

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