



**LINCOLNTON
AGENDA
November 7, 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

- October 3, 2024 - Regular Meeting Minutes
- Lincoln County Tax Department - Request for Releases September 16, 2024 - October 15, 2024
- Retirement Recognition - Michael "Todd" Cochrane for 25 years of service

2. 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

3. PUBLIC HEARINGS

- 3a CZ-4-2024 Consideration of an application from Sam's Xpress Car Wash requesting a conditional district rezoning of 4.02 acres of land from Planned Business (PB) District to the Highway Commercial (HC) District for the purpose of constructing a car wash with fuel islands.**

Jean Derby, Planning Director

4. REGULAR AGENDA

4a

Parks & Recreation Policies and Procedures Manual Revision-Section 11

Nathan Eurey, Public Services Director

4b Review/ Update on Social District

Ritchie Haynes, City Manager

4c Consideration of Request from the Lincoln Landmarks

Ritchie Haynes, City Manager

5. OTHER BUSINESS

5a Reorganization - Committees/ Council/ Chairs

Ed Hatley, Mayor

5b Manager's Activity Report / Update

Ritchie Haynes, City Manager

NEWS MEDIA

ADJOURNMENT

REGULAR MEETING – October 3, 2024

The Lincolnton City Council met in Regular Session on Thursday, October 3, 2024 at 7:00 p.m. in the Council Chambers of City Hall located at 114 West Sycamore Street, Lincolnton, NC.

The following Council members were present and accounted for:

DEMENY POINSETTE TIPTON

NOTE: Councilmember Roby Jetton was not in attendance.

Mayor Ed Hatley called the October 3rd Lincolnton City Council meeting to order by asking all to rise for a moment of silence. Mr. Hatley introduced Troop #75, under the direction of Mr. Teddy Reid, to lead the pledge of allegiance.

Councilmember Chrisine Poinsette made a motion to approve the REGULAR AGENDA as amended. (*Item #4b – Alcohol contract for Lincoln Cultural Center Concert at First Federal Park was deleted*). Members voted 3-0 in favor of the motion.

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

- September 5, 2024 – Regular Meeting Minutes
- Lincoln County Tax Department – City Releases August 16 to September 30, 2024
- Proclamation – Industry Appreciation Month

Members voted 3-0 in favor of the motion.

PUBLIC COMMENT

Mayor opened the floor for public comment. Two members of the public, Mr. Alan Hoyle and Mr. Trent Mason, spoke during this portion of the meeting. Both were allowed three (3) minutes to address Council.

PRESENTATION/UPDATE:

Termination of State of Emergency

Mayor Ed Hatley asked for a motion to approve the following proclamation:

WHEREAS, on the 27th day of September, at 11:30 a.m., it was determined that there was an imminent threat to life and property associated with damage incurred from Hurricane Helene; and

REGULAR MEETING – October 3, 2024

WHEREAS, due to this determination, a municipal State of Emergency was declared in the City of Lincolnton pursuant to the City of Lincolnton State of Emergency Ordinance and Chapter 166A of North Carolina's General Statutes; and

WHEREAS, it appears that the existence of that municipal emergency has ceased to exist; and

WHEREAS, the declaration is no longer essential.

NOW, THEREFORE, I, Ed Hatley, Mayor of the City of Lincolnton, pursuant to the City of Lincolnton State of Emergency Ordinance and Chapter 166A of North Carolina's General Statutes, do hereby rescind the existing municipal State of Emergency effective immediately.

Mayor Hatley explained that, just as Lincoln County, the City declared a State of Emergency because of damage incurred from Hurricane Helene, stating that this is necessary to receive any FEMA funds. Both Mayor Hatley and City Manager Ritchie Haynes briefly spoke about how minimal the damage seen in our area is compared to our neighbors in the western part of the state.

Councilmember Christine Poinsette made a motion to terminate the State of Emergency. Members voted 3-0 in favor of the motion.

Introduction of New Patch – Police Department

Mayor Ed Hatley recognized Police Chief Brian Greene, who presented the new patch that officers will display on their uniforms. Chief Greene said that the new patch is a result of requests he received from officers over the years. He stated that the request included a desire for a wolf to be incorporated into the patch. Chief Greene thanked Council for their support and gave each member a patch of their own. No action was taken/needed on this item.

Update from Lincoln Economic Development Association

Mayor Ed Hatley recognized Mr. Cliff Brumfield, Lincoln Economic Development Association Director. Mr. Brumfield began by announcing the upcoming annual forklift rodeo to be held at Gaston College - Lincoln campus. Mr. Brumfield gave an update on the amount of job growth in the last several years and presented the 2024-2025 Lincoln County Incentive Grant Payment schedule. He emphasized the three companies currently participating in the city and gave a brief explanation of how the grant program works.

REGULAR MEETING – October 3, 2024

Mr. Brumfield introduced a new Class-A industrial facility currently under construction and spoke to several recent activities LEDA has been involved in. He also spoke to receiving a bronze award for innovative economic development projects at the International Economic Development Annual Conference.

REGULAR AGENDA:

BA-05-24 **Amendment to the Annual Budget Ordinance for** **fiscal year ending June 30, 2025**

Finance Director Pamela McBryde addressed Council to present the first budget amendment of fiscal year 24-25, and to request approval of the amendment. Ms. McBryde briefly explained that reason for the amendment, recognized those that were instrumental in successfully recovering funds from an insurance claim and offered to answer questions. The amendment was presented as follows:

BA-05-24

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, 2025.

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

General Expense	\$	18,909
Police		73
Fire		19,105
Solid Waste		890
IT General Services		38
Recreation		8,175
	\$	47,189

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

FD: Boger City Fire Tax	\$	19,000
SW: Rollout Fees		890
General: Insurance Settlement		7,438
General: Repair Settlement		215
Rec: Veterans Banner Project		8,175
General: Federal Equitable Deposits		11,471
	\$	47,189

REGULAR MEETING – October 3, 2024

General Fund: True-up Boger City Fire Tax per County, Solid Waste roll out collections, Veteran Banners Project from PY & CY, Federal Equitable deposits PY, and Insurance settlements from (1) sign damage at W. Congress Street: (2) Pottery Jug/stand damage

Section 3: To amend the Powell Bill Fund, the expenditures are to be changes as follows:

Powell Bill Construction/Other	\$	939
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Section 4: To amend the Powell Bill Fund, the revenues are to be changed as follows:

Investment Income	\$	939
	\$	939

Powell Bill Fund: Record interest income earned.

Section 5: To amend the Water and Sewer Fund, the expenditures are to be changes as follows:

Wastewater Treatment Plant	\$	1,753
Water and Sewer Intangibles		48,269
	\$	50,022

Section 6: To amend the Water and Sewer Fund, the revenues are to be changed as follows:

Other Operating Revenues	\$	50,022
	\$	50,022

Water and Sewer Fund: WWTP Field Sampling charges, returned check fee, and Insurance settlements for (1) WWTP roof repair from storm damage (NLCM); (2) Power Pole Outage on N. Gov't / West Congress Street

Section 7: To amend the Electric Fund, the expenditures are to be changes as follows:

Electric Operations	\$	1,282,418
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Section 8: To amend the Electric Fund, the revenues are to be changed as follows:

Other Operating Revenue	\$	1,282,418
	\$	1,282,418

Electric Fund: NCMFA refund of working capital by A1 rate committee, Additional utility receivables, and Insurance settlements for (1) Pole damage on Court Square by Western Express: (2) Power Pole Outage on N. Gov't / West Congress Street

Section 9: To amend the Special Revenue Fund, the expenditures are to be changed as follows:

AIA Grants-WasteWater-W-ARP-0242

REGULAR MEETING – October 3, 2024

Section 10: To amend the Special Revenue Fund, the revenues are to be changed as follows: AIA Grants-WasteWater-W-ARP-0242

Special Revenue Fund: Record NCDEQ-AIA Grant Reimbursements for WasteWater.
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Section 16: Appropriations are authorized by fund totals. The City Manager is authorized to reallocate fund appropriations among line item objects of expenditures and revenues as necessary during the budget year.

Section 17: Copies of this Budget Ordinance shall be furnished to the Clerk to the Governing Board and to the Budget Officer and Finance Director to be kept on file by them for their direction in the disbursement of funds.

	\$	5,726
	\$	5,726
	\$	5,726
	\$	5,726
TOTAL AMENDMENT	\$	1,386,295

Councilmember Kevin Demeny made a motion to approve. Members voted 3-0 in favor of the motion.

Request for Permission to Post Notice and Accept Applications to fill Upcoming Vacancies on Various Boards and Commissions

Mayor Ed Hatley recognized City Clerk Daphne Ingram, who reminded members of the appointments to the various boards and commissions that will need to be made at the December 5th council meeting. Ms. Ingram asked for permission to publish and/or post a notice of the vacancies and to open the application process.

Councilmember Jill Tipton made a motion to approve the request for permission to post. Members voted 3-0 in favor of the motion.

Council also directed Ms. Ingram to notify those individuals that have been unable to fulfill their commitment on their respective boards, and to move forward with replacing those individuals as well.

Lincoln Meadows Easement Agreement

Mr. Todd Elmore, Water Resources Director, appeared before the Council to request approve of an easement agreement. He explained the agreement is for the Lincoln Meadows Phase 2 gravity sewer line. Mr. Elmore stated that the three (3) adjoining property owner's have agreed to give Lincoln Meadows an easement. He informed that once the line is installed, the city will, at that time, take over the easement. According to Mr. Elmore, this will give the adjoining property access to sewer as well.

Councilmember Kevin Demeny made a motion to approve the Lincoln Meadows easement agreement as presented. Members voted 3-0 in favor of the motion.

**Interlocal Agreement with Lincoln County
for Communications and Dispatching Services**

City Manager Ritchie Haynes addressed Council with a request for approval of an interlocal agreement with Lincoln County for Communications and Dispatching services. He addressed item 5b and 5c at this time as well.

Mr. Haynes provided some background history regarding past agreements and what they involved. He explained that due to the addition of Chris Jones as a city employee, there has been no need for IT services, which were originally included in the agreement, to be provided. Mr. Haynes informed council that, after meeting with the County Manager and County Attorney, it was decided that the portion of the agreement that would have been paid for IT services will be exchanged for the difference in water and sewer prices received at the county jail. He stated that if it is not a wash and the difference being paid at the end of the year by which ever entity owes. Mr. Haynes did add that he did not include animal services in this agreement, as it will be a separate contract.

City Manager Ritchie Haynes recommended there be an escalator of 2 ½ percent, explaining that the County's cost will increase as the years go by. He also stated that the County understand that when the cost of the City's water and sewer increases, there cost will increase as well. **Councilmember Christine Poinsette made a motion to approve the interlocal agreement and the DCI service. Members voted 3-0 in favor of the motion.** *City Clerk Daphne Ingram requested two separate motions since it is two separate contracts*

Councilmember Christine Poinsette amended her motion to just include the Interlocal Agreement. Members voted 3-0 in favor of the motion.

**DCI Servicing Agreement between the Lincoln Police Department and
Lincoln County Communications**

With no discussion, Councilmember Christine Poinsette made a motion to approve the DCI Servicing Agreement. Members voted 3-0 in favor of the motion

OTHER BUSINESS

Approval to Accept Ownership – Lincoln Meadows Sidewalks

City Manager Ritchie Haynes spoke to Council regarding accepting ownership of the Lincoln Meadows sidewalks. He reminded Council that the HOA the phase one of Lincoln Meadows approached the city to request the City take over the sidewalks. He spoke briefly about the sidewalk deficiencies when the neighborhood was initially constructed and what would need to be done before the city would agree to taking ownership. Mr. Haynes informed that a company was recently hired to do an inspection and found that all deficiencies have been corrected. In light of this, Mr. Haynes gave his recommendation that the City adopt the sidewalks agreed upon between the City and the HOA. He stated that when phase two is built, the developer will come in a complete phase one.

Councilmember Christine Poinsette made a motion to approve the City accepting the ownership of the Lincoln Meadows sidewalks outlined. Members voted 3-0 in favor of the motion.

Manager's Report / Update

City Manager Ritchie Haynes used this time to brief/update council on the storm damage caused by Hurricane Helene and allowed several department heads that were at Ground Zero to share what they experienced. Prior to that, Mr. Haynes did recognize several individuals for some of their recent accomplishments. He noted that Justin Elmore received his C distribution certificate, while Kobe Heir, and Jamie Shoal received their B distribution certificate.

Staff from several different departments addressed Council regarding the impact of the storm and what they experienced. Brent Turner spoke for the Electric Department, Nathan Eurey spoke for the Street Department, Solid Waste Department and Public Services. He also recognized Beth Hall, Laura Morris, Lori Benfield, Daphne Ingram, David Ramsey, Jennifer Black, Johnny McLean and Leigh

REGULAR MEETING – October 3, 2024

Bogdany. Chief Brian Green spoke for the Police Department and Chief Ryan Heavner spoke for the Fire Department, who recognized Joe Fletcher spoke to the details of what the department experienced from start to finish. Like all of the others that spoke before him, Chief Fletcher emphasized how each department worked together and were able to get the job done. In addition, City Manager Ritchie Haynes named each of the individuals that were instrumental during this weather event. Members of council commented on how well things were handled and how everyone came together to work as a team.

Mr. Haynes reminded members that because of the work that will need to continue, departments like Human Resources and Finances, as well as other, will play a part in the recovery efforts of the storm. Todd Elmore spoke for the Water Resources Department – distribution and collections, and gave an update on the many different challenges his department faced and the issues they faced with the hospital. Mr. Haynes thanked the citizens for their patience and encouraged everyone to continue to keep the mountain counties in your thoughts and to be available for them long term. In response to a question from Councilmember Demeny, there was some discussion surrounding Western North Carolina and what the City can do to help. Mr. explained what he knows about the situation and the best way to provide aide and relief.

News Media

Staff reporter Mike Powell had two questions. Both were answered by city staff.

Adjournment

Councilmember Christine Poinsette made motion to adjourn. Members voted 3-0 in favor of the motion.

**DAPHNE INGRAM, CMC
CITY CLERK**

**ED HATLEY
MAYOR**

PERIOD COVERED

September 16, 2024 through October 15, 2024

CITY RELEASES LESS THAN \$100

<u>NAME</u>	<u>YEAR</u>	<u>DIST</u>	<u>A/C NO</u>	<u>AMOUNT</u>	<u>REASON</u>
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N/A

TOTAL \$0.00

SUBMITTED BY:



SUSAN SAIN , TAX ADMINISTRATOR

DATE: 10-22-24

APPROVED BY:

RICHARD HAYNES , CITY MANAGER

DATE: _____

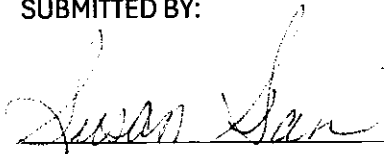
PERIOD COVERED

September 16, 2024 through October 15, 2024

CITY RELEASES \$100 AND OVER

<u>NAME</u>	<u>YEAR</u>	<u>DIST</u>	<u>A/C NO</u>	<u>AMOUNT</u>	<u>REASON</u>
EAKER JASON A	2024	22	0297040	\$254.75	Not in city limits
QUAD PROPERTIES INC	2024	22	0305878	\$250.03	Located in Catawba County
SOMERS CONSTRUCTION	2024	22	0299849	\$276.43	Business not yet opened
			TOTAL	\$781.21	

SUBMITTED BY:



DATE: 10-22-24

SUSAN SAIN, TAX ADMINISTRATOR

APPROVED BY:

DATE: _____

RICHARD HAYNES, CITY MANAGER

*City of Lincolnton
In Appreciation of*

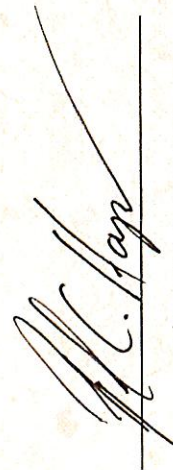
Michael Todd Cochrane

*Upon His Retirement On
November 1, 2024*

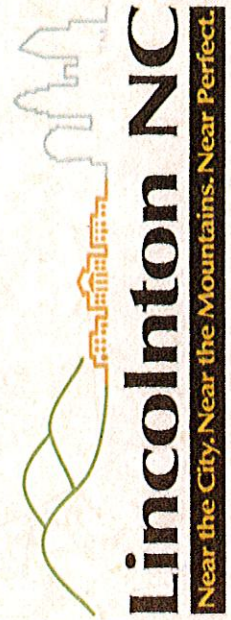
*The City of Lincolnton recognizes the employees of the City are its
greatest strength, and honors their dedication and contributions to the
City and its citizens.*

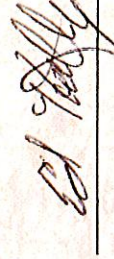
*May you be proud of the work you have done, the person you are, and
the difference you have made.*

25 Years of Service for the Citizens of Lincolnton



City Manager





Mayor



Lincolnton NC

Near the City. Near the Mountains. Near Perfect.

Public Hearing Staff Analysis
CZ-4-2024
Sam's Xpress

Zoning

Existing: Planned Business (PB)
Proposed: Highway Commercial (CD)

Current Use

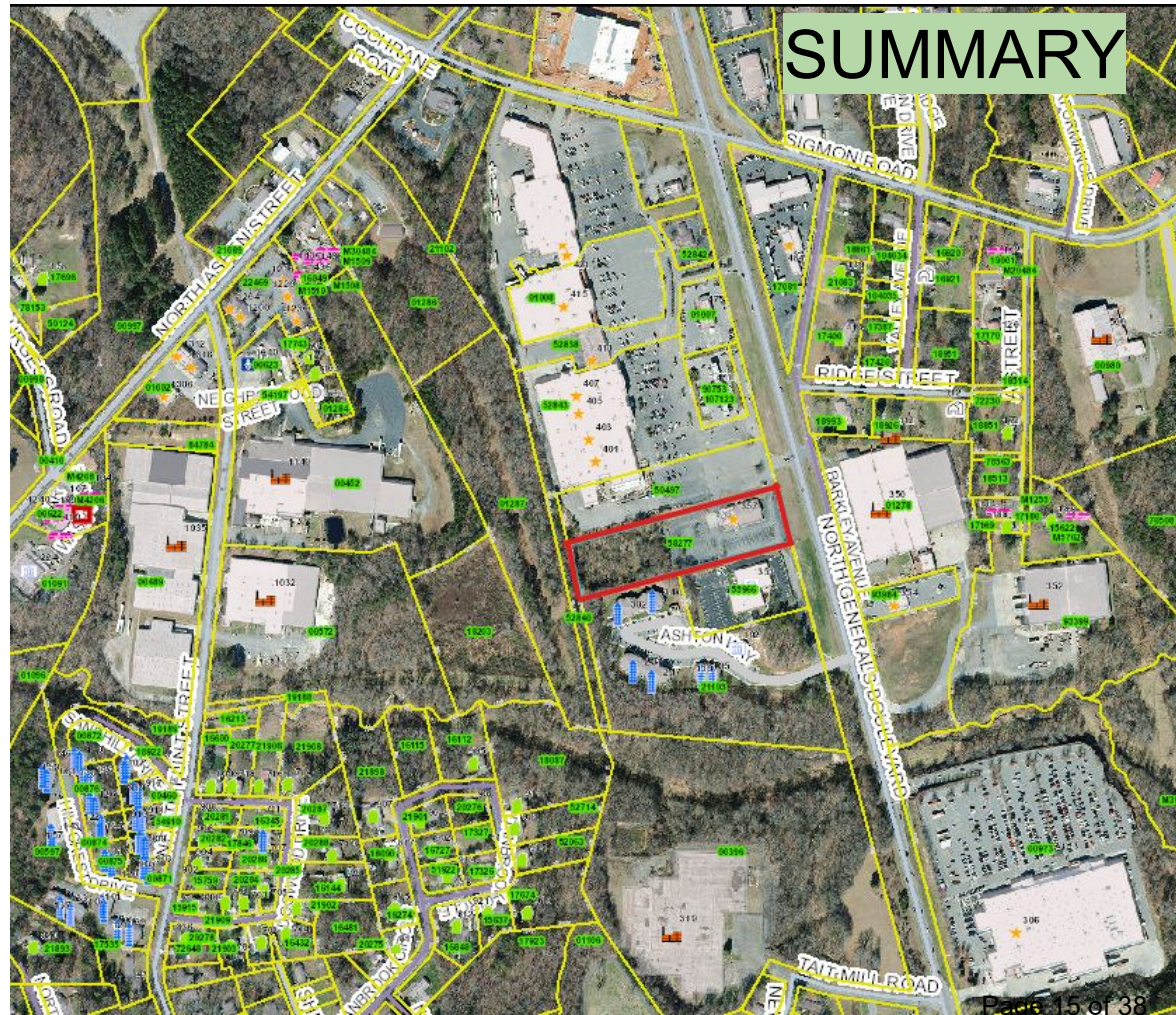
Formerly Homesteads restaurant. The building has been vacant for at least 5 years.

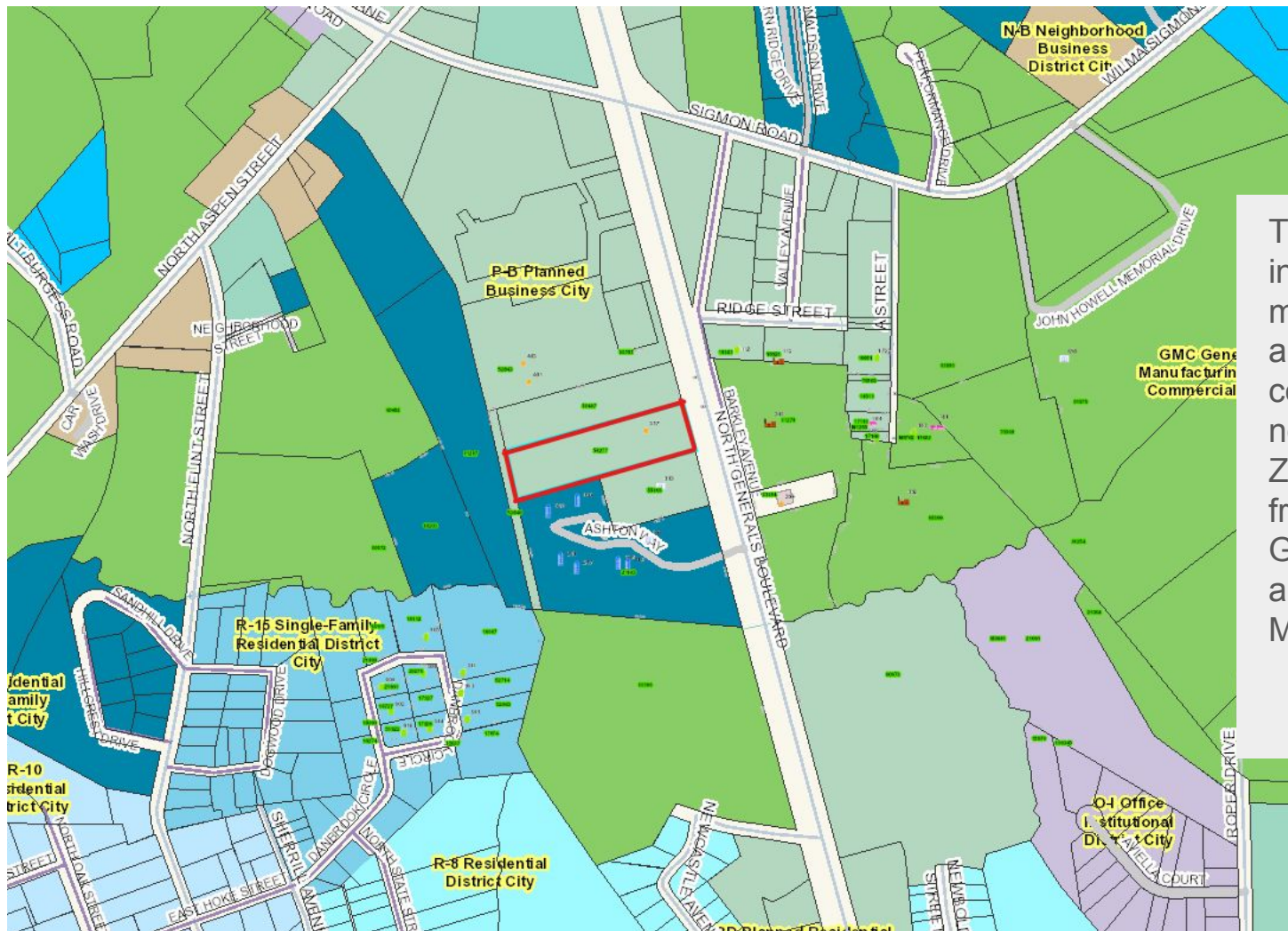
Proposed Use

New automated car wash with vacuums and fuel

About the Applicant:

Sam's Xpress Car Wash is headquartered in Matthews, NC. The first location opened on December 3, 2012, in Fort Mill, South Carolina. Since then, they have successfully opened multiple sites and are continuing to grow rapidly. They currently have 20 locations in the Charlotte region. They are building their company on providing amazing customer service and employ over 20 employees per site with plenty of advancement opportunities.





The adjacent land uses include residential multi-family to the south and east as well as commercial uses to the north, east and west. Zoning districts vary from Planned Business, General Manufacturing and Residential Multi-family.

STREET VIEWS





Service Providers:

Water: City of Lincolnnton

Sewer: City of Lincolnnton

Electric: City of Lincolnnton(Wal-mart Circuit)

Solid Waste: Private Vendor

Police: Lincolnnton Police Department

Fire: Lincolnnton Fire Department

Sam's Xpress average monthly usage:

Water: 300,000 gallons

Electric: 45,000 kwh

Previous restaurant average monthly usage:

Water: 65,000 gallons

Electric: 33,000 kwh



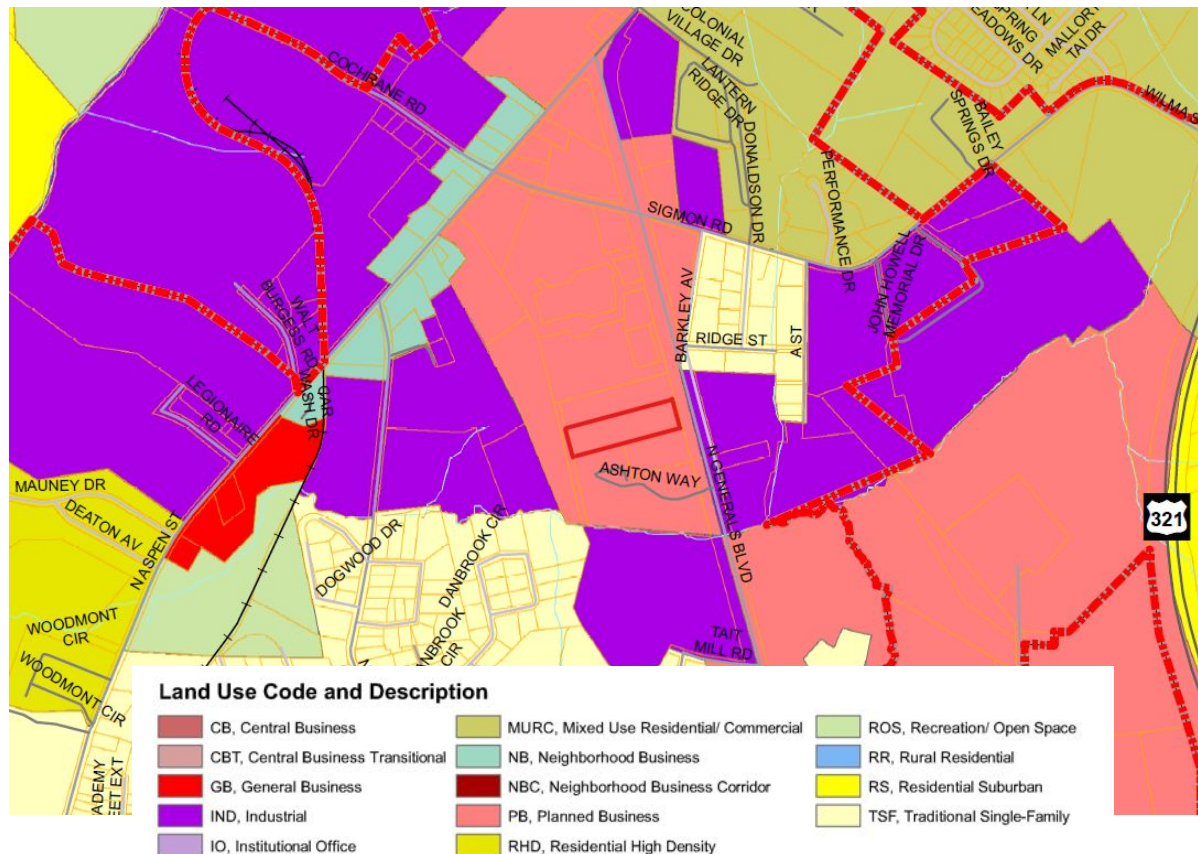
LAND USE PLAN COMPLIANCE

The land use plan shows the property in the Planned Business Planning Area.

Planned Business The large majority of commercial uses (outside Downtown Lincoln) are likely to occur in planned business areas. Planned business areas are designed to be the City's "destination shopping areas." They encompass most larger shopping centers and commercial areas along the City's major corridors. New development is recommended to be compact in nature, with buildings oriented towards abutting public roads (as opposed to having large parking lots dominating the visual landscape from such roads) and with pedestrian accessibility both leading to and within the site being of high importance. Mixed-use residential/commercial developments are strongly encouraged where feasible and appropriate. "Power centers"- developments that contain a number of large retail outlets- are allowable only through a conditional rezoning and should be designed to ensure compatibility with surrounding areas.

Staff feels that this rezoning would be consistent with the Future Land Use Map.

LAND USE PLAN



CONDITIONS OF APPROVAL

Planning Department- (704-736-8930)

1. Maximum 70% impervious surface area. Will need the actual calculations on the amount of impervious area.
2. A complete set of final civil drawings meeting all UDO requirements must be submitted and approved by all departments before the site plan can be approved.
3. Development on the site is to be consistent with the above site plan and architectural renderings.
4. Building plans must be submitted and approved by Lincoln County Inspections prior to development.
5. Need to obtain demo permits from City Zoning and Lincoln County Building Inspections
6. In the area to the rear of the property, the City would like to see as many trees saved as possible and show on the construction plans the trees that would remain.

Fire Marshal - Gary Stevenson (704-736-5656)

1. Required to meet Appendix D of the Fire Code
2. Need to submit a demolition safety plan in accordance with chapter 33 of the North Carolina State Fire Code

Public Works - Nathan Eurey (704-736-8940)

1. A sidewalk, meeting the City of Lincoln requirements, must be installed along the entire frontage of N. Generals Blvd and connect to the existing sidewalk to the south.

NCDOT - Travis Jordan (704-748-2400)

1. No Driveway Permit needed
2. An encroachment agreement will be needed if the required sidewalk is placed on the NCDOT Right of way.

CONDITIONS OF APPROVAL

Electric - Brent Turner (704-736-8940)

1. The construction work should not disturb the existing transformer and primary lines.
2. If a larger transformer or a different secondary voltage is needed, the customer will be responsible for the cost of the replacement and any new transformer. This also applies to relocating the existing primary lines.
3. The City Electrical Department needs to evaluate a copy of the load calculated by the electrical engineer. City can verify the transformer's KVA and secondary voltage upon request.
4. The customer is responsible for installing properly sized wire in properly sized conduit, meeting NEC requirements, to our transformer.
5. No grading that would reduce the existing clearance from final grade to the depth of our existing primary wire is allowed.

City Water/Sewer - Todd Elmore (704-736-8940)

1. New connections will be required for City water and sewer. (Options below)

Water:

- There is an existing 2-inch water line supplying current meters. If a 2-inch meter is needed, it cannot be connected to this line as it will cause pressure issues at the County Office and Murphy's.
- Alternatively, there is a 12-inch ductile water main across N General Blvd that can be connected to. However, DOT encroachment will be required, and there will be a need to bore N Generals Blvd.
- There is also an 8-inch water main along the Tractor Supply building that can be connected to, but this will require crossing the parking lot.

Sewer:

- Sewer is located in front of N. Generals Blvd and will require a grease/grit removal tank.

Soil and Erosion - Danielle Rudisill

1. This project will require an EC plan to be submitted for review and approval to Lincoln County prior to any grading.

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

Case No. CZ-4-2024
Applicant: Sam's Xpress
Parcel ID#: 58277
Location: 357 N. Generals Blvd.
Request: Rezone from PB to HC(CD)

Proposed Consistency and Reasonableness Statement:

The Lincolnton Land Use Plan designates this property as part of the Planned Business Planning Area. The proposed rezoning request **is consistent** with the Lincolnton Land Use Plan.

CONSISTENT: This project is consistent with the Lincolnton Land Use Plan in the following ways:

- redeveloping a parcel that has been vacant for years
- They will be installing increased parking lot landscaping as a means to improve the aesthetics of commercial development
- They are using existing curb cuts and have entry from multiple access points

REASONABLE: Approval of this project is reasonable because it is compatible with the surrounding area and enables development of an underutilized site.

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

Case No. CZ-4-2024
Applicant: Sam's Xpress
Parcel ID#: 58277
Location: 357 N. Generals Blvd.
Request: Rezone from PB to HC(CD)

Proposed Consistency and Reasonableness Statement:

The Lincolnton Land Use Plan designates this property as part of the Planned Business Planning Area. The proposed rezoning request **is consistent** with the Lincolnton Land Use Plan. However, the proposed use is not viewed as desirable in the area and therefore, **denial of the proposed amendment is reasonable and in the public interest.**

Staff recommends the following action:

1. Recommend approval of rezoning of the property from Planned Business to Highway Commercial (CD)
2. Approval of the statement of consistency for approval of the rezoning request
3. Zoning be effective upon receipt of signed conditions of approval

MOTIONS FOR PUBLIC HEARING

For approval of request:

- Motion to approve as recommended by staff.

For denial of request:

- Motion to deny request for rezoning.
- Motion to approve statement of consistency for denial of request.



LINCOLNTON
AGENDA ITEM SUMMARY

To: The Honorable Mayor and City Council
Date: November 7, 2024
From: Nathan Eurey, Public Services Director
Subject: Parks & Recreation Policies and Procedures Manual Revision-Section 11

Summary:

Background:

Fiscal Impact:

Recommendation:

Attachments:

1. Memo-Revision Pand R Policy and Procedures Manual Section 11-Vol Background Screening Process 241107

City of Lincolnton
114 West Sycamore Street
P. O. Box 617
Lincolnton, North Carolina
28093-0617



Human Resources Department
Phone (704) 736-8980
FAX (704) 736-8975
www.lincolntonnc.org

Agenda Item Summary

To: Mayor and City Council Members

From: Tanya Osborne, Human Resources Director
Nathan Eurey, Public Services Director

Subject: Parks & Recreation Policies and Procedures Manual Revision:
Section 11-Volunteer Background Screening Process (Assistant Coach definition)

Date: November 7, 2024

Summary:

Requesting approval of revision to the City of Lincolnton Parks and Recreation Department Policies and Procedures Manual. The specific section of the manual is Section 11-Volunteer Background Screening Process. Request for change in the Volunteer Assistant Coach definition.

Background:

Section 11 of the Parks and Recreation Policies and Procedures Manual gives information related to the recruitment and responsibilities of the many volunteer coaches that assist with the department's youth sports programs. It is the City's desire that all youth programs provide a safe learning environment for all the participants. For the youth programs to be successful, it requires the help of the many volunteer coaches who give their time and take responsibility to teach and mentor the kids assigned to their team.

Running the Parks and Recreation Department youth sports programs this past fiscal year took approximately 450 volunteer head coaches and assistant coaches for the 2,304 participants in the programs.

Council may recall a complete revision of this section of the policy was recently approved with an effective date of July 1, 2024. There is a section within the policy which gives definitions for the Head Coach and Assistant Coach. These definitions also establish age limits for the volunteers.

A couple of volunteer applications have been received from individuals who do not meet the minimum established age of 18 but would like to be considered for a volunteer coaching position. These individuals would be 16-17 years old. We have had several conversations regarding the age factor, and consulted with the City Attorney, John.

We would like to accommodate the young people who would like to volunteer and serve the community while still maintaining the integrity of the City's sports program environment. After much discussion, Nathan, John and I agreed upon an exception to the age of 18 for the definition associated with Assistant Coaches. The exception would also include restrictions associated with team activities.

In your packet, a copy of the Volunteer Coach Policy is attached with the suggested revision to the definition for Assistant Coach highlighted on page 1.

Recommendation:

Approval of the revised Parks and Recreation Policies and Procedures Manual, Section 11-Volunteer Background Screening Process regarding Assistant Coach age limits and restrictions with an effective date of November 8, 2024.

Attachments:

Revised Parks and Recreation Policies and Procedures Manual, Section 11-Volunteer Background Screening Process-Volunteer Coaches

Revision-Parks and Recreation Policies and Procedures

Section 11-Volunteer Background Screening Process

Proposed Effective 11-08-2024

**City of Lincoln Parks and Recreation
Volunteer Coach Packet**

THIS PACKET CONTAINS 3 SECTIONS. PLEASE CAREFULLY READ ALL 3
SECTIONS BEFORE CONTINUING WITH YOUR VOLUNTEER COACH
APPLICATION

Section 1 – Information for Required Background Screening

The City of Lincoln Parks and Recreation Department places the highest priority on ensuring the safety of our young participants in the multiple sports programs offered. In an effort to protect children who participate in organized sporting activities with the City of Lincoln Parks and Recreation Department, background screenings will be mandatory for all recognized youth sports coaches and assistant coaches.

DEFINITIONS:

Head Coach - The City of Lincoln recognizes a head coach as an adult or teen, 18 or older, who is responsible for scheduling and organizing practices, attending all practices and games, providing guidance to participants, and teaching skills to participants. The Head Coach is the primary contact with department staff regarding team or player issues, and agrees to learn and follow all league rules and policies.

Assistant Coach - An Assistant Coach is **an adult or teen, 18 or older, and is** recognized as being one who attends more than two practices or games during a season for the purpose of providing guidance and teaching skills to the participants. The Assistant Coach is responsible for organizing and scheduling practices in the Head Coach's absence. The Assistant Coach is the secondary contact with Parks and Recreation staff regarding team or player issues and agrees to learn and follow all league rules and policies. **Exception: There are occasions when a 16 or 17 year old teen may wish to volunteer and serve as an Assistant Coach. In these instances, the Assistant Coach may not conduct team activities without the presence of the Head Coach unless a Park and Recreation staff member, 18 or older, is on the premises.**

Hereafter, any references to "coach" will include both head coach and assistant coach.

The City of Lincoln reserves the right to limit the number of recognized coaches per team. Only those persons officially recognized as coaches by the City of Lincoln will be allowed to be on the sidelines during games or practices.

PROCEDURE:

Coaching candidates shall complete the following online:

1. Read and acknowledge "Coach's Code of Ethics" document online
2. Read and acknowledge "Youth Protection Policy" online
3. Complete and sign Volunteer Application online

Volunteer coach applicants must be willing and give consent for the following to be completed:

1. Review of Sex Offender Registry
2. Review of Criminal History

Completion of the Volunteer Application form gives consent for the background screenings to be completed.

All coaching candidates will have a background screening one time annually to coincide with the City's operating year, July 1st – June 30th.

No other personal information (e.g. work history, financial, credit, etc.) is checked or researched. In the event information surfaces via the background check, a screening committee, with members consisting of the Public Services Director, Human Resources Director, Police Chief, City Manager, and Parks and Recreation Program Coordinator will review the background information to determine coaching eligibility. The City of Lincoln Attorney will be consulted as needed. All information is strictly confidential and will not be made public.

Information Related to Disqualifying Offenses

The City of Lincoln screens for the following offenses, and if a coach applicant is found to have been convicted, pled guilty or nolo contendere of any of the following offenses, he or she shall not be allowed to participate as a volunteer coach. In some instances, factors of time may be taken into account when considering coaching eligibility (i.e. length of time since disposition of certain offenses). Additionally, pending convictions of or arrests for the following items shall be considered disqualifiers:

- Any crime, misdemeanor or felony, involving children as either an accomplice or victim
- Any felony (other than sex or violence related) within the last 10 years
- Any crime of a sexual nature, including possession or dissemination of pornography
- Any felony involving violence
- Any sort of abuse or assault/battery - physical or sexual
- Arson
- Attempted murder
- Crimes against Children (including abandonment, abuse, endangerment, pornography, possession or promotion of pornography, enticement, solicitation, sale or purchase of, injury to, indecency)
- Domestic violence

- DWI/DUI-First offense and not currently under probation-eligible
- DWI/DUI-Two or more convictions within the last 5 years-ineligible
- Falsifying information on application for volunteer coach or assistant coach position
- Felony Animal cruelty
- Homicide or manslaughter in any degree
- Indecent exposure
- Kidnapping
- Misdemeanor drug charges within last 7 years
- Misdemeanor Theft/robbery within the last 7 years
- Misdemeanor Forgery/fraud within the last 7 years
- Misdemeanor violence within 7 years
- Misdemeanor weapons violations within 7 years
- Rape

Volunteer coach applicants who are disqualified may appeal the decision by submitting a request in writing to meet with the screening committee for the purpose of clarifying facts or explaining extenuating circumstances. The written request of appeal should be submitted to the City of Lincoln's Human Resources Director within 7 calendar days from the date the coach applicant received notification of disqualification. The Human Resources Director will coordinate a meeting date with the coach applicant and screening committee. The screening committee, with potential guidance from the City's attorney, will issue a final determination. In some cases, convictions which are more than 20 years from the disposition date may be considered if no other type of listed disqualifying offense has occurred since that date.

All coaches are required to notify the Parks and Recreation Program Coordinator immediately following an arrest or conviction of any of the listed offenses. Any coach, who while coaching for the City of Lincoln is charged with an offense listed as a disqualifying offense, shall immediately forfeit his/her coaching eligibility until disposition by the courts. A conviction of an offense listed as a disqualifier shall result in termination of coaching eligibility.

SECTION 2 - COACH'S CODE OF ETHICS

1. I hereby pledge to provide positive support, care, and encouragement for my team participating in youth sports by following this COACH'S CODE of ETHICS PLEDGE. I further agree, acknowledge, and understand my position as a role model for participants on my team, as well as others, and accept this role along with all associated responsibilities.
2. I will encourage good sportsmanship by demonstrating positive support for all players, parents, coaches, spectators, and officials at every game and practice.
3. I will place the physical, mental, and emotional well-being of my players ahead of a personal desire to win.
4. I will insist that my players participate in a safe, healthy, and fun-filled environment that is fully supervised and structured at all times.
5. I will support officials and league administrators in order to encourage a positive and enjoyable experience for all and communicate requested information to parents.
6. I will encourage a sports environment for my players that is free of drugs, tobacco, and alcohol, and will refrain from their use at all youth sports events.
7. I will remember, and remind parents, that the game is for the youth, not for the adults.
8. I will do my very best to make youth sports fun for my players and parents and will never take the fun out of the game by over-emphasizing winning.
9. I will ask my players to treat other players, coaches, fans, and officials with respect, regardless of any other factors.
10. I will take every opportunity to teach, train, and develop my players as it relates to the sport that I am coaching, sportsmanship, and teamwork
11. I will never intentionally break league rules and will willingly abide to change any situation if a mistake is revealed by league officials, referees, or other coaches.
12. I will always use positive reinforcement to motivate my players and will never attempt to do so by use of intimidation, neither physical nor verbal.
13. I will enforce that school studies and activities should be the youth's first priority.
14. I will work with youth participating in school sports allowing each player the same opportunity for participation in the Lincoln Recreation Youth Sports League program.
15. I acknowledge that my failure to abide by this Code of Ethics will result in my removal as a coach from the Lincoln Recreation Youth Sports League and for the City of Lincoln Recreation Department.

SECTION 3 – YOUTH PROTECTION POLICY ADMINISTRATIVE POLICY #8

Section I. Purpose

The purpose of this policy is to ensure the safety and well-being of youth participating in programs offered by the City of Lincoln. This would include any city department whereby employees provide services to or come in contact with minors. This policy is intended to give guidance and protection to our employees and volunteers who work with youth, as well as the children we serve.

Section II. Youth Protection

The City of Lincoln will not tolerate any type of sexual, physical, or any type of abuse of children who are involved in city-sponsored programs or services. The City of Lincoln is committed to providing a safe place for children to play, learn and grow and condemns any instance of abuse, sexual or otherwise.

All employees and volunteers have a responsibility to help ensure that we avoid actual or perceived instances of sexual or other abuse in city programs or in positions where employees or volunteers work with or around youth. Employees and volunteers should not:

- Put him or herself in a one-on-one situation involving a child who is not their own; the City of Lincoln realizes there could be situations whereby it is necessary for employees/volunteers to be in a one-on-one situation with a child, i.e., law enforcement officials. These factors will be taken into consideration on a case-by-case basis.
- Provide unwarranted gifts, trips, attention and affection to individual children who are not their own;
- Provide private transport in a vehicle unless in an emergency situation;
- Corporal punishment of children is not allowed for any reason.

Employees and volunteers should report any form of abuse to the attention of their supervisor or Human Resources Director. Employees and volunteers may report such situations without reprisal to the person reporting the conduct so long as the report is made in good faith and the information provided is truthful to the best of their knowledge. The City of Lincoln will strive to keep complaints, investigations, and resolutions confidential. However, the City of Lincoln will fulfill its obligation to report instances of sexual abuse or any type of abuse to the appropriate law enforcement authorities.

Section III. Background Checks

In addition to the criminal background check conducted on individuals being considered for City employment, criminal background checks shall also be conducted on volunteers in positions dealing directly with youth. This shall include researching sexual offender registry records on potential employees and volunteers working directly with youth.

Section IV. Affirmation

I affirm my commitment to support the City of Lincoln as a safe place for children. I acknowledge that I have read and received a copy of the City of Lincoln's Youth Protection Policy. I fully understand the terms of this policy and agree to abide by them. I understand that any violation of this policy could lead to serious disciplinary action or criminal prosecution.



LINCOLNTON
AGENDA ITEM SUMMARY

To: The Honorable Mayor and City Council
Date: November 7, 2024
From: Ritchie Haynes, City Manager
Subject: Review/ Update on Social District

Summary:

Background:

Fiscal Impact:

Recommendation:

Attachments:

None



LINCOLNTON
AGENDA ITEM SUMMARY

To: The Honorable Mayor and City Council
Date: November 7, 2024
From: Ritchie Haynes, City Manager
Subject: Consideration of Request from the Lincoln Landmarks

Summary:

Background:

Fiscal Impact:

Recommendation:

Approval

Attachments:

None



LINCOLNTON
AGENDA ITEM SUMMARY

To: The Honorable Mayor and City Council
Date: November 7, 2024
From: Ed Hatley, Mayor
Subject: Reorganization - Committees/ Council/ Chairs

Summary:

Background:

Fiscal Impact:

Recommendation:

Attachments:

None



LINCOLNTON
AGENDA ITEM SUMMARY

To: The Honorable Mayor and City Council
Date: November 7, 2024
From: Ritchie Haynes, City Manager
Subject: Manager's Activity Report / Update

Summary:

Background:

Fiscal Impact:

Recommendation:

Attachments:

None