REGULAR MEETING – OCTOBER 1, 2026

The Regular Meeting of the Lincolnton City Council was called to order on Thursday, October 1, 2026, at 6:30 PM in the Council Chambers at City Hall, 114 West Sycamore Street, Lincolnton, NC.

Members Present: Mayor Ed Hatley

Councilmember Kevin Demeny – Ward 1

Councilmember Mark Johnson – Ward 2

Councilmember Jill Tipton - Ward 3

Councilmember Roby Jetton – Ward 4

NOTE – Councilmember Mark Johnson was not in attendance

Mayor Ed Hatley opened the meeting with a Moment of Silence followed by the Pledge of Allegiance.

Approval of Regular Agenda

Motion to approve the Regular Agenda was made by Council Member Roby Jetton. Members voted 3-0 in favor of the motion.

Approval of Consent Agenda

Motion to approve the Consent Agenda was made by Council Member Kevin Demeny. Members voted 3-0 in favor of the motion. The Consent Agenda included the following items:

- September 3, 2026 Regular Meeting Minutes
- Lincoln County Tax Department – Request for Release, August 16, 2026 – September 15, 2026
- Proclamation — Recognizing National Hispanic and Latino Heritage Month
- Charitable Gift Agreement — First Federal Savings Bank and the City of Lincolnton

Public Comment

Three residents addressed the Council during the public comment period, each limited to three minutes.

Jeffrey Ward (2085 Shuford Road, Lincolnton) expressed concern about a proposed data center on Car Farm Road. He stated he is not opposed to data centers in principle and acknowledged the revenue potential for the city but argued that the area is residentially zoned and consists of single-family homes, mobile homes, and apartments. He noted new construction occurring nearby and cited a precedent from approximately three years prior when Council voted down a 155,000-square-foot warehouse proposed for the same general area. He urged the Council to consider placing such facilities in industrial or business parks where they are more compatible with surrounding land uses.

Jocelyn Barber spoke regarding the Oaklawn property, a Rosenwald School built in the 1920s for African American students — one of the few remaining in Lincoln

County. She expressed a desire for area churches to remain involved in and informed about activities at the site, noting the community's historical connection to the building and expressing support for Christian Ministry's planned presence there.

Alan (Gunny) Hoyle (319 North Poplar Street, Lincolnton) offered remarks touching on spiritual concerns and then addressed data centers more specifically. He expressed disappointment that Council had given city staff only three months — rather than the requested year — to study and plan for data centers. He raised concerns about data centers' increasing share of U.S. electricity demand, water consumption, and use of natural gas, and questioned the source of large financial payments made to communities in other states to reduce opposition to such facilities. He also noted the impact of the county's projected 25% tax increase on local residents and business owners.

Special Presentations

Fire Chief Heavner introduced Battalion Chief Jason Ingle to present awards recognizing exceptional performance in two separate incidents.

Medical Emergency — May 4, 2026. The patient, Mr. Jimmy Rawlings, was present at the meeting and expressed his gratitude. The following personnel received the Medical Life Saving Award: Lieutenant Tyler Swafford, Engineer Hayden Reynolds, Engineer Luke Workman, Engineer Mason Reynolds, Firefighter Lane Hunsucker, and Firefighter Hunter Caldwell.

North Flint Street Structure Fire — August 5, 2026: The rescued resident, Mr. Brooks, and his brother — who assisted firefighters in the rescue — were both present at the meeting. Mr. Brooks addressed the Council with heartfelt thanks, expressing gratitude to his brother, the firefighters, and his faith. His brother also spoke briefly, emphasizing the importance of community unity.

The following personnel received a Distinguished Service Award for their collaborative efforts: Captain Marcus Shoemaker, Captain Tyler Russ, Lieutenant Tyler Swafford, Lieutenant Kurt Boyles, Engineer Hayden Andrews, Engineer Dylan Riker, Engineer Luke Workman, Engineer Mason Reynolds, Firefighter Brandon Granger, Lieutenant Michael Holmes, Firefighter Hunter Caldwell and Firefighter Lane Hunsucker.

Mr. Blair Brooks — the civilian who entered the structure and assisted his brother — received a Civilian Commendation recognizing his courage.

The two firefighters who entered the burning structure under heavy smoke conditions to locate and rescue the resident received the department's Medal of Valor, the second-highest award available. The Medal of Valor was presented to Lieutenant Michael Holmes and Firefighter Lane Hunsucker.

Chief Heavner closed the presentation by remarking that while he does not often congratulate people simply for doing their jobs, Mr. Brooks had become a hero to them as well.

Mayor Hatley recognized October as Hispanic and Latino Heritage Month and offered the Council's gratitude for the contributions of Hispanic and Latino residents to the city and broader community.

Mayor Hatley recognized Director Cliff Brumfield, as well as Trent Mason of the Lincoln Economic Development Association for Industry Appreciation Month. Mayor Hatley noted that LEDA is one of the few organizations that both recruits' industry and directly generates tax revenue for the city. He highlighted that the organization has been involved in nearly one billion dollars in new and expanded industry announcements since its inception. Mayor Hatley emphasized that a strong industrial tax base helps ease the residential tax burden for Lincolnton citizens. Public Power Week and Cybersecurity Awareness Month were also recognized.

Police Chief Brian Green presented professional certificates issued by the NC Training and Standards Commission to four officers. The certificates — which are earned through a combination of experience, training, and education — were awarded as follows:

- Officer Alyssa Sronce — Intermediate Certificate
- Officer Chandlar Mims— Intermediate Certificate
- Sergeant Megan McQueen — Intermediate Certificate
- Officer Jake Brantley — Advanced Certificate

Mayor Hatley thanked the officers for their service and dedication.

Public Hearings

CZ-8-2026
Request from Atwell, LLC to amend an original Super WalMart site plan. The subject property is located at 306 N Generals Blvd (Parcel ID 00973).

Planning Director Jean Derby presented this item, describing it as largely procedural in nature. Walmart is proposing to add approximately 7,930 square feet to the front left corner of their existing building at 306 N. Generals Boulevard to accommodate growing demand for their online grocery pickup and delivery service. The expansion will be constructed entirely within the existing paved footprint — no new ground disturbance is involved. The reconfiguration will also reduce the number of required parking spaces from 725 to 672, which staff noted is appropriate given the size of the lot and the brief nature of pickup visits. As the original site plan was zoned Planned Business Conditional Use on a site-specific basis, the expansion requires amendment to a Planned Business Conditional District.

Staff also recommended amending the Future Land Use Map to include the entirety of the Walmart parcel within the Planned Business planning area, as portions of the parcel had historically been zoned residential and shown in a residential planning area — a remnant of when the land was originally purchased. The amendment would clean up the map without altering zoning on any other properties.

Conditions of approval include replacement of any landscaping removed during construction, provision of built-upon area calculations, and maintenance of fire hydrant accessibility during construction. The Planning Board voted 6-0 in favor of recommending approval.

A representative from Walmart was present and confirmed that the expansion is designed to improve the efficiency of the online grocery pickup operation, reducing

the length of individual visits and thus no need for as many traditional parking spaces.

Motion to close the Public Hearing was made by Council Member Roby Jetton. The motion carried unanimously with members voting 3-0 in favor of the motion.

Motion to approve CZ-8-2026 with Planning Board recommendations — *including approval of the rezoning from Planned Business Conditional Use to Planned Business Conditional District, approval of the Statement of Consistency and Reasonableness for approval, and amendment of the Future Land Use Map* — was made by Council Member Jill Tipton. The motion carried unanimously with members voting 3-0 in favor of the motion.

ZMA-3-2026
Application from Erin Watts requesting the rezoning of 0.251 acres from the Residential 10 (R-10) District to the Central Business District (CB). The subject property is located at 201 W Main Street (Parcel ID: 15609).

Planning Director Derby presented this rezoning request for 201 West Main Street, a 2,032-square-foot structure that has historically been used as a commercial property, with tenants including the King Law Offices and Live & Joy Counseling Services, dating back at least to 2008. Although currently zoned Residential 10, the property is surrounded on nearly all sides by Central Business-zoned parcels and is located directly across from the Citizens Center. Its existing residential zoning is a holdover classification that does not reflect the property's longstanding commercial use.

Staff recommended rezoning the parcel to Central Business and also recommended amending the Future Land Use Map for this and several adjacent parcels — including county parking, the Farmers Market, a vacant lot, and the probation office — from the Traditional Single Family planning area to the Central Business planning area. Derby clarified that this land use map change does not alter the zoning of any of those adjacent properties; it simply places already-commercial uses within an appropriately designated commercial planning area, cleaning up the map and providing a more appropriate framework for any future rezoning requests on those parcels.

The Planning Board voted 6-0 in favor of recommending approval.

The applicant, Erin Watts, was present but did not address the Council.

Motion to close the Public Hearing was made by Council Member Jill Tipton. The motion carried unanimously with members voting 3-0 in favor of the motion.

Motion to approve ZMA-3-2026 as recommended by the Planning Board — *including approval of the rezoning from Residential 10 to Central Business, approval of the Statement of Consistency and Reasonableness*

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for approval, and amendment of the Future Land Use Map for the subject and identified adjacent parcels **— was made by Council Member Kevin Demeny. The motion carried unanimously with members voting 3-0 in favor of the motion.**

ZTA-4-2026
Zoning Text Amendments to Chapter 153 Unified Development Ordinance
Planning Director Derby presented three proposed text amendments to the Unified Development Ordinance (UDO)

Planning Director Jean Derby presented the proposed zoning text amendments as follows:

Administrator Definition: The current ordinance places the full weight of ordinance interpretation and administration on a single "Zoning Administrator." Staff proposed updating the definition of "administrator" throughout the ordinance to reflect that the planning department functions as a team and that multiple staff members share administrative responsibilities. The updated language would define the administrator as the "administrative planning officials appointed by the city manager" and would allow reference to "unified development administrator." This change also protects continuity of operations in the event a primary administrator is absent, resigns, or departs.

Accessory Structure Rear Yard Calculation: The current formula for calculating the maximum allowable size of an accessory structure is based on the width of the rear lot line, which creates hardship for residents with long, narrow lots — who may have a substantial rear yard but are only permitted a very small accessory structure due to their lot's narrow width. The proposed amendment would allow the calculation to use whichever is greater: the current formula or a calculation based on the actual depth of the rear yard (measured from the rear of the home to the rear property line). Additional text corrections included restoring language requiring accessory structures to be residential in nature (to prevent vehicles such as buses or campers from being used as storage buildings), and adding a cross-reference to the nonconforming use section of the ordinance for clarity.

Site Plan Review Process: Staff proposed requiring a sketch plan review by the Technical Review Committee (TRC) prior to formal site plan submission. Currently, sketch plan review is encouraged but not required, which can lead to unnecessary full site plan reviews. Requiring this preliminary step would streamline the formal 21-day review process and improve the quality of submissions. The amendment also requires that all resubmittals include a document specifically outlining all changes made and addressing outstanding comments, enabling staff to efficiently verify revisions.

The Planning Board voted 6-0 in favor of recommending approval of all three amendments.

Motion to close the Public Hearing was made by Council Member Kevin Demeny. Members voting 3-0 in favor of the motion.

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Motion to approve ZTA-4-2026 as recommended by the Planning Board was made by Council Member Jill Tipton. The motion carried unanimously with members voting 3-0 in favor of the motion.

Consideration of Resolution Directing the Clerk to Investigate a Petition Received Under NCGS 160A-31 of contiguous property owned by Lincoln Bible Church concerning property located at 910 Wilma Sigmon

Planning Director Jean Derby presented the city's fourth voluntary contiguous annexation petition of the year. The subject property is a 2.765-acre parcel at 916 Wilma Sigmon Road owned by Lincoln Bible Church. The parcel is contiguous with the city's corporate limits and meets the statutory requirements of NCGS 160A-31. The property owner has submitted a formal, signed request for voluntary annexation. Ms. Derby noted that City Clerk Daphne Ingram had already reviewed the petition and certified it as sufficient.

Per state statute, this resolution directs the City Clerk to formally investigate the petition's sufficiency. A public hearing would be scheduled for the November 5, 2026 regular meeting, advertised at least ten days in advance, at which final action on the annexation would be taken.

Motion to approve the Resolution Directing the City Clerk to Investigate the Petition and Schedule a Public Hearing was made by Council Member Roby Jetton. Members voting 3-0 in favor of the motion.

Consideration of Request to Amend to the City of Lincolnton Code of Ordinance — Reduce Speed Limit on West Main Street Extension from 35 MPH to 25 MPH

City Manager Ritchie Haynes presented a request from residents of West Main Street Extension to reduce the posted speed limit from 35 MPH to 25 MPH. The Traffic Safety Committee reviewed the petition and concurred with the recommendation, noting that 25 MPH is consistent with most other residential neighborhoods in the city. City Manager Haynes explained that under North Carolina law, the default city speed limit is 35 MPH unless posted otherwise, and that the street is frequently used as a cut-through — particularly during school hours — by motorists seeking to bypass congestion on nearby roads. The road is described as narrow, heavily traveled, and historically the original main road into town. City Manager Haynes also noted a broader interest in reviewing residential neighborhood speed limits citywide for consistency, which would be a subject for a future workshop.

Motion to approve the reduction of the speed limit on West Main Street Extension from 35 MPH to 25 MPH was made by Council Member Jill Tipton. The motion carried unanimously with members voting 3-0 in favor of the motion.

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Consideration of Request for Approval to Apply for the NCLM Reimbursement Safety Grant — up to $5,000.00

Business Services Director David Ramsey presented a request for authorization to apply for the North Carolina League of Municipalities (NCLM) Reimbursement Safety Grant, which provides up to $5,000 toward qualifying safety improvements. Three city departments submitted four candidate projects: a shoring and trenching box for the Distribution/Collection Department (required by OSHA for excavations exceeding a specific depth); a push camera for storm drain and culvert inspection for the Street Department; and two safety improvements at the Wastewater Treatment Plant — guardrails on a walkway over a chemical area and handrails for an 18-inch step-up area accessed daily. Staff noted that the grant is competitive and that submitting early improves the likelihood of award. The final prioritization of items for the application had not yet been determined. Because the grant is a reimbursement program, the city must expend the funds prior to receiving payment.

> **Motion to approve the request to apply for the NCLM Reimbursement Safety Grant was made by Council Member Roby Jetton. The motion carried unanimously with members voting 3-0 in favor of the motion.**

Consideration of Request to Approve Agreement with Clayton Engineering & Design for NCDOT BR-0087 Bridge 35 Replacement Project

Assistant City Manager Scott Clark presented a request to approve a professional services agreement with Clayton Engineering & Design — with sub-consultant Augurs Engineering — related to the NCDOT bridge replacement project on NC 150 Bypass near the Wastewater Treatment Plant. The agreement covers engineering, permitting, and construction administration for utility relocations necessitated by the bridge replacement. The total project fund requested is $117,300, which includes a 15% contingency.

Clark explained that because the bridge project creates an opportunity to work within the river corridor, the city elected to upgrade the existing 12-inch water main to a 16-inch main — approximately 2,500 linear feet — to support potential future growth west of the South Fork River. NCDOT will reimburse the cost of replacing the pipe in kind; the city is responsible for the cost of the upgrade ("betterment"), which has not yet been finalized. The project also includes installation of a standby 8-inch pipe for potential future reclaimed water/reuse applications and fiber optic conduit to improve SCADA system resiliency for sewer pump stations serving the Indian Creek Industrial Park. Clark noted that a million gallons of wastewater treatment capacity costs approximately $30–$40 million to add, making the upfront investment in future-ready infrastructure cost-effective. Funds would be drawn from the Water/Sewer Fund balance and held in a dedicated project account. Reimbursement from NCDOT is expected several years out, consistent with the project timeline.

> **Motion to approve the agreement with Clayton Engineering & Design for the NCDOT BR-0087 Bridge 35 Replacement Project and to establish a project fund of $117,300 was made by Council Member Kevin Demeny. Members voting 3-0 in favor of the motion.**

Request for Permission to Post Notice / Accept Application to Fill Upcoming Vacancies on Various Boards and Commissions

City Clerk Daphne Ingram requested authorization to post a public notice and accept applications to fill upcoming vacancies on various city boards and commissions, with terms expiring in December 2026. Applications would be due by November 15, 2026, reviewed by the Council, and approved at the December meeting, with new terms beginning January 1, 2027. Applications may be submitted online or via email to the City Clerk.

> **Motion to authorize the City Clerk to post notice and accept applications for upcoming board and commission vacancies was made by Council Member Jill Tipton. The motion carried unanimously with members voting 3-0 in favor of the motion.**

Christian Ministries Land Agreement Update

City Manager Haynes provided an update on the land agreement with Christian Ministries. He explained that the city owns two parcels in the project area: a large parcel containing two buildings and a smaller adjacent parcel where a basketball court is currently located. The original plan had contemplated including both parcels in the agreement, but as the proposed building has been scaled down from 20,000 to 10,000 square feet, Christian Ministries no longer requires the full acreage and does not wish to assume liability for the basketball facility.

Under the revised arrangement, only the large parcel will be included in the land swap agreement. Christian Ministries has expressed interest in working with the city to carve out the portion of the large parcel containing the basketball court, consolidate it with the small parcel, and develop it as a pocket park — potentially including a basketball court, playground, and shelter — to be maintained by the city. City Manager Haynes noted that coordination with the Lincolnton Housing Authority may also be possible regarding funding. The overall project cost remains unchanged despite the reduction in building size. The land swap involves the city receiving Christian Ministries' two existing buildings and Christian Ministries receiving the city's buildings plus the new 10,000-square-foot addition.

> **Motion to approve the updated land agreement with Christian Ministries was made by Council Member Roby Jetton Members voted 3-0 in favor of the motion.**

Other Business

Manager's Update — Project(s) Status

City Manager Ritchie Haynes provided updates as follows:

Public Works Facility (Sigmon Road): Construction is progressing. Underground utilities and cement pads are in place, interior walls are being erected on the public works building, and exterior material storage walls and vehicle bay walls are visible. Progress is weather-dependent, and crews are working to complete paving as soon as possible.

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City Park Renovation: The project remains on schedule, with weekly progress updates being distributed to Council. City Manager Haynes highlighted that two independent observers — a former Parks and Recreation Director and a current town manager from another municipality — had separately remarked that the renovated park would serve as a strong first impression for visitors approaching downtown Lincolnton. Councilmember Demeny expressed satisfaction with the Council's earlier decision to undertake the full renovation at once rather than in phases, noting that the project was funded through ARPA funds and a $500,000 grant.

City Manager Haynes also reported that the local economy remains strong, with an unemployment rate of approximately 3.2–3.3%, and that sales tax revenues have continued to grow, in part due to commercial activity along Startown Road.

City Manager Haynes noted that the department heads would be engaging in strategic planning, followed by a budget workshop anticipated for the second week of December.

Mayor Ed Hatley opened the floor for questions from the news media. Reporter Mike Powell asked for clarification on several issues. Both Council and staff spoke to Police Chief's upcoming retirement, Apple Festival security and a timeline for the Christian Ministries project.

Prior to asking for a motion to go into closed session, City Attorney John Friguglietti announced the second annual City Halloween Bash, themed around "Willy Wonka's Chocolate Factory." Participating businesses downtown will offer Wonka bars, five of which will contain golden tickets entitling the finder to a special tour of City Hall and prize grab bags. Additional activities will include a train ride to the rail trail, trunk-or-treat with the Westside Cruisers car club, candy distribution by local businesses, and a costume contest with gift certificate prizes. The event runs from 5:00 PM to approximately 8:00 PM on Friday, October 30. Businesses interested in participating were encouraged to contact Mr. Friguglietti. Volunteers for Oompa Loompa roles were also requested.

Closed Session

> **Motion to enter Closed Session pursuant to G.S. 143-318.11(a)(6) to discuss Personnel was made by Council Member Kevin Demeny. Member voted 3-0 in favor of that motion.** *Council entered Closed Session*.

Upon returning to Open session, there was discussion among council members and staff touching on several operational and policy concerns related to downtown Lincolnton.

Downtown Deliveries and Sidewalk Obstruction

Councilmember Jill Tipton raised concerns and council members discussed unsafe loading and unloading of delivery trucks at Court Square and downtown. A delivery truck had blocked travel lanes when nearby parking was available. Members agreed the matter should go to the Traffic Safety Committee to develop a plan, noting that loading and unloading cannot be restricted entirely.

Council members discussed another incident in which a large delivery vehicle was observed blocking Main Street in a manner deemed inappropriate, with the view that the delivery should have taken place in an adjacent private parking lot. Members expressed frustration that a police response at the time did not result in action. It was noted that businesses in the downtown area do have delivery needs, and the council acknowledged the importance of not creating conditions so restrictive as to discourage business activity. Members generally agreed that deliveries should occur via rear access where possible, and that the matter of formal delivery guidelines or times may warrant a broader discussion with downtown business stakeholders at a future Morning Meet-Up.

Sidewalk Table / First Amendment Assembly Incident -The council discussed a separate incident in which individuals set up a table on the public sidewalk in front of the post office without prior authorization. There was confusion among responding officers at the time as to whether the activity was legally permissible, as it was initially treated as a potential First Amendment exercise. City staff subsequently clarified the applicable city ordinance: only a merchant is permitted to place a table on the sidewalk, and only within 30 inches (2.5 feet) of their own business frontage. It was noted that the individuals appeared to be engaged in political activity and that the political affiliation attributed to them was disputed.

City Manager Ritchie Haynes explained the rationale for allowing the individuals to conclude their activity that day rather than compelling immediate removal. The council expressed agreement with this cautious approach while affirming that, going forward, any similar activity would require a permit, and the city would designate an appropriate location that does not obstruct pedestrian traffic. Council members noted that the city does have an ordinance addressing sidewalk obstruction that can be cited specifically when such situations arise.

City Ordinance Review - Staff noted that the city's ordinances were last substantively revised around 2007, and that portions related to public works and utilities may not have been updated since even earlier. Members agreed that the ordinances need a comprehensive review, acknowledging that such a process would be a lengthy undertaking — potentially more than a year. It was suggested that outside firms specializing in municipal code assistance could help facilitate the effort.

Oversized Vehicle / Truck Routing Concerns -The discussion briefly touched on the recurring issue of commercial trucks navigating downtown streets contrary to posted restrictions. It was reiterated that the city does not have the authority to issue weight-related citations to commercial vehicles, as that enforcement requires calibrated scales and is the jurisdiction of state troopers. Council members expressed frustration that state troopers have historically declined to respond to such complaints in the downtown area.

Damage to City Property - A brief reference was made to an incident involving damage to city bollards or related infrastructure, with an estimated cost referenced in excess of $60,000. Members indicated a desire to pursue accountability where damage to city property occurs and noted that camera footage may be available in some instances.

Adjournment

Being no further business, Councilmember Roby Jetton made a motion to adjourn. Members voted 3-0 in favor of the motion.

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

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