The Mayor and City Council met in regular session on Thursday, June 26, 2025 at 7:00 PM. in the Council Chambers of City Hall located at 114 West Sycamore Street, Lincolnton, North Carolina.

CALL TO ORDER

Mayor Ed Hatley called the June 26th City Council meeting to order

MOMENT OF SILENCE

All those in attendance were asked to pause for a moment of silence.

PLEDGE OF ALLEGIANCE

Mayor Ed Hatley led the Pledge of Allegiance.

AGENDA APPROVALS

Approval of REGULAR AGENDA

Mayor Ed Hatley asked for a motion to approve the REGULAR AGENDA. Being no additions or deletions, Council member Jill Tipton made a motion to approve the REGULAR AGENDA as presented. Members voted 4-0 in favor of the motion.

Approval of CONSENT AGENDA

Mayor Ed Hatley asked for a motion to approve the CONSENT AGENDA. With there are no additions or deletions, Council member Roby Jetton made a motion to approve the CONSENT AGENDA as follows:
June 5, 2025 - Regular Meeting Minutes
Lincoln County Tax Department Releases - May 16th through June 15th, 2025
Proclamation - "Park and Recreation Professionals Day"

Members voted 4-0 in favor of the motion.

PUBLIC COMMENT

Mayor Ed Hatley invited those wishing to address Council during the public comment portion of the meeting to speak at this time. Two individuals requested to speak, one of whom was directed to contact the Lincoln County Commissioners regarding his concerns.

REGULAR AGENDA

(C-16-25)
Consideration of Agreement Between the City of Lincolnton and Utility Service Partners Privat Label, Inc. dba Service Line Warranties of America

Assistant City Manager Scott Clark addressed Council asking them to approve a contract between the City of Lincolnton and Utility Service Partners Privat Label, Inc, dba Service Line Warranties of America. Mr. Clark talked briefly about the National League of Cities Service Line Warranty Program and shared some of what he has learned from working with it in the past. Mr. Clark introduced Ashley Shawski and allowed her to provide a detailed presentation on the program and to elaborate more on the specific program being considered.

Ms. Shawski gave a detailed presentation to council members. She explained how the program will work, how it can benefit the citizens and what involvement the city would have if the program is implemented. Upon completion of the presentation, Mr. Clark and Ms. Shawski, offered to answer questions from members of the governing body. She explained that the program is only available through a municipal or utility partnership. A number of questions were asked, with some discussion generated among council members. Both Assistant City Manager Scott Clark and City Manager Ritchie Haynes spoke to the first hand experience of working with residents that have encountered water and sewer line repairs that they could not afford, ensuring that this program would be very beneficial to city residents that may have to pay for these repairs.

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

(C-17-25)
Global Payments Contract - credit card processor

Business Services Director David Ramsey addressed council regarding a contract with Global Payments. He reminded members of discussions that took place during the budget retreat regarding credit card processing fees. Mr. Ramsey updated members on what staff learned after meeting with the company and what steps that need to be taken going forward regarding this issue. He informed that he was able to negotiate a 54% rate cut, saving the city approximately $412,000.00 over the next year. Mr. Ramsey recommended approval of a three-year contract. He did inform that he would be requesting to switch to Tyler Technologies payment processing at the next council meeting due to an even lower rate. He provided additional details that will pertain switching to Tyler Technologies but stated that the change will save an additional $10,000 to $15,000 per month.

There was some discussion generated, clarifying the savings that would be realized as a result of switching companies. Council member Mark Johnson made a motion to approve, Members voted 4-0 in favor of the motion.

City Hall HVAC upgrade

Business Services Director David Ramsey addressed Council to request permission to move forward with an upgrade of the HVAC system in the City Hall building. Mr. Ramsey spoke to several of the issues with the current HVAC system and explained what will be needed to correct those issues. He provided some background information on what has been done but stressed the fact that today's technology is not compatible with the controls that were originally installed when the building was built. Mr. Ramsey also informed members that a software upgrade will be included in this project. City Manager Ritchie Haynes commented on the inefficiency of the system. He assured members of his intentions to purchase only what is necessary to correct the problem. In response to a question from Council member Demeny, Mr. Ramsey spoke to how the upgrade will help with the humidity issues, and listed the equipment that will be included. There was some discussion regarding the proposed heat boxes and strip heat, with Mayor Hatley warning about the cost that could be incurred. City Manager Ritchie Haynes confirmed that funds are currently available to pay for the project.

Mayor Ed Hatley asked for a motion to approve HVAC upgrades. Council member Roby Jetton made a motion to approve. Members voted 4-0 in favor of the motion.

Auto-Pay Decline Policy

Business Services Director David Ramsey presented a request for approval of an Auto-Pay Decline Policy. Mr. Ramsey explained the issue, stating that upon some research regarding utility customers enrolled in auto-pay, a large percentage of those payments are being declined each month. Mr. Ramsey addressed council to request permission to put a policy in place that will allow staff to discontinue the auto-pay option if payment is declined due to the fact that whether the payment goes through or is declined, the city is charged a fee. He informed that the proposed policy will also allow staff to add a five dollar declination fee to the bill if the payment is declined. This fee has been added to the fee schedule, with wording stating that the fee is subject to change if staff feels that the fee should be increased.

Council member Kevin Demeny made a motion to approve the Auto-Pay Decline policy. Members voted 4-0 in favor of the motion.

(C-18-25)
SAAS-001 Contract for SAAS Protection-Google

Technology and Innovation Director Chris Jones presented a contract for SAAS (Software as a Service)Protection. Mr. Jones explained that this provides staff with protection on Google and Microsoft 365 environments. He stated that they live in the cloud, and it is extra protection in the event the City is hit with ransomware or an internal threat actor. Although Mr. Jones provided both the one-year renewal and the three-year renewal option, he recommended the three-year contract, being the better option financially. City Manager Ritchie Haynes confirmed that funds have been budgeted and he also recommended approving the three-year renewal option.

Council member Mark Johnson made a motion to approve. Members voted 4-0 in favor of the motion.

(C-19-25)
SAAS-002 Google Workspace- 3 YR Renewal

Technology and Innovation Director Chris Jones addressed the Council to request approval of a Google Workspace contract. Mr. Jones explained that the contract for Google Workspace is up for renewal for another three years. He spoke to the increase in the contract amount due to additional services that are now included, specifically mentioning Gemini, which is now available. Mr. Jones stated that funds to purchase this package have been built into the budget, with the city currently paying for roughly 220 users.

Council member Kevin Demeny made a motion to approve the three-year renewal. Members voted 4-0 in favor of the motion.

(BA-07-25)
Budget Amendment to the Annual Budget Ordinance for the fiscal year ending June 30, 2025

Finance Director Pamela McBryde addressed Council to request approval of a budget amendment which will add $169,576 to the budget. Ms. McBryde expressed her desire to make this amendment before June 30th. She gave a brief overview of the funds that will be amended and the amount to be added to those funds.

Council member Jill Tipton made a motion to approve the Budget Amendment. Members voted 4-0 in favor of that motion .

Consideration of Approval of "Letter of Intent" to Purchase a New Way Automated Trash Truck

Public Services Director Nathan Eurey directed council's attention a letter of intent to purchase a new automated garbage truck, and spoke to the the purpose of the letter. Mr. Eurey reminded members that funds have been set aside to cover the cost of the purchase. He informed that Vanguard Truck Group currently has a chassis on the ground ready for purchase. Once chassis is purchased, it can be taken to the equipment company for the installation of a body system, which will be a New Way Sidewinder side loading arm. . Mr. Eurey estimated this to take approximately eight months. Some discussion was generated among the council, with staff answering questions and providing additional information.

Council member Mark Johnson made a motion to approve the letter of intent for the new garbage truck. Members voted 4-0 in favor of the motion .

(R-06-25)
Consideration of Adoption of a Resolution Opposing Senate Bill 205(2025 Session), Edition 3.

Planning Director Jean Derby addressed council to ask that they adopt a Resolution opposing Senate Bill 205 (2025 Session), Edition 3. Ms. Derby gave a general overview of the process of officially opposing a Senate bill and she explained why it is important for this to come from the governing body. She gave examples of some of the changes that have been made to the Bill and explained why the Council should oppose the Bill. The Resolution opposing the bill is as follows:

RESOLUTION OPPOSING SENATE BILL 205 (2025 SESSION), EDITION 3

WHEREAS, North Carolina House Bill 765, titled "An Act to Reform Local Government Development Regulations in this State," was introduced in the 2025 Legislative Session to enact sweeping changes affecting local government planning, zoning, and development regulations codified through Chapter 160D of the North Carolina General Statutes; and

WHEREAS, House Bill 765 proposed significant and astounding changes to the structure of local governance, which included but were not limited to sweeping changes to the authority of local governing boards over development regulations, including the City of Lincolnton Unified Development Ordinance; and

WHEREAS, House Bill 765 was re-referred to the Committee on Finance on May 6, 2025, has not moved since that time, and failed to meet the crossover deadline; and

WHEREAS, Senate Bill 205 was introduced as a bill to prohibit local boards of health from regulating private pools serving single-family homes and other technical changes to Chapter 130A of the General Statutes; and

WHEREAS, Senate Bill 205 passed unanimously in the Senate on April 8, 2025, and was sent to the House for consideration; and

WHEREAS, on or around June 5, 2025, Senate Bill 205 was submitted to the Committee on Regulatory Reform, and Committee Substitute (PCS45414-RI-22) was submitted on June 11, 2025, which received favor and was re-referred to the Committee on Rules; and

WHEREAS, the Committee Substitute (PCS45414-RI-22), which has been codified as Edition 3 of Senate Bill 205, includes a large amount of the language contained in House Bill 765, which this Board and many other local government boards stood opposed to; and

WHEREAS, this Board believes that this behind-the-scenes attempt to incorporate the opposed language of House Bill 765 into Senate Bill 205 to attempt to enforce statewide residential development standards completely undermines the local autonomy and community-specific planning practices of local governments, by imposing standards that do not reflect the diverse needs of Lincolnton, and other counties and cities in North Carolina.

NOW, THEREFORE BE IT RESOLVED THAT the Lincolnton City Council formally opposes Senate Bill 205, Edition 3, and urges the General Assembly to reconsider the provisions set forth therein in favor of legislation that respects the authority and autonomy of local governments and promotes flexible community-driven development strategies.

BE IT FURTHER RESOLVED THAT the Lincolnton City Council encourages State legislators to work more collaboratively with local governments to craft policies and laws that support responsible growth, administrative efficiency, and long-term sustainability.

FURTHERMORE, the Lincolnton City Council encourages Senator Ted Alexander and Representative Heather Rhyne to oppose Senate Bill 205, Edition 3; and

FURTHERMORE, the Lincolnton City Council encourages its citizens, businesses, and property owners to express their concerns regarding Senate Bill 205.

Adopted this 26th day of June, 2025.

Some discussion was generated regarding this request, with members voicing their views and opinions. City Attorney John Frigueglietti also spoke to the issue and provided his legal opinion on the matter. Council member Kevin Demeny made a motion to approve the Resolution. Motion was approved by majority vote, with Mayor Ed Hatley going in record as being opposed to the Bill also.

Approval of Amended Schedule of Fees

Due to some amended wording needed in the 2025-2026 Schedule of fees that was approved at the June 5th meeting, Planning Director Jean Derby requested that the Council take action on approving the amended verision of the schedule. Ms. Derby stated that no fees changed, just some very minor changes to wording.

Council member Jill Tipton made a motion to approve the amendment to the Schedule of Fees. Members voted 4-0 in favor of the motion .

(C-20-25)
Consideration of Approval of a Information Security Agreement

Assistant City Manager Scott Clark addressed Council to request the implementation of a process that will require anyone requesting water, sewer and/ or electric map records to sign an information security agreement. Mr. Clark identified growth and development within the city as the main reason for putting this process in place, and he stressed that requiring a signed Information Security Agreement protects the City's tentative data and ensures accountability of those requesting the records. Mr. Clark stated that the agreement is utilized by other municipally owned utilities and is written in accordance with North Carolina statute 132. Mr. Clark spoke to the need for staff to be able to track who is requesting the record. He recommended that the request be directed to the City Clerk, at which time a form will be sent to the requester who will need to complete and sign the form before receiving the requested records. Mr. Clark reiterated that this would be a way to protect the City's data and to track who is requesting it. City Attorney John Friguglietti spoke to the matter and expressed his legal opinion.

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

(C-21-25)
Approval of Master Agreement Between the City of Lincolnton and Lincoln County

City Manager Ritchie Haynes presented the Master Agreement between the City and the County to the governing body to take action on. Mr. Haynes did a quick overview of the agreement, reviewing what is included and what it will mean for the City. He pointed out the agreement termination date as June 30th, 2030 and the 90-day written notice requirement to terminate before the automatic annual renewal date. He also said that the agreement revokes the outstanding agreements currently in place.

Mr. Haynes went over the services that would be provided, as well as the cost of the services per the contract. He also reviewed any changes that were made regarding things that are already in place. Mr. Haynes spoke about the terms and conditions, stating that he felt the agreement is something that both entities were satisfied with. He publicly thanked County Attorney Megan Gilbert for her assistance, as well as City Attorney John Friguglietti and Scott Clark, the Assistant City Manager. Mr. Haynes did note a change to the agreement regarding the code enforcement side. He said that the City would not be adding their employee to our workers' compensation but would look into adding a rider to cover them. Council member Demeny made a motion to approve the Master Agreement between the City and County (with the change noted by the City Manager). Members voted 4-0 in favor of the motion.

OTHER BUSINESS

Consideration of Request from the Rotary Club of Lincolnton - Peace Pole Project

City Manager Ritchie Haynes introduced a request regarding a Peace Pole project. Mr. Haynes stated that Cliff Brumfield submitted the request on behalf of the Rotary Club of Lincolnton asking to install a Peace Pole somewhere in First Federal Park. He explained that due to the City's Art Ordinance, anything in the Central Business District that is art-related must be approved by the Steering Committee, and then by City Council. Mr. Haynes informed members that the request was unanimously approved by the Steering Committee. With that being said, Mr. Haynes asked members to take action on the request. Mayor Ed Hatley informed that a ribbon cutting will be scheduled when the installation is completed.

Council member Roby Jetton made a motion to approve the Rotary Club request for a Peace Pole project. Members voted 4-0 in favor of the motion.

City Manager's Update/Activity Report

City Manager Ritchie Haynes announced that he would yielding the first portion of his time to summer intern Megan Carroll, who provided members with an evaluation of the City's strategic plan. Miss Carroll was also tasked with creating a survey that will be sent out to the community to get feedback from citizens to determine the correct direction in the next ten years. Within the presentation, Miss Carroll identified where things stand currently, then addressed where things are going. She spoke to the key insights from the ongoing work related to the strategic plan, which focuses on infrastructure, employee benefits, downtown development and recreation. In conclusion, Miss Carroll reported that across all departments, growth is driving the need for upgrades and infrastructure, staffing and long-term financial planning. She stated that the collaboration between departments is strong, with the need to continue working together to address challenges. She also noted that the insights should be used to fine-tune the strategic plan, align staffing and budgets with projected growth, and look into diverse funding options such as grants and partnerships. City Manager Ritchie Haynes talked about the next steps as it relates to the survey, getting it out to the people and moving forward. He stated that most, if not all, of the goals of the current Strategic Plan has been met.

Mr. Haynes continued with a reminder of upcoming dates and activities. He quickly mentioned some promotions, certifications and special accomplishments by staff, as well as welcomed new employees.

NEWS MEDIA

Mayor Ed Hatley opened the floor for questions from the news media. A representative with LEAP news was in attendance and asked a few questions which were answered by City Manager Ritchie Haynes.

CLOSED SESSION
Council member Roby Jetton made a motion to enter into closed session in accordance with NCGS 143-318.11(a)(5) and 143-318.11(a)(7). Members voted 4-0 in favor of the motion.

ADJOURNMENT
Council member Roby Jetton made a motion to adjourn. Members voted 4-0 in favor of the motion.

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