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

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.

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

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

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

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: NCMPA 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

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.

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 Lincolnton 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

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	**ED HATLEY**
CITY CLERK	**MAYOR**