REGULAR MEETING – JANUARY 9, 2025

The Lincolnton City Council met in Regular Session on Thursday, January 9, 2025, 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 JOHNSON TIPTON JETTON

Mayor Ed Hatley called the meeting to order, asking everyone to stand for a moment of silence, followed by the pledge of allegiance.

Councilmember Jill Tipton made a motion to approve the REGULAR AGENDA as submitted. Members voted 4-0 in favor of the motion.

Councilmember Kevin Demeny made a motion to approve the CONSENT AGENDA items as follows:

- November 7 2024 – Regular Meeting Minutes
- December 5, 2024 – Swearing in/ Organizational Meeting Minutes
- Appt-01-25 – Appointment of Taylor Eaddy to the Lincolnton Tourism Development Authority
- Appt-02-25 - Appointment of Tom Flohr to the Lincolnton Tourism Development Authority
- Lincolnton Tax Department – Request for Releases (November 16th – December 15th, 2024)
- Retirement Recognition – Laura K. Morris
- Retirement Recognition – Joseph A. Metts

Members voted 4-0 in favor of the motion.

Prior to moving on to the Public Comment portion of the meeting, Mayor Ed Hatley took the liberty to recognize Mr. Joe Metts as the longest tenured employee in the history of the City of Lincolnton. Mr. Metts announced his retirement, effective February 1, 2025, after 47 years of service. Mayor Hatley spoke about his personal relationship with Mr. Metts over the years and emphasized his selfless dedication and service to the city and the citizens of Lincolnton. When given the opportunity to make comments, Mr. Metts expressed his appreciation to the City, acknowledging the considerate and fair treatment he has received over the years.

PUBLIC COMMENT

Mayor Ed Hatley opened the public comment. Mr. Trent Mason, 207 Mockingbird Lane, Lincolnton, addressed Council during this portion of the meeting. Mr. Mason spoke to the success of the New Year's Eve Apple Drop event, informing that he will give an official report at next month's Council (February 6, 2024) meeting. He recognized the selfless contributions of Betty Flohr, Director of the DDA, to the downtown activities and all of the countless hours she dedicated during the month of December. Mr. Mason also recognized all of the other individuals that help coordinate and work behind the scenes, recognizing that it takes everyone to make these events successful.

PUBLIC HEARINGS

ZMA-3-2024

Application from Matt Johnson requesting the rezoning of 0.316 acres from the General Business (GB) District to the Single and Two Family Medium Density Residential-8 (R-8) District. The subject property is located on the east side of North Aspen Street approximately 250 feet south of the intersection of Westview Drive and North Aspen Street. (Parcel ID 83196)

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

Ms. Derby reviewed the request, explaining the location, as well as, the existing and proposed zoning. She disclosed the current use and gave detailed site information, providing both aerial and street views of the property. Ms. Derby referenced what the City Ordinance says about amendments to text and map, saying that except for conditional rezonings, neither planning board nor the city council shall evaluate a rezoning petition based on any specific proposed use or development of the property. The petitioner shall refrain from using any graphic materials or descriptions before either body except for those that would apply to any use permitted in the requested rezoning district. Ms. Derby listed the uses allowed in the R-8 district, saying that the rezoning would have to include anything allowed in the district.

Ms. Derby spoke to land use compliance, reporting that staff believes that the rezoning is consistent with the Land Use Plan. She also reviewed staff comments from Planning, City Water/Sewer, NCDOT and Lincoln County Erosion Control. She presented staff's proposed Statement of Consistency and Reasonableness for both approval and denial of the application.

Ms. Derby reported that Planning Board voted unanimously in favor of approval and recommended the following actions:

1. Recommend approval of rezoning of the property from General Business to Residential 8
2. Approve the statement of consistency for approval of the rezoning request.

With no further questions, Mayor Ed Hatley asked for a motion to close the public hearing. **Councilmember Roby Jetton made a motion to close the public hearing. Members voted 4-0 in favor of the motion.**

Councilmember Kevin Demeny made a motion to approve the recommendation of the Planning Board. Members voted 4-0 in favor of the motion.

CZ-6-2024

Application from Target Corporation requesting a conditional district rezoning of 22.52 acres of land from the General Business (GB) District to the Commercial Center (CC) District for the purpose of constructing a retail store and up to three out parcels. The subject property is located on the west side of North Generals Blvd. at the northwest intersection of North Generals Blvd. and Tait Mill Road. (Parcel ID 00396).

Upon opening up the next public hearing, Mayor Ed Hatley called on Planning Director Jean Derby to speak to the request.

Ms. Derby reviewed the request for 319 North Generals Blvd. She stated the existing and proposed zoning. Ms. Derby informed that although the lot is currently vacant, the applicant is proposing a large retail store with up to three outparcels. She provided an aerial view of the property, as well as several street views of the property. She pointed out where the main entrance and the back entrance would be, noting that a traffic signal will be required for both. Ms. Derby reviewed the site plan for the 128,000 square foot building and area included in the project. She presented the elevations of the front, rear and side of the building. She talked about the proposed landscaping, stating that the plan is the leave as much of the existing trees as possible. Street trees and a little more screening will be required on the side and throughout the parking lot. Ms. Derby informed that a sidewalk will be required on North Generals Blvd. and along Tait Mill Rd.

Ms. Derby spoke to the land Use Plan, and how it currently shows the property. She stated that staff feels that the Planned Business area would be more suitable for this area and the Land Use Map should be amended. Ms. Derby presented a number of conditions of approval from all of the different departments involved. She presented the proposed Statement of Consistency and Reasonableness for approval and the proposed Statement of Consistency and Reasonableness for denial of the application. She informed that the Planning Board unanimously voted in favor of approval and recommended the following actions:

1. Recommend approval of rezoning for the property from GMC to CC
2. Approval of the Statement of Consistency for approval of the rezoning request
3. Zoning be effective upon receipt of signed conditions of approval
4. Amend he Land Use Plan to show the property in the Planned Business Planning Area

With no questions from Council, Planning Director Jean Derby recognized Mr. Carlton Burton, the engineer, and Aaron Hemquist, representative / spokesperson for Target. Mayor Ed Hatley opened the floor for either to speak to the project. Mr. Hemquist took the podium to address Council. In addition to the information presented by Ms. Derby, Mr. Hemquist spoke to the various permits that will be required for the project to move forward. With all permits in place by March or April, they are hoping to close on the property and start construction in April. He estimated opening late 2026, however any delays would push it to 2027. Mr. Hemquist spoke to plans to install a traffic signal as part of the scope work at Tait Mill Rd to address the concerns of the neighborhood residents.

Mayor Ed Hatley opened the floor for members of the public to speak to the issue. Ms. Jocelyn Barber, a resident of 326 Newcastle Ave., addressed Council about some of the neighborhood concerns with the project. Ms. Barber stated the biggest concern being traffic flow and addressing the negative impact it could have on the neighborhood. Mr. Hemquist responded, stating that with the addition of the traffic signal should alleviate a lot of those problems and make it much safer than it is currently to move in and out.

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

Councilmember Kevin Demeny made a motion to approve the request as submitted by the planning board. Members voted 4-0 in favor of the motion.

Following approval of the request, Mayor Hatley stressed what a pleasure it has been to work with the applicants. Councilmember Roby Jetton expressed his concern for the resident in the Newcastle neighborhood, stating that the wellbeing of those residents should be a priority as it relates to this project.

REGULAR AGENDA

BA-01-25
Request for amendment to be made to the Annual Budget Ordinance for the fiscal year ending June 30, 2025

Mayor Ed Hatley recognized Pamela McBryde, Finance Director, who addressed the Council to request approval of an amendment to the Annual Budget Ordinance for the fiscal year ending June 30, 2025. Ms. McBryde reviewed the request, which contained adjustments to the General Fund, Powell Bill Fund, Water and Sewer Fund, Electric Fund and the Special Revenue Fund. A total amendment of $364,202.00.

Councilmember Jill Tipton made a motion to approve the Budget Amendment as submitted. Members voted 4-0 in favor of the motion.

IT-001 (P-01-25)
Policy on Prohibition of Viewing Pornography on Government Networks and Devices

Mayor Ed Hatley recognized Chris Jones, Technology & Innovation Director, to speak to the item. Mr. Jones stated the City currently has an Acceptable Use policy in place, however this proposed policy aligns with N.C. General Statute 143-805. This policy requires agencies to establish guidelines prohibiting the viewing of pornography on government-managed networks and devices, as well as requiring the City to report any findings to the state CIO.

Mr. Jones reported that the UMBRELLA platform will be used to monitor, stating that is anything is flagged is reported once a year.

Councilmember Roby Jetton made a motion to approve the policy as submitted. Members voted 4-0 in favor of the motion.

IT-002 (C-01-25)
Knowbe4 Proposal 3YR 2025-2027

Technology & Innovation Director Chris Jones addressed member to request approval of a three (3) year contract proposal between the City of Lincolnton and Knowbe4, referred to it as the monthly fish training. Mr. Jones spoke to how beneficial this training has been to the employees and the City as a whole. He informed he was able to negotiate a three-year contract for $16,147.11, which is slightly higher than the current amount.

Councilmember Mark Johnson made a motion to approve as submitted. Members voted 4-0 in favor of the motion.

C-02-2025
Request for Approval of Contract with Becker Morgan Group – Professional Services for New Public Service Center

Mayor Ed Hatley called on David Ramsey, Business Services Director. Mr. Ramsey addressed members to request approval of a contract with Becker Morgan Group for professional services. He gave an abbreviated timeline regarding the new public service center project, explaining that this action will move it from the design phase into a schematic phase. Mr. Ramsey described it as a turnkey contract at 9.5%, based on approximately $8.5 million for a total of $887.500.00. He reminded that due to hiring the Construction Manager at Risk, the price is guaranteed unless the City makes changes to the project.

There was some discussion, with City Manager Ritchie Haynes recognizing Mr. Ramsey and other staff for all of the work that has gone into getting the price down from the initial estimate.

Councilmember Kevin Demeny made a motion to approve the contract as submitted. Members voted 4-0 in favor of the motion.

STAline
Remote Water Disconnect Pilot Project Approval

Business Services Director David Ramsey addressed Council to request permission to participate in a pilot project that will give staff the ability to remotely disconnect water meters. Mr. Ramsey provided some background information, explaining the reason for the request and the benefits they have to offer. He explained how the meters work and their potential use throughout the City. He also provided details related to the equipment itself and he spoke to the service and software maintenance, stating that there would be no recurring cost. Mr. Ramsey requested permission to pilot ten (10) meters.

Discussion was generated, with members asking a number of questions. City Manager Ritchie Haynes, as well as, Technology & Innovation Director Chris Jones provided feedback and addressed question asked about potential saving the City would see and the susceptibility to hackers. A bid for $5,292.00submitted by Mr. Ramsey.

Councilmember Jill Tipton made a motion to approve the trial contract with STAline. Members voted 4-0 in favor of the motion.

Consideration of Approval of the 2024-2025 Schedule of Budgeted Positions

Human Resources Director Tanya Osborne presented a request to approve a revised budgeted position list.   Ms. Osborne explained that in order to recruit for the four (4) new positions that will be funded by the $500,000 COP's grant, the positions must be placed into the City's budgeted position listing.

Councilmember Kevin Demeny made a motion to approve the revised budgeted position listing. Members voted 4-0 in favor of the motion.

OTHER BUSINESS

C-03-25
Assignment and Assumpton Agreement for the Lincolnton-Lincoln County Regional Airport

City Manager Ritchie Haynes presented a revised copy of the Assignment and Assumption Agreement for the Lincolnton-Lincoln County Regional Airport. Mr. Haynes explained that County Attorney Megan Gilbert has been working with the FAA to finalize the transfer of the airport property to the County.

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

Manager's Report / Activity Update

City Manager Ritchie Hayne reported that in light of the impending weather forecast, city crews have taken the necessary precautions to prepare. He ensured that he would keep members updated.

Mr. Haynes mentioned a number of dates and upcoming activities for the month. He also spoke about the Apple Drop Event and Santa Village, taking the opportunity to thank everyone that helped make it a success. Mr. Haynes reported on the train and what a hit it was every weekend. There was discussion regarding having adequate police coverage for the activities and events.

Mr. Haynes mentioned the Employee Christmas Luncheon, thanking all of the many different city departments and employees for their contribution to make it possible. He announced several recent promotions and certifications obtained by employees. Mr. Haynes provided the monthly homeless report, a report from the United Way and he gave a brief update on the new social district signage. He announced that Mr. Scott Clark has been hired as the new Assistant City Manager.

NEWS MEDIA

Staff reporter Mike Powell asked for clarification on the COP's grant. He also had a question regarding the grant awarded to the police department.

CLOSED SESSION

Councilmember Roby Jetton made a motion to go into closed session. Members voted 4-0 in favor of the motion.

ADJOURNMENT

Upon returning to open session, Councilmember Kevin Demeny made motion to adjourn. Members voted 4-0 in favor of the motion.

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DAPHNE INGRAM, CMC	**ED HATLEY**
CITY CLERK	**MAYOR**