September 4, 2025 – Regular meeting minutes

The Lincolnton City Council met in Regular Session on Thursday, September 4, 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 City Council Meeting to order.

Before proceeding with the agenda, Mayor Hatley took a moment to recognize Larry Mac Hovis who passed away. Mayor Hatley noted that Larry Mac had served on the city council for 20 years and was a firefighter who had given more to Lincolnton than almost anyone. The Mayor asked those present to think about Larry Mac's family during the moment of silence.

After reciting the Pledge of Allegiance, Mayor Hatley asked if there were any additions or deletions to the agenda. City Manager Richie Haynes confirmed he would discuss a sign issue during his update. With no other changes proposed, Mayor Hatley called for a motion to approve the regular agenda.

> **Motion to approve the regular agenda as presented was made by Councilmember Jill Tipton. Members voted 4-0 in favor of the motion.**
>
> **Motion to approve the consent agenda items was made by Councilmember Kevin Demeny. Members voted 4-0 in favor of the motion.**

Mr. Allen Hoyle addressed the Council and thanked them for including Patriots Day remembrance on the agenda. Mr. Hoyle then spoke about 78 cities in the United States that have declared themselves "sanctuary cities of the unborn" by outlawing abortion through ordinances. He expressed his view that Lincolnton should consider doing the same. Mr. Hoyle read from Genesis 1:1 and stated that there are only two genders, urging the Council to document this through an ordinance or proclamation.

Mr. Matt Sin introduced himself as someone who had donated funds in the past school year to pay for public school meal debt. He reminded parents with children in non-CEP schools to pay their children's meal debt or apply for assistance if needed. Mr. Sin also expressed concerns about bills in the NC House and Senate that would remove zoning authority from locally elected officials, stating that "those who govern closest to the people govern best." He opposed the idea of state authorities treating Lincolnton like larger cities such as Charlotte or Raleigh.

Mr. Trent Mason of 207 Mockingbird Lane thanked the police and fire departments for National Night Out, though he noted the weather had not been ideal. Mr. Mason mentioned several community events, including the Alive After 5 event, which had excellent weather and attendance. He reported on the Pirate 5K run. Mr. Mason also highlighted local business activities, including Hometown Kitchen, the Pickle Fetish a one-year anniversary, and the youth fishing day. He also mentioned upcoming events such as the 5K on September 13th, Lee Boy Cruising on September 12th, Cruising for a Cause on September 20th, and Dancing with Our Stars that Saturday. He encouraged everyone to shop locally, especially noting that Proper Provisions was having a tough time.

Mayor Hatley explained that the DAR Constitution Week proclamation is typically given to the Daughters of the American Revolution in recognition of Constitution Week. He mentioned that he would likely present it at one of their meetings. Mayor Hatley emphasized the importance of remembering that the U.S. Constitution is the cornerstone of American freedoms.

DRAFT

Lincolnton Fire Department - Social Media Presentation

Hayden Andrews, an engineer at the fire department, presented an overview of the department's social media efforts. Mr. Andrews explained that he had observed other fire departments showcasing their crews, trucks, fires, and training on social media and wanted to do the same for Lincolnton.

With approval from command staff and training from a social media class specifically for fire departments, Hayden implemented a strategic approach to the department's online presence. He presented statistics showing that approximately 73% of the American population uses social media to connect and share news, with a significant increase in users since COVID-19.

Andrews explained that the fire department's audience on Facebook primarily consisted of people aged 25-55, while younger populations preferred visual content on Instagram. He noted that social media serves as a tool for fire prevention education, allowing the department to reach a wider audience than traditional school visits.

The benefits of their social media presence included increased transparency, community engagement, and improved recruitment efforts. Andrews reported that since strategically advertising open positions on social media, the fire chief and HR had seen a significant increase in applicants.

Hayden outlined the process of creating content, which involved researching audience demographics, focusing on quality over quantity, planning when to post for maximum impact, and monitoring comments to engage with the community. He presented impressive statistics from July 2024 to July 2025: the department had reached over 552,000 people, gained more than 3,000 followers on Facebook, had 44,000 profile visits, and generated 18,000 content interactions. Additionally, there were over 1,400 website link clicks for job applications.

For future goals, Andrews mentioned plans to develop a long-term team for fire prevention and community risk reduction, potentially creating employee incentives to maintain high-quality content. He also suggested that the department's approach could serve as an example for other city departments that might need to post alerts about street closures or other information.

Mayor Hatley thanked Mr. Andrews for his presentation and Chief Heavner for encouraging this initiative.

BA-09-25

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

Finance Director Pamela McBryde requested approval to add approximately $98,000 to the city budget. She explained that the majority of the additions in the general fund came from new fees that had been added to the schedule of fees for 2025-2026. Ms. McBryde noted that the police department was collecting fees for reports and other items they had not charged for previously. She also mentioned that online convenience fees were performing well, bringing in about $8,000 in the first month.

Ms. McBryde reported that staff in her department had been working with other departments on insurance settlements, and that Chris Jones, the City's IT Director, had secured a $46,000 credit from AT&T for telecommunication services. She continued, stating that for the water and sewer fund, most additions were related to insurance settlements from damage caused by electrical storms and other weather-related incidents.

Ms. McBryde also presented a financing request for a new garbage truck. She explained that during the budget retreat, $420,000 had been approved for this purchase, but thanks to Public Services Director Nathan Eurey securing a good deal, the actual cost would be $408,000. United Bank offered the lowest interest rate at 4.42%, and Ms. McBryde requested approval to proceed with this financing option.

> **Motion to approve the budget amendment was made by Councilmember Roby Jetton. Members voted 4-0 in favor of the motion.**
>
> **Motion to approve the financing for the garbage truck with United Bank was made by Councilmember Kevin Demeny. Members voted 4-0 in favor of the motion.**

DRAFT

R-07-25

Resolution of the Lincolnton City Council Assigning Exclusive Planning and Development Regulation Jurisdiction to Lincoln County for Parcel ID 27960

Planning Director Jean Derby presented a resolution to assign exclusive planning and development regulation jurisdiction to Lincoln County for Parcel ID 27960. She explained that the parcel is off Buffalo Shoal Road, accessed via Lee Huss Road which turns into an easement. The 11-acre parcel is split between county land (8.3 acres) and ETJ (3 acres) which falls under city zoning.

Ms. Derby explained that city zoning does not allow for a new lot to be created without road frontage (minimum 35 feet required). According to state statute, when a lot has split jurisdiction, the landowner can provide written consent to assign exclusive planning and development jurisdiction to whichever local government they choose by submitting an affidavit. Both the city council and county commissioners must approve this arrangement.

Ms. Derby noted that the landowners had submitted an affidavit requesting Lincoln County jurisdiction, which staff deemed reasonable as it would not affect taxes, only zoning. She recommended approving the resolution as written.

> **Motion to approve the resolution for Parcel ID 27960, allowing the county to have zoning jurisdiction, was made by Councilmember Kevin Demeny. Members voted 4-0 in favor of the motion.**

Consideration of Accept Subdivision Infrastructure Contract and Surety Bond/Cash for Huntington Hills Phase II

Planning Director Jean Derby presented a request regarding Huntington Hills Phase II. She explained that the initial phase of Huntington Hills was developed long ago, and this additional land was always intended for development but had not been developed until now.

Ms. Derby showed pictures of the new roads: Old Farm Road extension, Deer Walk Court (a cul-de-sac), and Hunter Oaks Lane. She reported that the developer had completed water lines, sewer lines, subgrade, 8 inches of asphalt, curb and gutter, and stormwater control measures. Remaining improvements included street trees, street signs, sidewalks, ADA-compliant curb ramps, grass seeding, the final layer of asphalt, conversion of erosion control ponds, and an amount to cover potential construction damage.

Ms. Derby explained that the city ordinance requires a surety bond of 125% of the total cost for remaining improvements, which allows the developer to get final plat approval before completing all infrastructure. The developer had provided a quote that was reviewed by a third party for accuracy. The final plat met all city zoning standards and had been reviewed by county mapping.

Staff recommended approval to accept the surety bond for the amount listed in the packet, the agreement for completion of improvements, and approval of the final plat.

> **Motion to approve as recommended by staff for Huntington Hills addition was made by Councilmember Mark Johnson. Members voted 4-0 in favor of that motion.**

Consideration of Request to Proceed with the Completion of a Matching Funds Playground Grant Application

Public Services Director Nathan Eurey presented a request to proceed with a matching funds playground grant application from GameTime. He explained that the grant program offers matching funds up to 100% for play

DRAFT

systems geared toward ages 5-12 that incorporate fitness elements, and 50% matching funds for early childhood systems for ages 0-5.

Mr. Eurey noted that the city already has funds designated for a playground at Betty Ross Park from both the general fund and LTDA. He explained that leveraging these funds would increase the city's buying power for future phases at First Federal Park, which would include a "destination playground" similar to the one in Blowing Rock that is a major attraction.

Motion to approve the application for matching funds was made by Councilmember Kevin Demeny. Members voted 4-0 in favor of the motion.

Consideration of Request to Approve Policies and Procedures for the Farmer's Market Pavilion and Grounds

Public Services Director Nathan Eurey explained that following a land swap between the city and county in 2024, the city had acquired the Farmers Market and Grounds. At the direction of the City Manager, Mr. Eurey developed policies and procedures to govern the pavilion and grounds, similar to those in place for other city parks and facilities.

The draft document included market ground hours, restroom information, and rules governing the pavilion and grounds, including potential rental for private use. Mr. Eurey noted that the document was in draft form to allow for Council input, and upon approval, the draft watermark would be removed.

In response to a question from Councilmember Jill Tipton about the 7 am to 10 pm hours, Mr. Eurey confirmed these were standard park hours set by ordinance. He mentioned that a recent situation with a homeless person had highlighted the need for a policy with "teeth" for law officers to be able to enforce.

City Manager Ritchie Haynes added that after testifying in a related case, he had instructed Mr. Eurey to develop something similar to other parks that clearly defines hours and prohibited activities, which would help in future enforcement situations.

Councilmember Kevin Demeny questioned the language about "illegal weapons," wondering about the distinction between legal and illegal weapons. Mr. Eurey, along with City Manager Ritchie Haynes and others discussed whether concealed carry permit holders could legally bring weapons into parks, with some uncertainty expressed about current regulations.

Councilmember Tipton also raised concerns about vague language regarding the city's right to cancel events not "deemed to be in the best interest of the city of Lincolnton and the public." Mr. Eurey explained that the language was consistent with other park policies and allowed for a case-by-case evaluation, noting that rental applicants must specify their event type when signing up.

Motion to approve the policy and procedures for the Farmers Market Pavilion and Grounds was made by Councilmember Mark Johnson. Members voted 4-0 in favor of the motion.

Consideration to allow distribution & consumption of alcohol on park premises for the Cycle NC special event at Betty G. Ross Park on Sunday, October 5th, 2025

Public Services Director Nathan Eurey presented a request to allow alcohol distribution and consumption at Betty G. Ross Park for the Cycle NC event on October 5th. He explained that this would be the third time Lincolnton has hosted the event, which brings approximately 1,000 cyclists who ride from the mountains to the coast.

Mr. Eurey noted that since Lincolnton last hosted in 2008, Cycle NC has added a "beer garden" component where riders receive a beer after completing their ride. He emphasized that the park would be closed to the public during the event. Mr. Eurey stressed that the cyclists were not there to get drunk but to enjoy a refreshment after riding 60-70 miles from Lake Lure before continuing to Kannapolis the next day.

DRAFT

Since the city's park rules prohibit alcohol, Mr. Eurey requested special use approval for this specific event.

Councilmember Roby expressed concerns about setting a precedent by allowing alcohol in the park, stating it would "open a can of worms" and lead to further rule-bending. He worried about public reaction to opening parks to beer consumption. Mr. Eurey emphasized that for this event, the park would be closed to everyone except the cyclists and support staff.

There was some discussion generated, with Councilmember Kevin Demeny stating that he didn't see a problem with it. City Manager Haynes clarified that the policy allowing Council to approve alcohol use was primarily created for First Federal Park events, not specifically Betty Ross Park.

Mr. Eurey explained that the cyclists would likely receive only one or two tickets for beer and wouldn't get drunk because they needed to continue their ride the next day. He also described the extensive planning that had gone into the event over the past year, involving law enforcement, fire department, DDA, and emergency management representatives.

Councilmember Jill Tipton acknowledged it sounded like a wonderful event showcasing the city but expressed opposition to setting a precedent regarding alcohol in parks.

> **Motion to approve the consumption of alcohol at Betty G. Ross Park for this specific event was made by Councilmember Kevin Demeny. The vote resulted in a tie, with Councilmember Kevin Demeny and Mark Johnson voting in favor of the motion and Councilmember Jill Tipton and Roby Jetton voting against approving the motion. Mayor Hatley broke the tie by voting in favor, so the motion was approved.**

C-21-25

Request to Approve / Award Contract to Lewis Site Development, LLC for the John Howell Water Main Construction Project

Water Resources Director Todd Elmore presented a request to approve a contract with Lewis Site Development for a waterline extension on John Howell Memorial Drive. Bids were taken on August 21st, with Lewis Site Development being the lowest bidder by $30,000.

Mr. Elmore explained that the main reason for the extension was to improve water service to the Lincoln County jail, which currently sits on a dead-end water line. If a break occurs, the jail loses both water and fire protection. With the jail's expansion, this project would loop the water line by connecting to a different water main across Sigmon Road, ensuring continuous service even if one line breaks.

The new 10-inch water main (an upgrade from the current 8-inch) would serve the new public service center, improve fire protection flows for the jail's sprinkler system and for the animal services building. Elmore noted that the county would share costs by reimbursing the city for a portion of the project based on footage.

Mr. Elmore added that Lewis Site Development was currently working on the water main relocation on the court square, and their work had been excellent, often exceeding expectations.

> **Motion to approve Lewis Site Development for the John Howell water main project was made by Councilmember Roby Jetton. Members voted 4-0 in favor of the motion.**

2025 - 2026 Student Advisory Council Appointments

Mayor Hatley presented the list of students recommended to be appointed to the Student Advisory Council from each school. He requested adding one additional student, Jocelyn Ruiz, whom he had met over the summer and who had expressed special interest in local government. Mayor Hatley noted that the first Student Advisory Council meeting would be held on the following Monday (September 15th) at 6:00 pm.

DRAFT

Motion to approve the list of Student Advisory Council appointments as presented with the addition of Jocelyn Ruiz was made by Councilmember Kevin. Members voted 4-0 in favor of the motion.

Moving on to the City Manager Activity Report portion of the meeting, City Manager Ritchie Haynes reported several staff promotions: David Dellinger (Street Department) to Equipment Operator 2, David Miller Strong to Police Officer 2, Mario Tellis to Police Officer 2, Caleb Little (Street Department) to Equipment Operator 2, and Andrew Flowers from part-time to full-time Recreation Program Coordinator. Mr. Haynes noted that Flowers had come through the city's flag football program and had worked part-time for the city for some time.

City Manager Ritchie Haynes also mentioned several training certifications: Daniel Perry completed ICS 100 and 200 from FEMA, Colton Castel earned intermediate certification with the Police Department, and Captain Tony Potts would be attending the FBI National Academy for three months starting at the end of the month.

The City Manager recognized the water plant employees who had received a gift basket (deliberately not including bottled water to avoid offense) and congratulated Julie and other staff who had won first place for their United Way "Stuff the Bus" display in the lobby.

Mr. Haynes reported that the monthly homeless report showed 9 incidents with 6 related charges. He noted that the Startown development had generated over $27 million in sales, translating to approximately $135,000-$140,000 in tax revenue, with more growth expected in coming years.

Mr. Haynes proposed October 23rd for the fall workshop to discuss strategic planning separately from the budget process. He explained that this approach would give department heads more time to prepare numbers for capital projects and allow Council more time to discuss policies and procedures.

In conclusion, Mr. Haynes also addressed concerns about the intersection at Sycamore Street and Academy Street, which he had received in letters from United Methodist Church and Freedom Church. He described visibility challenges at the intersection, particularly due to the steep hill on Academy Street. While some parking spots had been blocked off to improve visibility, Mr. Haynes noted challenges with potential stop sign placement due to visibility concerns.

The City Manager recommended taking the issue to the traffic safety committee, which includes representatives from fire, police, street, and sign departments. After discussion, including concerns about the sun blinding drivers at certain times of day, Council decided to take immediate action. Mayor Ed Hatley recommended taking action to approve whatever solution the committee comes up with to address the problem.

Motion to resolve the dangerous intersection issue at Sycamore and Academy Street was made by Councilmember Jill Tipton. Members voted 4-0 in favor of the motion.

Councilmember Roby also raised concerns about oversized trucks on Main Street creating traffic issues, particularly following DOT repainting of street lines. Haynes explained that the problem emerged after DOT restriping, which changed the position of double yellow lines and angled parking spaces. He noted challenges with restricting vehicles that don't exceed existing regulations but agreed to look into the issue through the traffic safety committee.

City Attorney John Friguglietti reported on pending litigation with LaPari, noting that AT&T had been brought in as a third party and had responded. The case was in the discovery phase with trial tentatively set for January, though it might be rescheduled. He explained that LaPari was claiming the issue was AT&T's fault, while the city's position was that someone needed to take care of the damages regardless of fault.

Mr. Friguglietti mentioned upcoming events including a treatment court "Friday Cruisin'" event the following week featuring cornhole games with teams from the police and fire departments. He reported progress on the citizens advisory board, with a goal of having all submissions by December 1st so final selections could be made at that meeting. He anticipated having more applicants than available slots.

The City Attorney also provided details about the upcoming Halloween block party, which would include free hot dogs sponsored by Proper Provisions, free candy, and potentially free drinks. The event would close several streets around the Court Square area from 5-8 pm, featuring decorated classic cars from the Westside Cruisers for a trunk-or-treat style event, along with fog machines, local businesses handing out candy, and possibly face painting and temporary tattoos for children.

DRAFT

Mayor Ed Hatley opened the floor for questions from the Media. Mr. Mike Powell asked about Larry Mac Hovis' dates of service on the Council. City Clerk Daphne Ingram located information regarding him being sworn in 1995 and receiving a plaque for twenty (20) years of service December 3, 2015.

Motion to go into closed session in accordance with G.S. 143-318.11(a)(5) - To establish or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price or other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange or lease, was made by Councilmember Jill Tipton. Members voted 4-0 in favor of the motion.

With no action being taken in closed session, the meeting was adjourned immediately following the closed session. Councilmember Kevin Demeny made a motion to adjourn. Members voted 4-0 in favor of the motion.

DRAFT

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