

MINUTES

Lowell City Council
Regular Meeting

Tuesday, April 13, 2021, 6:00 P.M.

I. CALL TO ORDER – Mayor Sandy Railey

Mayor Sandy Railey called the meeting to order at 6:00 p.m. Those attending in-person were Councilmember Phil Bonham, Councilmember Ken Ervin, Councilmember Candy Funderburk, Councilmember Thomas Gillespie, City Manager Scott Attaway, City Attorney John Russell Jr, Finance Officer Jared Pyles, Planning Director Alex Blackburn, Police Chief Scott Bates, and City Clerk Beverly Harris. The meeting was teleconferenced to the public and the agenda and meeting materials were made available prior on the city's website due to COVID-19 restrictions. Several members of the public and guest presenters were also present in the Council Chambers. Councilmember Robinson was absent.

II. INVOCATION / PLEDGE OF ALLEGIANCE

Pastor David White of First Baptist of Lowell gave the invocation and led everyone in the pledge of allegiance.

III. ADOPTION OF AGENDA FOR THIS MEETING

Councilmember Ervin made a motion to adopt the agenda, followed by a second from Councilmember Gillespie. The vote was unanimously in favor.

IV. PUBLIC COMMENTS

John Cantrell thanked the Council on behalf of the Planning Board.

V. CONSENT AGENDA ITEMS

- A. Minutes from Special Meeting February 18, 2021
- B. Minutes from Special Meeting March 5, 2021
- C. Minutes from Regular Council Meeting Held March 9, 2021
- D. Minutes from Special Meeting March 24, 2021
- E. Minutes from Work Session March 24, 2021
- F. Proclamation Regarding April as National Child Abuse Prevention Month

Councilmember Ervin made a motion to approve the consent agenda items A-F listed above, followed by a second from Councilmember Funderburk. The vote was unanimously in favor. Mayor Sandy Railey read the Proclamation regarding April as National Child Abuse Prevention Month.

VI. SPECIAL PRESENTATION

A. Presentation of FY 19-20 Audit – Butler and Stowe CPA

Members representing Butler and Stowe CPA gave a presentation for the FY 19-20 audit for the City of Lowell. They stated the LGC has accepted and approved the audit submitted and it was submitted to them by the required deadline. They also stated the audit opinion submitted was “CLEAN”. The City is in very good financial shape per the auditor.

Only finding was a material weakness: As the city grows, this may change. With the limited personnel in the accounting department and with the way transactions are recorded, there is not enough segregation of duties.

B. Presentation Regarding Appreciation of Former City Attorney Jim Windham

Mayor Railey presented the appreciation award for the former City Attorney Jim Windham. Councilmember Gillespie will deliver the award to Mr. Windham’s office.

VII. NEW BUSINESS

A. Public Hearing to Consider Adoption of the City Plan 2040 – City of Lowell Comprehensive Land Use Plan

Councilmember Funderburk made a motion to go into public hearing to consider adoption of the City Plan 2040 – City of Lowell Comprehensive Land Use Plan, followed by a second from Councilmember Gillespie. The vote was unanimously in favor.

Alex Blackburn, Planning Director, gave an overview of the work completed by the Planning Board on the City Plan 2040 – City of Lowell Comprehensive Land Use plan. Mr. Blackburn stated the Planning Board unanimously adopted this plan on March 2, 2021 and are forwarding it to Council for consideration. Mr. Blackburn stated this plan will assist both the Planning Board and the City Council in maintaining consistent decision making and is believed to produce more thoughtful consideration regarding proposed ordinance amendments and to better prepare for future growth. Public notice was advertised in the Gaston Gazette newspaper on both March 25 and April 1, 2021.

Tom Weitnauer with N-Focus presented the City of Lowell Comprehensive Land Use plan to Council and gave an overview of the requirements associated with this plan with the NC General Statute 160D.

John Cantrell, Planning Board member, stated how hard the Planning Board worked on this process and how much they learned during the process with N-Focus’ guidance.

Scott Attaway showed the Future Land Use map and stated it will be used to guide the future of Lowell’s growth.

Councilmember Funderburk made a motion to go out of public hearing, followed by a second from Councilmember Gillespie. The vote was unanimously in favor.

Councilmember Ervin made a motion to adopt Ordinance #5-2021 for the City of Lowell Comprehensive Land Use Plan, followed by a second from Councilmember Funderburk. The vote was unanimously in favor.

B. To Schedule a Public Hearing for May 11, 2021 Regular City Council Meeting Regarding the Proposed Lowell Development Ordinance (LDO)

Councilmember Funderburk made a motion to schedule a public hearing for May 11, 2021 regarding the proposed Lowell Development Ordinance (LDO), followed by a second from Councilmember Gillespie. The vote was unanimously in favor.

C. Resolution to Consider Appointment of Representative to the Gaston County Task Force on Homelessness

Scott Attaway stated the Gaston County Board of Commissioners voted unanimously to establish a Task Force on Homelessness in Gaston County and are asking for a municipal representative or elected official from every municipality to join this task force. Mr. Attaway stated Councilmember Gillespie has shown an interest in serving on this task force representing the City of Lowell.

Councilmember Ervin made a motion to adopt the Resolution Approving Appointment of Representative to the Gaston County Task Force on Homelessness and noting that Councilmember Gillespie will represent the City of Lowell on this task force, followed by a second from Councilmember Funderburk. The vote was unanimously in favor.

D. Consideration of Addition to Lowell Code of Ordinance Title XI – Itinerant Merchant Permit/Solicitation Policy

Scott Attaway, Beverly Harris, and Chief Bates gave an overview of the additions to the Lowell Code of Ordinance Title XI – Itinerant Merchant Permit/Solicitation Policy.

Councilmember Ervin made a motion to approve the amendment to Lowell Code of Ordinance Title XI – Itinerant Merchant Permit/Solicitation Policy, followed by a second from Councilmember Funderburk. The vote was unanimously in favor.

VIII. STAFF REPORTS

Scott Attaway gave an update on the Planning Department.

Thomas Shrewsbury gave an update on Public Works which included the water meter replacement project, replacement of a hydrant, lift station management, broken sewer lines, stormwater management items, and water leaks.

Scott Attaway gave an update on the Police Department and shared call volume and call types with Council for the month of March. Mr. Attaway stated the Police Department is in need of more officers due to the up-tick of call volume, etc. Scott Bates stated Sergeant Hoffman has placed signs around town trying to remind citizens to be aware of what is going on in their neighborhoods, etc. Chief Bates stated two officers are currently going through a leadership class and will graduate in May. The new generator has been installed at the Police Department.

Jared Pyles, Finance Officer, gave an overview to Council on the financial report budget to actual numbers.

Cristy Cummings, Parks and Recreation, stated the City has received a sponsorship check from Caromont Health. A water fountain will be installed at Bob Bolick Park with those funds. She gave an update on the following events: Senior Luncheon, Golden Egg Hunt, You Got Egged, Litter Sweep on April 17, Arbor Day Celebration with Shred It Event, an additional COVID testing event, and Story Time in the Park.

IX. CITY ATTORNEY REPORT

The City Attorney, John Russell Jr, stated he is still working on the McCord property. The Attorney for North Point contacted him last month regarding a cemetery on the Lineberger property that will need to be dealt with by the Council.

X. CITY MANAGER REPORT

Scott Attaway gave updates on the following items:

- City Hall reopens Monday, April 19 to the public
- Preston Place pump station study has been completed and will be moving forward
- CDBG-NR update
- Surplus property being sold on GovDeals
- Work Session scheduled April 20, 2021 for 1:00 pm
- Lineberger house (historical property) update
- NorthPoint Development update
- NCDOT update

XI. MAYOR AND CITY COUNCIL GENERAL DISCUSSION

Councilmember Ervin asked for an update on the repairs for the Community Center.

Councilmember Funderburk thanked the Police Department. She also had comments regarding the bulk pick up policy.

Councilmember Gillespie thanked staff and City Manager.

Mayor Railey thanked the citizens for coming to the meeting.

XII. CLOSED SESSION


A motion was made at 7:30 pm by Councilmember Ervin to go into Closed Session in accordance with provisions of NCGS 143-318.11 to discuss matters regarding personnel, followed by a second from Councilmember Gillespie. The vote was unanimously in favor.

The Council reconvened from Closed Session at 8:10 pm.

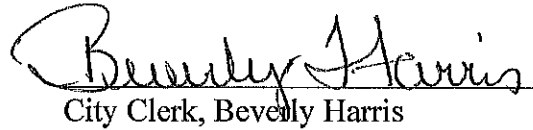
XIII. ADJOURN

Councilmember Ervin made a motion to adjourn the meeting, followed by a second from Councilmember Funderburk. The vote was unanimously in favor. The meeting ended at 8:10 pm.

ATTEST:



Mayor, Sandy Bailey



City Clerk, Bevelly Harris



ORDINANCE NO. 5-2021

**An Ordinance for Adoption
of the
City of Lowell Comprehensive Land Use Plan**

WHEREAS, the City of Lowell City Council has called for the development of a comprehensive land use plan in accordance with G.S. 160D-501; *and*

WHEREAS, the City of Lowell City Council procured a consultant and directed the Planning Board to undertake such a planning process; *and*

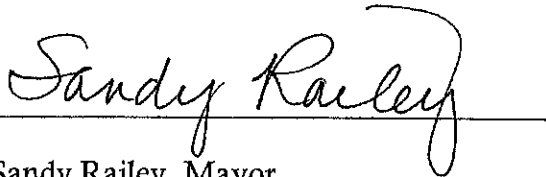
WHEREAS, the City of Lowell Planning Board has, by vote of 5 yea and 0 nay, recommended the adoption of *City of Lowell Comprehensive Land Use Plan* in accordance with the procedures of G.S. 160D-501(c) and Article 6 of G.S. 160D; *and*

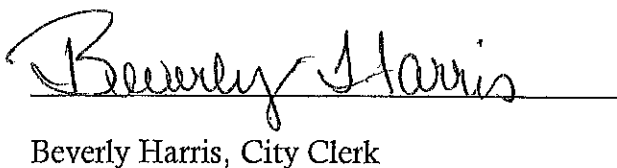
WHEREAS, a public legislative hearing was held on the 13th day of April, 2021; *and*

WHEREAS, the City of Lowell City Council continues in its commitment to the future of Lowell.

NOW, THEREFORE, BE IT ORDAINED, by the City of Lowell City Council to adopt *City of Lowell Comprehensive Land Use Plan* as the requisite plan for the City and to implement the foundational principles of the plan through strategic initiatives as deemed responsible and fiscally sound by this and future Boards.

Adopted this the 13th day of April, 2021.


Sandy Railey, Mayor


Beverly Harris, City Clerk



SEAL



CITY OF LOWELL

PROCLAMATION

National Child Abuse Prevention Month

WHEREAS, in Federal fiscal year 2019, 4.4 million reports were made to child protective services; and

WHEREAS, child abuse and neglect are serious problems affecting every segment of our community, and finding solutions requires input and action from everyone; and

WHEREAS, our children are our most valuable resources and will shape the future of the State of North Carolina; and

WHEREAS, child abuse can have long-term psychological, emotional, and physical effects that have lasting consequences for victims of abuse; and

WHEREAS, protective factors are conditions that reduce or eliminate risk and promote the social, emotional, and developmental well-being of children; and

WHEREAS, effective child abuse prevention activities succeed because of the partnerships created between child welfare professionals, education, health, community- and faith-based organizations, businesses, law enforcement agencies, and families; and

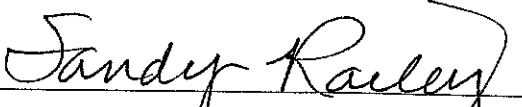
WHEREAS, communities must make every effort to promote programs and activities that create strong and thriving children and families; and

WHEREAS, we acknowledge that we must work together as a community to increase awareness about child abuse and contribute to promote the social and emotional well-being of children and families in a safe, stable, and nurturing environment; and

WHEREAS, prevention remains the best defense for our children and families.

NOW, THEREFORE, I, Sandy Railey, Mayor of the City of Lowell, do hereby proclaim April 2021 as NATIONAL CHILD ABUSE PREVENTION MONTH in Lowell, North Carolina and urge all citizens to recognize this month by dedicating ourselves to the task of improving the quality of life for all children and families.

Proclaimed this 13th day of April, 2021.


Sandy Railey, Mayor

ATTEST:


Beverly Harris, City Clerk





**RESOLUTION APPROVING APPOINTMENT OF A
CITY REPRESENTATIVE TO THE GASTON COUNTY TASK FORCE ON
HOMELESSNESS IN GASTON COUNTY**

WHEREAS, the Social Security Administration identifies an individual as homeless if “he or she does not have a fixed, regular, and adequate nighttime residence” or if “they expect to lose current accommodations within 14 days, and will not have a fixed, regular, and adequate nighttime residence;” and

WHEREAS, there are more complicated definitions that name and describe categories of homelessness, including “chronic,” “episodic,” and “transitional”; and

WHEREAS, homelessness is inextricably linked with, and complicated by challenges of poverty, underlying health issues or disability, domestic violence, mental illness, drug abuse and addiction; and

WHEREAS, homelessness is a concern in Gaston County just as it is nationwide; and

WHEREAS, in order to better understand the extent and challenges of homelessness in Gaston County, to coordinate with ongoing efforts, and to develop or reinforce action steps to reduce homelessness, the Gaston County Board of Commissioners is creating the Intergovernmental and Interagency Task Force on Homelessness (the Task Force); and

WHEREAS, the Task Force membership is to include one representative of the elected board or council of each of the cities and towns in the County as they choose to participate; and,

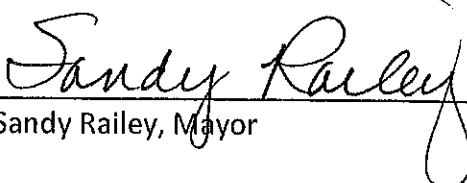
WHEREAS, each city or town representative may be either an elected official or a senior staff member; and,

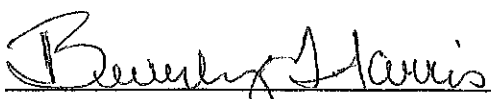
WHEREAS, it is the desire of the City Council of the City of Lowell that a representative from the City of Lowell participate in the Task Force;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lowell that Councilmember Thomas Gillespie shall represent the City of Lowell on the Gaston County Intergovernmental and Interagency Task Force on Homelessness.

THIS RESOLUTION adopted on the 13th day of April, 2021.

ATTEST:


Sandy Railey, Mayor


Beverly Harris, City Clerk