The Lincolnton City Council met in Regular Session on Thursday, June 4, 2026, at 6:30 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

Note: Councilmember Roby Jetton was not present at the start but joined the meeting at 6:54 p.m.

Mayor Ed Hatley called the meeting to order, pausing for a moment of silence, then leading the pledge of allegiance. Prior to the vote, the Mayor noted the addition of one item to the Regular Agenda — an electricity grant proposal presented by City Manager Haynes, designated as item 3d. No other additions or deletions were proposed.

Approval of Regular Agenda

> **Motion to approve the Regular Agenda as amended was made by Council Member Jill Tipton. The motion carried unanimously with members voting 3-0 in favor of the motion.**

Approval of Consent Agenda

> **Motion to approve the Consent Agenda as submitted was made by Council Member Kevin Demeny. The motion carried unanimously with members voting 3-0 in favor of the motion.**

Public Comment

Alan Hoyle, addressed the Mayor and Council. Mr. Hoyle publicly commended City Manager Ritchie Haynes for identifying approximately $1.3 million dollars for the city. He also expressed concerns about what he characterized as an illegal financial move by the county, criticizing both the county commissioners and the county attorney. Mr. Hoyle further commented on the city's budget challenges in the face of rising costs, noting that property revaluations had effectively resulted in higher tax burdens for residents. He closed by expressing disappointment that the 250th anniversary Fourth of July celebration would not include fireworks at the athletic field, and lamented the loss of community traditions associated with that venue.

Public Hearings

CZ-5-2026

Adam Baranski, E. Pine Street (Parcel ID's: 18122, 16081, 20472)

Planning Director Jean Derby presented the rezoning request for three parcels at the end of East Pine Street. The properties are currently zoned Planned Business, a designation that has been in place since zoning was first established, likely in anticipation of a commercial connection to North Generals Boulevard. However, Ms.

Derby noted that such a connection would be cost-prohibitive due to a stream and significant grade change between the parcels and Generals Boulevard. All three lots contain severely dilapidated or fire-damaged structures and have been the subject of longstanding code enforcement cases.

The applicant, Adam Baranski, is requesting a rezoning to Residential-8 Conditional District in order to develop three duplexes on the properties. Because the lots do not fully meet standard R-8 dimensional requirements — including lot widths of 56 to 59 feet rather than the required 70 to 80 feet, and individual lot sizes of approximately 6,000 to 7,000 square feet — the conditional district would allow for a reduced side setback of 5 feet rather than the standard 10 feet, along with other necessary adjustments.

Ms. Derby noted that surrounding properties, including lots rezoned in 2022 and 2023, already feature duplexes and follow a similar development pattern, making the proposed use consistent with the character of the neighborhood. The request was also found consistent with the City's Land Use Plan, which designates the area for traditional single-family use, as that designation is intended to protect the neighborhood from commercial encroachment rather than to prohibit duplex infill development. Standard conditions of approval apply, including erosion control, water and sewer requirements, driveway permits, and culverts.

The Planning Board voted 6–0 to recommend approval. No members of the public signed up to speak. Council members expressed satisfaction that the long-blighted properties would be redeveloped. City Manager Haynes noted these may have been among the last properties on the city's original code enforcement list.

> **Motion to close the public hearing was made by Council Member Mark Johnson. The motion carried unanimously with members voting 3-0 in favor of the motion.**
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> **Motion to approve the rezoning of the properties from Planned Business to Residential-8 Conditional District, and to approve the Statement of Consistency and Reasonableness for approval, as recommended by the Planning Board, was made by Council Member Kevin Demeny. The motion carried unanimously with members voting 3-0 in favor of the motion.**

ZTA-1-2026

Amendment to Unified Development Ordinance

Planning Director Derby presented two distinct text amendments to the Unified Development Ordinance. Because the two amendments addressed unrelated matters, Council determined that separate motions were appropriate.

Amendment 1- Removal of Mandatory Waiting Period

The first amendment removes language from the ordinance requiring a one-year waiting period following a denied zoning map amendment, text amendment, or conditional zoning district application. Director Derby explained that the North Carolina state legislature passed legislation in September mandating that

municipalities eliminate such waiting period requirements. The change is therefore required by state law.

> **Motion to approve the text amendment removing the one-year waiting period language from the applicable sections of the Unified Development Ordinance was made by Council Member Jill Tipton. The motion carried unanimously with members voting 3-0 in favor of the motion.**

Amendment 2 — Adaptive Reuse of Existing Industrial/Warehouse Buildings

The second amendment adds a new section to the Traditional Infill Development zoning district chapter to address the adaptive reuse of existing vacant warehouse or industrial buildings for multifamily residential purposes. Planning Director Jean Derby explained the amendment was prompted by a prospective project to convert a long-vacant mill building into residential living spaces — a use that did not fit within any existing zoning district framework.

Rather than assigning a fixed density, the ordinance language requires that proposed developments meet parking and screening requirements, allowing the unique footprint and configuration of each building to naturally regulate density. Ms. Derby noted that the amendment could benefit several other vacant mill properties across the city, potentially enabling residential redevelopment where industrial uses may no longer be appropriate or desired. The Planning Board voted 6–0 to recommend approval.

> **Motion to approve the text amendment adding adaptive reuse provisions for existing warehouse or industrial buildings within the Traditional Infill Development district was made by Council Member Mark Johnson. The motion carried unanimously with members voting 3-0 in favor of the motion.**

Regular Agenda

Consideration of Resolution Directing the Clerk to Investigate an Annexation by Petition Received Under NCGS 160A-58.1 (East Main Street, Parcel IDs 70621, 57013, 28155, and 26949)

Planning Director Derby presented a request for voluntary annexation of several parcels located near the end of East Main Street. The petitioner intends to develop a gas station — a use permitted by right in the applicable zoning district — and requires access to city services to do so. Ms. Derby outlined the statutory requirements under NCGS 160A-58.1 that the City Clerk must verify, including proximity to the city limits, service delivery capability, and compliance with area thresholds.

Planning Director Jean Derby noted that because the subject parcels fall within Lincoln Fire Department Station II's district, the additional procedural steps associated with rural fire district transitions are not required. Accordingly, she updated her recommendation to schedule the public hearing at the June 25th City

Council meeting rather than the originally proposed August 6th date, noting that the 10-day advertising requirement can be met within that timeframe.

Council noted the development would benefit the area. Ms. Derby added that the NC DOT has already indicated access to the site will be restricted to a right-turn-in and right-turn-out configuration. The aforementioned resolution is as follows:

RESOLUTION DIRECTING THE CITY CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S. 160A-31

WHEREAS, a petition requesting annexation of an area described in said petition has been received on May 8, 2026, by the Lincolnton City Council; and

WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the City Clerk before further annexation proceedings may take place; and

WHEREAS, the City Council of the City of Lincolnton deems it advisable to proceed in response to the request for annexation;

NOW, THEREFORE, BE IT RESOLVED by the Lincolnton City Council:

That the City Clerk is hereby directed to investigate the sufficiency of the above-referenced petition and to certify as soon as possible to the City Council the results of her investigation.

Motion to approve the Resolution directing the City Clerk to investigate the annexation petition in accordance with NCGS 160A-58.1 was made by Council Member Kevin Demeny. The motion carried unanimously with members voting 3-0 in favor of the motion.

FEMA Building Resilient Infrastructure and Communities (BRIC) Grant Application (Emergency Water Interconnect)

Assistant City Manager Scott Clark presented a proposal to apply for a FEMA BRIC grant in partnership with the City of Hickory to fund an emergency water interconnect. The project would involve the design and construction of approximately 25,000 linear feet of 16-inch water main, running from the Catawba County area near Blackburn Bridge Road down to the existing 16-inch line on NC-300 near its intersection with the city's system. The interconnect would provide approximately 3,000,000 gallons per day of emergency water supply capacity.

Mr. Clark explained that the FEMA BRIC grant program has $1 billion appropriated nationally, with individual projects eligible for awards up to $20,000,000. The grant covers 75 percent of eligible project costs, with the remaining 25 percent split equally between the City of Lincolnton and the City of Hickory — an estimated cost share of approximately $625,000 per city on a projected $5,000,000 project.

To apply, the city would engage KCI Engineering and Consulting, which has an established relationship with the City of Hickory, along with grant writing specialists

ICF. The total cost for grant application services, including preparation of 30–40 percent design drawings required for submission, is $29,500, to be funded from the Water/Sewer Fund balance. Council was also asked to authorize the City Manager to sign all related documents.

City Manager Ritchie Haynes emphasized the strategic importance of the project, noting that the city has twice in the past decade come close to being unable to deliver water and has never had an emergency backup supply source. The interconnect would also strengthen the regional water network, given the city's role as an emergency water provider to the City of Cherryville, and Hickory's ability to supply Maiden, which in turn serves Apple and the new Microsoft data center.

NOTE: Council member Roby Jetton joined the meeting during this portion of the meeting.

Mr. Clark noted that Gaston County Commission Chairman had already committed to providing a letter of support for the project, and that outreach to state and federal elected officials was planned. The city's status as the lead applicant was identified as an additional advantage in the scoring process, particularly given the heightened federal focus on water system resiliency following Hurricane Helene and the water system failures experienced by Asheville, Morganton, and other Western North Carolina communities.

> **Motion to approve the agreement with KCI Engineering and Consulting, appropriate $29,500 from the Water/Sewer Fund balance for the grant application, and authorize the City Manager to execute all documents related to the BRIC grant application and associated project, was made by Council Member Kevin Demeny. The motion carried unanimously with members voting 4-0 in favor of the motion.**

Approval of an Amendment to the Annual Budget Ordinance for the Fiscal Year Ending June 30, 2026

Finance Director Pamela McBryde presented a budget amendment totaling $1,415,524 across four funds.

The General Fund amendment adds $126,139, attributable to a planning department lease, police department fees and a soft body armor grant, fire department fees, planning and code enforcement fee collections, a judgment recovery, and investment interest earnings.

The Powell Bill Fund amendment adds $138,113, consisting primarily of $136,000 drawn from fund balance to fund the multi-barrel culvert replacement project approved at the May 7th meeting, plus investment interest.

The Water and Sewer Fund amendment adds $1,060,569, reflecting investment interest, water connection fees, and fee collections, as well as a $1,000,000 draw from fund balance to fund the wastewater treatment plant generator project also approved at the May 7th meeting.

The Electric Fund amendment adds $90,704, consisting of investment interest, additional fee collections, utility reimbursements, and the first and final installments totaling approximately $54,000 from a longstanding recovery matter handled by the city's legal team.

Motion to approve the budget amendment to the Annual Budget Ordinance for the fiscal year ending June 30, 2026 was made by Council Member Mark Johnson. The motion carried unanimously with members voting 4-0 in favor of the motion.

Other Business

Prior to presenting the revised budget, City Manager Ritchie Haynes requested approval from the governing board to apply for a grant through the state energy office of the North Carolina Department of Environmental Quality (DEQ). Mr. Haynes explained that ElectriCities will hire BEL, a grant writing firm, to help member cities in the application process. There will be no cost to the City to apply. He informed that most of the requirements have already been identified in the City's CIP. If awarded, the grant will cover 75%, with the city's part being 25%. Mr. Haynes stated that assistance with the administration of the grant will also be available if received.

Council member Roby Jetton made a motion to approve the recommendation from the City Manager Ritchie Haynes, giving him permission to contract with BEL and apply for the grant. Motion carried unanimously with members voting 4-0 in favor of the motion.

Presentation of the Revised 2026–2027 Budget and Proposed Fee Schedule

City Manager Ritchie Haynes presented the revised proposed budget for fiscal year 2026–2027, noting that significant revisions were necessary following the discovery that a change in the sales tax distribution formula cannot be implemented until the fiscal year after next, per state statute. This means the city will retain the full benefit of the current sales tax formula for fiscal year 2026–2027, providing additional time to plan for future impacts.

With this development, Mr. Haynes restored the previously proposed cuts, including salaries and benefits for positions that had been slated for elimination, the three School Resource Officer positions transitioning to the county, and capital projects that had been removed to balance an earlier version of the budget. Mr. Haynes stated that all currently employed city staff are funded in the revised budget.

City Manager Haynes recommended that formal action on the budget — including the public hearing — be deferred to the June 25th City Council meeting, citing the value of additional time for both Council and the public to review the revised document given the volume of changes. He noted the city is not at risk in delaying adoption, as the budget must be adopted by June 30th.

Looking ahead, Mr. Haynes noted that new commercial development, including the anticipated Target store opening and residential growth across the city, will contribute to long-term revenue stability. He praised the Planning and Development staff for the department's high activity level in recent years, reflecting strong interest in Lincolnton as a location for investment.

The revised budget document is available for public review in the City Clerk's office and in the meeting agenda packet. No formal vote was taken; formal action is scheduled for June 25th.

City Attorney's Report

City Attorney John Friguglietti provided updates on several legal matters. Resolved Matters: The Lipari matter — involving a delivery truck that struck and destroyed utility poles and AT&T lines in a city parking lot, ultimately resulting in the loss of four poles — was settled in full. Mr. Friguglietti noted that the city's insurer for the other party initially declined to pay and offered nothing, prompting the city to pursue full recovery. The final settlement of approximately $64,000 was paid in part by Lipari and approximately $7,500 by AT&T. Mr. Friguglietti stated that the city's position going forward is to pursue 100 percent of what is owed without accepting less, and that insurance companies should take note of this approach. The Warren property matter was resolved via consent judgment following a hearing in early May, granting the city the legal ability to access and clean up the property in the future, with costs to be assessed to the property owner. Mr. Friguglietti noted the city worked cooperatively with the property owner's attorney and guardian. The Broom code enforcement matter was resolved and paid in full at approximately $6,300. A water-related matter designated as the "120 water issue" was also resolved.

Ongoing Matters: The Crowell Memorial case remains open, though the city's active involvement is largely concluded. Negotiations between PNC and SNM Finance in a related matter are progressing, with Mr. Friguglietti expressing hope for resolution within 30 to 60 days.

NEWS MEDIA

Mayor Ed Hatley opened the floor for questions from the News media before adjourning the meeting. Mr. Mike Powell with Lincoln Time News asked for additional details of the first settlement (Lipari) mentioned in his report, as well as details regarding activities that will take place to celebrate the July 4th holiday. City Manager Ritchie provided information about the Drone show what will take place on June 18th after the Alive After Five Concert and the parade that will take place on July 4th at 11:00 a.m. Mr. Haynes also spoke to a question regarding ownership of the historic courthouse, providing some clarification on the original conversations.

ADJOURNMENT

Being no further business, Councilmember Roby Jetton made a motion to adjourn the meeting. Members voted 4-0 in favor of the motion.

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Daphne Ingram, City Clerk **Ed Hatley, Mayor**