedies, may institute an action for injunction, or mandamus, or other appropriate action or proceeding to prevent the unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, use, or development; to restrain, correct or abate the violation; to prevent occupancy of the building, structure, or land; or to prevent any illegal act, conduct, business, or use in or about the premises.~~

~~—(B) In addition to initiation of enforcement actions under G.S. § 160D-404 and § 153.262 of this chapter, development approvals may be revoked by notifying the holder~~

~~in writing stating the reason for the revocation. The city shall follow the same development review and approval process required for issuance of the development approval, including any required notice or hearing, in the review and approval of any revocation of that approval. Development approvals shall be revoked for any substantial departure from the approved application, plans, or specifications; for refusal or failure to comply with the requirements of any applicable local development regulation or any State law delegated to the local government for enforcement purposes in lieu of the State; or for false statements or misrepresentations made in securing the approval. Any development approval mistakenly issued in violation of an applicable State or local law may also be revoked. The revocation of a development approval by a staff member may be appealed pursuant to G.S. § 160D-405 and § 153.276 of this chapter. If an appeal is filed regarding a development regulation pursuant to this Chapter, the provisions of G.S. § 160D-405(e) regarding stays shall be applicable.~~

~~§ 153.262 ENFORCEMENT.~~

~~—(A) *Notices of violation.* When staff determines work or activity has been undertaken in violation of a development regulation adopted pursuant to this chapter or in violation of the terms of a development approval, a written notice of violation may be issued. The notice of violation shall be delivered to the holder of the development approval and to the landowner of the property involved, if the landowner is not the holder of the development approval, by personal delivery, electronic delivery, or first-class mail and may be provided by similar means to the occupant of the property or the person undertaking the work or activity. The notice of violation may be posted on the property. The person providing the notice of violation shall certify to the local government that the notice was provided, and the certificate shall be deemed conclusive in the absence of fraud. A notice of violation may be appealed to the Board of Adjustment pursuant to G.S. § 160D-405 and § 153.276 of this chapter.~~

~~—(B) *Stop work orders.* Whenever any work or activity subject to regulation pursuant to this chapter is undertaken in substantial violation of any state or local law, or in a manner that endangers life or property, staff may order the specific part of the work or activity that is in violation or presents such a hazard to be immediately stopped. The order shall be in writing, directed to the person doing the work or activity, and shall state the specific work or activity to be stopped, the reasons therefor, and the conditions under which the work or activity may be resumed. A copy of the order shall be delivered to the holder of the development approval and to the owner of the property involved (if that person is not the holder of the development approval) by personal delivery, electronic delivery, or first-class mail. The person or persons delivering the stop work order shall certify to the local government that the order was delivered and that certificate shall be deemed conclusive in the absence of fraud. A stop work order may~~

~~be appealed pursuant to G.S. § 160D-405 and § [153.276](#) of this chapter. No further work or activity shall take place in violation of a stop work order pending a ruling on the appeal. Violation of a stop work order shall constitute a Class 1 misdemeanor.~~

§ 153.262 VIOLATIONS.

Any of the following shall be a violation of this ordinance and shall be subject to the enforcement remedies and penalties provided by this article and by state law:

(A) *Development without permit.* A "development without a permit" violation means to engage in any development, use, construction, remodeling or other activities of any nature upon the land or improvements thereon subject to the jurisdiction of this ordinance without required permits, certificates or other forms of authorization as set forth in this ordinance. A "development without a permit violation" shall result in the assessment of a fee that is double the normal permit fee.

(B) *Development inconsistent with permit.* A "development inconsistent with a permit" violation means to engage in any development, use, construction, remodeling, or other activity of any nature in any way inconsistent with any approved plan, permit, certificate, or other form of authorization granted for such activity.

(C) *Violation by act or omission.* A "violation by act or omission" means to violate, by act or omission, any term, variance or waiver, condition, or qualification placed by the city council or its authorized boards upon any required permit, certificate or other form of authorization for the use, development or other activity upon land or improvements thereon.

(D) *Use in violation.* A "use in violation" means to erect, construct, reconstruct, alter, repair, convert, maintain or use any building or structure or to use any land in violation or contravention of this ordinance, or any other regulation made under the authority conferred thereby.

(E) *Subdivide in violation.* A "subdivide in violation" means to subdivide land in violation of this ordinance or transfer or sell land by reference to, exhibition of, or any other use of a plat or map showing a subdivision of the land before the plat or map has been properly approved under this ordinance and recorded in the Lincoln County Office of the Register of Deeds. The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring land does not exempt the transaction from violation of this ordinance.

(F) *Continue a violation.* Each day's violation of any provision of this ordinance is a separate and distinct offense.

§ 153.263 ENFORCEMENT INTENT.

It is the intention of this ordinance, unless otherwise provided, that all questions arising in connection with the enforcement of this ordinance shall be presented first to the UDO administrator and that such questions shall be presented to the board of adjustment only on appeal from the UDO administrator's decision. An appeal from the decision of the board of adjustment shall be by proceedings in the nature of certiorari to the superior court as provided by law and must be filed with the city clerk within the 30-day appeal period described in section 153.268 (B). It is further the intention of this ordinance that the duties of the city council in connection with this ordinance shall not include the hearing and passing upon disputed questions that may arise in connection with the enforcement thereof.

§ 153.264 ENFORCEMENT PROCEDURES.

When the UDO administrator (or agent of) finds a violation of this ordinance or receives a complaint alleging a violation of this ordinance, it shall be his duty to notify the owner or occupant of the land, building, structure, sign, or use of the violation. The owner or occupant shall immediately remedy the violation.

(A) *Notice of violation.* If the owner or occupant of the land, building, sign, structure, or use in violation fails to take prompt corrective action, the UDO administrator shall give the owner or occupant written notice, by certified or registered mail, to the last known address or by personal service or by posting notice of the violation conspicuously on the property:

(1) That the land, building, sign, structure, or use is in violation of this ordinance.

(2) The nature of the violation, and citation of the section of this ordinance violated.

(3) The measures necessary to remedy the violation.

(B) *Appeal.* Any owner or occupant who has received a notice of violation may appeal in writing the decision of the UDO administrator to the board of adjustment, in accordance with the provisions of section 153.275, within 30 days following the date of the notice of violation. The board of adjustment shall hear an appeal within a reasonable time, and it may affirm, modify, or revoke the notice of violation. In the absence of an appeal, the remedies and penalties sought by the UDO administrator in the notice of violation shall be final.

(C) *Order of corrective action.* If upon a hearing held pursuant to an appeal as prescribed above, the board of adjustment shall find that the owner or occupant is in

violation of this ordinance, the board of adjustment shall make an order in writing to the owner or occupant affirming the violation and ordering compliance.

(D) *Failure to comply with an order.* If the owner or occupant of a property fails to comply with a notice of violation from which no appeal has been taken, or an order of corrective action following an appeal, the owner or occupant shall be subject to such remedies and penalties as may be provided for by state law and section 153.265. If the owner or occupant fails to comply with the remedies and penalties prescribed, enforcement shall be sought through an order of a court of competent jurisdiction.

§ 153.265 PENALTIES AND REMEDIES.

Any one or all of the following procedures may be used to enforce the provisions of this ordinance:

(A) *Injunction.* Any violation of this ordinance or of any condition, order, or requirement, or remedy adopted pursuant hereto may be restrained, corrected, abated, mandated, or enjoined by other appropriate proceedings pursuant to state law.

(B) *Civil penalties.* Any person who violates any provisions of this ordinance shall be subject to the assessment of a civil penalty under the procedures provided in section 153.266.

(C) *Denial of permit or certificate.* The UDO administrator may withhold or deny any permit, certificate, occupancy or other form of authorization on any land, building, sign, structure or use in which there is an uncorrected violation of a provision of this ordinance or of a condition or qualification of a permit, certificate or other authorization previously granted.

(D) *Conditional permit.* The UDO administrator may condition the authorization of any permit or certificate upon the correction of the deficiency, payment of civil penalties within a specified time, or the posting of a compliance security approved by the city attorney.

(E) *Revocation of permits.* In accordance with section 153.267, permits shall be revoked for any substantial departure from the approved applications, plans, or specifications; refusal or failure to comply with the requirements of state or local laws, or for false statements or misrepresentations made in securing the permit. Any permit mistakenly issued in violation of an applicable state or local law may also be revoked.

(F) *Criminal penalties.* Any violation of this ordinance shall be a misdemeanor or infraction as provided by N.C.G.S. 14-4.

(G) *State and common law remedies.* In addition to other enforcement provisions contained in this article, the city council may exercise any and all enforcement powers granted to it by state law or common law.

§ 153.266 CIVIL PENALTIES—ASSESSMENT AND PROCEDURES.

(A) *Penalties.* Any person who violates any provisions of this ordinance shall be subject to assessment of the maximum civil penalty allowed by law.

(B) *Notice.* No civil penalty shall be assessed until the person alleged to be in violation has been notified of the violation in accordance with subsection 153.264(A). If after receiving a notice of violation under subsection 153.264(A), the owner or other violator fails to take corrective action, a civil penalty may be imposed under this section in the form of a citation. The citation shall be served in the manner of a notice of violation. The citation shall state the nature of the violation, the civil penalty to be imposed upon the violator and shall direct the violator to pay the civil penalty within 15 days of the date of the notice.

(C) *Responsible parties.* The owner or occupant of any land, building, structure, sign, or use of land or part thereof and any architect, builder, contractor, agent or any other person who participates or acts in concert, assists, directs, creates, or maintains any condition that is in violation of the requirements of this ordinance may be held responsible for the violation and subject to the civil penalties and remedies herein provided.

(D) *Continuing violation.* For each day the violation is not corrected, the violator will be guilty of an additional and separate offense and subject to additional civil penalty.

(E) *Demand for payment.* The UDO administrator shall make a written demand for payment upon the property owner or the person in violation, and shall set forth in detail a description of the violation for which the civil penalty has been imposed.

(F) *Nonpayment.* If payment is not received or equitable settlement reached within 30 days; after demand for payment is made, the matter shall be referred to legal counsel for institution of a civil action in the appropriate division of the general courts of justice for recovery of the civil penalty. Provided however, if the civil penalty is not paid within the time prescribed, the UDO administrator may have a criminal summons or warrant issued against the violator. Upon conviction, the violator shall be subject to any criminal penalty the court may impose pursuant to N.C.G.S. 14-4.

§ 153.267 PERMIT REVOCATION.

(A) *General.* A zoning or sign permit may be revoked by the permit-issuing authority (in accordance with the provisions of this section) if the permit recipient fails to develop or maintain the property in accordance with the approved plans, the requirements of the ordinance, or any additional requirements lawfully imposed by the permit-issuing board. No person may continue to make use of land or buildings in the manner authorized by any zoning or sign permit after such permit has been revoked in accordance with this section.

(B) *Zoning or sign permit revocation.* Before a zoning or sign permit may be revoked, the UDO administrator shall give the permit recipient ten days notice of intent to revoke the permit and shall inform the recipient of the alleged reasons for the revocation and of his right to obtain an informal hearing on the allegations. If the permit is revoked, the UDO administrator shall provide to the permittee a written statement of the decision and the reasons therefore.

§ 153.268 Judicial review.

(A) *Appeal to superior court.* Every decision of the city council granting or denying a final decision of the board of adjustment shall be subject to review by the superior court of Lincoln County by proceedings in the nature of certiorari.

(B) *Timing of appeal.* The petition for the writ of certiorari must be filed with the Lincoln County Clerk of Court within 30 days after the later of the following occurrences:

(1) A written copy of the city council's or board of adjustment's decision has been filed in the office of the UDO administrator.

(2) A written copy of the city council's or board of adjustment's decision has been delivered, by personal service or certified mail, return receipt requested, to the applicant or appellant and every other aggrieved party who has filed a written request for such copy at the hearing of the case.

(3) A copy of the writ of certiorari shall be served upon the City of Lincoln.

Staff Comment: The current ordinance is lacking when outlining zoning violations, the enforcement process and penalties. This would give us better, clearer enforcement guidelines for zoning violations.

PLANNING BOARD:

Vote 7-0 in favor of approving the Zoning Text Amendments

Staff and Planning Board Recommendation

- approval of the amendments
- approve the Consistency Statement for Approval of the Zoning Text Amendments

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

Case No. ZTA-1-2023

Applicant: City of Lincolnnton Planning Department

Request: ZTA-1-2023 - Zoning Text Amendments to Chapter 153 Unified
Development Ordinance

Proposed Consistency and Reasonableness Statement:

The proposed amendment is **consistent** with the adopted Lincolnnton Land Use Plan in that it is not contrary to the goals and objectives outlined by the Plan and **approval of the amendment is reasonable and in the public interest.**

CONSISTENT: Because it updates text language to match current procedures and best practices and it provides additional direction in order to assist citizens in understanding the regulations.

REASONABLE: The text amendment is reasonable because it makes the ordinance clearer and more easily understood.

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

Case No. ZTA-1-2023

Applicant: City of Lincolnnton Planning Department

Request: ZTA-1-2023 - Zoning Text Amendments to Chapter 153
Unified Development Ordinance

Proposed Consistency and Reasonableness Statement:

The proposed amendment is **not consistent** with the adopted Lincolnnton Land Use Plan in that it is contrary to the goals and objectives outlined by the Plan and **denial of the proposed amendment is reasonable and in the public interest.**



**2022-2023
Student Advisory Council**

West Lincoln High School

Lily McCabe
Addison Sain
Andy Saine
Addison Wright
Nathan Rye

*Kellie Derby
* Brooke Eurey

North Lincoln High School

Cameron Howell - Senior
Brooke Custer - Junior
Zoey Dellinger - Junior
Camden Caldwell - Senior
Carly Love - Senior

East Lincoln High School

Rachel Lin
Samuel Rabon
Walsh Zwadyk
Lori Woodrum
Laura Zacharuskas

Lincolnton High School

Andrew Secrest
Megan Carroll
Julia Carpenter
Jaclyn Harrison
Caroline Carpenter

Lincoln Charter School

Sara Williams
Zack Garner

Jill Eaddy - Advisor

CITY COUNCIL

Ed L. Hatley, Mayor
 Christine Poinsette, Mayor Pro-Tem
 Roby D. Jetton
 Kevin Demeny
 Jill Tipton

**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-03-23

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	\$	116,638
Police		16,675
Fire		5,100
Planning/Zoning		1,535
Recreation		50,027
	\$	189,975

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

Grants - Other	\$	2,250
SRO Reimbursement		13,095
Cemetery Lot Sales		5,700
Police Dept Inspection Fees		1,260
Police Dept Sidewalk Café Permit		70
Zoning Department Fees		1,535
Fire Department Fees		5,100
Rec-Registration & Entry Fees		44,702
Rec-Sponsorships		1,500
Interest-General Fund		84,145
Sale of Capital Assets-GF		19,001
Insurance Settlement		4,012
WEX-Fuel Rebates		1,405
Veterans Banner Project		3,825
Federal Equitable Deposits		2,376
	\$	189,975

General Fund: Record additional funds for SRO salaries, NCLM soft body armor grant, various fees collected by PD, Fire, Planning & Zoning, registration fees for Parks & Recreation, interest income, GovDeals - sale of Huss Street property, insurance settlement for Apple Drop damage, rebates from the WEX fuel program, Veteran Banners project, P&R Sponsorship of volleyball and soccer programs from Lincolnton Pediatric Dentistry, and ESAC-Asset Forfeiture funding .

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

Boger Ciy Fire Tax	\$	222
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Section 4: To amend the Boger City Fire District Fund, the revenues are to be changed as follows:

Investment Income		222
	\$	222

Boger City Fire District: Record interest income

Section 5: To amend the Powell Bill Fund, the expenditures are to be changes as follows:

Powell Bill Construction/Other	\$	2,466
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Section 6: To amend the Powell Bill Fund, the revenues are to be changed as follows:

Investment Income	\$	2,466
	\$	2,466

Powell Bill Fund: Record interest income on powell bill funds.

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

Distribution and Collection	\$	873,326
Wastewater Treatment Plant		92,187
Water and Sewer Intangibles		10,555
	\$	976,068

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

Investment Income	\$	50,473
Connection Charges		73,326
Other Operating Revenues		52,269
Fund Balance Appropriated		800,000
	\$	976,068

Water and Sewer Fund: Record Water & Sewer connection fees, insurance settlement for property damage on the vactor truck, miscellaneous fees, interest income, and appropriations from fund balance for the Southfork Lift Station emergency & PSC.
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Section 9: To amend the Electric Fund, the expenditures are to be changes as follows:

Electric Operations	\$	442,279
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Section 10: To amend the Electric Fund, the revenues are to be changed as follows:

Investment Income	\$	22,808
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Electric Sales	-
Electric Municipal Operations	-
Other Operating Revenue	19,471
Other Operating Sources	-
Fund Balance Appropriated	400,000
	<u>\$ 442,279</u>

Electric Fund: Record electric meter fees, temporary pole fees, default fees, insurance settlement for power pole damage on N. Flint Street, interest income, and appropriations from fund balance for PSC.
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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	\$	1,611,010
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Adopted this 6th day of April, 2023

Attest:

Daphne Ingram
City Clerk

Edward L Hatley
Mayor

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: 2022/2023 Salary Schedule/Position Classification Revision-Water Resources Director

Date: March 24, 2023

In the past, the Water Resources Director position was reclassified to a Public Utilities Director and removed from the Salary Schedule Position Classification listing. The Manager has decided it would be in the best interest for the City's needs to recruit for a Water Resources Director position.

To allow recruitment to begin, the position must be approved by council and on the City's Salary Schedule-Position Classification Listing. A revised 2022/2023 Salary Schedule/Position Classification is attached for City Council's review with the proposed change highlighted.

Action for City Council consideration:

1. Approval of proposed change to 2022/2023 Salary Schedule/Position Classification listing.

Attachments

Salary Schedule-Position Classification
City of Lincolnton
General Employees-April 6, 2023

<u>Grade</u>	<u>Position Title</u>	<u>Minimum</u>	<u>Midpoint</u>	<u>Maximum</u>	<u>Schedule</u>	<u>FLSA</u>
3	Recreation Worker	21,046	26,307	31,569	C	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
9	General Maintenance Worker I	28,204	35,255	42,305	B	N
9	Property Maintenance Technician	28,204	35,255	42,305	B	N
10	Customer Service Representative	29,614	37,017	44,421	C	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	General Maintenance Worker II	31,095	38,868	46,642	B	N
11	Police Evidence Technician	31,095	38,868	46,642	C	N
12	Accounting Tech-Accounts Payable	32,649	40,812	48,974	C	N
12	Equipment Operator I	32,649	40,812	48,974	B	N
12	Lead Account Technician	32,649	40,812	48,974	C	N
12	Meter Specialist	32,649	40,812	48,974	B	N
12	Sr. Administrative Support Assistant	32,649	40,812	48,974	C	N
13	Distribution /Collection Maint Tech I	34,282	42,852	51,423	B	N
13	Equipment Operator II	34,282	42,852	51,423	B	N
13	Firefighter I	34,282	42,852	51,423	A	N
13	Lead Meter Specialist	34,282	42,852	51,423	B	N
13	WTP Operator C	34,282	42,852	51,423	B	N
13	WWTP Operator I	34,282	42,852	51,423	B	N
14	Distribution/Collection Maint Tech II	35,996	44,995	53,994	B	N
14	Equipment Operator 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
14	Payroll Specialist	35,996	44,995	53,994	C	N
14	Utility Billing Customer Service Supervisor	35,996	44,995	53,994	C	N
14	WTP Operator B	35,996	44,995	53,994	B	N
14	WWTP Operator II	35,996	44,995	53,994	B	N
15	Fire Engineer	37,796	47,244	56,693	A	N

Salary Schedule-Position Classification
City of Lincolnton
General Employees-April 6, 2023

15	Fire Inspector II	37,796	47,244	56,693	A	N
15	Fleet Maintenance Mechanic	37,796	47,244	56,693	B	N
15	Public Works Crew Leader	37,796	47,244	56,693	B	N
15	Solid Waste Crew Leader	37,796	47,244	56,693	B	N
15	WTP Laboratory Analyst	37,796	47,244	56,693	B	N
15	WTP Maintenance Mechanic	37,796	47,244	56,693	B	N
15	WTP Operator A	37,796	47,244	56,693	B	N
15	WWTP Maintenance Mechanic	37,796	47,244	56,693	B	N
15	WWTP Operator III	37,796	47,244	56,693	B	N
16	Distribution/Collection Maint Tech III	39,685	49,607	59,528	B	N
16	Electric Line Technician (Class C)	39,685	49,607	59,528	B	N
16	Fire Inspector III	39,685	49,607	59,528	A	N
16	Planning Technician	39,685	49,607	59,528	C	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 Crew Leader	41,670	52,087	62,504	B	N
17	Fire Lieutenant	41,670	52,087	62,504	A	N
17	Lead WTP Maintenance Mechanic	41,670	52,087	62,504	B	N
17	Lead WWTP Maintenance Mechanic	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 Laboratory Analyst	41,670	52,087	62,504	B	N
17	Zoning Administrator	41,670	52,087	62,504	C	N
18	Electric Line Technician (Class B)	43,753	54,691	65,630	B	N
18	General Services Supervisor	43,753	54,691	65,630	B	N
18	HR Benefits Administrator	43,753	54,691	65,630	C	N
18	Public Works Supervisor	43,753	54,691	65,630	B	N
19	Distribution/Collection Supervisor	45,941	57,426	68,911	B	N
19	WWTP Pretreatment Coordinator	45,941	57,426	68,911	B	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 Line Technician (Class A)	48,238	60,297	72,357	B	N
20	Fleet Services Superintendent	48,238	60,297	72,357	B	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
21	Parks & Recreation Superintendent	50,650	63,312	75,975	C	E
22	Electric Distribution System Supervisor	53,182	66,478	79,771	B	N
22	Fire Marshall	53,182	66,478	79,771	A	N

Salary Schedule-Position Classification
City of Lincolnton
General Employees-April 6, 2023

22	Fire Captain	53,182	66,478	79,771	A	N
22	Public Works Superintendent	53,182	66,478	79,771	B	E
23	Distribution/Collections System Superintendent	55,841	69,802	83,762	B	E
23	Fire Training Officer	55,841	69,802	83,762	A	N
23	WTP Superintendent	55,841	69,802	83,762	B	E
23	WWTP Superintendent	55,841	69,802	83,762	B	E
24	Community Relations Director	58,633	73,292	87,950	C	E
25	Assistant Fire Chief	61,565	76,956	92,347	A	E
26	Business Services Director	64,643	80,804	96,965	C	E
26	Electric Distribution System Superintendent	64,643	80,804	96,965	B	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	Not assigned	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	Public Services Director	78,574	98,218	117,861	B	E
30	Water Resources Director	78,574	98,218	117,861	B	E
31	Public Utilities Director	82,503	103,129	123,754	B	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
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		

Salary Schedule-Position Classification
City of Lincolnton
General Employees-April 6, 2023

	<u>Part-Time Classifications</u>	<u>Hourly</u>		<u>Hourly</u>		
	Lifeguards-Non Experienced	12.50			C	N
	Lifeguards-Experienced	14.00			C	N
	Scorekeepers/Concession Workers	8.75		8.75	C	N
	Recreation Worker	10.89		12.91	C	N