

MINUTES

Lowell City Council

Regular Meeting

Tuesday, June 8, 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 Thomas Gillespie, Councilmember Shane Robinson, City Manager Scott Attaway, City Attorney John Russell Jr, Finance Officer Jared Pyles, Planning Director Alex Blackburn, Police Chief Scott Bates, Public Works Director Thomas Shrewsbury, Parks and Recreation Director Cristy Cummings, and City Clerk Beverly Harris. A quorum was determined at the beginning of the meeting. The meeting was teleconferenced to the public and the agenda and meeting materials were made available prior on the city's website. Members of the public were also present. Councilmember Funderburk was absent from the meeting.

II. INVOCATION / PLEDGE OF ALLEGIANCE

Councilmember Gillespie 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 as presented, followed by a second from Councilmember Funderburk. The vote was unanimously in favor.

IV. PUBLIC COMMENTS

Wells Eddleman: Opposed to stormwater fee and budget.

Conrad Pogorzelski: Opposed to stormwater fee.

Larry Simonds: Opposed to budget.

V. APPROVAL OF MINUTES

A. Minutes from Council Meeting Held May 11, 2021

Councilmember Ervin made a motion to approve the minutes from the May 11, 2021, Council meeting; followed by a second from Councilmember Gillespie. The vote was unanimously in favor.

VI. CONSENT AGENDA

A. Resolution #RS3-2021 Resolution in Support of the Charlotte Area Transit System's (CATS) Lynx Silver Line Extending into Gaston County

B. Resolution #RS4-2021 Resolution Regarding the Receipt of American Recovery Plan Funding

- C. Resolution #RS5-2021 Resolution Regarding Mutual Aid Assistance with Other Law Enforcement Agencies
- D. Resolution #RS6-2021 Resolution Requesting North Carolina Legislature to Approve Removal of the Cap on Satellite Annexations
- E. Resolution #RS8-2021 Resolution in Support of Lineberger Connector RAISE Grant
- F. Consideration to Appoint Heather Seay to the Lowell Community Committee
- G. Adoption of CDBG Fair Housing Complaint Procedure

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

VII. SPECIAL PRESENTATIONS

- A. Proclamation Recognizing the Historical Significance of Juneteenth and Proclaiming June 19, 2021, as Juneteenth

Councilmember Gillespie read the Proclamation. Councilmember Gillespie made a motion to approve the Proclamation Recognizing the Historical Significance of Juneteenth and Proclaiming June 19, 2021, as Juneteenth in Lowell, followed by a second from Councilmember Ervin. The vote was unanimously in favor.

Councilmember Gillespie invited the 2021 Juneteenth Committee for Gaston County present to stand and give an overview for the Juneteenth history and upcoming events.

- B. Presentation from the Carolina Thread Trail

Executive representatives from the Carolina Thread Trail group were present. They gave a presentation which contained an overview and history of the Carolina Thread Trail. They encouraged the City of Lowell to participate in linking Lowell to the trail and fixing the gaps in the Lowell area. Different levels of participation and funding by Lowell in the Go Gaston Campaign was encouraged by the group. (\$3.25K asked for over 5-year plan from Lowell)

- C. Appreciation of Mark H. Buchanan for 45 years of dedicated service to the Lowell Volunteer Fire Department from July 1975 – July 2020

Mayor Railey on behalf of the City of Lowell and the City Council thanked Mark H. Buchanan for his 45 years of dedicated service to the City of Lowell at the Lowell Volunteer Fire Department. Mayor Railey presented Mr. Buchanan with a recognition award.

- D. Presentation from Montcross Chamber of Commerce

Mark Jordan, CEO of Montcross Chamber of Commerce, presented to the Council. Mr. Jordan introduced himself as the new CEO of the Chamber. He gave an overview of the Montcross Chamber of Commerce and discussed the partnership they have with every town in Gaston County. Mr. Jordan also gave an overview of the new “Montcross Emerge” program.

VIII. UNFINISHED BUSINESS

A. Public Hearing Regarding Establishment of a Stormwater Utility Fund, Chapter 55 of the Lowell Code of Ordinances

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

City Manager Scott Attaway stated the public hearing was advertised as required and presented Council with the proposed ordinance regarding establishment of a stormwater utility in Lowell. Mr. Attaway stated the program was established for the City of Lowell to become compliant with state requirements. He also stated an engineering firm, Withers Ravenel, was hired to perform the stormwater study for Lowell.

There were public comments from the following citizens: Larry Simonds, Conrad Pogorzelski Jr.

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

Councilmember Ervin made a motion to establish the stormwater utility fund as presented, followed by a second from Councilmember Bonham. The vote was three in favor (Bonham, Gillespie, Ervin), and one opposed (Robinson). The motion carries with the majority being in favor.

B. Public Hearing for Adoption of the City of Lowell Fiscal Year 2021-2022 Budget Ordinance

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

City Manager Scott Attaway stated the public hearing was advertised as required and presented Council with the proposed ordinance regarding the FY2021-2022 budget.

There were public comments from the following citizens: Larry Simonds.

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

Councilmember Ervin made a motion to adopt the City of Lowell Fiscal Year 2021-2022 Budget Ordinance as presented, followed by a second from Councilmember Bonham.

Councilmember Gillespie offered a substitute motion to put this decision off until a full board is present. The motion died to lack of a second.

The Council went back to the original motion by Councilmember Ervin to adopt the City of Lowell Fiscal Year 2021-2022 budget ordinance as presented, followed by a second from Councilmember Bonham. The vote was two in favor (Bonham, Ervin), and two opposed (Gillespie, Robinson). Mayor Railey asked for a motion with the same votes (2 in favor/2 opposed) and she voted in favor of approving the budget.

There was discussion that the process was wrong, and a new motion was not needed. The Council went back to the original motion still on the floor.

The original motion was still on the floor without a vote. The original motion was (Councilmember Ervin made a motion to adopt the City of Lowell Fiscal Year 2021-2022 budget ordinance as presented, followed by a second from Councilmember Bonham). The vote was three in favor (Bonham, Railey, Ervin) with Mayor Railey voting in favor to break the tie, and two opposed (Gillespie, Robinson). The motion carried with the majority being in favor.

C. Consideration of FY2021-2022 Fire and Rescue Services Contract

City Manager Scott Attaway presented the proposed contract between the City of Lowell and the Lowell Volunteer Fire Department. Mr. Attaway stated the contract includes the proposed budgeted amount for FY2022 and information regarding the transmission of monthly reports and audit procedures among other items. He further stated staff has met several times with the Lowell VFD on this matter and it is staff's recommendation to proceed with the proposed contract.

Councilmember Robinson made a motion to approve the FY2021-2022 Fire and Rescue Services Contract between the City of Lowell and the Lowell Volunteer Fire Department, followed by a second from Councilmember Ervin. The vote was unanimously in favor.

IX. NEW BUSINESS

A. Consideration of Resolution #RS7-2021 to Enter into an Interlocal Agreement with Gaston County for Ad Valorem Tax Collection

City Manager Scott Attaway stated the contract previously entered into with Gaston County for tax collections services as a seven-year contract with an original termination date of June 30, 2020 and automatic renewals. The contract was originally at collection rate of \$4 per bill, or .5% of the monies billed by the County on behalf of the City with a maximum of \$4,800, whichever was less. Mr. Attaway stated the proposed contract collection rate is at a rate of .675% of the total collected levy for FY22 and .85% of the total collected levy for FY23 and thereafter, with the percentage being reassessed after the county's revaluation. For FY22, the proposed change is expected to increase the City's cost to an estimated \$9,200, \$4,400 increase. For FY23, the proposed cost is estimated to begin at \$11,600. The fee will likely increase depending upon tax value growth and collection rates. Mr. Attaway stated it is staff's recommendation that the City of Lowell agree to the revised interlocal agreement.

Councilmember Ervin made a motion to approve the resolution and enter into an interlocal agreement with Gaston County for Ad Valorem Tax Collection as stated in the submitted contract, followed by a second from Councilmember Gillespie. The vote was unanimously in favor.

B. Consideration of Proposed Text Amendment to the City Code of Ordinances Chapter 50 Regarding Solid Waste

Alex Blackburn presented the proposed text amendment to the City Code of Ordinance Chapter 50. Mr. Blackburn stated the text amendment relates to trash collection and the bulk pickup policy. The main items included in the proposed changes are: clarifies that additional roll carts can be obtained; clarifies that trash must be bagged and the lid must close properly; removes conflicting language as it relates to the bulk policy.

Councilmember Bonham was excused for a quick break.

Councilmember Ervin made a motion to adopt the text amendment as presented to the City Code of Ordinance Chapter 50 regarding Solid Waste, followed by a second from Councilmember Gillespie. The vote was unanimously in favor.

C. Budget Amendments

Scott Attaway presented budget amendment #2 and #3 to finish any housekeeping items that need to be completed before the end of the Fiscal Year on June 30, 2021.

Councilmember Ervin made a motion to approve budget amendment #3 as presented for the amendment for the City's portion of the grant match funding for four (4) AED devices for the Lowell Volunteer Fire Department, followed by a second from Councilmember Gillespie. The vote was unanimously in favor.

Councilmember Robinson made a motion to approve budget amendment #2 as presented amending the amount received from Caromont Health for a sponsorship/barrier free fountain and pet fountain at Bob Bolick Park, followed by a second from Councilmember Ervin. The vote was unanimously in favor.

X. STAFF REPORTS

A. Finance Report

Jared Pyles gave Council an update on the monthly finance report.

B. Public Works Report

Thomas Shrewsbury gave Council an update for the public works department.

C. Police Department Report

Scott Bates presented Council with the monthly police department report.

D. Parks and Recreation

Cristy Cummings gave Council an update for Parks & Recreation.

XI. CITY ATTORNEY REPORT

The City Attorney did not have anything new to report.

XII. CITY MANAGER REPORT

Scott Attaway gave updates on the following items:

- Master Parks & Recreation Plan update
- CDBG-I Update
- CDBG-NR Update
- McAdenville Road bike lanes
- BUILD (RAISE) Grant

XIII. MAYOR AND CITY COUNCIL GENERAL DISCUSSION

Mayor Railey thanked everyone who came to the meeting.

XIV. CLOSED SESSION

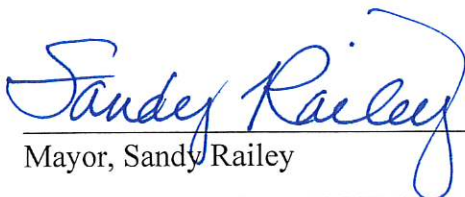
A motion was made at 8:25 pm by Councilmember Ervin to go into Closed Session in accordance with provisions of NCGS 143-318.11(a)(5) to discuss the acquisition of real property, followed by a second from Councilmember Gillespie. The vote was unanimously in favor.

The Council reconvened from Closed Session at 9:06 pm.

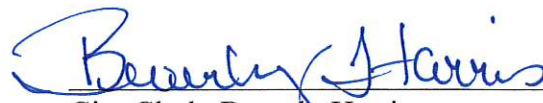
XV. ADJOURN

Councilmember Bonham made a motion to adjourn the meeting, followed by a second from Councilmember Gillespie. The vote was unanimously in favor. The meeting ended at 9:07 pm.

ATTEST:



Mayor, Sandy Railey



City Clerk, Beverly Harris



RESOLUTION #RS3-2021

**RESOLUTION IN SUPPORT OF THE CHARLOTTE
AREA TRANSIT SYSTEM'S (CATS) LYNX SILVER
LINE EXTENDING INTO GASTON COUNTY**

WHEREAS, more transportation options are needed to provide greater mobility to the existing residents as well as the growing population in Gaston County; and

WHEREAS, the US Census Bureau, Center for Economic Studies, LODES, (2018) indicates that 36,364 Gaston County residents are traveling into Mecklenburg County each weekday for work; and

WHEREAS, the Charlotte MSA region is home to over 2.6 million people and is expected to grow to over 3.0 million by 2030 and the key to supporting this economic growth is a rapid transit system integrated with land-use planning creating a sustainable, economic-environment which improves the quality of life and attracts businesses and people to the region; and

WHEREAS, Gaston County stakeholders have expressed interest in exploring rapid transit options into Gaston County from Mecklenburg County; and

WHEREAS, the 2019 adoption of the LYNX Silver Line Locally Preferred Alternative defined the Silver Line as a 26-mile continuous light rail corridor from the Town of Matthews to Center City Charlotte and continuing west to the Charlotte Douglas International Airport and beyond to a western terminus in the City of Belmont and Gaston County; and

WHEREAS, in early 2020, the cities of Belmont and Gastonia committed both cash and in-kind services to the LYNX Silver Line Transit Oriented Development (TOD) Plan; and

WHEREAS, in January 2020, the Charlotte Area Transit System initiated the Silver Line Design and Environmental Study; and

WHEREAS, beginning in March of 2020 the LYNX Silver Line project team worked with staff from the City of Charlotte, Town of Matthews, City of Belmont, Town of Stallings, Town of Indian Trail, the North Carolina Department of Transportation, major stakeholders along the alignment, and the residents in the study area to refine the alignment and station locations in an open, fair, comprehensive, and impartial manner; and

WHEREAS, on April 5, 2021 the City of Belmont adopted a Resolution Supporting the LYNX Silver Line Refined Locally Preferred Alternative; and

WHEREAS, on April 28, 2021 the Metropolitan Transit Commission adopted the LYNX Silver Line Staff Recommendations; and

WHEREAS, the City understands that Gaston County will be responsible for providing local funding to design, construct, and maintain the portion of the LYNX Silver Line in Gaston County; and

WHEREAS, Gaston County must have authority approved by the North Carolina General Assembly to seek additional funding from a county-wide source; and

WHEREAS, in order to adequately fund the extension of the LYNX Silver Line in to Gaston County the North Carolina General Assembly must increase the current cap of 10% for light rail projects in North Carolina; and

WHEREAS, Gaston County must work directly with the City of Charlotte, CATS, and the Metropolitan Transit Commission (MTC) to secure sufficient federal funds to complete the extension of the LYNX Silver Line into Gaston County; and

NOW THEREFORE, BE IT RESOLVED that the City of Lowell supports the LYNX Silver Line in Gaston County and encourages Gaston County to seek federal, state, and local funding options for the Silver Line project.

Resolution adopted this, the 8th of June, 2021, upon a motion of

Councilmember Ervin and seconded by Councilmember Gillespie
by a vote of 4 affirmative votes to 0 negative votes.

Sandy Railey
Sandy Railey, Mayor

ATTEST:

Beverly Harris
Beverly Harris, City Clerk
Certificate

The undersigned duly qualified City Clerk of the City of Lowell certifies that the foregoing is a true and correct copy of a resolution adopted as a legally convened meeting of the City of Lowell held on the 8th of June, 2021.

Beverly Harris
Beverly Harris
City Clerk

6/9/21
Date





RESOLUTION #RS4-2021

**RESOLUTION OF THE CITY COUNCIL OF LOWELL, NORTH CAROLINA
APPROVING THE RECEIPT AND DISTRIBUTION OF THE 2021 AMERICAN
RESCUE PLAN RELIEF FUNDING**

WHEREAS, the United States government passed a \$1.88 trillion American Rescue Plan (ARP) in March of 2021 providing financial relief for previous and future expenditures related to the COVID-19 pandemic; and

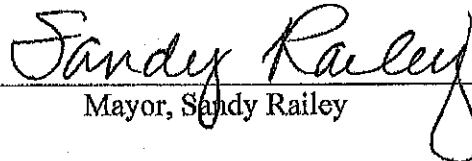
WHEREAS, \$350 billion was appropriated for state and local governments in fiscal recovery funds, including \$5.3 billion to the state of North Carolina, \$2.034 billion to North Carolina counties and \$1.3 billion to NC municipalities; and

WHEREAS, the City of Lowell will be receiving \$545,000 in May of 2021 and \$545,000 one year later, totaling \$1,090,000 of the American Rescue Plan; and


WHEREAS, these funds can only be spent for these eligible uses: (1) to respond to public health emergency or its negative economic impacts; (2) provide premium pay to eligible employees for essential work up to \$13/hr.; (3) to address revenue reductions; and (4) infrastructure investments in water, sewer or broadband.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOWELL hereby accepts the 2021 American Rescue Plan relief funding in the amount of \$1,090,000 and affirms that these funds will be expended on eligible uses.

WITNESS, my hand and official seal of the City of Lowell on this the 8th day of June, 2021.


Mayor, Sandy Railey

ATTEST:


City Clerk, Beverly Harris





RESOLUTION #RS5-2021

RESOLUTION ADOPTING A POLICY FOR MUTUAL AID ASSISTANCE WITH OTHER LAW ENFORCEMENT AGENCIES

WHEREAS, pursuant to North Carolina General Statutes Sections 160A-288 and 90-95.2, the governing body of a city or county may adopt appropriate guidelines, for the purpose of mutual aid assistance with other municipal and county law enforcement agencies; and

WHEREAS, pursuant to said laws, the law enforcement assistance to be rendered authorizes lending officers to work temporarily with officers of the requesting agencies, including in an undercover capacity, and lending equipment and supplies; and

WHEREAS, it is deemed to be in the best interest of the Lowell Police Department to adopt a reasonable policy and guidelines whereby reciprocal law enforcement assistance can both be rendered to and obtained from other government jurisdictions; and

WHEREAS, such reciprocal assistance is necessary for effective law enforcement for the protection of the citizens of the City of Lowell.

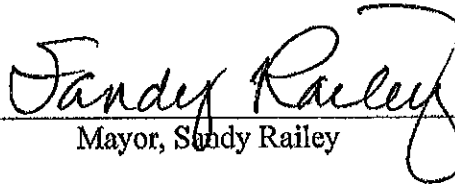
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOWELL THAT:

1. The Lowell Police Chief is hereby authorized to enter into mutual assistance arrangements with other municipal and county law enforcement agencies, provided that the head of the requesting law enforcement agency makes such a request in writing.
2. The Lowell Police Chief is hereby authorized to permit officers of the Lowell Police Department to work temporarily with the officers of the requesting agency, including in an undercover capacity; and the Lowell Police Chief may lend such equipment and supplies to the requesting agencies as he deems advisable.
3. The Lowell Police Chief is hereby authorized to request officers of other law enforcement agencies to work temporarily with officers of the Lowell Police Department including in an undercover capacity; and the Lowell Police Chief may borrow such equipment and supplies from other law enforcement agencies as he deems advisable.
4. All such requests and authorizations shall be in accordance with North Carolina General Statutes Sections 160A-288 and 90-952, as applicable.
5. While working with a requesting agency, an officer shall have the same jurisdiction, powers, rights, privileges and immunities including those relating to the defense of civil

actions and payment of judgments as the officers of the requesting agency in addition to those he or she normally possesses.

6. While on duty with the requesting agency, an officer shall be subject to the lawful operational commands of his or her superior officers in the requesting agency, but shall, for personnel and administrative purposes, remain under the control of his or her own agency, including for purposes of pay. An officer shall furthermore be entitled to Worker's Compensation and the same benefits to the extent as though he or she were functioning within the normal scope of his or her duties.
7. The Lowell Police Chief is hereby authorized to enter into mutual assistance agreements with other law enforcement agencies in accordance with such reasonable arrangements, terms, and conditions as may be agreed upon between the respective heads of the law enforcement agencies.

Adopted this 8th day of June, 2021.


Mayor, Sandy Railey

ATTEST:


City Clerk, Beverly Harris





RESOLUTION #RS6-2021

**RESOLUTION REQUESTING THE NORTH CAROLINA STATE
LEGISLATURE TO APPROVE A LOCAL BILL TO REMOVE THE CAP
ON SATELLITE ANNEXATIONS FOR THE CITY OF LOWELL**

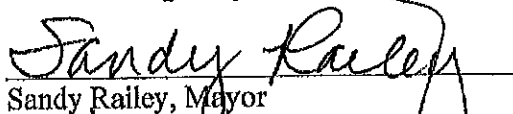
WHEREAS North Carolina General Statute 160A-58.1 reads (b) A noncontiguous area proposed for annexation must meet all of the following standards: (5) The area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits, may not exceed ten percent (10%) of the area within the primary corporate limits of the annexing city; and


WHEREAS The City of Lowell is limited to growing its tax base through annexation due to other North Carolina General Statutes in that annexation can only occur after meeting certain conditions and allows annexation to be terminated if sixty percent (60%) of the residences in that area sign a petition not to be annexed, or by satellite annexation pursuant to North Carolina General Statute 160A-58.1; and

WHEREAS the City of Lowell would like to continue to have the option available to consider request(s) for satellite annexation and that the City of Lowell is not bound by this resolution or the approval of the cap removal to approve any such request for satellite annexation.

NOW THEREFORE BE IT RESOLVED that the City of Lowell officially requests Rep. John Torbett, Senator Kathy Harrington, and Senator Ted Alexander to sponsor a local bill to remove the cap on satellite annexation and join the other municipalities in North Carolina that are not included in the cap pursuant to NC General Statute 160A-58.1

Approved this 8th day of June 2021 by the City Council of the City of Lowell during a duly advertised regularly scheduled City Council meeting.


Sandy Railey, Mayor


Scott Attaway, City Manager

 ATTEST
Beverly Harris, City Clerk





RESOLUTION #RS8-2021

RESOLUTION TO SUPPORT APPLICATION TO U.S. DEPARTMENT OF TRANSPORTATION'S 2021 REBUILDING AMERICAN INFRASTRUCTURE WITH SUSTAINABILITY AND EQUITY (RAISE) GRANT PROGRAM

WHEREAS, the U.S. Department of Transportation's ("USDOT") Rebuilding American Infrastructure with Sustainability and Equity ("RAISE") provides funding for capital investments in surface transportation infrastructure;

WHEREAS, the Lineberger Connector Project was identified as a regional project in the *Franklin Boulevard Corridor Access and Alternative Development Mobility Strategy*, completed in August 2016 by the City of Gastonia and the City of Lowell;

WHEREAS, the cities of Gastonia and Lowell, in partnership with Gaston County, seek to apply for grant funding to construct the Lineberger Connector Project, which will extend Aberdeen Boulevard east to connect to the existing Lineberger Road with improvements north to NC 7, and provide direct access to approximately 400 acres of property that is ripe for local and regional development;

WHEREAS, the cities of Gastonia and Lowell are actively working with NorthPoint Development for the development of Gateway85;

WHEREAS, the proposed development will include over 3,560,000 s.f. of warehouse and wholesale sales, distribution, and storage operations;

WHEREAS, upon full buildout, NorthPoint Development is estimating over 2,500 new jobs;

WHEREAS, the majority of the property currently has only one access point via Lineberger Road, which is a substandard two-lane facility with a skewed, at-grade crossing of the Norfolk Southern rail corridor;

WHEREAS, in order for freight trucks to avoid this access, it is imperative that Aberdeen Boulevard be extended through the site to allow for a connection to Cox Road to the west, with safe and direct access to I-85;

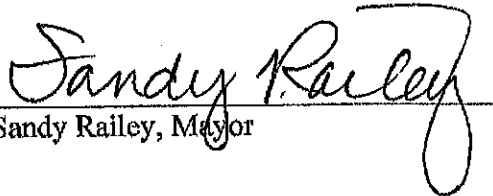
WHEREAS, this proposed project presents a unique opportunity to provide accessibility to an area that will produce significant economic development and job creation along Interstate 85;

WHEREAS, the Lineberger Connector Project is located is within an Area of Persistent Poverty, and will bring a much-needed infusion of investment dollars for economic development into the area, helping to advance equity for all; and

WHEREAS, the project will exemplify a strong public-private partnership involving multiple partners in both the public and private sectors, including collaboration among neighboring jurisdictions to achieve both local and regional benefits;

NOW, THEREFORE BE IT RESOLVED, that the Lowell City Council hereby declares support for the funding and construction of the Lineberger Connector Project.

Resolution adopted this the, 8th day of June, 2021 upon a motion of Councilmember Ervin and seconded by Councilmember Gillespie by a vote of 4 affirmative votes to 0 negative votes.


Sandy Railey, Mayor

ATTEST


Beverly Harris, City Clerk



Fair Housing Complaint Procedure

City of Lowell

Housing discrimination is prohibited by Title VIII of the Civil Rights Act of 1968 (Fair Housing Act) and the North Carolina Fair Housing Act. In an effort to promote fair housing and that the rights of housing discrimination victims are protected, the **City of Lowell** has adopted the following procedures for receiving housing discrimination complaints:

1. Any person or persons wishing to file a complaint of housing discrimination in the **City** may do so by informing the **City administrator** of the facts and circumstance of the alleged discriminatory acts or practice.
2. Upon receiving a housing discrimination complaint, the **City administrator** shall acknowledge the complaint within 15 days in writing and inform the Division of Water Infrastructure and the North Carolina Human Relations Commission about the complaint.
3. The **City administrator** shall offer assistance to the Commission in the investigation and reconciliation of all housing discrimination complaints which are based on events occurring in the **City**.
4. The **City administrator** shall **publicize** in the local newspaper, who is the local agency to contact with housing discrimination complaints.

It is the policy of the **City of Lowell** to implement the CDBG program to ensure equal opportunity in housing for all persons regardless of religion, race, color, national origin, age, sex, familial status, or marital status.

If you have any questions about the complaint procedure or would like to register a complaint of fair housing discrimination please contact the **City of Lowell, City Manager's Office, 101 West First Street, Lowell NC 28098, 704-824-3518** and providing the facts and circumstances of alleged discriminatory act or practice.

This information is available in Spanish or any other language upon request. Please contact Lowell City Manager at 704-824-3518 or at 101 West First Street, Lowell NC 28098 for accommodations for this request.

Esta información está disponible en español o en cualquier otro idioma bajo petición. Por favor, póngase en contacto con Lowell City Manager al 704-824-3518 o en 101 West First Street, Lowell NC 28098 de alojamiento para esta solicitud.



Adopted this 8th day of June, 2021.

Jandy Railey (Chief Elected Official)

ATTEST: Brenda Harris (Clerk)

Discrimination Complaints

- Visit the **NC Human Relations Commission** to file a discrimination complaint
- Visit **HUD's website** to file a discrimination complaint
- Visit the **US Department of Justice Civil Rights Division** to file a discrimination complaint
- The **NC Fair Housing Project of Legal Aid of North Carolina** is funded by a HUD Fair Housing Initiatives Program (FHIP) grant. The Fair Housing Project of NC is available to provide information concerning a person's rights under the Federal Fair Housing Act. When necessary, staff can also assist victims of housing discrimination in filing a complaint with HUD or other appropriate administrative or judicial bodies. For more information, or if you believe you have been a victim of housing discrimination, call the FHP's toll-free number: **1-855-797-FAIR (1-855-797-3247)**.





PROCLAMATION

WHEREAS, President Abraham Lincoln signed the Emancipation Proclamation on January 1, 1863, declaring the slaves in Confederate territory free, paving the way for the passing of the 13th Amendment which formally abolished slavery in the United States of America; and

WHEREAS, the celebration of the end of slavery, which became known as “**Juneteenth**”, is the oldest known celebration commemorating the ending of slavery in the United States, when Union soldiers led by Major General Gordon Granger arrived in Galveston, Texas on June 19, 1865 bringing news that the Civil War had ended, and that the Emancipation Proclamation had declared all enslaved people free nearly two and a half years earlier; and

WHEREAS, the first **Juneteenth** celebration was a time for reassurance, prayer, and the gathering of family members and neighbors and today is a time of remembrance and celebration within communities throughout the country that promotes and cultivates knowledge and appreciation of African American history and culture, while encouraging continuous self-development and respect for all people and cultures; and

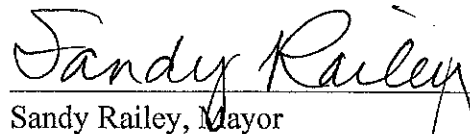
WHEREAS, this year’s **Juneteenth** celebrations taking place in Gaston County during the weekend of Friday, June 18 and Saturday, June 19 beginning with “Juneteenth Sunday” on Sunday, June 13, 2021; the African American Museum of History and Culture at Loray Mill observing June 14-19, 2021; and the third annual Juneteenth celebration taking place at the Rotary Pavilion on Saturday, June 19, 2021.

NOW THEREFORE, I, Sandy Railey, Mayor, and the City Council of the City of Lowell, do hereby declare **June 19, 2021** as


JUNETEENTH

in the City of Lowell, North Carolina and urge all citizens to join in celebrating a day so significant in the history and heritage of our nation and city.

IN WITNESS THEREOF, I have hereunto set my hand and caused the seal of the City of Lowell to be affixed, this the 8th day of June in the year of our Lord two thousand and twenty-one.


Sandy Railey, Mayor

ATTEST:


Beverly Harris, City Clerk
#PR3-2021



Budget Ordinance-Fiscal Year 2021-2022
City of Lowell

BE IT ORDAINED by the City Council of the City of Lowell, North Carolina:

Section 1: The following amounts are hereby appropriated in the General Fund for the operation of the city government and its activities for the fiscal year beginning July 1, 2021 and ending June 30, 2022, in accordance with the chart of accounts heretofore established for this City:

Purpose	Amount
Administration	\$622,970
Public Safety	\$1,337,185
Public Works	\$276,079
Sanitation	\$264,548
Parks and Recreation	\$183,225
Powell Bill	\$89,000
Total Appropriation	\$2,773,007

Section 2: It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 2021 and ending June 30, 2022:

Revenue Source	Amount
Current year Property Tax & Vehicle Motor Tax	\$1,522,825
Local Sales Tax	\$535,000
Fees for Services	\$163,675
Powell Bill for Streets	\$85,450
All other revenues	\$466,057
Total Revenues	\$2,773,007

Section 3: The following amounts are hereby appropriated in the Water and Sewer Fund for the operation of the water and sewer utilities for the fiscal year beginning July 1, 2021 and ending June 30, 2022, in accordance with the chart of accounts heretofore approved for the City:

Purpose	Amount
Water & Sewer Collection & Distribution	\$1,093,520
Wastewater Treatment	\$291,081
Total Appropriations	\$1,384,601

Section 4: It is estimated that the following revenues will be available in the Water and Sewer Fund for the fiscal year beginning July 1, 2021 and ending June 30, 2022:

Revenue Source	Amount
Water User Charges	\$728,228
Wastewater User Charges	\$550,868
All Other	\$105,505
Total Revenues	\$1,384,601

Section 5: The following amounts are hereby appropriated in the Stormwater Utility Fund for the operation of the stormwater department for the fiscal year beginning July 1, 2021 and ending June 30, 2022, in accordance with the chart of accounts heretofore approved for the City:

Purpose	Amount
Stormwater Personnel	\$130,394
Operation and Maintenance	\$82,100
Capital Reserve/Fund Balance	\$91,148
Debt Service	\$34,277
Total Appropriations	\$337,919

Section 6: It is estimated that the following revenues will be available in the Stormwater Utility Fund for the fiscal year beginning July 1, 2021 and ending June 30, 2022:

Revenue Source	Amount
Stormwater User Fees	\$337,919
Total Revenues	\$337,919

Section 7: There is hereby levied a tax at the rate of forty-nine cents (\$0.49) per one hundred dollars (\$100) valuation of property as listed for taxes as of January 1, 2020, for the purpose of raising the revenue listed "Current Year's Property Taxes" in the General Fund in Section 2 of this ordinance.

This rate is based on estimated total valuation of taxable real property within the city limits totaling \$285,132,325 based on a 97.7% rate of collection, and the estimated taxable value of Public Service Companies of \$15,149,437 with a 100% collection rate, and the estimated total taxable value of personal property listed in the corporate limits of \$17,431,884 at an estimated collection rate of 98.0%

Section 8: A registration tag fee of \$10.00 per vehicle will be collected.

Section 9: The City Manager or a designee is hereby authorized to transfer appropriations as contained herein under the following conditions:

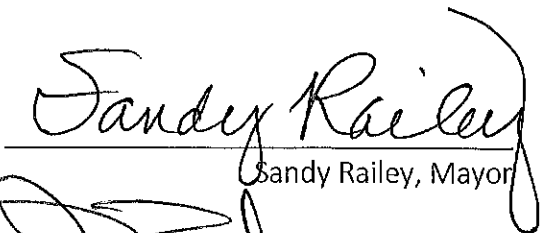
- a. Transfers between line item expenditures within a department without limitation and without a report being required. These changes must not result in increases in recurring obligations such as salaries.
- b. Transfers between departments within the same fund, including contingency appropriations, not to exceed 10% of the appropriated monies for the department whose allocation is reduced. Notice of all such transfers shall be made to the Council at the next regular meeting of the Council.
- c. The budget officer is hereby authorized to carry over appropriations in the fiscal year any previously approved purchase orders and accompanying budget authority from the prior fiscal year.

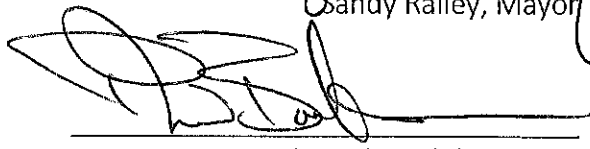
Section 10: The City Manager or a designee may make cash advances between funds for periods not to exceed 60 days without reporting to the Governing Board. Any advances that extend beyond 60 days must be approved by the Board. All advances that will be outstanding at the end of the fiscal year must be approved by the Board.


Section 11: Copies of this Budget Ordinance shall be furnished to the Clerk to the Board and to the Budget Officer and Finance Officer to be kept on file by them for their direction in the disbursement of funds.

Section 12: The attached document entitled, "Rates, Fees and Charges FY 2021-2022" is hereby incorporated and adopted as part of this ordinance.

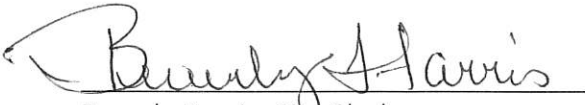
Adopted this 8th day of June, 2021.


Sandy Railey, Mayor


Councilmember Phil Bonham


Councilmember Thomas S. Gillespie

Attest:


Beverly Harris, City Clerk


Councilmember Candace Funderburk


Councilmember Kenneth Ervin


Councilmember Shane Robinson



RESOLUTION #RS7-2021

RESOLUTION TO ENTER INTO INTERLOCAL AGREEMENT WITH GASTON COUNTY FOR AD VALOREM TAX COLLECTION

WHEREAS, pursuant to Chapter 160A, Article 20, Part I of the North Carolina General Statutes, local governments may enter into a contract in order for one unit of government to collect the ad valorem taxes of another unit; and

WHEREAS, the City of Lowell first entered into an interlocal agreement with Gaston County in July 2013 to collect its ad valorem taxes with the last updated agreement executed in March of 2014 with a termination date of June 30, 2020; and

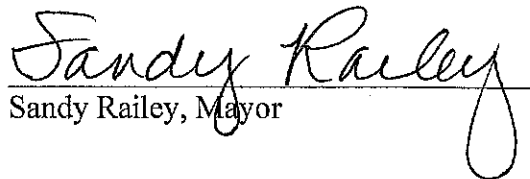
WHEREAS, both the City of Lowell and Gaston County want to continue the present tax collection relationship; and

WHEREAS, it is necessary to enter into a new contract to allow for changes in the compensation for the collections; and

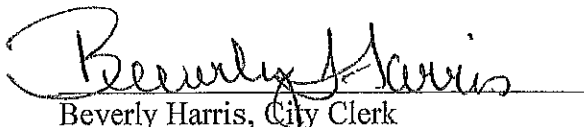
WHEREAS, the collection rate of \$4 per bill or 0.5% of the monies billed by the County on behalf of the city with a maximum of \$4,800 or whichever is less in the prior agreement is being changed to 0.67% of the total collected levy for FY22 and .85% in FY23 and will be reassessed in the year following county revaluation; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOWELL hereby approves the new interlocal agreement as proposed.

THIS RESOLUTION adopted this 8th day of June 2021.


Sandy Railey, Mayor

ATTEST


Beverly Harris, City Clerk



#RS7-2021

City Of Lowell
Budget Amendment #2
Budget Ordinance FY 20-21

BE IT ORDAINED by the City Council of the City of Lowell, North Carolina, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2021:

Section 1: To amend the General Fund, the estimated revenues are to be changed as follows:

General Fund:
Revenues:

	<u>Decrease</u>	<u>Increase</u>
10-3360-0000 Donations Received		\$ 6,000

This will result in an increase of \$6,000 in the General Fund estimated revenues, bringing the General Fund revenues budgeted for FY 20 – 21 from \$2,583,528 to \$2,589,528.

Section 2: To amend the General Fund, the appropriations are to be changed as follows:

General Fund:
Parks & Recreation:

	<u>Decrease</u>	<u>Increase</u>
10-6120-1500 P&R Maint./Repairs – Bldg/Grd		\$ 6,000

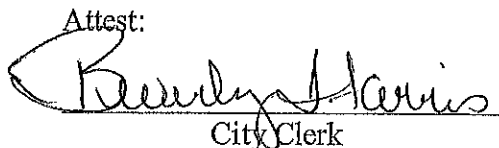
This amendment will result in an increase of \$6,000 in the Parks & Recreation Department appropriations, bringing the appropriations for Parks & Recreation in FY 20-21 from \$189,934 to \$195,934.

This amendment is for the amount received from Caromont Health for a sponsorship/barrier free fountain & pet fountain at Bob Bolick Park.

Section 3: Copies of this budget amendment shall be furnished to the Clerk of the City Council, and to the Budget Officer and the Finance Officer for their direction.

Adopted this 8th day of June, 2021.


Mayor

Attest:

City Clerk

City Of Lowell
Budget Amendment #3
Budget Ordinance FY 20-21

BE IT ORDAINED by the City Council of the City of Lowell, North Carolina, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2021:

Section 1: To amend the General Fund, the estimated revenues are to be changed as follows:

General Fund:
Revenues:

	<u>Decrease</u>	<u>Increase</u>
10-3390-0000 Fund Balance		\$ 7,395

This will result in an increase of \$7,395 in the General Fund fund balance, bringing the General Fund revenues budgeted for FY 20 – 21 from \$2,583,528 to \$2,590,923.

Section 2: To amend the General Fund, the appropriations are to be changed as follows:

General Fund:
Public Safety:

	<u>Decrease</u>	<u>Increase</u>
10-5100-4600 Fire Protection		\$ 7,395

This amendment will result in an increase of \$7,395 in the Public Safety Department appropriations, bringing the appropriations for Public Safety in FY 20-21 from \$1,061,467 to \$1,068,862.

This amendment is for the City's portion of the grant match funding for four (4) AED Devices for the Lowell Volunteer Fire Department.

Section 3: Copies of this budget amendment shall be furnished to the Clerk of the City Council, and to the Budget Officer and the Finance Officer for their direction.

Adopted this 8th day of June, 2021.


Mayor

Attest:

City Clerk

LOCALiQ

StarNews | The Dispatch | Times-News
Sun Journal | The Daily News | The Star
The Free Press | Gaston Gazette

PO Box 631245 Cincinnati, OH 45263-1245

PROOF OF PUBLICATION

City Of Lowell
Ben Blackburn
City Of Lowell
101 W. FIRST ST
Lowell NC 28098

STATE OF NORTH CAROLINA, COUNTY OF GASTON

The Gaston Gazette, a newspaper printed and published in the city of Gastonia, and of general circulation in the County of Gaston, State of North Carolina, and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issue:

05/28/2021

and that the fees charged are legal.
Sworn to and subscribed before on 05/28/2021

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$48.30

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VICKY FELTY
Notary Public
State of Wisconsin

Notice of Public Hearing

The City of Lowell's City Council will hold a Public Hearing at their regularly scheduled meeting on Tuesday, June 8, 2021, at 6:00 pm, at City Hall, 101 West First Street, Lowell, North Carolina, 28098.

Pursuant to N.C. General Statute 160A-314, the purpose of this Public Hearing will be to consider adoption of a stormwater utility fund.

For further information, please call Scott Attaway, City Manager, at 704-824-3518.

May 28, 2021

5867866