

The Mayor and City Council met in regular session on Thursday, October 5, 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 meeting to order asking everyone to stand for a moment of silence and the pledge of allegiance. The following council members were present and voting:

DEMENY

POINSETTE

TIPTON

JETTON

Approval of REGULAR AGENDA

Councilmember Christine Poinsette requested to add an open session discussion to the Regular Agenda regarding letter received from The Concerned Citizens Coalition Group (*added as 5d. letter is attached to and made a part of these minutes*). **Councilmember Jill Tipton made a motion to approve the Regular Agenda as amended. Members voted 4-0 in favor of the motion.**

Approval of CONSENT AGENDA

Councilmember Christine Poinsette mad a motion to approve the following items listed under the Consent Agenda.

- Retirement Recognitions
 - Todd Chapman – 35 years of service
 - Wayne Auton – 34 years of service
 - Dean Beaver – Almost 5 years of service
- September 7, 2023 Regular Meeting Minutes
- City Releases - August 16, 2023 through September 15, 2023

Members voted 4-0 in favor of the motion

PUBLIC COMMENT

Three individuals signed up to speak under Public Comment. Mr. Alan Hoyle, Mr. Trent Mason and Mr. Wayne Howard. Each were given three (3) minutes to express their thoughts and opinions to council members. Both Mr. Hoyle and Mr. Howard expressed their views on the event recently held at the Lincoln Cultural Center. Mr. Mason talked to the success of several of the downtown events recently held. He mentioned the Morning Meet Up that was held, as well as the Food Beer and Wine feast, the work that has begun on the First Federal Park project, the upcoming Apple Festival and the upcoming festivities for Halloween in the downtown area. Councilmember Jetton recognized Mr. Steve Bailey as the visionary behind the patio project at First Federal Park.

PRESENTATION

Mayor Ed Hatley presented the following proclamation to Lincoln Economic Development Association staff members, Cliff Brumfield, John Dancoff and Kara Brown. Mayor Hatley spoke to the importance of LEDA to Lincolnton and Lincoln County and all of the hard work that goes into recruiting and keeping industries in the community. The proclamation presented as follows:

2023 Lincoln Economic Development Association
Industry Appreciation Month
October 2023

WHEREAS, the City of Lincolnton is pleased to have industry to support the local economy; and

WHEREAS, these industrial companies provide essential employment opportunities for the citizens of the City of Lincolnton; and

WHEREAS, these industrial companies provide local revenues from which the entire citizenry benefit; and

WHEREAS, industrial businesses make considerable contributions to our families and communities, often improving the overall quality of life; and

WHEREAS, we recognize and appreciate these industrial businesses;

NOW, THEREFORE, we the City Council of the City of Lincolnton, do hereby recognize our existing industrial businesses and by virtue of this proclamation give notice to our citizens that the month of October 2023 is Industry Appreciation Month in the City of Lincolnton.

ADOPTED this the 5th of October 2023

Upon receiving the proclamation, Mr. Dancoff briefly spoke to the importance of the industries in Lincolnton and Lincoln County, and the many benefits they bring to the area. He called out some of the events and activities that are a part of Industry Appreciation Month as he expressed appreciation for all of the industries in Lincoln County.

R-11-23 Proposed Incentive Grant Agreement between the City of Lincolnton and Hospitality Seating Concepts

Mayor Ed Hatley opened the public hearing and recognized Ms. Kara Brown to speak to the item. Ms. Brown explained her request through the Lincolnton industrial incentive grant program to recruit a new industry to Lincoln County. Ms. Brown presented a proposed incentive grant agreement, along with the following proposed Resolution, between the City and Hospitality Seating Concepts (HSC), a family owned business that produces banquet chairs and outdoor lounge furniture. She informed that this new venture will expand manufacturing capability so that HSC can produce product that previously could only be sourced overseas. It will also allow the company to expand production lines and shift production to the USA. The Lincolnton facility, located at 350 North Generals Boulevard, was selected for its central location and because of the success of other existing industries.

Ms. Brown announced that on or before October 1, 2023 facility upgrade construction and the installation of equipment and machinery will begin. She spoke to the details of the agreement. She referred to this as a level two (2) incentive grant. Ms. Brown requested the following resolution be adopted,

**RESOLUTION TO ADOPT ECONOMIC INCENTIVE
GRANT AGREEMENT WITH HOSPITALITY SEATING CONCEPTS**

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

WHEREAS, Hospitality Seating Concepts, has developed plans for facility improvements and equipment investment in their manufacturing facility in the City of Lincolnnton; and

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

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

1. The Lincolnnton City Council hereby approves the City of Lincolnnton Incentive Grant Agreement (attached hereto as Exhibit A and incorporated herein by reference) among City of Lincolnnton, Hospitality Seating Concepts
2. The Mayor of the City of Lincolnnton and the Clerk to the Council are hereby authorized to sign all necessary documents on behalf of the City of Lincolnnton in order to effectuate this transaction.
3. This resolution shall become effective upon adoption. *Exhibit A is attached and made an official part of these minutes*

Councilmember Christine Poinsette made a motion to close the Public Hearing. Members voted 4-0 in favor of the motion. **Councilmember Kevin Demeny made a motion to adopt the Resolution approving the Incentive Grant Agreement.** Members voted 4-0 in favor of the motion.

**IT-HR-10-05-23 (C-18-23) Approval of contract with NEOGOV - Human Resources
Department**

Human Resources Director Tanya Osborne and Technology & Innovation Director Chris Jones presented a request for approval of a contract with NEOGOV for HR software. Ms. Osborne explained that the vendor currently being used is discontinuing the product. She provided some details regarding the proposed software, informing that her and Mr. Jones has identified NEOGOV as the best fit for what the department needs. **Councilmember Christian Poinsette made a motion to approve the contract with NEOGOV.** Members voted 4-0 in favor of the motion.

Request to Consider/Approval Request for Qualifications (RFQ) AIA Water and Wastewater Projects

David Ramsey appeared before Council requesting that they approve Request for Qualifications (RFQ) recently received for the AIA Water and Wastewater project. Mr. Ramsey reminded Council of action previously taken regarding applying for grant funds for the AIA (Asset Inventory Assessment) Water and Waste Water project. He informed that the funds were received and will be used to cover the cost of having an assessment of the City's water and sewer lines completed.

Mr. Ramsey continued explaining that staff sent out a Request for Qualifications to engineering companies for this project. Two proposals were received. One from Clayton Engineering and the other from McGill Associates. Mr. Ramsey spoke to the qualifications of both companies, stating that the City currently does business with both. Mr. Ramsey described McGill as a One-stop shop for a lot of different things. He also spoke to the company's experience in the AIA assessment process. For that reason Mr. Ramsey communicated staff's recommendation to go with McGill Associates. In light of staff's recommendation and no other questions, Councilmember Roby Jetton made a motion to accept McGill Associates. Members voted 4-0 in favor of the motion.

Discussion for Consideration of an Early Voting Site

Mayor Hatley opened the floor for consideration of having an early voting site within the City Limits for the upcoming election. Members voiced their thoughts and opinions regarding the matter, both positive and negative. Councilmember Christine Poinsette made a motion to elect to have an early voting site in the City Limits. Members voted 1-3 opposing the motion. After explaining his reason for voting against the motion, Councilmember Kevin Demeny made a motion not to have a voting site in the city limits for the upcoming election. Members voted 4-0 in favor of the motion. *(Councilmember Christine Poinsette did not vote which counts as an affirmative vote as defined by the default "yes" rule.)*

Discussion Regarding Letter from the Concerned Citizens Coalition Group

Mayor Ed Hatley recognized Councilmember Christine Poinsette who requested to address and discuss the letter that the Mayor and each of the Councilmembers received from the Concerned Citizens Coalition Group. Councilmember Poinsette explained why she felt that an open meeting discussion was necessary, as the letter was not signed and provided no way to respond. She noted that a number of things mentioned in the letter are being addressed by the Homeless Task Force committee, and felt that the Board should publicly acknowledge the letter and offer the group the opportunity to address council regarding their concerns. Mayor Hatley suggested that this discussion be noted in the minutes and leaving the "follow through" up to them *(a copy of the letter is attached to a made an official part of these minutes)* City Manager Ritchie Haynes added that staff will be happy to assist in any way.

City Managers Update/Report

City Manager Ritchie began recognizing the three November 1st retirements that were included under the Consent Agenda. He also recognized Kobe Aires and Justin Elmore with the Distribution and Collections department and Daniel Perry at the Waste Water Treatment. Mr. Haynes spoke to the various career ladders that are currently in place and opportunity for advancement for employees that the City offers. Continuing, the City Manager spoke to the success of the morning meet-up recently held and his desire to have staff present and talk about this of interest to the stakeholders on a more regular basis. Haynes reminded Councilmembers of a number of dates and upcoming events, he also shared a letter received from a visitor commending city staff and local citizens that assisted him in his time of need. Housing information was included and explained in his report, as well as a copy of the emails between Josh Grant and Mark Boyd regarding courthouse project, showing the timeline for the project, which may help to answer questions from citizens. Mr. Haynes spoke briefly about increasing power bills for Duke Energy customers within the next two years. City customers will not be effected. Mr. Haynes shared information about the bus service that comes to Lincolnton and his request to the North Carolina DOT to have the stop moved and ultimately having Lincolnton removed from the next RFP due to the lack of value in the bus stop. He concluded with directing Councils attention to the quarterly update from the school system and providing an update from the Homeless Task Force Committee.

NEWS MEDIA

Both Wayne Howard and Mike Powell requested a copy of the letter from the Concerned Citizens Coalition Group. Mr. Powell also requested a copy of the information regarding the Courthouse project and asked a few questions about the Startown Road neighborhoods regarding the impact they will have on the affordable housing issue in Lincolnton.

CLOSED SESSION

Mayor Ed Hatley asked for a motion to enter into CLOSED SESSION to discuss real property, announcing that no action will be taken during the Closed Session. Councilmember Roby Jetton made a motion to go into Closed Session. Members voted 4-0 in favor of the motion.

ADOURNMENT

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 OF LINCOLNTON INCENTIVE GRANT AGREEMENT

NORTH CAROLINA

LINCOLN COUNTY

THIS AGREEMENT is made and entered into as of the 5th day of October, 2023, by and between THE CITY OF LINCOLNTON , a body corporate and politic (hereinafter referred to as “the CITY”), and HOSPITALITY SEATING CONCEPTS, a North Carolina corporation (hereinafter referred to as “HOSPITALITY SEATING CONCEPTS”).

WITNESSETH:

WHEREAS, HOSPITALITY SEATING CONCEPTS has developed plans for the facility improvements and installation of new manufacturing machinery and equipment in the City of Lincolnton, North Carolina; and

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

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

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

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

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

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

1. On or before November 1, 2023 (actual effective date will be the start of the project) HOSPITALITY SEATING CONCEPTS shall begin facility improvements and installation of equipment and machinery in the City of Lincolnton, North Carolina.
2. Within two years of the effective date of this agreement (said effective date being referred in item 1.), HOSPITALITY SEATING CONCEPTS shall make an investment upon such site in (building/land and/or machinery and equipment of \$6,629,000, (the expected capital investment) of which \$6,269,000 will qualify for incentives under the City of Lincolnton

Industrial Incentive Grant Policy.

3. Within two years of the effective date of this agreement, HOSPITALITY SEATING CONCEPTS shall provide at such site at least 20 new jobs paying average wages of \$1000.00 per week.

4. In consideration of the performance of the aforesaid obligations by HOSPITALITY SEATING CONCEPTS, the City will provide cash grants to HOSPITALITY SEATING CONCEPTS of \$23,508.70 per year for a five-year period. The City of Lincoln will pay such grants beginning in the tax year after the project's completion. Grants will be paid to HOSPITALITY SEATING CONCEPTS within 30 days after HOSPITALITY SEATING CONCEPTS has made its tax payment for the then-current year and has notified Lincoln Economic Development Association of the payment. This amount represents a Level 1 grant under the City of Lincoln Industrial Development Incentive Grant Policy for New and Existing Industries.

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

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

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

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

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

COMPANY

By: _____
President

STATE

COUNTY

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

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

My Commission Expires: _____

Notary Public

CITY OF LINCOLNTON

By: _____
Ed Hatley, Mayor
City of Lincolnton

ATTEST:

Daphne Ingram
Clerk to the City Council

NORTH CAROLINA

LINCOLN COUNTY

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

My Commission Expires: _____

Notary Public



The Concerned Citizens Coalition Group

Lincolnton City Hall
114 W Sycamore St.
Lincolnton, NC 28092

Lincolnton Police Department
701 East Main St
Lincolnton, NC 28092

To: City of Lincolnton Government elected leaders and Police Officials

Atten:

Mayor Ed Hatley

Councilmembers: Christine Poinsette, Jill Tipton, Roby Letton and Kevin Demeny.

Police: Major Brian Greene (Interim Police Chief)

Police Community Service: Sergeant Jennifer Green

Subject: Addressing Failures in Handling Homelessness in Lincolnton and Its Impact on Crime, Safety, and Quality of Life for its citizens.

Dear Lincolnton City Officials and Police Department Officials,

I hope this letter finds you all in good health and high spirits. We are writing to express our deep concerns about the persistent challenges associated with homelessness in our beloved city of Lincolnton, North Carolina. While we understand that this is a complex issue, it has become increasingly evident that the current approach to addressing homelessness in our community is not working, and its negative consequences on crime, safety, and the overall quality of life for residents are becoming more and more pronounced.

Lincolnton has long been a city known for its tight-knit community and vibrant atmosphere. However, over the past several years, it has become quite apparent that the homelessness crisis is affecting our city in a variety of ways, and the

situation requires immediate attention and a comprehensive and a more focused approach. Below, we have outlined some of the concerns and challenges that we, as concerned residents, have observed:

Increase in Crime: The presence of homeless individuals in certain areas has been linked to an uptick in property crimes and disturbances. Residents no longer feel safe walking in certain parts of our city, which is adversely affecting our neighborhoods, schools, property values and quality of life.

Safety Concerns: Both homeless individuals and residents are exposed to unsafe living conditions. Homeless encampments without proper sanitation and security measures pose health and safety risks to everyone involved. Along, with drug needles and paraphernalia being found around on our streets and walking paths.

Quality of Life: Our city's image is suffering greatly, and businesses are concerned about declining foot traffic due to the perception of an unsafe environment. This affects our local economy and, in turn, the prosperity of our community.

We understand that in the past Lincolnton has tried to take measures to address the homeless issues that have continued to be increasing in our city. Meanwhile, well-meaning non-profit organizations that give out free meals have just complicated the homeless problem by attracting more and more homeless into our area. The word is out amongst the homeless community to go to Lincolnton for Free meals! While the again well-meaning efforts by the city have also failed to slow the migration of homeless and rising crime into our fair city.

Years of these well-meaning efforts have led to little or no real sustainable positive results and the problems continue to create major negative consequences on our town of Lincolnton and for our citizens.

Thus, we are urgently requesting a stricter and harsher approach to handling homelessness and crime in our beautiful small country town, that would prioritize immediate and forceful measures. Here are some of our citizen recommendations for a direct approach with more focus on strict enforcement:

Zero Tolerance Policy: Implement a zero-tolerance policy for all criminal activities, regardless of the severity. This includes panhandling, loitering, public intoxication, and property crimes. Swift arrests and prosecution should be the norm.

Increased Police Presence: Flood high-crime areas with law enforcement officers 24/7. Make their presence known and employ aggressive patrols to deter criminal behavior.

Rapid Response Units: Establish specialized rapid response units to deal with crimes in progress. These units should have the authority to use necessary force to apprehend criminals swiftly.

Stricter Sentencing: Advocate for stricter sentencing for repeat offenders, with an emphasis on mandatory minimum sentences for certain crimes. Ensure that convicted individuals serve their full sentences without early release options.

Strengthened Drug Enforcement: Launch a relentless crackdown on drug trafficking and distribution networks. Deploy undercover officers to infiltrate drug rings and dismantle them. Deploy undercover officers into the Lincolnton homeless community to gather information on drug or illegal activities.

Homeless Sweeps: Conduct regular homeless sweeps in public spaces, ensuring that no encampments or makeshift shelters are allowed to persist. Provide temporary housing only in secure facilities, tightly monitored for illicit activities or remove such individuals to jurisdictions that have such facilities.

Lighting and Access: Areas such as the Rail Trail and Downtown Library areas should have better and brighter lighting at night. Areas where homeless along the trail steps and other areas should have underbrush, overgrowth and tree limbs heightened or cleared and removed. Both these areas need to be patrolled and have a more visible police presence throughout the day and evening.

Begging Ordinances: Enforce strict ordinances against panhandling. Impose hefty fines and imprisonment for violators. Create public campaigns to stop citizens from making donations to panhandlers with consideration of issuing fines for doing so.

Surveillance and Monitoring: Install surveillance cameras in more public areas, with the possibility of gaining and using facial recognition technology to track known criminals. Share this data across agencies and with neighboring jurisdictions.

Mandatory ID Checks: Implement mandatory ID checks for individuals in high-crime areas, especially during late-night hours. Failure to produce valid identification should result in detention until identity is confirmed.

Removal of Homeless Tents and structures: We all have seen the obviously mentally impaired homeless man wondering our streets that creates tarped trash structures by corner of Generals Blvd. Now, others are following with taking of wheeled store shopping carts and trash tarps and items, they find by digging through large garbage bins behind shopping centers and businesses. Sleeping on benches on main street, loitering around non-profit free food hand out organizations just a block off our town's main street. They are now making sleep areas near this area.

Curfew for Known Offenders: Impose a strict curfew for individuals with a history of criminal activity, preventing them from being in public spaces during certain hours.

Citizen Reporting Rewards: Offer monetary rewards to citizens who report criminal activity leading to arrests and convictions. Encourage community involvement in identifying and removing criminals from the streets.

Confiscation of Assets: Seize the assets and property of known criminals if they are found to be involved in criminal enterprises. Use the proceeds to fund law enforcement efforts.

No-Loitering Zones: Designate areas with high crime rates as "no-loitering" zones, prohibiting individuals from congregating in public spaces for extended periods. Around non-profit centers, Rail Trail, Library, etc...

Public Awareness Campaign: Launch a public awareness campaign to inform residents about the strict approach and its intended impact on reducing crime.

Lack of Access to Services: We also understand that Homeless individuals often struggle to access the necessary services, such as shelter, healthcare, and mental health support. This perpetuates the cycle of homelessness and hinders their chances of recovery and reintegration into society. However, being a small country town, our budget and resources are limited and, in many cases, it may be best to relocate many of our homeless out of the area, to larger jurisdictions where they would have better access to such services. We recommend that Lincolnnton provide a bus fund to offer individuals bus tickets to other better services equipped jurisdictions or States, or to provide transportation back to out of town family for reunification and support.

Collaborative Solutions: It is crucial that the city officials and the police department work collaboratively with the existing local nonprofits, social service agencies, and concerned citizens to develop a comprehensive strategy for addressing our homelessness problems. This strategy should also address non-profit efforts that seem to do more to attract more homeless, than help to get the homeless off the streets.

It is important to understand that our citizens requests for handling the ever-increasing homelessness and crime issues besieging our city are to endorse programs and actions that will reduce these issues and are not meant to be just well-meaning efforts that lead to making living on the streets easier. Instead, we are requesting for our city to implement and provide a tough love approach to encourage and help get people off the streets, or removed to other larger jurisdictions which have more service facilities available for them to get the help and support they need.

We highly recommended the adoption and use of strict law enforcement and strict city ordinance implementations that we are requesting. Unfortunately, over the past years, city government leaders, local non-profits and limited police actions have just made it more comfortable and easier to remain on the streets of Lincolnnton and reversely have been attracting more homeless to our city.

We implore you to consider these concerns seriously and take immediate action to address the homelessness crisis in Lincolnton. Together, we can find solutions that improve the lives of both our homeless residents and the broader community. These issues require a multi-pronged approach involving policy changes, new stricter city ordinances, strict enforcement, combined efforts of multiple city departments and increased funding towards these efforts.

We also ask that well publicized efforts for participation in community meetings or initiatives aimed at addressing these issues and working towards a more equitable and safer Lincolnton, should be promoted. Let us come together to find solutions that will restore our city's reputation as a vibrant, welcoming, and secure place to live and raise our families.

Thank you for your immediate attention to this matter, and we look forward to positive developments in addressing homelessness and crime issues in our beloved community of Lincolnton, North Carolina.

Sincerely,

CCCG

The Concerned Citizens

Coalition Group