

A G E N D A

LINCOLNTON CITY COUNCIL



April 4, 2024

7:00 p.m.

Council Chambers

City hall



**LINCOLNTON
AGENDA
April 4, 2024
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

- **March 7, 2024 - Regular Meeting Minutes**
- **May 18, 2023 - Closed Session Minutes**
June 01, 2023 - Closed Session Minutes
August 03, 2023 - Closed Session Minutes
- **Proclamation - "Week of the Young Child" April 6 - 12, 2024**
- **Lincoln County Tax Department - Request for Releases Period covered from February 16, 2024 - March 15, 2024**
- **UPDATE: Historic Cemetery Designation Awarded for Providence Baptist Church & Moore's Chapel AME Zion Church**
- **R-05-24 - Resolution declaring Service Dog as Surplus**
- **R-06-24 - Resolution to Authorize and Direct City Attorney to Petition for Court Order Directing Compliance with Order from Code Enforcement Officer Regarding the Abandoned Structure Ordinance for 812 S. Aspen Street**
- **Reduction of Bond amount for Carpenter Farms**

2. SPECIAL PRESENTATION

2a Apple Drop Disbursements

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

2b Presentation of Advance Certificate to Dylan Wolf

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. REGULAR AGENDA

4a Request to Place Wreaths on National Wreaths Across America Day

Mark Ward Coordinator

4b Lincoln Economic Development Association - Update

Cliff Brumfield LEDA

4c BA-02-24 Budget Amendment to General Fund, Boger City Fire District, Powell Bill Fund, Water & Sewer Fund, and Electric Fund

Pamela McBryde, Finance Director

5. REGULAR AGENDA

5a R-07-24 Resolution for the Approval for the City of Lincolnton to join in the North Carolina Liquid Assets Securities System

Pamela McBryde, Finance Director

5b Consideration of Request to Apply for Community Policing Development Grant

Brian Greene, Major

5c Consideration of a Request for the naming of City Property

Ritchie Haynes, City Manager

6. OTHER BUSINESS

6a City Manager's Update/Activity Report

NEWS MEDIA

ADJOURNMENT

REGULAR MEETING – MARCH 7, 2024

The Lincolnton City Council met in Regular Session on Thursday, March 7, 2024 at 7:00 p.m. in the Council Chambers of City Hall located at 114 West Sycamore Street, Lincolnton, NC.

Mayor Hatley called the meeting to order asking everyone to stand for a moment of silence before leading the Pledge of Allegiance. The following Council members were in attendance:

DEMENY POINSETTE TIPTON JETTON

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

Councilmember Christian Poinsette made a motion to approve items listed under the *CONSENT AGENDA* as follows:

- Approved the Minutes from the February 1, 2024 Regular Meeting
- Lincoln County Tax Department – Requests for Refunds and Releases period ending 02-15-2024
- Proclamation – “Woman Up 2024” held in conjunction with International Women’s Day” – March 8, 2024

Members voted 4-0 in favor of the motion.

SPECIAL PRESENTATION

Chief Brian Greene and Major Dwayne McAllister presented Officer Steven Roper with his Advance Certificate, one of two professional certificates that is awarded by the North Carolina Training and Standards, with the Advance certificate being the highest honor. Chief spoke to the experience, education and training needed to earn the certificate, as well as to what an honor it was to make the presentation. On behalf of the City Council, Mayor Ed Hatley congratulated Officer Roper, expressing how pleased he is to have him with the department.

PUBLIC COMMENT

Two individuals requested to speak during the Public Comment portion of the meeting. Mr. Alan Hoyle spoke concerning the number of illegals in US and being proactive addressing the problem in the city.

Mr. Steve Peeler addressed Council regarding the recent re-evaluation of property and what that did to his tax bills. Mr. Peeler made reference to the recent decrease in the tax rate for the residents but ended by saying that was not enough.

PUBLIC HEARINGS

In response to Mayor Hatley's question regarding the amount of time to allow for each person to speak, there was a consensus among council members to allow each one two (2) minutes.

O-01-24

Consideration of amendment to the City of Lincolnton's Code of Ordinances to create/establish a Social District in downtown area.
Public input will be received prior to official action being taken by the governing body

Mayor Ed Hatley opened the public hearing, allowing City Manager Ritchie Haynes, Police and Chief Brian Greene, as well as Mr. Tommy Huskey and Taylor Eddy, representing the Downtown Development Association (DDA).

City Manager Ritchie Haynes began, by thanking several people/groups for their involvement and assistance in the process. He focused mainly on the maintenance plan and briefly reviewed conversations with individuals from other cities. He explained that the district itself will be managed by the DDA, with the management team including two representatives from the DDA, the Lincolnton Mayor, the Lincolnton City Manager and the Police Chief. Mr. Haynes gave an overview of what the committee was proposing (the aforementioned information is attached and made part of these minutes), noting that the social district will not be in operation when city sponsored events and/or other Signature events are scheduled and that the plan and map may be amended at any time by the city at its discretion. Mr. Haynes spoke to the proposed day's and times, the proposed map, the required signage and trash cans that will need to be available. He ended by sharing data and statistics from other surrounding cities and towns that currently have a social district.

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Chief Brian Greene, who was tasked with researching the law enforcement side of this proposed social district, reported that he reached out to forty-eight (48) different police departments, with four (4) main questions and has received thirty-five (35) responses. Out of the responses, there was no negative received. They reported no increase in crime in the social district, there has been no increase in personnel because of the social district. Although there are admittedly issues with the homeless and vagrants, most reported no increased issues with the homeless and vagrants in the social district. Chief Greene shared other information gathered as a result of talking with a number of police chiefs from surrounding cities and towns. In response to a question from Councilmember Tipton, Chief Greene reminded that no additional officers will be hired but the department will, as much as possible, provide enforcement in the Social District. Both Councilmember Jetton and Councilmember Tipton gave statements voicing their concern with making this change to Lincoln's downtown.

Mr. Tommy Husky and Taylor Eaddy with the Downtown Development Association addressed the council, both providing research and facts regarding Social Districts and how they can benefit downtown. Mr. Husky provided background information on Social Districts and the driving force behind them. Ms. Eaddy shared some of the economic development opportunities that social districts can provide.

Mayor Hatley opened the meeting up for public comment. A total of thirty-five individuals signed up to speak to the item, some in favor, and some against. There was a consensus among members to allow each speaker two (2) minutes to voice their opinion. There were also a number of petitions submitted that contained the names of those opposed to the creation of a Social District.

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

Councilmember Roby Jetton made a motion to deny the request. Members voted 2-2 in favor of the motion with Jetton and Tipton voting in favor and Demeny and Poinsette voting against. Mayor Hatley broke the tie by voting against the motion to deny. City Clerk Daphne Ingram confirmed that the motion to deny failed 3-2.

Councilmember Christine Poinsette made a motion to approve the Social District from Thursday – Saturday and review again in six (6) months. A lot of discussion was generated regarding days and times to be allowed.

Councilmember Demeny asked for a point of clarification regarding what will happened at the end of the six months. Mayor Hatley expressed his objection to Sunday being a part of the allowable days and his opinion on limiting the timeframe allowed but pointed out that his affirmation to Councilmember Poinsette's motion. Councilmember Jetton also asked for clarification on the motion. City Manager Ritchie Haynes reminded Council of their authority to amend the ordinance as they see fit, whenever they see fit. Councilmember Poinsette restated her motion, clarifying the days being Thursday – Saturday, 11:00 a.m. to 11 p.m. Mayor Ed Hatley repeated the motion to approved the Social District Thursday – Saturday, 11:00 a.m. to 11:00 p.m. and review in six months. Members voted 2-2 with Demeny and Poinsette voting in favor and Tipton and Jetton voting against. Breaking the tie, Mayor Ed Hatley voted in favor of the motion. Motion passed 3-2.

CZ-13-23

Application from Jonathan Hoyle requesting a conditional district rezoning of 3.05 acres of land from GMC to TID District to construct a housing development. The subject property is located on the east side of South Edwards Street, approximately 450 feet south of the intersection of South Edwards Street and East Main Street (Parcel ID 00621)

Mayor Ed Hatley opened the public hearing recognizing Jean Derby, Planning Director, to speak to the item.

Ms. Derby reminded council that item was heard in January and was tabled to get additional information. She reviewed the existing zoning and the proposed zoning and the proposed use. Ms. Derby provided an aerial view of the property, as well as street views and an overview of the property. She went over the site plan and the floor plan. She reminded council members that the units will be ADA compliant, that there will be a property manager and that the units will be for working individuals and families that are at or under the poverty level with proof of income and employment. Ms. Derby advised that the Land Use Plan would need to be amended to the residential high density planning area. She did not review the staff comments and conditions of approval since that was done at the January meeting, but she did remind members that a statement of consistency and reasonableness would need to be adopted whether approved or denied.

A number of individuals were in attendance in support of the project. Alisha Friday addressed council requesting approval of the rezoning. She spoke to working with her "team" to answer the questions members had and offer to answer any additional questions. Some discussion was generated among

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council, staff and the applicants. Attorney Rob Brown informed that he will be working with the group on the project. Mr. Brown spoke to the question of the restrictive covenants for the project, and several things that he will be handling on the legal side. There were three individuals that signed up to speak. All spoke in support of the request. Mr. Keith Poston read a statement from Rhonda Hager, also in support of the project.

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

Councilmember Jetton made a motion to approve the project as recommended by the Planning Board. Members voted 4-0 in favor of the motion.

CZ-2-24

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 Fling Street and East Main Street (Parcel ID 00670)

Mayor Ed Hatley opened the public hearing recognizing Jean Derby, Planning Director. Ms. Derby spoke to the item, reminding members that the rezoning request came before council a year ago. Ms. Derby reviewed the details of the request, providing the site location, the current zoning, the proposed zoning and the proposed use. She showed an aerial of the site, and street views of the lot and the site plan that was originally submitted. The side and front elevations were displayed, as well as a graphic showing the front of the units. Ms. Derby pointed out that as a condition of approval, the units will not be rental units. Each lot will be subdivided and sold.

Ms. Derby continued, pointing out that the Land Use Plan supports the project, she directed member's attention to the many staff comments and conditions of approval. She read through both the statement of consistency and reasonableness for approval and denial. She also informed that Planning Board voted 5-2 in favor of the project with the condition that the front façade of the units on Main Street be brick veneer.

The applicant, Mr. Morris Long, was in attendance and spoke to council regarding the request. Mr. Long explained the difficulty getting a return on his

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investment if he used the lot for a commercial use. He also provided before and after pictures of a previous project... and conditions of approval and

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

Prior to voting, Councilmember Roby Jetton expressed his concerns with potentially receiving request to rezone other lots along Main Street if this request is approved. In response to the question from Councilmember Jill Tipton, Mayor Hatley confirmed with the applicant's attorney that the lots will be owned.

Councilmember Demeny made a motion to approve the request. Members voted 3-1 in favor of the motion with Demeny, Poinsette and Tipton voting in favor, and Jetton voting against.

CZ-3-24

Application from Olga R. Epple requesting a conditional district rezoning of approximately 71.20 acres of land from R-e, R-15 and RMF to Planned Residential District (PRD) to develop a residential community consisting of 80 single-family detached dwellings and 107 attached townhomes. The subject property is located along Wilma Sigmon Road, adjacent to Lincoln Meadows Subdivision. (Parcel ID 01047, 17645 and a portion of 01049)

Mayor Ed Hatley opened the Public Hearing, calling on Planning Director Jean Derby to speak to the item. Ms. Derby reviewed the details of the request, explaining the proposed project actually being Phase II of the Lincoln Meadows development located along Wilma Sigmon Road. As Ms. Derby explained the existing zoning, the current use and the proposed use of the property. She referenced the an image of the project area, the proposed site plan, street views of the property and the overall plan for Phase I and II of the Lincoln Meadows from 2003. She also spoke to the staff report presented to City Council March 6, 2003, reminded that the rezoning request was approved.

Ms. Derby explained that the property is currently shown in the Neighborhood Business area, with a portion in Mixed-Use Residential/Commercial Planning area on the Land Use Plan, therefore staff does view this project as consistent with the Land Use Plan. She reference/strolled through the many staff comments and conditions of approval before ending with the proposed

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statements of consistency and reasonableness. Ms. Derby informed that Planning Board voted 7-0 in favor of approval of the project.

Attorney Rob Brown with Jonas Law Firm, addressed Council on behalf of the owner/applicant. He provided a short presentation giving the history of the project and explained in detail the proposed changes, noting the reduction of 40 lots from the original plan. Mr. Brown reviewed the highlights of the proposed site plan, pointing out a number of the changes, the improvements that are being proposed and the potential amenities that will be offered. He spoke to a projected construction timeline and displayed some potential renderings and elevations of the house plans.

Mayor Hatley invited public comment on the request. Three members of the public expressed their views. No one expressed any opposition to the project.

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

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

REGULAR AGENDA:

Application from BBC Clark Creek LLC for completion of Improvements for Clarks Creek Landing (Parcel ID 15415)

Planning Director Jean Derby addressed Council regarding a request to accept subdivision infrastructure contract and surety bond. Ms. Derby explained that, as mentioned before, a final site plan can not be recorded unless the infrastructure is in. But that the City Ordinance has a provision that allows for a surety bond to be utilized which will allow the final site plan to be recorded before the work is completed. She informed that the bond has been submitted and that staff does recommend approval for the amount listed in the packet.

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

C-05-24

Consideration of Contract/Agreement for Engineering Services for proposed City Park Improvements

Public Services Director Nathan Eurey addressed council seeking their consideration and approval for entering into an agreement with McGill and Associates for engineering services for the City Park project. Mr. Eurey spoke to the good working relationship the city currently has with the company and reminded members of previous work they have done for the city. He referred to this step, construction design, as being the next step in the process and offered to answer any questions. In response to a question from Mayor Hatley, Mr. Eurey reviewed some of the information in the contract for clarification. *(the aforementioned document is attached to and made part of these minutes).*

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

C-06-24

Consideration of Display Proposal and Contract from Pyro Shows East Coast for July 4th 2024 Fireworks Show

City Manager Ritchie Haynes presented and requested approval for the display proposal and contract for the 2024 July 4th fireworks show. Mr. Haynes spoke to the longevity the city has working with this company and the great job they have always done. He also confirmed that staging will be done at City Park.

Councilmember Tipton made a motion to approve the request for the July 4th fireworks. Members voted 4-0 in favor of the motion.

OTHER BUSINESS

Manager's Report/ Update

City Manager Ritchie Haynes distributed a manager's activity report to the members of council. Mr. Haynes reminded council members of the budget retreat scheduled for Friday, March 15, 2024.

NEWS MEDIA:

Mayor Hatley opened the floor for comments from the new media

ADJOURNMENT:

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

DRAFT



A PROCLAMATION
2024 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 (NCAEYC) and the National Association for the Education of Young Children (NAEYC), are celebrating the **“Week of the Young Child”**, April 6 -12, 2024; and
- WHEREAS,** the first years of a child’s life are the period of the most rapid brain development and lay the foundation for all future learning; and
- WHEREAS,** high quality early childhood programs provide important benefits to children, families and our state and national economies; and
- WHEREAS,** high-quality childhood education depends on high-quality early childhood educators who ensure that children, supported by families, have the early experiences they need for a strong foundation; and
- WHEREAS,** tuition from fee-paying parents and subsidy rates for families with low income are typically insufficient to afford highly-qualified, consistent early childhood educators and pay for low child-to-early educator ratios that ensure the health and safety; and
- WHEREAS,** young children need early childhood educators who are incentivized and supported to provide high-quality care to those with high and special needs; and
- WHEREAS,** working families need robust subsidies, scholarships, and tax credits for families at all income levels that support the true cost of quality early childhood education.

NOW, THEREFORE, I, Mayor Ed Hatley, by virtue of the authority vested in me by that the Lincolnton City Council, do hereby proclaim April **6-12, 2024** as the

“Week of the Young Child”

We recognize the complex, valuable, essential and demanding work of early childhood educators and urge all members of our community to support efforts to increase children and families’ access to high-quality early childhood education.

Ed Hatley, Mayor

ATTEST:

Daphne Ingram, City Clerk

LINCOLN COUNTY
TAX DEPARTMENT

REQUEST FOR RELEASES

PERIOD COVERED

February 16, 2024 through March 15, 2024

CITY UNDER \$100

NAME	YEAR	DISTRICT	A/C NUMB	AMOUNT	REASON
Carrillo, Charisse	2023	22	0295248	\$2.95	DMV Error
DB Transportation	2021-2023	22	0278852	\$93.97	Not in Lincoln County

Total \$96.92

SUBMITTED BY:

 DATE: 3-21-24
SUSAN SAIN TAX ADMINISTRATOR

APPROVED BY:

DATE: _____
RICHARD HAYNES CITY MANAGER

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
[dingram@lincolntonnc.org](mailto:d Ingram@lincolntonnc.org)
CITY ATTORNEY
John M. Friguglietti, Jr.

PROCLAMATION

WHEREAS, it is fitting that the members of this governing board should recognize and support the endeavors of it's citizens that, through an abiding commitment to excellence, strive to preserve and maintain the many historic buildings and landmarks in this city; and

WHEREAS, the North Carolina Office of State Archaeology, through its Citizen Cemetery Site Form, allows non-professional members of the public to submit information relating to a wide variety of cemeteries across the state; and

WHEREAS, submission of the Citizen Cemetery Site Form to the North Carolina Office of State Archaeology (OSA) is a vital step to the historic preservation process and may help prevent cemeteries from being damaged and/or destroyed; and

WHEREAS, Providence Baptist Church and Greater Moore's Chapel AME Church wish to submit information relating to their respective historic church cemeteries located on Lentz Dr. and Newbold Street in Lincolnton, NC.

NOW, THEREFORE, I, Ed Hatley, Mayor of the City of Lincolnton, and the Lincolnton City Council Members, do hereby proclaim that we endorse and support the submission of these aforementioned documents.

We applaud the hard work and effort of all those involved and appreciate their commitment to excellence regarding this project.

Proclaimed on this the 3rd day of August, 2023.

Ed Hatley, Mayor

ATTEST:

Daphne Ingram, City Clerk

R-05-24

**A RESOLUTION OF THE CITY OF LINCOLNTON ACKNOWLEDGING
THE SERVICE OF POLICE DOG “NICO”, DECLARING HIM AS
SURPLUS, AND AUTHORIZING HIS DISPOSITION TO HIS HANDLER**

WHEREAS, the City of Lincolnton has been well served by its police dog “Nico”, who has served the Lincolnton Police Department and its citizens for many years; and

WHEREAS, it is time for “Nico” to retire as a police dog; and

WHEREAS, although he has been a valuable member of the police department, he is considered personal property, and as such, the City must declare him as “surplus” for purposes of disposing of him; and

WHEREAS, the Lincolnton City Council finds that the City is unlikely to receive significant value through a sale of “Nico”, and the City wishes to make sure that he spends the rest of his life with his beloved handler; Sgt. Stephanie Allen;

NOW, THEREFORE, the City of Lincolnton, acting by and through the Lincolnton City Council, does hereby resolve as follows:

1. The Lincolnton City Council recognizes the valuable contributions Made by “Nico”, a seven-year-old K-9, to the citizens of Lincolnton.
2. “Nico” is hereby declared surplus to the needs of the City and should be permitted to retire.
3. City staff is authorized and directed to transfer “Nico” to his handler Sgt. Stephanie Allen, per the Bill of Sale attached hereto as Exhibit “A”

Adopted this 4nd day of April, 2024

ATTEST:

Ed Hatley, Mayor

Daphne Ingram, City Clerk

EXHIBIT "A"
GENERAL BILL OF SALE

THIS GENERAL BILL OF SALE, dated _____ day of _____, 2024 from the City of Lincolnton, a municipal corporation of the state of North Carolina, hereinafter called "Grantor", to Sgt. Stephanie Allen hereinafter called "Grantee".

W I T N E S S E T H:

That Grantor, for value received, has transferred, sold, assigned, conveyed, granted, bargained, set over and deliver unto Grantee forever, the following:

One (1) seven year old K-9 police dog, "Nico"

To HAVE AND TO HOLD the aforesaid personal property, together with the appurtenances thereto, unto Grantee, Grantee's successors and assigns forever.

And Grantor covenants and agrees to and with Grantee that Grantor is owner of the said property and has the right and full authority to sell the same.

Grantee covenants and agrees to hold the City of Lincolnton harmless from any claims arising on or after the date of this Bill of Sale which arise from or relate to the personal property hereby transferred.

Signed this _____ day of _____, 2023

CITY OF LINCOLNTON

Stephanie Allen

Ed Hatley, Mayor

Sgt. Stephanie Allen

ATTEST:

Daphne Ingram, City Clerk

MEMO TO: Mayor and City Council Members

FROM: Jean Derby

SUBJECT: Resolution to Authorize and Direct City Attorney to Petition for Court Order
Directing Compliance with Order from Code Enforcement Officer Regarding the
Abandoned Structure Ordinance for **812 S. Aspen Street**

DATE: April 4, 2024

Property Address

812 S. Aspen Street

Property Owner

Vanessa Kaye Deland

Code Enforcement Activity Summary

Code Violation Determined: The building has deteriorated, rear portion has
fallen in, and is unsafe.

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

- Finding of Fact letter: 07.06.2023
- Notice of Violation: 12.08.2023
- Citation #1: 12.28.2023
- Citation #2: 01.11.2024
- Citation #3: 01.26.2024
- Citation #4: 02.09.2024

***Fines reached \$28,850 on March 22, 2024, and continue to
accumulate at \$500 per day. The above notices of violation, photo
documentation, and case notes of violations are attached.***

Action Requested

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

**RESOLUTION AUTHORIZING AND DIRECTING CITY ATTORNEY
TO PETITION SUPERIOR COURT FOR AN ORDER
REQUIRING THE OWNER OF CERTAIN PROPERTY LOCATED AT
612 S. ASPEN STREET IN THE CITY OF LINCOLNTON
TO COMPLY WITH THE ORDER
OF THE CODE ENFORCEMENT OFFICER**

WHEREAS, the City Council of the City of Lincolnton finds that the situation herein described is an abandoned structures which the City Council finds to be hazardous to the health, safety and welfare of the residents of the city due to the attraction of insects or rodents, conditions creating a fire hazard; dangerous conditions constituting a threat to children, or frequent use by vagrants as living quarters in the absence of sanitary facilities. in violation of the Section 150.051-150.059 of the City Code, Abandoned Structures, and thereby constitutes a safety hazard and is dangerous to life, health and other property and that all of the procedures of the Code of the City of Lincolnton, North Carolina, have been complied with; and

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

WHEREAS, G. S. 160D-1201 and Sections 150.051 through 150.059 of the Code of the City of Lincolnton, North Carolina, empowers the City of Lincolnton to seek enforcement when an Order of the Code Enforcement Official is not complied with; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lincolnton that the City Attorney is hereby authorized and directed to proceed, as authorized by G. S. 160D-1201 to petition the Superior Court of Lincoln County for an order requiring the owner, Vanessa Kaye Deland, of the property located at 812 S. Aspen Street in the City of Lincolnton, North Carolina, to take such steps as may be necessary to comply fully with the Order of the Code Enforcement Official issued pursuant to the Abandoned Structure Ordinance contained in Chapter 150 of the Code of the City of Lincolnton, North Carolina.

This Resolution shall become effective upon adoption.

ED HATLEY, MAYOR

ATTEST:

DAPHNE INGRAM, CITY CLERK



June 23, 2023

Vanessa Kaye Deland
20 Morris Street
Mayville NY 14757

Re: Abandoned Structure Ordinance Violation

This letter serves to notify you of a violation of Lincoln County's Abandoned Structure Ordinance on property at 812 S Aspen St Lincolnton, NC 28092 (Parcel ID:90659).

Observed violations of the Abandoned Structure Ordinance are marked below:

- ☒ The attraction of insects and rodents;
- ☒ Dangerous conditions constituting a threat to children;
- ☐ Frequent use by vagrants as living quarters in the absence of sanitary facilities
- ☒ Holes or cracks in the structure's floors, walls, ceilings or roof, which might attract or admit rodents or insects, or become breeding places for rodents or insects;
- ☐ The collection of garbage, rubbish or combustible material which constitutes a fire hazard in the structure;
- ☐ Windows or framing deteriorated.

You are being notified that a hearing will be held before the Chief Building Official of Lincoln County in the Third Floor Conference room located at 115 W. Main St. Lincolnton, NC 28092 at 8:30am of the July 5, 2023.

At the hearing, you shall be entitled to file answer to the complaint and to be heard in person or by counsel upon all legal and factual questions relating to this matter and shall be entitled to offer such evidence which is relative or material to the questions sought to be determined or the remedies sought to be affected.

You are further notified that if, upon such hearing, the Chief Building Official, shall find that the conditions of the above described structure do in fact violate the provisions of the Lincoln County Abandoned Structure Ordinance and do in fact render such structure hazardous to the health, safety and welfare of the residents of Lincoln County, the Chief Building Official will issue an order in writing directed to the owner of such structure to remedy these conditions by repairing the same or else by demolishing or removing the same, or by taking such steps as may be necessary to remedy these conditions. The Chief Building Official may make such other orders and follow such other procedures as are authorized under the Code of Ordinances of Lincoln County and the General Statutes of the State of North Carolina.

Regards,

A handwritten signature in black ink, appearing to read 'J. Wesdyk', with a stylized, sweeping flourish extending to the right.

Jeff Wesdyk
Chief Building Official



July 6, 2023

Vanessa Kaye Deland
20 Morris Street
Mayville, NY 14757

Re: Abandoned Structure Ordinance Violation

As a result of the abandoned Structure Petition filed against the property at 812 S. Aspen ST Lincolnton NC 28092 (Parcel ID 90659:), a hearing was conducted on Wednesday, July 5th 20223 at 8:30am in the third floor conference room located at 115 W. Main St. Lincolnton, NC 28092. The petition filed and subsequent inspections on the property indicated the presence of the following violations of the Ordinance:

- ☒ The attraction of insects and rodents;
- ☒ Dangerous conditions constituting a threat to children;
- ☐ Frequent use by vagrants as living quarters in the absence of sanitary facilities
- ☒ Holes or cracks in the structure's floors, walls, ceilings or roof which might attract or admit rodents or insects, or become breeding places for rodents or insects;
- ☐ The collection of garbage, rubbish or combustible material which constitutes a fire hazard in the structure;
- ☐ Windows or framing deteriorated.

Those present at the hearing included Jeff Wesdyk, Chief Building Official, Joshua Grant, Planning and Inspections Manager, Trey Parker Code Enforcement Officer, David Workman Code Enforcement Officer, Jean Derby, City of Lincolnton Planning Director and Don Deland representing property owner.

As a result of the hearing it was determined that you have 90 days to obtain the proper permits and begin renovations and repairs to the building or to obtain a demolition permit and begin removing the building from the property remedy violations of the abandoned structure ordinance.

Regards,

Jeff Wesdyk
Chief Building Official



Code Enforcement

December 8, 2023

Vanessa Kaye Deland
20 Morris Street
Mayville NY 14757

Subject: Notice of Violation for Abandoned Structure

Property Owner:

As you are aware, your property located at 812 S Aspen St Lincolnton, NC 28092 (Parcel ID:90659) has been deemed an abandoned structure by The City of Lincolnton and you were provided with 90 days to remedy the situation related to the abandoned structure on the property. As of the date of this letter, it appears that no action has been taken to remedy the abandoned structure on the property pursuant to the Order entered by Lincoln County's Chief Building Official.

Failure to comply with the above-mentioned Order will result in the City Manager, or their designee, presenting a request to the City Council for a resolution directing the City Attorney to petition the Superior Court for an order directing you to comply with said Order pursuant to Section 150.050 - 150.059 of the City of Lincolnton Code of Ordinances. If you have initiated the process to remedy this situation, please contact our office immediately.

Please correct this violation within fifteen (15) days so that no further action will need to be taken. The Compliance deadline is (December 23, 2023). Please contact me at 704-736-8729 between the hours of 8:30 a.m. and 5:00 p.m. Monday-Friday or taparker@lincolncounty.org; if you have any questions. Thank you in advance for your cooperation.

Trey Parker
Code Enforcement Officer



Code Enforcement

December 28, 2023

Vanessa Kaye Deland
20 Morris Street
Mayville NY 14757

Subject: First citation for zoning violation

Property Owner:

On December 8, 2023, a Notice of Violation was sent notifying you of a violation of City of Lincolnton's zoning regulations on your property at 812 S Aspen St Lincolnton, NC 28092 (Parcel ID:90659). As of December 20, 2023, it appears that no action has been taken to remedy the abandoned structure on the property pursuant to the Order entered by Lincoln County's Chief Building Official.

Failure to comply with the above-mentioned Order will result in the City Manager, or their designee, presenting a request to the City Council for a resolution directing the City Attorney to petition the Superior Court for an order directing you to comply with said Order pursuant to Section 150.050 - 150.059 of the City of Lincolnton Code of Ordinances. If you have initiated the process to remedy this situation, please contact our office immediately.

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

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

Trey Parker
Code Enforcement Officer

Code Enforcement

Citation Number 1
Case Number LCE23-00039
Date December 28, 2023
Location of Violation: 812 S Aspen St
Name: Vanessa Kaye Deland
Address: 20 Morris Street
City: Mayville State: NY Zip: 14757

Description of Offense: Failure to comply with Order entered by Lincoln County's Chief Building Official.

Officer: Trey A. Parker

If you fail to pay the penalty within 20 days, the city may recover the penalty in a civil action in the nature of debt. Failure to correct the violation within seven (7) days shall result in the assessment of an additional civil penalty of \$250.00.

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



Code Enforcement

January 11, 2024

Vanessa Kaye Deland
20 Morris Street
Mayville NY 14757

Subject: Second citation for zoning violation

Property Owner:

On December 28, 2023, a first citation letter was sent notifying you of a violation of Lincoln County's zoning regulations on your property at 812 S Aspen St Lincolnton, NC 28092 (Parcel ID:90659). As of January 11, 2024, it appears that no action has been taken to remedy the abandoned structure on the property pursuant to the Order entered by Lincoln County's Chief Building Official. Accompanying this letter is a second citation for this violation.

Failure to comply with the above-mentioned Order will result in the City Manager, or their designee, presenting a request to the City Council for a resolution directing the City Attorney to petition the Superior Court for an order directing you to comply with said Order pursuant to Section 150.050 - 150.059 of the City of Lincolnton Code of Ordinances. If you have initiated the process to remedy this situation, please contact our office immediately.

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

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

Trey Parker
Code Enforcement Officer

Citation Number 2
Case Number LCE23-00039
Date January 11, 2024
Location of Violation: 812 S Aspen St
Name: Vanessa Kaye Deland
Address: 20 Morris Street
City: Mayville State: NY Zip: 14757

Description of Offense: Failure to comply with Order entered by Lincoln County's Chief Building Official.

Officer: Trey A. Parker

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

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



Code Enforcement

January 26, 2024

Vanessa Kaye Deland
20 Morris Street
Mayville NY 14757

Subject: Third citation for zoning violation

Property Owner:

Accompanying this letter is a third citation for a violation of Lincoln County's zoning regulations on your property at 812 S Aspen St Lincolnton, NC 28092 (Parcel ID:90659). As of January 26, 2024, it appears that no action has been taken to remedy the abandoned structure on the property pursuant to the Order entered by Lincoln County's Chief Building Official.

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

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

Trey Parker
Code Enforcement Officer

Citation Number 3
Case Number LCE23-00039
Date January 26, 2024
Location of Violation: 812 S Aspen St
Name: Vanessa Kaye Deland
Address: 20 Morris Street
City: Mayville **State:** NY **Zip:** 14757

Description of Offense: Failure to comply with Order entered by Lincoln County's Chief Building Official.

Officer: Trey A. Parker

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

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



Code Enforcement

February 9, 2024

Vanessa Kaye Deland
20 Morris Street
Mayville NY 14757

Subject: Fourth citation for zoning violation

Property Owner:

On January 26, 2024, a third citation letter was sent notifying you of a violation of Lincoln County's zoning regulations on your property at 812 S Aspen St Lincolnton, NC 28092 (Parcel ID:90659). An inspection on February 8, 2024, found that this violation has not been corrected. As of February 9, 2024, it appears that no action has been taken to remedy the abandoned structure on the property pursuant to the Order entered by Lincoln County's Chief Building Official. Failure to comply with the above-mentioned Order will Accompanying this letter is a fourth citation for this violation.

Failure to comply with the above-mentioned Order will result in the City Manager, or their designee, presenting a request to the City Council for a resolution directing the City Attorney to petition the Superior Court for an order directing you to comply with said Order pursuant to Section 150.050 - 150.059 of the City of Lincolnton Code of Ordinances. If you have initiated the process to remedy this situation, please contact our office immediately.

This citation continues a civil penalty of \$500.0 per day the violation exists. To date, the penalties assessed against you amount to **\$7,850.00**. This letter serves as notice that the City of Lincolnton will seek to recover these penalties in a civil action through Small Claims Court.

If you have any questions or would like to discuss this matter, please feel free to contact me at (704) 736-8440 or on my mobile at (980) 429-6961. Our office hours are 8 a.m. to 5 p.m., Monday through Friday.

Trey Parker
Code Enforcement Officer

Code Enforcement

Citation Number 4
Case Number LCE23-00039
Date February 9, 2024
Location of Violation: 812 S Aspen St
Name: Vanessa Kaye Deland
Address: 20 Morris Street
City: Mayville **State:** NY **Zip:** 14757

Description of Offense: Failure to comply with Order entered by Lincoln County's Chief Building Official.

Officer: Trey A. Parker

This citation continues a penalty of \$500.00 per day. To date, the penalties assessed in this case amount to 7,850.00. If you fail to pay any penalties owed within 20 days, the city may recover the amount in a civil action in the nature of debt.

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











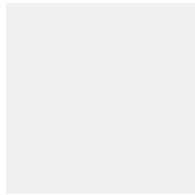




TAP	INITIAL INSPECTION
Building is dilapidated. Roof has fell in.	
6/23/2023 1:08:20 PM	
TAP	FOLLOW-UP INSPECTION
Owner plans to demolish or sale property. Will recheck in 90 days.	
7/6/2023 2:25:28 PM	
TAP	FOLLOW-UP INSPECTION
I did not observe any change to the property.	
10/3/2023 8:27:29 AM	
TAP	FOLLOW-UP INSPECTION
No change to the property.	
11/21/2023 1:00:56 PM	
TAP	FOLLOW-UP INSPECTION
I did not observe any to the property.	
12/5/2023 8:39:32 AM	
Trey Parker	FOLLOW-UP INSPECTION
I did not observe any change to the property.	
12/20/2023 1:47:41 PM	
Trey Parker	FOLLOW-UP INSPECTION
I did not observe any change to the property.	
1/11/2024 8:29:44 AM	
Trey Parker	FOLLOW-UP INSPECTION
I did not observe any change to the property.	
1/25/2024 8:50:05 AM	
Trey Parker	FOLLOW-UP INSPECTION

I did not observe any change to the property.	
2/8/2024 8:21:11 AM	

Trey Parker	FOLLOW-UP INSPECTION
I did not observe any change to the property.	
2/23/2024 9:47:06 AM	



Notes from Code Enforcement Officer Trey A. Parker pulled from TrakIt software.



LINCOLNTON
AGENDA ITEM SUMMARY

To: The Honorable Mayor and City Council
Date: April 4, 2024
From:
Subject: Reduction of Bond amount for Carpenter Farms

Summary:

Century Homes is asking for a reduction on their infrastructure bond.

Background:

The original bond was for \$6,398,285.55. Most of the infrastructure has been completed. They only have the sidewalks, ADA ramps, and landscaping left to complete. They are requesting a new bond for \$1,417,615.00.

Fiscal Impact:

Recommendation:

Staff recommends approving this request.

Attachments:

1. Carpenter Estimate



209 1st Ave. South • Conover, NC 28613 • (828) 465-2205

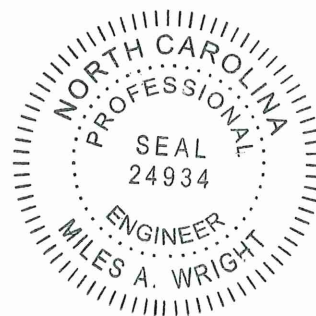
**Carpenter Farms
Engineers Estimate for Bonding (Subdivision)**

Item	Description	Total Quantity	Units	Unit Price	Extended Price	% Complete	Amount Remaining
Concrete Flatwork							
72	COS 4" Sidewalk	96740	SF	\$ 6.80	\$ 657,832.00	0%	\$ 657,832.00
73	COS ADA Ramp	34	EA	\$ 2,520.00	\$ 85,680.00	0%	\$ 85,680.00
ROW Improvements							
82	5' Sidewalk	4600	SF	\$ 7.30	\$ 33,580.00	0%	\$ 33,580.00
Landscape Improvements							
83	Landscaping (	1	LS	\$ 357,000.00	\$ 357,000.00	0%	\$ 357,000.00

Remaining Subtotal	\$ 1,134,092.00
25% Add	\$ 283,523.00
Total Bond Amount	\$ 1,417,615.00

If you have any questions or need any additional information, please let me know.
Thank you,

Miles A. Wright, PE



WREATHS ACROSS AMERICA



Place Wreaths

Each December on National Wreaths Across America Day, our mission to Remember, Honor and Teach is carried out by coordinating wreath-laying ceremonies at more than 4,225 locations in all 50 U.S. states, at sea and abroad. Anyone who wants to offer a small gesture of gratitude for the freedoms Americans enjoy can volunteer at a wreath laying ceremony to assist in saying veteran names aloud and thanking them for their service.

When you volunteer at a cemetery near you on National Wreaths Across America Day, you'll play a valuable role by placing live, balsam veterans' wreaths on the headstones of our fallen heroes. For centuries, fresh evergreens have been used as a symbol of honor and have served as a living tribute renewed annually. Wreaths Across America believes the tradition represents a living memorial that honors veterans, active-duty military, and their families. When each wreath is placed the servicemember's name is said out loud, ensuring their memory lives on.

Every year since 2008, Congress proclaims a Saturday in December as National Wreaths Across America Day. **This year's Wreaths Across America Day will take place on December 14, 2024. On that day, more than 2 million Veterans' Wreaths will be placed across Local, National and Military Cemeteries as well as Veterans' Memorials and historic sites.**

At each of those sites, a Wreaths Across America Location Coordinators works throughout the year with cemetery contact and local governments to organize and promote the ceremony, coordinate wreath delivery and manage the placement of wreaths. In addition to location coordinators, most Wreaths Across America locations rely on the assistance of community members, local businesses and civic groups and organizations to place wreaths on the day of the event. Typically, more than a third of our volunteers across the country are children, and we welcome all participants to play a part!

What to Expect as a Volunteer on National Wreaths Across America Day

As a volunteer, you will join tens of thousands across the nation in placing wreaths on the markers of our fallen heroes. As you place each wreath, you will "say their name" to ensure that the legacy of duty, service, and sacrifice of each veteran is never forgotten. We invite families and volunteers of all ages to come and share in this patriotic experience!

You can play an important as part in the mission to Remember the fallen, Honor those that serve and their families, and Teach the next generation the value of freedom. Join us by volunteering at a location near you.

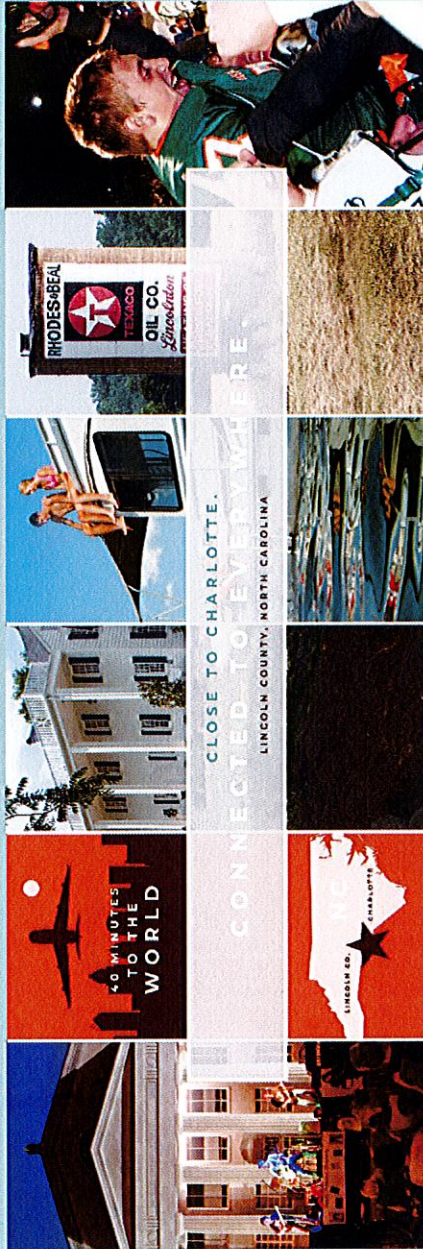
How much is a wreath for Wreaths Across America?

There is no cost to attend an event on National Wreaths Across America Day, all are welcome to join. However, Wreaths Across America receives no government funding. National Wreaths Across America Day and other events are made possible by thousands of volunteers who organize local ceremonies, raise funds to sponsor wreaths and participate in the events. Individual wreath sponsors and corporate donors, pay for the majority of the cost for the program and volunteer truck drivers and trucking companies make it possible for WAA to transport wreaths all over the country. Each Veterans' Wreath placed on National Wreaths Across America Day is sponsored for \$17 per wreath. [Learn more about our financials here](#)

[SPONSOR A WREATH](#)

Spread the word

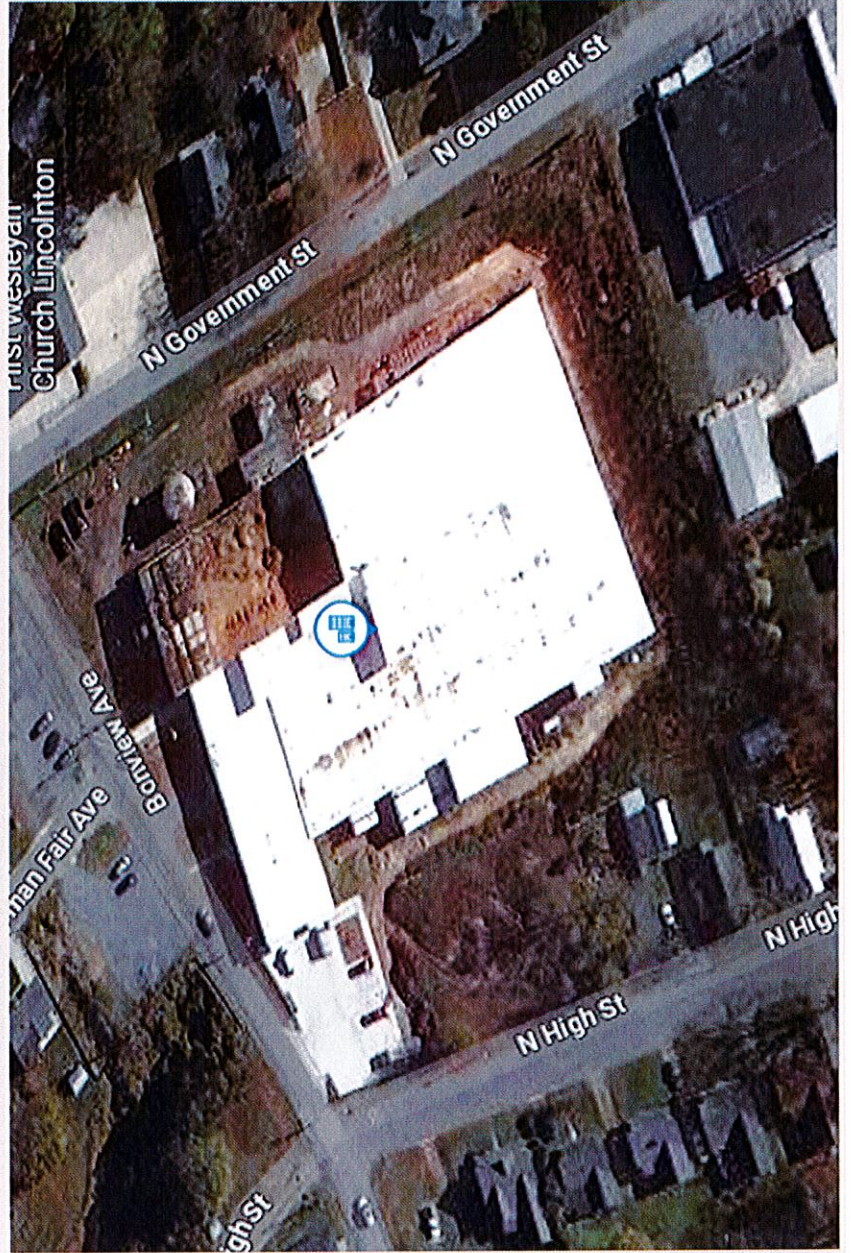
[Click here](#) to invite your friends and family to sponsor a wreath, volunteer at a location, and stay up-to-date on the mission.



City Council, April 2024

Current City of Lincolnton Industrial Incentive Grants

<u>2024-2025 City of Lincolnton Incentive Grant Payment Schedules</u>				
Company Name	Project	Incentive Installment	Annual Payment	
Spantek	Equipment 2021	2nd Payment of 5	\$7,278.66	
Active Concepts	Facility & Equipment 2022	1st Payment of 5?	\$15,365.38	
SG Seating	Saw & Drill Bit Line Exp.	1st Payment of 5?	\$23,508.70	

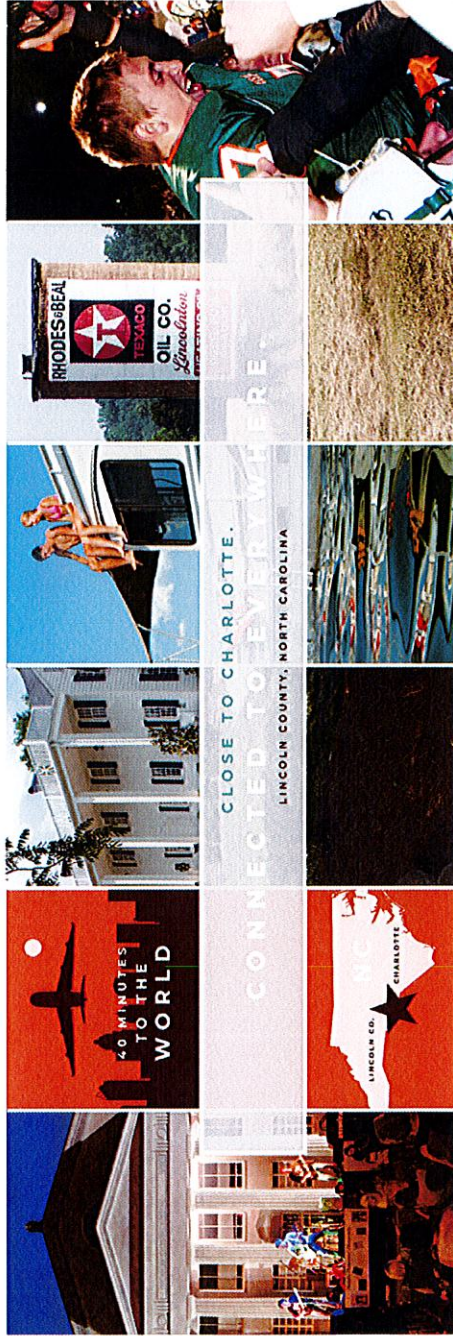


Property Taxes Paid by Industry in Lincoln County, 2023

Real Property Tax Income:	\$4,100,000
Business Personal Tax Income:	\$3,100,000
Total:	\$7,200,000

Incentive Grants Paid 2023:	\$1,006,050
-----------------------------	-------------

Net Taxes Paid by Industry: \$6,193,950



LEDA

PRODUCT DEVELOPMENT COMMITTEE



Land For Sale

319 N. Generals Blvd
Lincolnton, NC 28092

- ±22 acres
- Zoned GMC (General Manufacturing and Commercial District)
- Lincoln County Submarket of Charlotte
- Lincoln County PID: 2622-18-7564
- Easy access to Hwy 321
- Water and sewer available to the site
- Call for pricing

Steve Rich, CCIM
Senior Vice President | Charlotte
+1 704-409 2375
steve.rich@colliers.com

Adam Farber, SIOR
Vice President | Charlotte
+1 704-409 2369
adam.farber@colliers.com



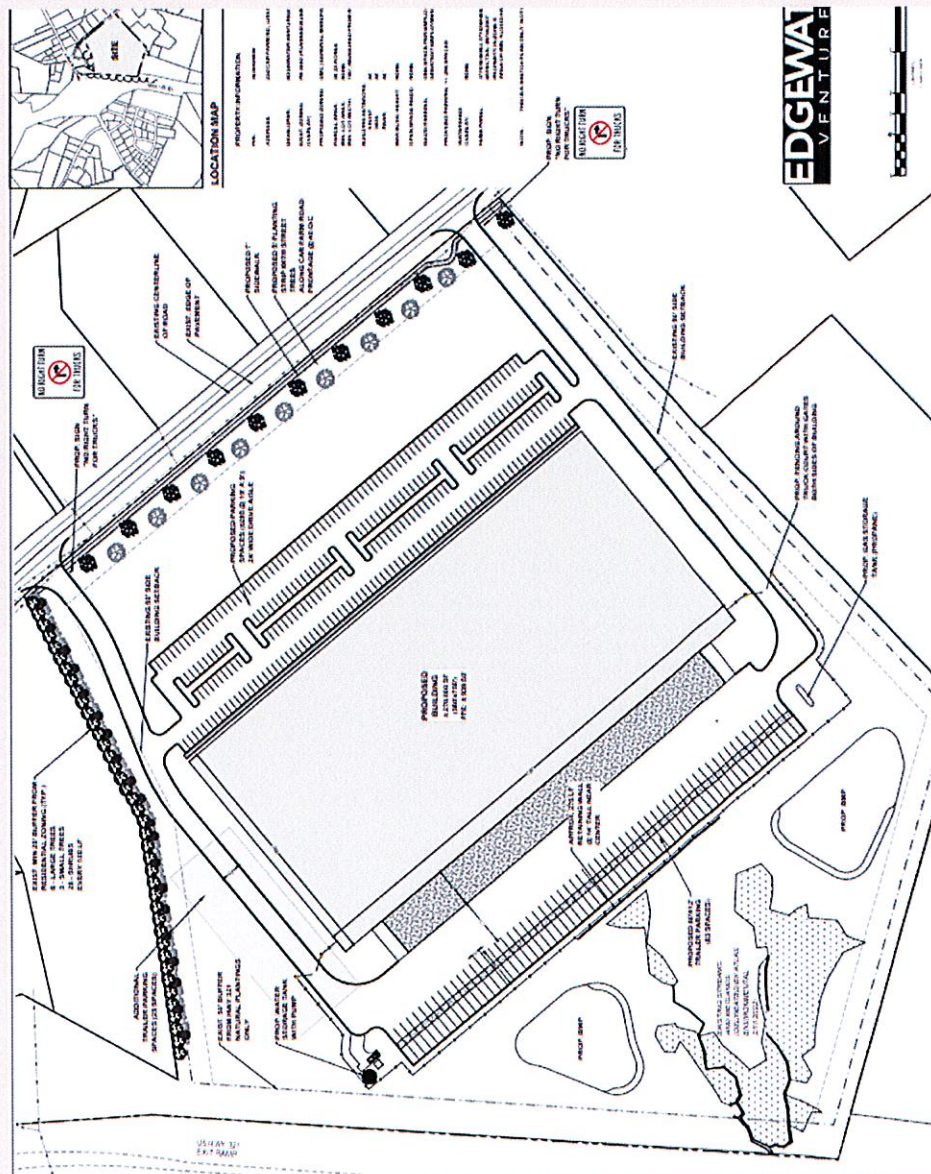
300 W. Summit Ave., Suite 200
Charlotte, NC 28203
P: +1 704-409 9933
colliers.com/charlotte

Numerous Redevelopment Opportunities in City Limits

Griffin Bros Site

- LEDA Holds Option Agreement until 11/15/24

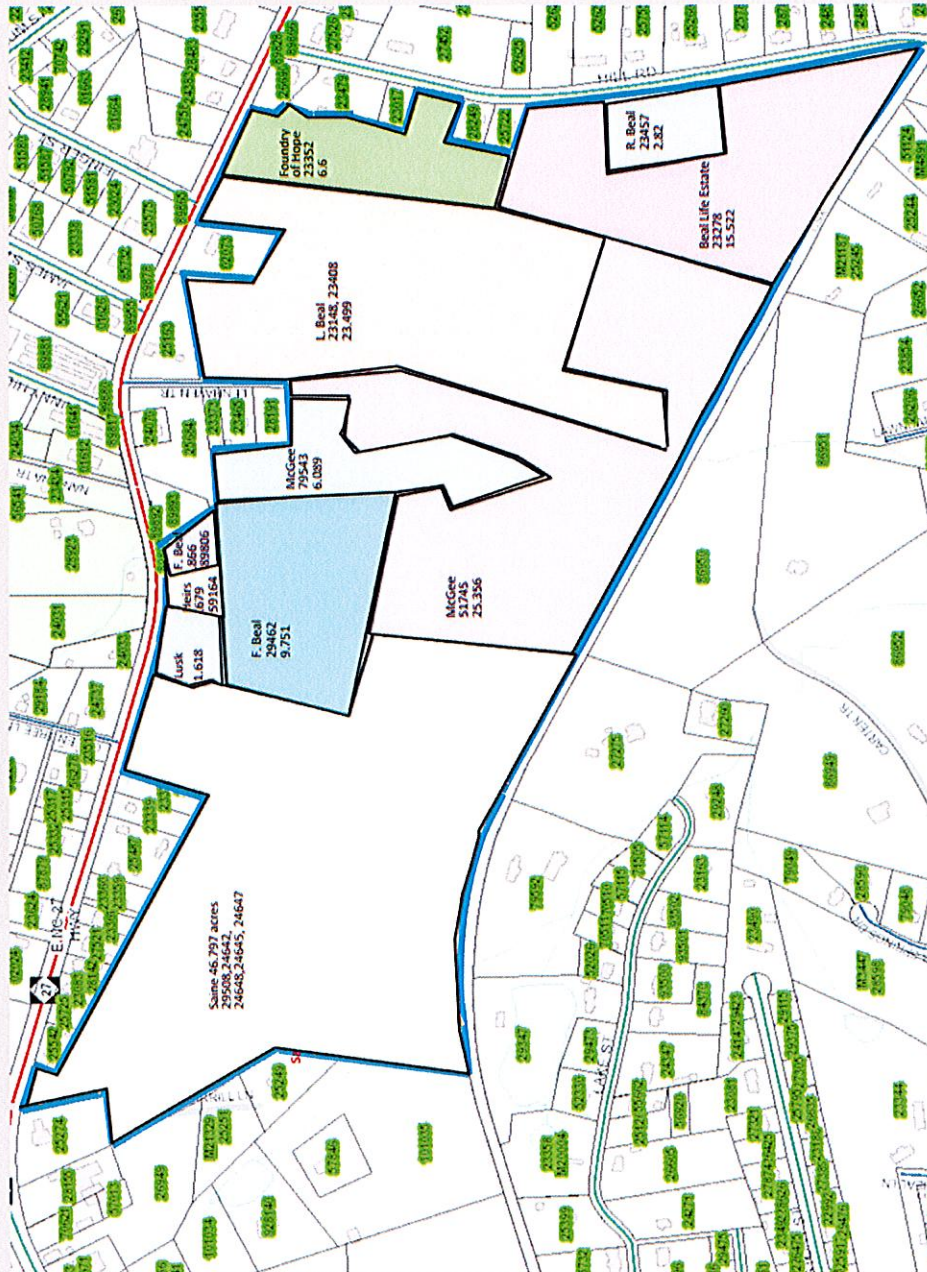
- LEDA Holds Option Agreement until 11/15/24
- 30 Acres, in City Limits
- Previous sewer issue resolved by City



Potential Commerce Center on NC 27 Hwy, Just East Of Lincolnnton City Limits and 150 Intersection

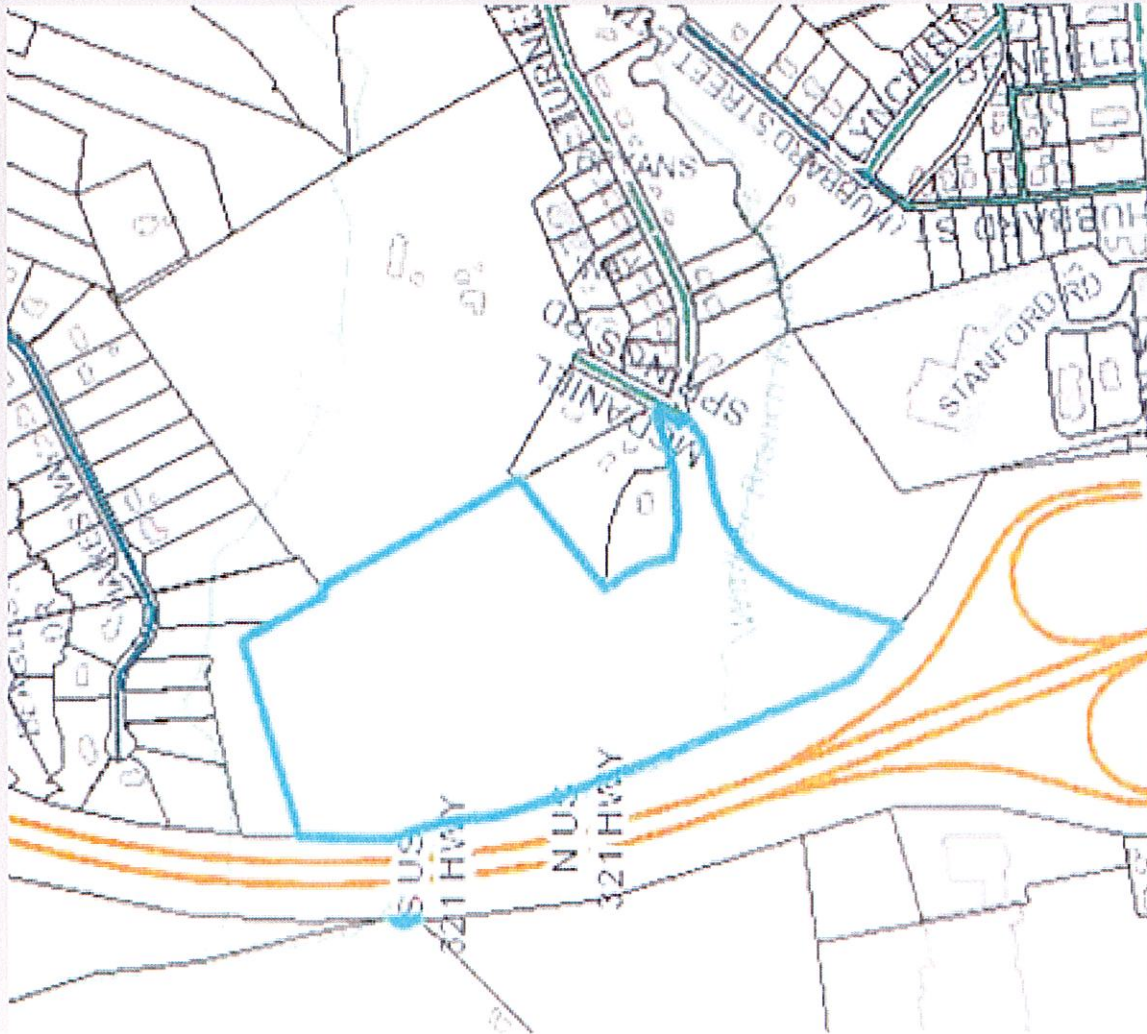
This 127-acre site is surrounded by a mix of commercial and residential uses. Locating light-impact commercial entities would serve the tax base, provide future business locations, and could be buffered in a way that harmonizes with the immediate vicinity.





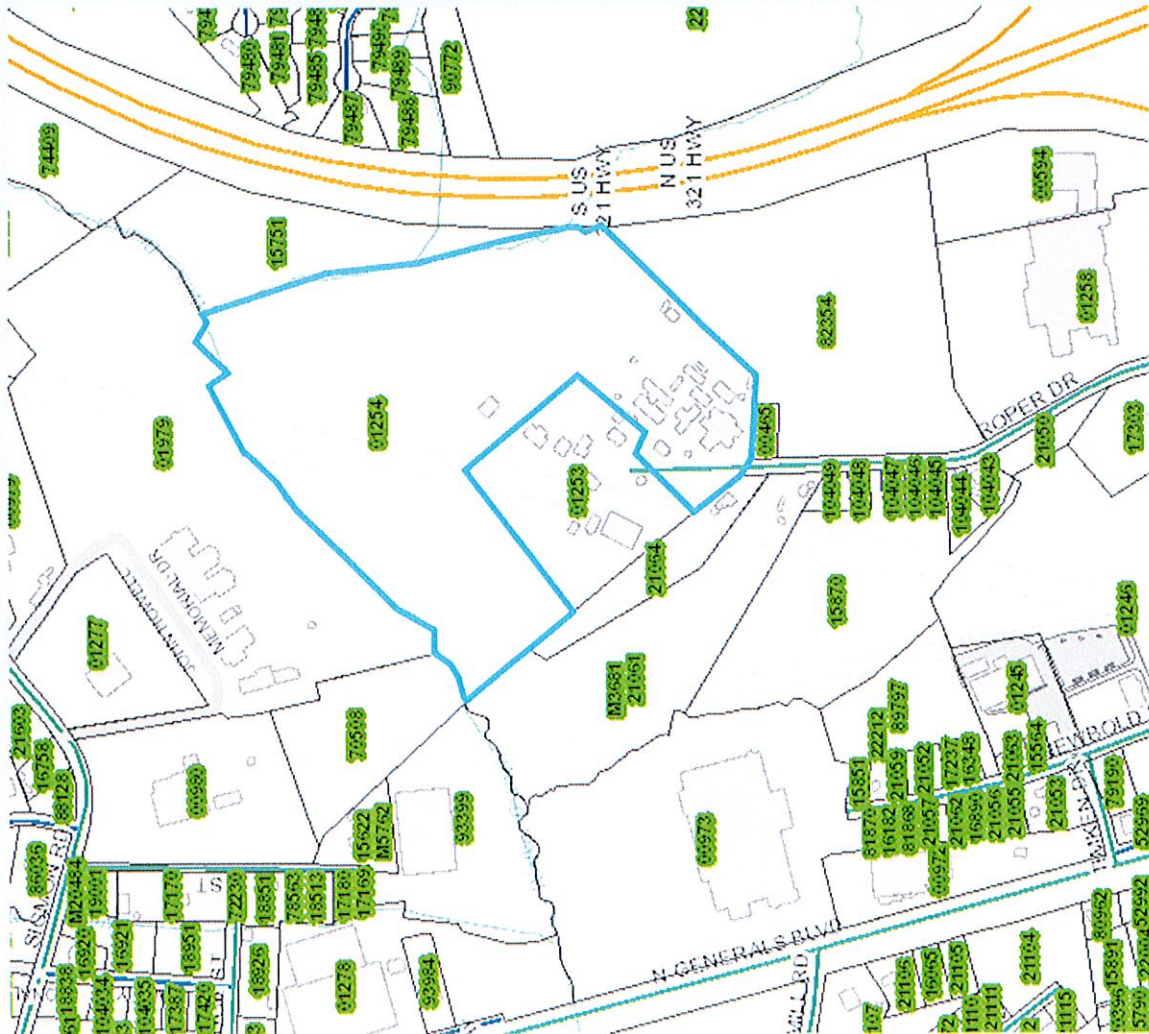
City of Lincolnton

Along with City of Lincolnton Planning and Public Works evaluate feasibility of mixed-use commercial development on the +/- 80 acres behind the Food Lion along the east side of 321 in Lincolnton. **Update:** Primary future commercial access point sold last year to Miller Pipeline.



Potential Commerce Center

- NC Dept. of Prisons 48.4 Acres
- NCDOT Maintenance Yard 9.43 Acres
- J-Bo 23.9 Acres
- Last sizeable area in City limits for this type of development
- Considerable frontage along 321
- Likely to not move anytime soon



Lincoln Commerce Center

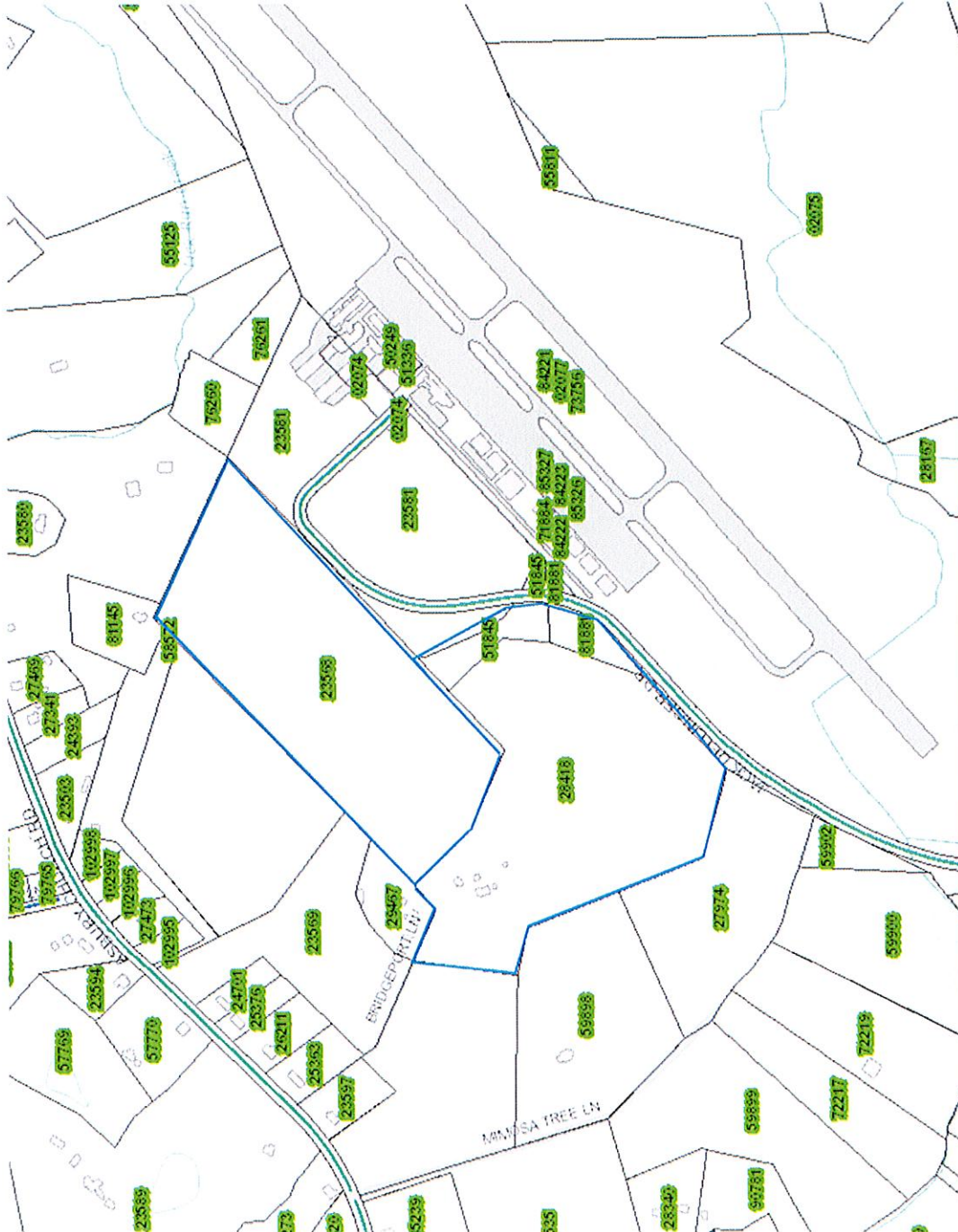


Utility Routes Under Design/Review

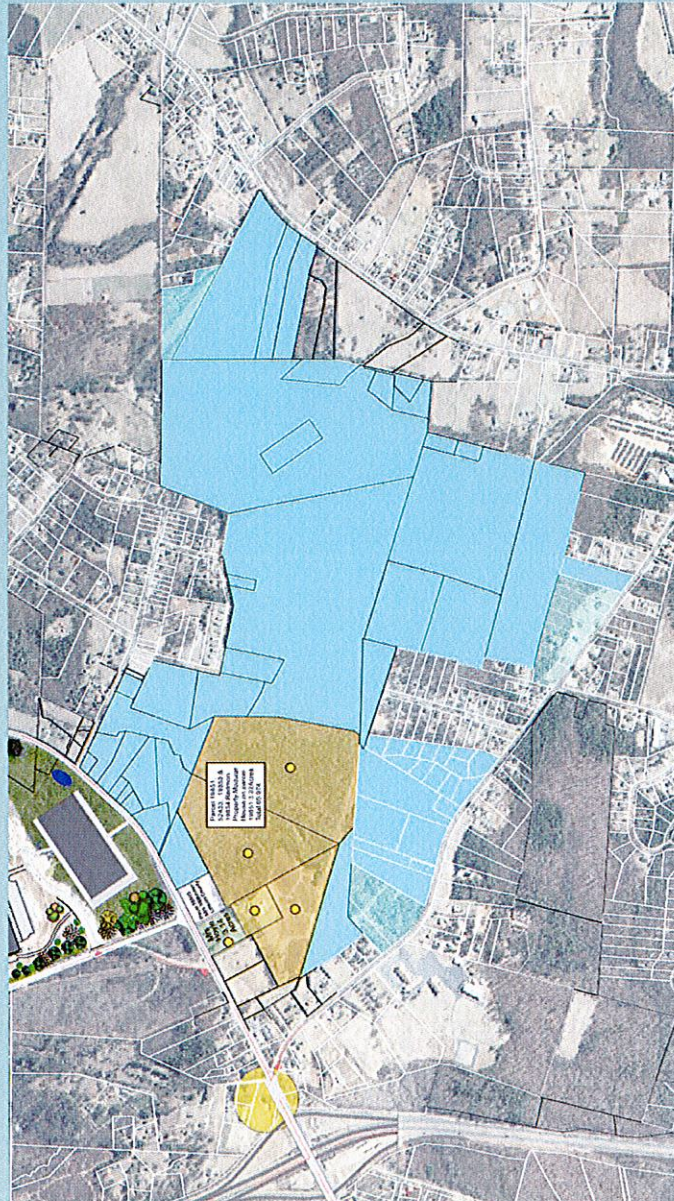


Airport Business Park and Hangar Space

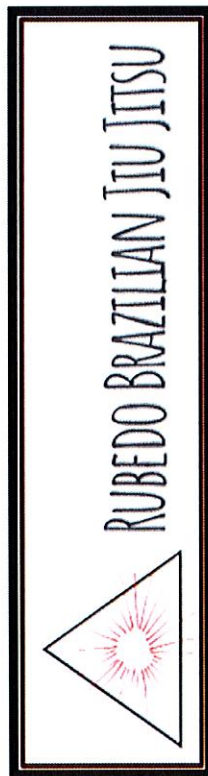
- Lincoln County purchased parcels 28418, 51845, and 81881, totaling 34 acres
- Lincoln County already owns the 33-acre parcel # 23568; this will combine with the parcels mentioned above to create the Lincoln County Airport Business Park
- Hole is finally being filled
- Preliminary engineering of park to start soon, 2024?



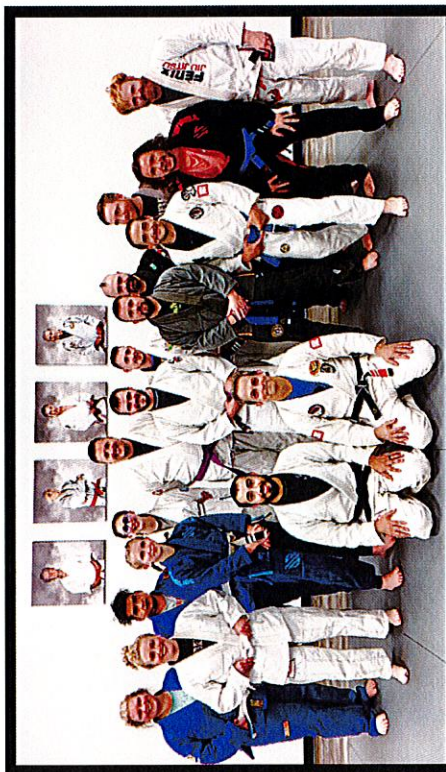
Lincoln County Industrial Park Extension, Securing Control, Engaging Landowners, \$TBD



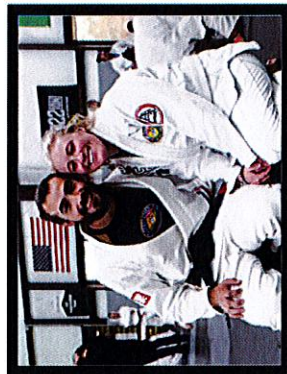
Ribbon Cutting Held August 18, 2023



1565 N Aspen Street
Lincolnton Plaza Shopping Center



ADULT CLASSES AVAILABLE



Owners:
Adrian & Haley
Ike

SELF DEFENSE
RESPECT
HARD WORK
FUN AND SAFE ENVIRONMENT
CLASSES FOR KIDS AND ADULTS



KID'S
CLASSES
AVAILABLE



**NOVEMBER 2023 RIBBON CUTTING ~ GRAND
OPENING**



116 East Main Street - Downtown

Ribbon Cutting

**Grand Re-
Opening**

**NOVEMBER 15,
2023
OWNERS
LIN & AMBER
SUTTON**



Ribbon Cutting

Grand Opening

**JANUARY 3RD
2024**

**OWNERS
JOSH & ERICA
ABERNATHY**



2024

JANUARY 2024 RIBBON CUTTING ~ GRAND OPENING



112 Court Square - Downtown



Ribbon Cutting

Grand Opening

**FEBRUARY 13TH
2024**

**OWNER
KIM GREENE**



2024

FEBRUARY 2024 RIBBON CUTTING ~ GRAND



107 W. Court Square - Downtown



Ribbon Cutting

Grand Opening

**FEBRUARY 13TH
2024**

**OWNER
MELANIE
MYERS**



2024

FEBRUARY 2024 RIBBON CUTTING ~ GRAND

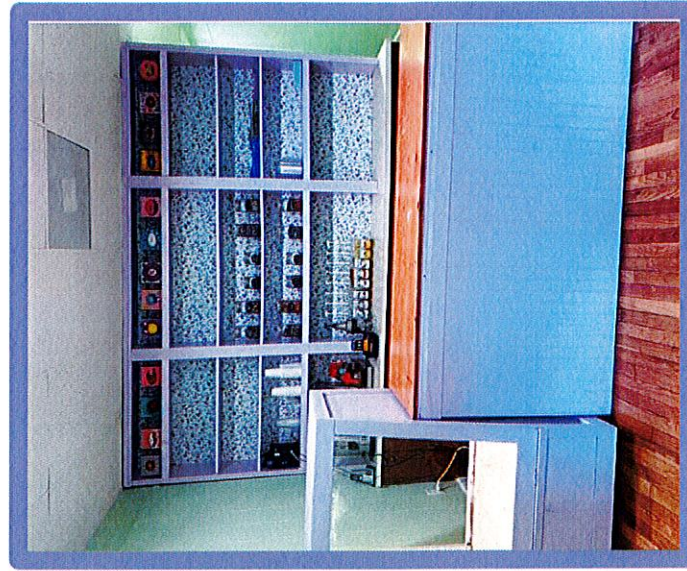
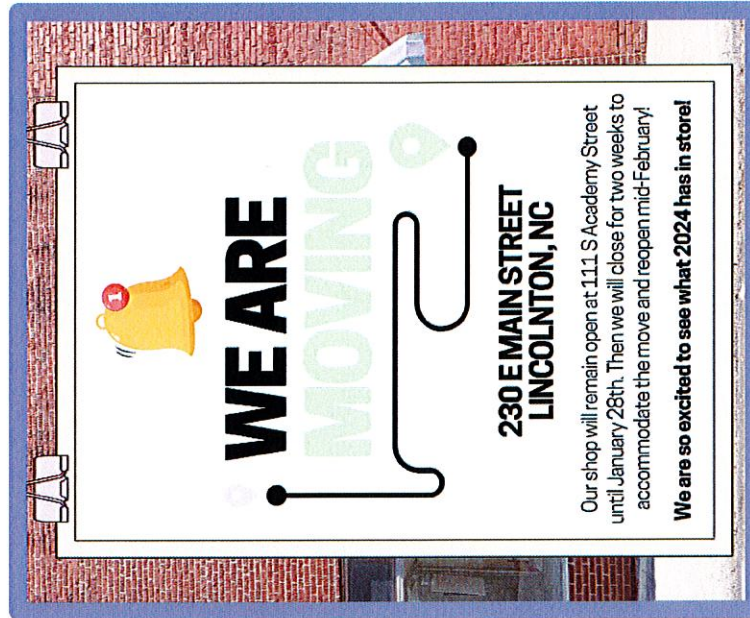
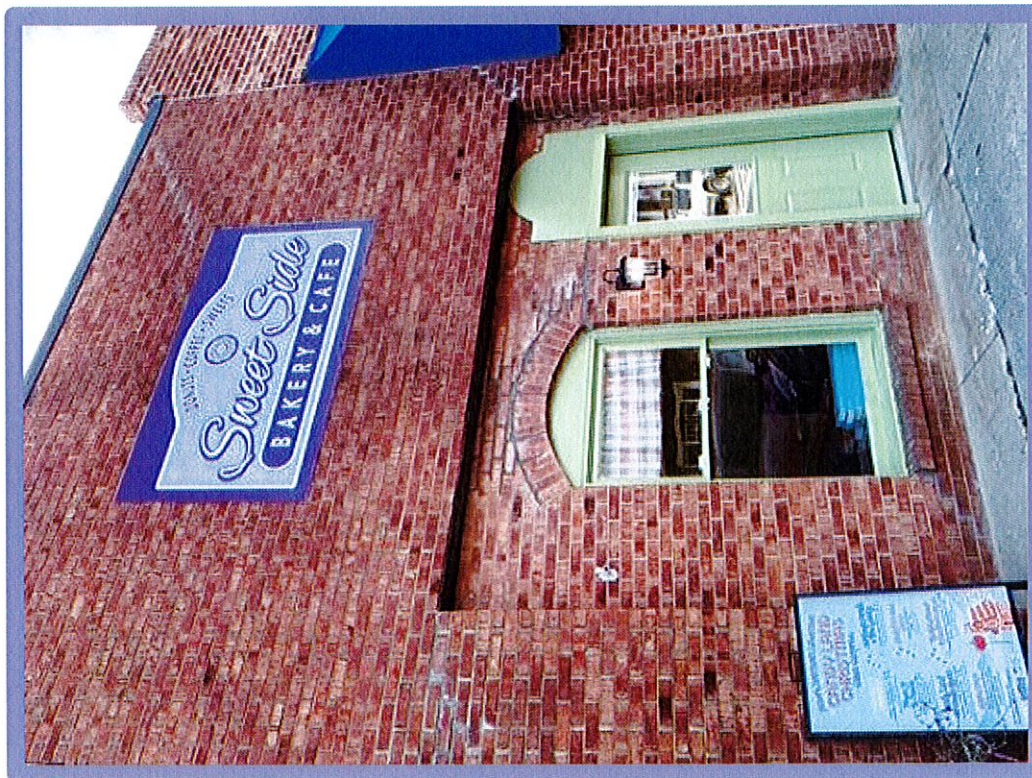


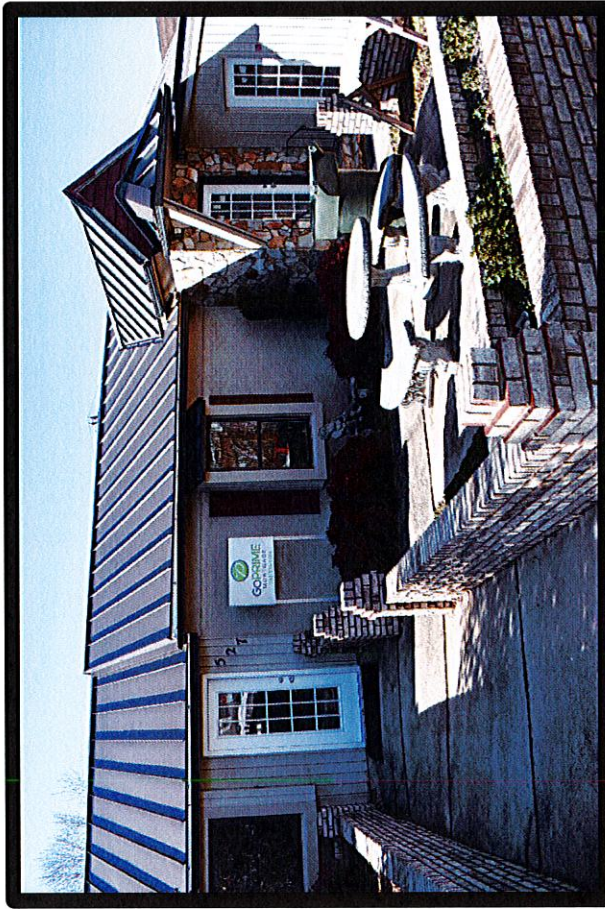
109 W. Court Square - Downtown



2024

RELOCATION TO MAIN STREET REOPENED FEBRUARY 14TH, 2024





**BAKERY COMMERCIAL KITCHEN
FOR
LKN CHEESECAKERY
AND
A FREEZY TALE**

PRODUCTION STARTED
March 23, 2024
527 N Aspen Street, Lincoln



LINCOLNTON
AGENDA ITEM SUMMARY

To: The Honorable Mayor and City Council
Date: April 4, 2024
From: Pamela McBryde, Finance Director
Subject: Budget Amendment to General Fund, Boger City Fire District, Powell Bill Fund, Water & Sewer Fund, and Electric Fund

Summary:

Background:

Fiscal Impact:

Recommendation:

Attachments:

1. BA-02-24

CITY COUNCIL

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

**CITY MANAGER**

Richard Haynes
rhaynes@lincolntonnc.org

CITY CLERK

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

CITY ATTORNEY

John M. Friguglietti, Jr.
john@davidsonlawyers.net

BA-02-24

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, 2024.

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

General Expense	\$	197,643
Police	\$	35
Fire		12,934
Solid Waste		5,855
Planning/Zoning		6,490
Bus & Comm. Dev		149
Recreation		30,643
	\$	253,749

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

General: Pilot-Housing Authority	\$	8,173
SW: Rollout Fees		5,855
General: Cemetery Lot Sales		2,250
PD: Sidewalk Café Permit		35
P&Z: Zoning Department Fees		4,950
P&Z: Misc. Revenue		1,540
FD: Inspection Fees		8,575
FD: Misc. Revenue		4,359
Rec: Registration & Entry Fees		25,691
Rec: Sponsorships		2,000
BC&D: Event Fees		149
Rec: Miscellaneous Revenue		153
General: Interest		177,135
General: Insurance Settlement		8,766
General: Repair Settlement		653
General: WEX-Fuel Rebates		666
Rec: Veterans Banner Project		2,800
General: Federal Equitable Deposits		1
	\$	253,749

General Fund: Record Zoning & Planning fees, Fire Department fees, Solid Waste roll out sales, interest income earned, special event fees, insurance claim settlement for damage to Trash Truck, repair settlement from Koval Builders for damage @ 1110 E. Lincoln Street, Veterans banner donation, WEX fuel rebates, Housing Authority, other miscellaneous revenue, Hollybrook Cemetery sales, and Federal Equitable reimbursement for the Police Department.

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

Boger Ciy Fire Tax	\$	3,712
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Section 4: To amend the Boger City Fire District Fund, the revenues are to be changed as follows:

Investment Income	\$	3,712
	\$	3,712

Boger City Fire District: Record interest income earned.

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

Powell Bill Construction/Other	\$	5,415
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Section 6: To amend the Powell Bill Fund, the revenues are to be changed as follows:

Investment Income	\$	5,415
	\$	5,415

Powell Bill Fund: Record interest income earned.

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

Water Treatment Plant	\$	6,761
Distribution and Collection		550,246
Water and Sewer Intangibles		5,515
	\$	562,523

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

Investment Income	\$	100,882
Connection Charges		449,364
Other Operating Revenues		12,276
	\$	562,523

Water and Sewer Fund: Record interest income earned, water and sewer connection charges, door repair on 2023 Dodge Ram, and Koval Builders repair settlement for damage to 1" galvanized line.

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

Electric Operations	\$	95,087
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Section 10: To amend the Electric Fund, the revenues are to be changed as follows:

Investment Income	\$	63,098
Other Operating Revenue		26,438
Other Operating Sources		5,551
	\$	95,087

Electric Fund: Record interest income earned, default fees, and electric meter fees.

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 \$ 920,485

Adopted this 4th day of April, 2024

Attest:

Daphne Ingram
City Clerk

Edward L Hatley
Mayor



**LINCOLNTON
AGENDA ITEM SUMMARY**

To: The Honorable Mayor and City Council
Date: April 4, 2024
From: Pamela McBryde, Finance Director
Subject: Resolution for the Approval for the City of Lincolnton to join in the North Carolina Liquid Assets Securities System

Summary:

Background:

Fiscal Impact:

Recommendation:

Attachments:

1. Resolution_NC Class

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
John M. Friguglietti, Jr.

**RESOLUTION FOR THE APPROVAL FOR THE CITY OF LINCOLNTON TO JOIN
IN THE NORTH CAROLINA LIQUID ASSETS SECURITIES SYSTEM**

A resolution authorizing the City of Lincolnton (the “Local Government Unit”) to join with other political subdivisions of the State of North Carolina as a Participant (“Participant”) in the North Carolina Cooperative Liquid Assets Securities System (North Carolina CLASS) (the “Trust”) to pool funds for investment.

WHEREAS, the provisions of Section 159-30 of the General Statutes of North Carolina, as amended (“N.C. Gen. Stat.”), provide the guidelines for any local government or public authority of the State of North Carolina (a “Local Government” or “Local Government Unit”) to invest idle funds;

WHEREAS, under N.C. Gen. Stat. §159-30(c)(10), moneys may be invested in a commingled investment pool established by interlocal agreement pursuant to N.C. Gen. Stat. §160A-460 through 160A-464 (a “Local Government Investment Pool”), if the investments of the Local Government Investment Pool are limited to those qualifying for investment under N.C. Gen. Stat. §159-30(c) or other laws of the State of North Carolina governing the investment of monies of a the City of Lincolnton (“Permitted Investments”);

WHEREAS, certain Local Government Units have executed an Interlocal Agreement dated March 1, 2023 (the “Original Interlocal Agreement” and as supplemented and amended the “Interlocal Agreement”) for the purpose of creating the Trust or executed a joinder agreement for purposes of joining the Original Interlocal Agreement;

WHEREAS, the Trust is governed by the terms of an Indenture of Trust dated as of March 1, 2023 (the “Indenture”), which provides for the deposit of the pooled idle funds in the Trust and the investment of such funds in only Permitted Investments; and

WHEREAS, the Local Government Unit desires to become a party to the Interlocal Agreement and a Participant in the Trust.

NOW THEREFORE BE IT RESOLVED by the Lincolnton City Council (the “Governing Body”) of the City of Lincolnton as follows:

1. The Governing Body hereby approves the City of Lincolnton’s participation in the Trust
2. The Governing Body authorized the execution and delivery of a joinder agreement to the Interlocal Agreement (the “Joinder Agreement”) substantially in the form presented at this meeting, together with such changes, modifications and deletions, as

may be approved by the City of Lincolnton's Finance Director (the "Authorized Representative"). The approval of the Joinder Agreement will be evidenced conclusively by the execution and delivery of the Joinder Agreement by the Authorized Representative.

3. The Authorized Representative is hereby authorized to take or cause to be taken any and all such other actions as they may determine in their discretion to be necessary or advisable or in the best interest of the City of Lincolnton in order to effectuate, complete and carry out the intent and purposes of the foregoing resolutions and the investment of the City of Lincolnton's idle funds, including, but not limited to, the execution of all depository forms or other documents required by the administrator, the custodian or the investment advisor of the Trust and execution of amendments to the Interlocal Agreement entered into for the purposes of (i) adding an additional Participant to the Trust or (ii) which do not have financial implications for the City of Lincolnton.
4. The Governing Body hereby approved the Authorized Representative to serve as the City of Lincolnton's Authorized Representative under the Interlocal Agreement and the Indenture (as "Authorized Representative" is defined in such documents).

The undersigned hereby certifies that the Lincolnton City Council has enacted this Resolution and that such Resolution is a true and correct copy of the original.

This the 4th day of April, 2024.

**Ed Hatley, Mayor
Lincolnton City Council**

Daphne Ingram, City Clerk

Authorized Signature

Title

Printed Name

Date



LINCOLNTON
AGENDA ITEM SUMMARY

To: The Honorable Mayor and City Council
Date: April 4, 2024
From: Brian Greene, Major
Subject: Consideration of Request to Apply for Community Policing Development Grant

Summary:

CPD is a competitive grant program designed to advance the practice of community policing by providing guidance on promising practices through the development and testing of innovative strategies; building knowledge about effective practices and outcomes; and supporting new, creative approaches to preventing crime and promoting safe communities. The CPD – Promoting Access to Crisis Teams solicitation (*formerly known as Implementing Crisis Intervention Teams*) will provide grants directly to state, local, tribal, and territorial law enforcement agencies for the creation or expansion of crisis intervention teams and to embed mental and behavioral health services with law enforcement agencies so they can better respond to individuals in crisis in the community. Approximately \$4 million is available for this program

Background:

The CPD – Promoting Access to Crisis Teams solicitation, (*formerly known as Implementing Crisis Intervention Teams*)

Fiscal Impact:

NA

Recommendation:

Approval of Request

Attachments:

None