



**CITY OF LOWELL
COUNCIL MEETING AGENDA
TUESDAY, NOVEMBER 8, 2022, 6:00 P.M.**

- 1. CALL TO ORDER** – Mayor Sandy Railey
- 2. INVOCATION / PLEDGE OF ALLEGIANCE**
- 3. ADOPTION OF AGENDA FOR THIS MEETING**
- 4. PUBLIC COMMENTS**
- 5. APPROVAL OF MINUTES**
 - A. Minutes from Council Meeting Held October 11, 2022 **(p. 1-8)**
- 6. CONSENT AGENDA**
 - A. Planning Department and GIS Report **(p. 9-15)**
 - B. Public Works Report **(p. 16)**
 - C. Finance Department Report **(p. 17-19)**
 - D. Police Department Report **(p. 20-22)**
 - E. Parks and Recreation Report **(p. 23-24)**
- 7. NEW BUSINESS**
 - A. Discussion of New Banner Poles on McAdenville Road **(p. 25-26)**
 - B. Update on McCord Park **(p. 27)**
 - C. Budget Amendment #1 FY 2022-2023 Budget **(p. 28-29)**
 - D. Consideration of Agreement Designating a Joint Historic Preservation Commission and Requesting that Gaston County Historic Preservation Act as a Certified Local Government **(p. 30-35)**
- 8. CITY ATTORNEY REPORT**
- 9. CITY MANAGER REPORT**
- 10. MAYOR AND CITY COUNCIL GENERAL DISCUSSION**
- 11. CLOSED SESSION**
 - A. To Discuss the Acquisition of Real Property Pursuant to NCGS 143-318.11(a)(5)
- 12. ADJOURN**

MINUTES

Lowell City Council

Regular Meeting

Tuesday, October 11, 2022, 6:00 P.M.

I. CALL TO ORDER – Mayor Sandy Railey

Mayor Railey called the meeting to order at 6:00p.m. A quorum was determined to be in place. Those attending in-person were Mayor Pro-Temp Travis Smith, Councilmembers Phil Bonham, Candy Funderburk, Thomas Gillespie, and Joanna Fulbright. City staff included City Manager Scott Attaway; Planning Director, Joe Gates; City Attorney, John Russell Jr; Finance Director, Lisa Nolen; Police Chief Carl Moore; Sgt Jeff Harrison; GIS Analyst Todd Stroupe; Public Works Director, Thomas Shrewsbury, Parks and Recreation Director, Cristy Cummings; and City Clerk Cheryl Ramsey. The meeting was teleconferenced to the public and the agenda and meeting materials were made available on the city's website as well as in person. Members of the public were also present.

II. INVOCATION / PLEDGE OF ALLEGIANCE

Councilmember Gillespie did the invocation, then led everyone in the Pledge of Allegiance.

III. ADOPTION OF AGENDA FOR THIS MEETING

Councilmember Funderburk made a motion to accept the agenda, seconded by Mayor Pro Temp Smith. The vote was unanimously in favor.

IV. PUBLIC COMMENTS

- A. Larry Simonds Power Dr, Lowell NC - complained about the increased water bills, the development of the land across the street [from City Hall] and wastefulness. Also complained about people being on council and not owning property here in Lowell. He then acknowledged and praised the work of the new Planning Director.
- B. Penny Hensley of 417 Robinson St, Lowell NC wanted to know what will done with the abandoned house beside her. She has had to contact an exterminator for her property once a month because of the rats, snakes and bugs the house causes. She has made several complaints to the city and does not feel anyone seems to care. She is asking for someone to look into it.
- C. Yvette Broussard of 1229 Catawba Run, Lowell NC – discussed her personal issue with her recent termination from the City of Lowell. She discussed her issues with Management and with Phil Bonham. She stated she was never given a job description, KPI's (Key Performance Indicators) or any infractions. She ended with asking who holds management accountable for their overseeing employees and micromanaging? She believed the morale was low since the new City Manager has been in place. She also indicated she will run for Council next year.

Councilmember Funderburk asked the City Attorney if they needed to go into closed session to discuss the personnel. Mr. Russell said that it can be requested of the City Manager to add it to the agenda, but Council has already been approved the current one; however, she can make a motion to amend the

agenda. Councilmember Funderburk then made a motion to amend the agenda to go into closed session to discuss personnel matters, seconded by Councilmember Gillespie. Councilmember Bonham wanted to make it clear that personnel matters do not fall under the scope of Council. He reiterated the City Manager and City Clerk are the only positions they have control over. Mr. Russell said the statute allows Council to go into Closed Session to discuss personnel matters when it relates to issues that effect the operation of the City or the trust of the City. There is an opportunity for the City Manager to discuss personnel matters under the State Statute, but it is limited. Councilmember Funderburk felt like there was a need to discuss this matter. Councilmember Gillespie agreed with the attorney. The motion was carried with Councilmembers Funderburk, Fulbright, Gillespie and Mayor Pro Temp Smith for and Councilmember Bonham against. Councilmember Bonham added his opposing was not due to what has been brought before Council but procedural issues in what is under the scope of Council duties. Closed Session will be added before the adjournment of the meeting.

D. John Cato of 109 Walnut St, Lowell, NC – he said people should tell the City Council what to do but they don't ask the people and don't care. He said he wanted to say something else but was talked out of it. He said the person knows how he feels and he told her that four months ago when he came to the council meeting. He said the City fired the wrong woman.

V. APPROVAL OF MINUTES

A. Minutes from Council Meeting held September 13, 2022. Councilmember Funderburk made a correction to a motion where it was noted that she made the motion and seconded it. Councilmember Fulbright stated that she did not know the two women representing NorthPoint but knew of them. Councilmember Gillespie wanted to correct the minutes that his father was not the first Black person on City Council but the first Black man to run for City Council. He also stated that Larry Marr already has a bridge named after him. Mr. Attaway also noted that the last name should be Morrow, not Marr. Councilmember Funderburk made a motion to approve the minutes with corrections, seconded by Councilmember Gillespie. The vote was unanimously in favor.

VI. CONSENT AGENDA

- A. Planning Department and GIS Report
- B. Public Works Report
- C. Finance Department Report
- D. Police Department Report
- E. Parks and Recreation Report

Councilmember Funderburk made a motion to pull from the Consent Agenda, section A. Planning Department and GIS Report and section E. Parks and Recreation to be a part of New Business, seconded by Councilmember Gillespie. Mr. Russell said that the best way to have done this would be when approving the agenda but since the Consent Agenda item is kind of new to Council then they can make a motion to change the agenda again pulling out sections A and E of the consent agenda, adding it to New Business under 7E and 7F and approve the other items. The vote was unanimously in favor. Mayor Railey then asked for a motion to approve the consent agenda. Councilmember

Funderburk made a motion to approve the consent agenda for B, C, and D, seconded by Councilmember Gillespie. The vote was unanimously in favor.

VII. NEW BUSINESS

A. Presentation of Bob Bolick Park and Harold Rankin Park Master Plan and Consideration to adopt. – presented by Cristy Cummings, Parks and Recreation Director. She discussed the contact with Withers Ravenel to complete Master Park Plans for both parks. Mrs. Cummings said Withers Ravenel did a great job with involving the public. The plans for Bob Bolick Park include: expanding the parking spaces from approximately 17 spaces to 36 spaces; basketball quart will be larger to the size a middle school sized quart; new and expanded playground; adding a splash pad; new shelter with restrooms; and a larger walking path. Councilmember Funderburk asked why was a splash pad proposed for Bob Bolick and not Harold Rankin? Mrs. Cummings stated that the approved Master Plan for the New River Front already had a splash pad in the plans. It was decided putting another one at Harold Rankin would be too close to each other. To have one at both sides of the city of Lowell, Bob Bolick was the solution. She also asked if there was any way to add more benches to the area where parents can see their children playing? Mrs. Cummings agreed but stated that was more regarding aesthetics and not directly included in this plan but will definitely be considered. Councilmember Bonham found it nice where the splash pad will be placed. Improvements to Harold Rankin Park include: paving to allow for 83 marked spaces and 21 additional spaces behind the Boys and Girls club which will all be ADA compliant; relocation of driveway for better safety; pedestrian entry space so it will look nicer; decreasing the size of the baseball field from 310 ft 210ft to increase the space from the field and the walking track, allowing the batting cages to be behind the ball field; add new bleachers, expanding the playground, full-sized pickle ball courts, new shelter (making the total 2) allow it to be available for rental options; two new restrooms and a concession stand; and expanding the walking track from ¼ mile to a ½ mile. Councilmember Bonham asked if we are considering a path across Main in the back? Mr. Attaway said that is included in the DOT road improvements.

Councilmember Funderburk asked will we actually use the concession stands now? Mrs. Cummings said yes if we have staff support. Councilmember Funderburk asked how many kids are out there during practices because the use of concessions would be huge for the crowd size and could have been opened. She volunteered to help as well. Mrs. Cummings said they looked at that last year, but staff was unable to consistently support it. Councilmember Funderburk said that she and others would love to help.

Councilmember Gillespie asked Mr. Attaway if the money is available to do this project or where is the money coming from? Mr. Attaway said we have not applied for any grant funding yet. This master plan is a prerequisite to apply, and staff will begin applying for grants next year for a 50-50 match with PARTF Funds.

Mayor Pro Temp Smith then made a motion to adopt the master plan for Bob Bolick Park and Harold Rankin Park, seconded by Councilmember Funderburk. The vote was unanimously in favor.

B. Consideration of Duke Power Equipment Placement Agreement – presented by Mr. Attaway. Duke Energy contacted the City a little over a year ago about supplying two Rapid Charging

(charge within 20 minutes) Electric Vehicle (EV) stations, close to I-85. Harold Rankin Park was identified as the best location after determining City Hall was a little too small. Duke Energy was also provided the master plan for Harold Rankin Park. He showed the preliminary map of the proposed location. He stated that there will be no cost to the city at all and power lines would be about 3 ft deep so it would not disturb the paving that will be done at the park. He said this could potentially help Lowell bring people to the city and patronize our businesses, particularly in the downtown area. He said the City Attorney has looked at and approved the initial review of the contract with some minor changes and needs council to approve/deny him signing the contract.

Councilmember Funderburk asked how big are the converters? She said she is asking because to her they are an eyesore in that location. Mr. Attaway stated he should have mentioned that that was also his first reaction and we are permitted to have landscaping done around it so the EV will blend in. She asked who chose this spot? Mr. Attaway said Duke Energy gave 3 or 4 options due to the anchoring needed on one of the poles across the street. This spot is the closest to the recycling center and will not be near the walking path leading to the track. Councilmember Funderburk asked why it can't go to the right of the new driveway instead of taking multiple parking spots? Mr. Attaway said it can, but the current rendition won't be in the parking lot itself, but above the curb line. Councilmember Bonham said if you moved it to where suggested then it would impede the vision of drivers turning. Councilmember Funderburk agreed. Mr. Attaway said the landscaping will help aesthetically. Councilmember Gillespie asked what were the other areas considered? Mr. Attaway said City Hall was the original location, then Harold Rankin Park. Councilmember Fulbright asked are there any liabilities involved like electrical shock? Mr. Attaway said that Duke would handle all of that including any theft issues. Mayor Pro Temp mentioned that there was one at the library. Mr. Attaway said yes, but that is a County initiative. Councilmember Funderburk then asked if it was any way it could be closer to the recycling center? Mr. Attaway said yes, this [the map] is just an approximate location. Councilmember Fulbright asked if the city gets any percentage of the profits. Mr. Attaway said no. Councilmember Funderburk asked how many people he thought would use it? Mr. Attaway said he drives by the main library, which has the older models that don't do rapid charging, and they stay about 50% full and a number of times they will have two cars in them.

With no other discussion, Councilmember Bonham made a motion to consider the Duke Power Equipment Placement Agreement, seconded by Councilmember Gillespie. The vote was unanimously in favor.

- C. CDBG-NR Community Center Construction Bid Tabulations and Selection of Contractor presented by Mr. Attaway. This is the third attempted bid for the Community Center where this one had a more limited scope and just focused on the exterior portion of the building. The first scope focused on the exterior paint and the 2nd scope focused on all windows and doors. Two qualified and responsible bids were received with Providence Restoration being the low bidder. He discussed the funding and remaining balance of the grant. CDBG-NR specifically for the Community Center balance is \$124,000, a balance of Gaston County Township grant awarded to the City of Lowell is \$43,156.90, and that leaves the city responsible for \$97,723. It is important to know that the city increased the Parks and Rec budget by \$100,000 with ARPA funds in order to do interior remodeling including the kitchen; however, this will now have to be used for the

exterior. An option could also be to only award for one of the scopes but that option would not seem to do the citizens justice and should be to complete all of the exterior first. Councilmember Funderburk asked if we could use ARPA funds to complete the interior? Mr. Attaway said yes. We would have approximately \$2200 on that line item of the budget left to use after the exterior portion is paid for.

Mr. Attaway stated staff recommends Providence Restoration for the two scopes. There are clarifying questions we will have of the contractor before signing, Cheryl Ramsey will be the point of contact for the city and the City Attorney will work with us on it. Councilmember Funderburk made a motion that we select Providence Restoration to do the work in the amount of \$264,880 for work on the Community Center, seconded by Mayor Pro Temp Smith. The vote was unanimously in favor.

- D. Consideration of FY 22-23 Fee Schedule Update for Planning and Zoning Fees – presented by Joe Gates, Planning Director. Due to recent rezonings, it has been brought to staff attention the need to add three fees for annexation, demolition and development agreements to the 2022-2023 Adopted Fee Schedule:

Category	0-2 acres	2.1-10 acres	Greater than 10 acres
Annexation	\$ 500.00	\$ 750.00	\$2,000.00
Development Agreements	\$ 500.00	\$ 750.00	\$2000 + \$10/acre

Demolition cost = \$50

These fees will be for the developer's to pay for staff's time and not the taxpayers of Lowell. Mayor Pro Temp Smith made a motion to approve the fees schedule update, seconded by Councilmember Gillespie. The vote was unanimously in favor.

- E. Planning Department and GIS Report – Councilmember Funderburk had a concern that several people have called her or stopped her in public about someone's house, high grass, etc. She said she had email documentation of her trying to reach the Code Enforcer Joe Gates where he has responded to some and some he has not. She also had a note of two people that have attempted to contact Mr. Gates with no return call or email and that concerns her. She understands that his job is much more hectic than a Code Enforcer and that's very important to keep the city looking good but it should not be her job to drive around the city to look for these areas, which she stated she has been doing. She mentioned the City vehicle that was bought for him that he drives home but doesn't seem to have time to ride around Lowell to see what is going on and that concerns her very much. She mentioned that the budget under Planning and Zoning, it is listed as 70% Stormwater and the cost is split 30%, so does Todd [Stroupe, GIS Analyst] get to drive the car 30% of the time and wasn't sure how that worked? She said we have never had a vehicle for Planning Zoning and Code Enforcement until now. He [Joe] lives about a mile and a half away and he's not on call like Public Works employees who also has a city vehicle but they are on call 24 hours a day. She thinks that council members should not be telling him what's going on in the city and he should be seeing these things himself in the new car the City has provided to him.

Mayor Pro Temp asked what the proper protocol was for filing a complaint. Mr. Attaway said there is an online submittal form for anyone to complete. Mr. Attaway then reminded council that all communication department heads go through the City Manager and if there are complaints about any Department Heads, they would need to follow that process. Councilmember Funderburk said she already talked to Mr. Attaway about it. She said she doesn't have a problem with Public Works taking a vehicle home but doesn't understand the need for a vehicle in the department [Planning] and wanted an explanation. Mr. Attaway said it was explained in the budget sessions and that the City of Lowell has a take home policy that it falls within. It is within the guidelines of that policy. He said the reason it is split between Stormwater and Planning is because they are two of the hats this positions wears. The position has to inspect new construction and locations constantly. When River Heights starts getting built, with 49 new slabs, the job requires them to be measured, making sure setbacks are appropriate. Our MS4 permit requires inspections of all our outfalls that are in the woods and concrete pipes dumping water into streams. There is inspection equipment, shovels, etc that are required to do the job and you can not require an employee to use their personal vehicle to do these things. It was discussed in the budget work sessions as well and why it was put in the budget as a capital expense and why it was approved. Councilmember Funderburk said that in the last meeting, it was said that he didn't have time to do code enforcement and that is part of his job description. Mr. Attaway stated there are priorities that he sets for all staff. Councilmember Funderburk stated that it seemed like a priority when the last person was here and now it seems to be slacking a little bit. She stated that she knows he's busy and recognizes that great things are happening but thinks it is a big part to drive around at least one hour a week. Mayor Pro Temp wanted to clarify that Joe's car is not just sitting in the parking lot and he is going out to these bigger construction sites? Mr. Attaway said correct.

- F. Parks and Recreation Report – Councilmember Funderburk asked since there is only one person in the department now, who is turning on lights and opening and closing bathrooms at Harold Rankin Park for the football teams. Cristy Cummings said the Police Department is helping with that. Councilmember Funderburk asked why the Police Officers would do that when you [Mrs. Cummings] are the Director. The part time employee was doing it and now we have to pull Police staff to do it? Mr. Attaway said we will be advertising for the position and that the Police helping temporarily is going well. Councilmember Funderburk said she is just making a point that the Parks and Rec employee that is not doing that part of her job. There was no other discussion.

VIII. CITY ATTORNEY REPORT – No updates

IX. CITY MANAGER REPORT – Presented by Mr. Attaway

- A. Mr. Attaway sent council an email regarding an upcoming RSPC Tech Talk about Pollution Prevention and Good Housekeeping. He said it would be good for them to view when they have time to get a better understanding about Stormwater requirements from the State. He stated that Todd and Joe submitted the annual self-assessment mentioned at the September council meeting, that we had to get a month extension on, on September 29th. That is in review with DEQ right now. Todd has also begun the mapping and infrastructure that we are required to start this fiscal year, starting with a city facility to get the hang of it and setting up all the base maps using his GIS. software. Lastly, we are researching a stormwater education vehicle wrap that will be coming soon for the sanitation truck. This counts for our public outreach requirement that the MS4 permit bestows on the city. He reminded Council that this is part of their strategic mission

and their updated goals to continuously improve and expand water/sewer/stormwater infrastructure.

- B. Agenda Management Software -- many other municipalities use this and it can allow for better ease of use for staff and hear the meetings better for the public. It will allow video and better audio as that is one of the complaints from listeners to council meetings. They would have to go straight to the city website to see meetings live as opposed to looking for the zoom meetings. It also keeps a library of all the meetings to review in the future. He believes this falls under council's mission of representing their values of transparency and fairness, accountability and compassion well and will be funded through administration's budget.
- C. McCord Park -- Trees were picked up today and Public Works will start planting tomorrow and more this week. We have a volunteer effort from Northpoint Development to help plant plants Friday at approximately 9am, weather permitting. He is also waiting on concrete laying quotes for the sidewalks and pathways as well as trees (this is separate from the tree planting that will be on North Main) and shade structures. A future budget amendment will be forthcoming to complete this work.
- D. DOT Division 12 received \$100,000,000 grant for infrastructure of the future I-85 project. Part of that is the Aesthetics and Betterments surveys were completed as previously mentioned last month and we are waiting on DOT to give us costs for all the options for bridges and landscaping to be voted on by council. Councilmember Bonham asked if Lowell gets any of this money? Mr. Attaway said no, unfortunately not.
- E. Chemical plant received the EMP approval from NCDEQ in September. The demolition RFP is finalized, and it will be on the website on this Friday [October 14th] due October 28th. He hopes to have more information in November's meeting.

X. MAYOR AND CITY COUNCIL GENERAL DISCUSSION

Councilmember Gillespie congratulated and was very proud of Planning Director Joe Gates for his participation with the Gaston Business Association and Mayor Railey thanked everyone for coming and asked for everyone to see more of the good in people. She would like people to step back and take a breath before getting into the disagreements. She then asked for a motion to go into Closed Session.

Councilmember Bonham made a motion to go into Closed Session, seconded by Councilmember Funderburk. Attorney Russell added that motion needed to include that the reason for the closed session is to discuss Personnel Matters NCGS 143-318.11.6 To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee or to hear or investigate a complain, charge, or grievance by or against an individual public officer or employee. Councilmember Bonham did not need to regurgitate the entire portion of the statute. The vote was unanimously in favor.

Councilmember Bonham made a motion for a recess before the closed session, seconded by Councilmember Funderburk at 7:20pm. The vote was unanimously in favor. Session resumed at 7:26

XI. CLOSED SESSION

The session also included Cristy Cummings, Parks and Recreation Director.

A. Councilmember Fulbright made a motion to go into Closed Session, seconded by Councilmember Bonham. The vote was unanimously in favor.

Councilmember Funderburk made a motion to come out of closed session, seconded by Councilmember Fulbright. The vote was unanimously in favor.

B. **ADJOURN** – Motion to adjourn was made by Councilmember Bonham, seconded by Mayor Pro Temp Smith. The vote was unanimously in favor. Adjourned at 8:01pm

ATTEST:

Sandy Railey, Mayor

Cheryl Ramsey, City Clerk

DRAFT



To: Scott Attaway, City Manager

From: Joe Gates, Planning Director

Date: Wednesday November 2nd, 2022

Re: Monthly Department Update

Code Enforcement:

Staff has scheduled inspections with Gaston County Building Inspections to address some minimum housing requests and commercial building maintenance during the month of November. Staff has also been researching door hanger designs to assist in notification to citizens when property is out of compliance. Staff has created inspection checklists for minimum housing to assist in the recording of violations. Staff addressed several grass and junk complaints during the month of October. Two of the properties that were in violation required correction through our Public Works department.

Zoning:

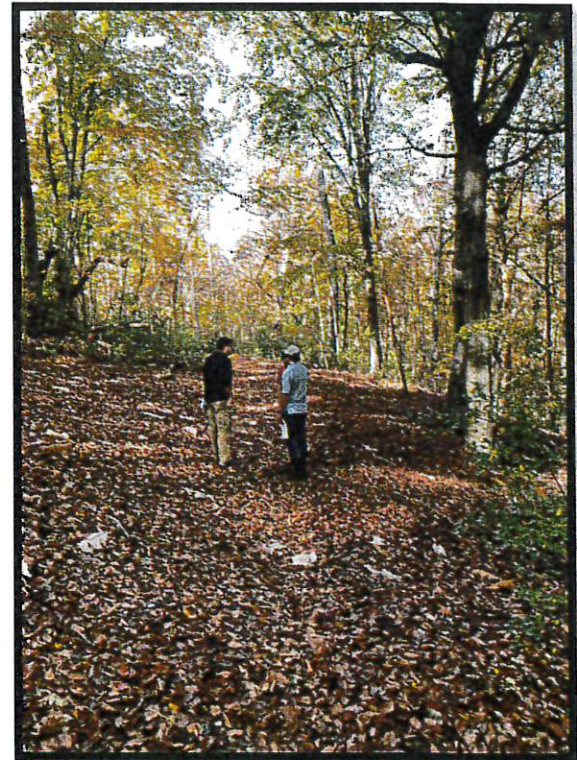
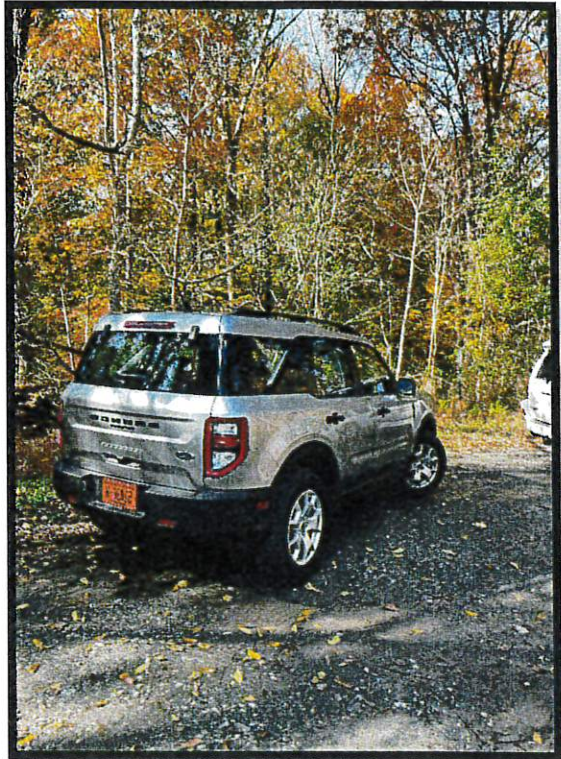
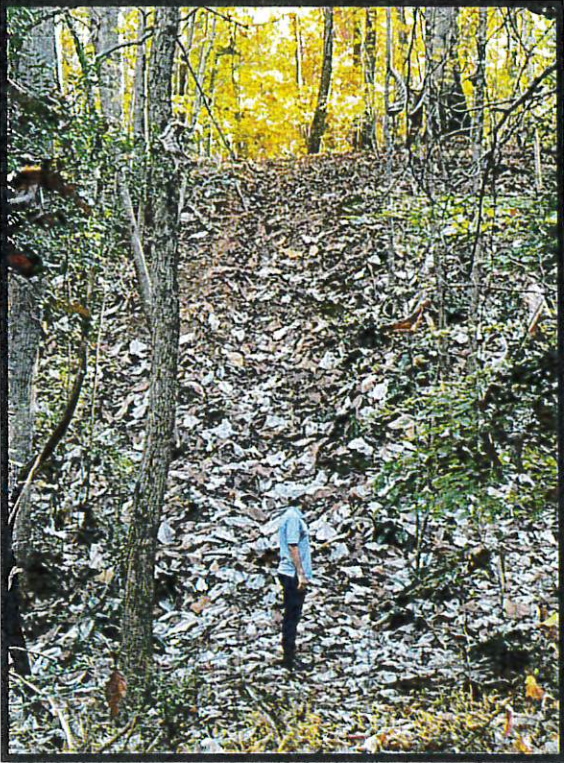
The Zoning Department processed 7 zoning permits this month. Included in these permits were 3 new businesses that are reusing existing structures.

Staff performed a final inspection for the Project Hearth/Building 3 of the Northpoint Development. Inspection was failed due to some deficiencies in the required buffer and some other landscaping related items. Developer has already taken corrective actions. Re-inspection for this development is expected for the 2nd week of November.

Planning:

Staff attended the GCAMP (Gaston County Area Municipal Planners) meeting this month. A new process for County reviews was announced and will begin in November. A copy of this announcement is attached at the end of this report. This is a positive change that will require developers to receive local approval of grading/erosion/ site plans from the City before the submit permits to Gaston County for land disturbance.

Staff met with the Catawba Lands Conservancy and the Carolina Thread Trail on site to review potential designs and layouts for additional trails that would tie into George Poston Park from Birch Street.



Staff met with the Planning Board at their regularly scheduled November meeting and reviewed the Preliminary Plat for the Grove Street/Lowell Townhome project.

Stormwater:

Staff attended RSPC Virtual Tech Talk on 10.18.22. This a monthly meeting where staff from around the region discuss topics and best practices for stormwater management.

Staff attended the South Fork River Health Project Policy meeting in McAdenville, NC on 10.19.22

Staff has been working with our AmeriCorp Service member Kelly Hendrix. She has been working onsite on Tuesdays and Thursdays assisting Lowell staff on several different tasks. Most recently she attended our Treat Walk and provided stormwater education to children and even created a bug exhibit to help highlight the importance of keeping our waterways clean.

Staff met with Stormwater Commission on Tuesday, November 1st, 2022 immediately following the Planning Board meeting. Kelly Hendrix was introduced to the board and a presentation was given outlining the projects she was going to helping with.

Staff attend the South Fork River Health Committee Meeting

Staff attend the virtual Regional Stormwater Partnership of the Carolinas Quarterly Meeting.

PRESS RELEASE
GASTON COUNTY NATURAL RESOURCES PLAN SUBMITTALS TO MOVE ONLINE

GASTONIA, N.C. – On Monday, October 10, Gaston County Natural Resources will begin accepting online erosion control and stormwater plan submittals through the Citizen’s Self Service (CSS) portal. A direct link to the CSS portal can be found on the homepage of the Gaston County website, GastonGov.com.

Natural Resources will continue to accept permit applications and plans in person or by mail through November 4. Beginning November 5, submittals will only be allowed through the Citizen Self Service Portal. An account with Gaston County will be required to submit plans and supporting documentation, access permit status, and access inspection reports. We ask that customers use this time to get accounts established. Any application existing customers have in our current process will be allowed to continue.

For erosion control and stormwater plan submittals, the Financially Responsible Owner (FRO) must create the account and submit the plans online along with all supporting documentation. Additional contacts associated with the plans can be added during the submittal process. However, all correspondence, notifications, and inspection reports regarding the submitted plans will only be accessible to the FRO.

Any FRO currently working on projects within Gaston County that does not have an account with Gaston County will need to create one to access permits and inspection reports, as all existing and active projects have been merged into the new Energov system. The account registration can be completed online at <https://energovweb.gastongov.com/EnerGovProd/SelfService#/home>. If you have questions regarding this process, contact Jonathan Boerger at (704) 922-2150 or jonathan.boerger@gastongov.com.

As is already the process for Gaston County and the municipalities located in Gaston County, for any project that needs a zoning permit prior to obtaining a building construction permit, that process should be completed first. **Beginning November 5, a zoning permit or a letter from the municipality where the project is located will be required for Gaston County Natural Resources to accept the application and begin our permitting process.**

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To: Scott Attaway, City Manager

From: Todd Stroupe, GIS Analyst

Date: November 2, 2022

Re: City of Lowell Geographic Information System (GIS) Updates

GIS and Mapping

- Generated final tactical road modification maps for the Downtown Lowell Plan.
- Generated Fall Festival road closure map.
- Generated Fall Festival vendors location map.
- Sent rezoning of parcels 136564, 210660, and portions of 135144, 202166, and 202774 GIS data to Gaston County GIS department.
- Generated 8.5 x 11 official zoning map.
- Generated potential banner pole locations along McAdenville Road map.
- Generated Treat Walk route map.
- Generated Treat Walk vendors location map.
- One data request to Carolina Thread Trail
- Calculated bedroom average of the houses within the River Heights neighborhood.
- Generated Railroad Street road closure map.
- Generated River View neighborhood and sewer system map.
- Continue to work on City of Lowell Economic Development Overview StoryMap.

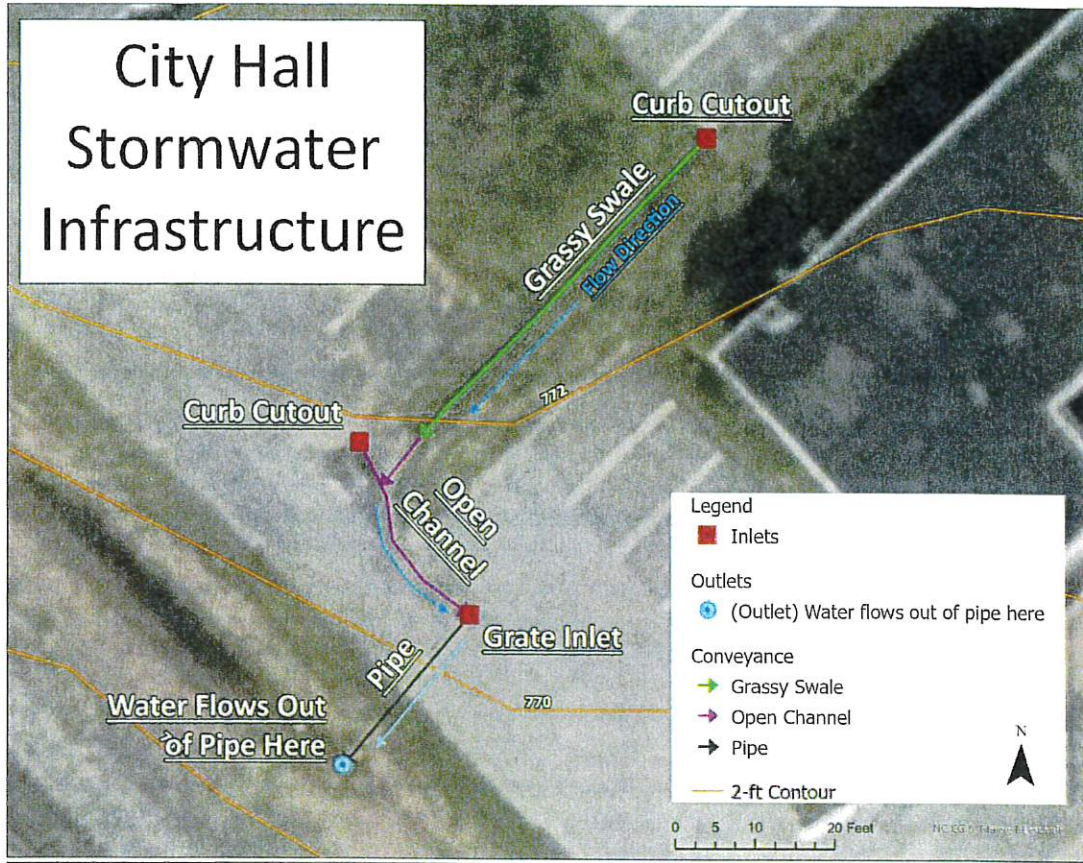
Meetings and Events

- Participated in Downtown Plan Meeting with Metrocology Conference Call
- Attended October City of Lowell Council Meeting.
- Attended Fall Tech Talk Pollution Prevention & Good Housekeeping for Municipal Facilities Zoom Meeting.
- Attended South Fork River Health Project - Policy Committee Meeting.
- Participated in three conference calls with Newland GEO, Bad Elf, and Duncan-Parnell to discuss GPS/GNSS solutions.
- Staffed and handed out candy at the Treat Walk City of Lowell stormwater table.
- Attended trail connector meeting with Carolina Thread Trail.
- Attended South Fork River Health Quarterly Committee Zoom Meeting.

- Participated in Birch Street Connector trail walk at George Poston Park.

Stormwater

- Worked with staff to get EPA, NCDEQ, and RSPC links added to the Stormwater website.
- Welcomed Kelly Hendrix, Regional Stormwater Educator with the Regional Stormwater Partnership of the Carolinas, to the city to help with our stormwater management.
- Distributed 105 Creepy Creek Crawlers Environmental Education Certificates, 78 Don't Poolute handouts, 86 Let's Talk Storm Drains handouts, and 75 kids' activity pages at the Treat Walk Lowell stormwater table.
- Continue to work on the 2023 (Permit Year 2) MS4 Self-Assessment.
- Continue MS4/stormwater infrastructure mapping of **inlets, outlets/outfalls, conveyance structures (pipes, ditches, etc.), and flow directions.**
 - **Inlets** – A catch basin, curb inlet, or other drop-type structure constructed to direct stormwater into storm sewers or other underground drainage systems.
 - Information collected for **Inlets** includes *inlet type, basin dimensions and material, basin depth invert, material, and basin conditions.*
 - **Outlets** - The point at which water discharges from a stormwater pipe or drain.
 - **Outfalls** - A point of water discharge from a pipe or drain into a water body.
 - Information collected for **Outlets/Outfalls** includes *the type of outlet point, pipe diameter, any illicit discharge, and condition of outlet or ditch.*
 - **Conveyance Structure** - A pipe, open channel, ditch, or other facilities that transport stormwater runoff from one location to another.
 - Information collected for **Conveyance Structures** includes *conveyance type, pipe material, pipe diameter, condition of pipe or ditch, and flow direction.*
 - **Flow Direction** is the direction (north, west, east, or south) of movement of stormwater either across a surface or within a conduit.
 - Progress of mapping since October 1, 2022:
 - 110 total features collected: 48 Inlet points, 13 Outlet/Outfall points, 49 Conveyance (pipes, ditches, etc.) lines
 - City Hall and a portion of Harold Rankin Park were mapped.
 - 0.67 miles of roadway mapped.



Other

- Updated and generated new City of Lowell staff organization chart.
- Generated City of Lowell internship flyer



To: Scott Attaway, City Manager

From: Thomas Shrewsbury, Public Works

Date: Nov 4, 2022

Re: October Monthly Report

- Public Works assisted in planting and landscaping at McCord Park.
- Street Department staff worked on cleaning up curb, gutter, and sidewalks on Main Street and McAdenville Rd.
- Water Dept crews repaired leaks at the following locations.
Replace broken cut off at 600 McAdenville Road.
Crews replaced a 10 ft section of 6inch water line on N. Elm Street due to a line break.
- Water and Sewer staff removed water meters and began capping sewer lines on S. Church Street and Lineberger Road in preparation for the demolition of those homes being taken by new development.
- Sewer Department staff continued working on cleaning drying beds out to make room for additional wasting at the Waste Treatment Plant.
- Water Department staff worked with Northpoint developers to cap of water lines in the planned development areas of Lineberger Road.
- Street Department employees began running leaf collection routes.
- City crews assisted with cleaning properties due to code enforcement actions.



To: Scott Attaway, City Manager

From: Lisa Nolen, Finance Director

Date: October 31, 2022

Re: Finance Update

Utility Billing:

Ongoing meetings with Polimorphic designers in the implementation of their new system for UB payments, credit card payments, website forms, project management processes and payments for miscellaneous items, such as zoning permits, development fees, etc.

Troubleshooting issues to improve operations in MiNet digital system and equipment in the field.

Coordinating with Public Works to get meters installed and changed out to digital. Processing changeouts in systems to get those meters to report. Refining flows to get more accurate system alerts.

Working with Planning Director on updating addresses and ownership information for processing Stormwater Management billing each month for occupied and non-occupied properties. Also working with Director on adding new street addresses to Southern Software and MiNet system, so we can install meters at future development homes.

All other responsibilities that include gathering readings and processing billing, posting payments, producing daily collection reports, producing daily credit card reports, and transfers of funds to customer accounts. Processing pool fill adjustments and leak adjustments for customers as needed, posting monthly ACH payments to customer accounts and producing reports. Ordering office supplies for all City departments including and assisting all City departments as needed.

Finance:

Completed reconciliation of cash balance in Southern Software for Butler & Stowe for year-end audit. Completing and sending other requested documentation to Butler & Stowe for the year-end audit. Ongoing meetings with Polimorphic for set-up and implementation of new system for forms and payments. Meeting with Centralina on ARPA grant money for requirements. Entering monthly transactions in Southern Software. Processing and paying bills. Completing other tasks as needed.

City of Lowell, North Carolina
 FY 2023 Dashboard
 8/31/2022

Department	Budget	YTD thru 8/31/22	Budget Remaining	Percent Remaining	Percent of FY23 Remaining
General Fund					
Administration	996,649.00	120,966.95	875,682.05	88%	83%
Public Safety	1,165,063.00	170,564.62	994,498.38	85%	83%
Public Works	355,212.00	33,147.95	322,064.05	91%	83%
Sanitation	334,202.00	65,160.07	269,041.93	81%	83%
Parks	315,260.00	13,129.68	302,130.32	96%	83%
Powell Bill	88,000.00	1,182.50	86,817.50	99%	83%
Total	3,254,386.00	404,151.77	2,850,234.23	88%	83%
Water/Sewer Fund					
Water/Sewer	1,313,222.00	191,702.17	1,121,519.83	85%	83%
Wastewater Treatment	382,860.00	35,110.13	347,749.87	91%	83%
Total	1,696,082.00	226,812.30	1,469,269.70	87%	83%
Stormwater Fund					
Stormwater	392,919.00	36,123.54	356,795.46	91%	83%
Total	392,919.00	36,123.54	356,795.46	91%	83%

Notes:
 None

City of Lowell, North Carolina
 FY 2023 Revenue Dashboard
 8/31/2022

Type	Budget	YTD thru 8/31/2022	Budget Remaining	Percent Remaining	Percent of FY23 Remaining
General Fund					
General Fund	3,254,386.00	382,866.34	2,871,519.66	88%	83%
Water/Sewer Fund	1,696,082.00	237,886.77	1,458,195.23	86%	83%
Stormwater Fund	392,919.00	56,533.35	336,385.65	86%	83%
Total	5,343,387.00	677,286.46	4,666,100.54	87%	83%

Notes:
None



To: Scott Attaway, City Manager

From: Carl Moore, Police Chief

Date: November 2, 2022

Re: Police Department Update

The Police Department was very busy in October 2022. We saw significant increases in areas classifications like special checks and special assignments. We also experienced increases in calls like meet citizens to give out copies of reports. Call volume for October 2022 were 54% higher than October 2021 rising from 509 up to 787. Some of the increase in special checks is directly related to specific crime problems identified.

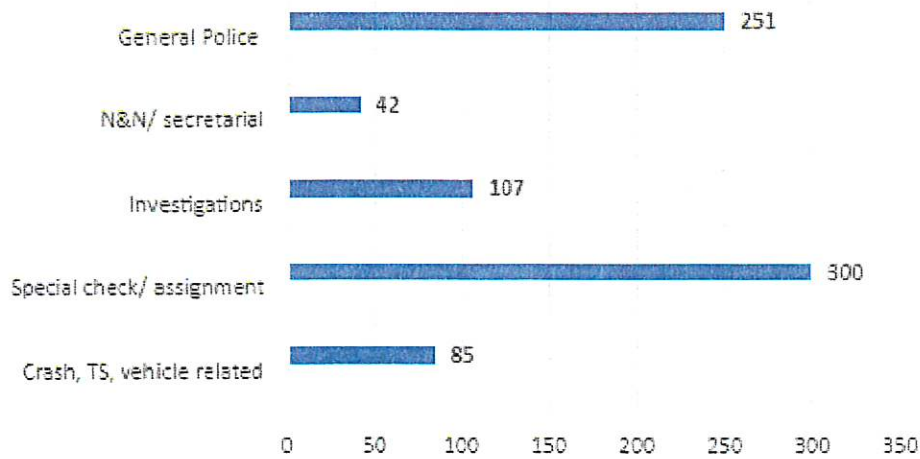
We have had multiple stolen motor vehicles and vehicle break and enters from the KIA lot. A viral Tic-Tok showing how to steal certain models has led to an increase of these crimes across the country. The Police Department has increased checks and worked plain clothes officers in the area of our large car lots to combat the thefts. No suspects have been identified. The cases remain open and under investigation.

Catalytic converter thefts have also risen along the highway 74 businesses. One business that was victimized got good surveillance footage of a suspect. The suspect was identified as and charges will be forthcoming for all affiliated crimes.

On 10-28-2022, officers stopped a vehicle for suspicion of DWI. Upon investigation, officers confirmed the driver was impaired and, was selling unlicensed alcohol. The driver had 176 "airplane bottles" and was selling them individually without a license. The bootlegger kept a ledger logging her sales and had the prices listed on the box like a menu. The Gaston County District Attorney's office is being consulted on which charges the suspect will receive in addition to DWI.



OCTOBER CALLS BY TYPE



Call history by year

2022- 787

2021- 509

2020- 454



To: Scott Attaway, City Manager
From: Cristy Cummings, Parks and Recreation Director
Date: November 1, 2022
Re: Parks and Recreation Monthly Report

Events:

- Advertising and notification of cancelation for Riversweep
- Rescheduling, promoting, and creation of new registration form for rescheduled Riversweep
- Advertising and day-of coordination for Fall Festival
- Advertising and day-of coordination for Adult Senior Recess, partnered with Gaston County Parks and Recreation with utilizing their equipment and education about Senior Games
- Advertising and day-of coordination for Treat Walk
- Advertising and day-of coordination for Mobile Mammogram Event by CaroMont Health
- Planning and advertising for Veterans Day Event
- Planning and advertising for Senior Thanksgiving Lunch
- Planning and advertising for Tree Lighting Ceremony
- Planning and advertising for Christmas Parade
- Planning and advertising for Photos with Santa
- Planning and advertising for Trees at the Track
- Safety meeting with PD regarding Treat Walk
- Called veterans individually that signed up for the 2021 veterans lunch to ensure they were aware of this year's event and to see if they'd like to sign up again

Athletics:

- Communications with parents regarding soccer
- Coaching 5-6 soccer team
- Rescheduled make-up game for 3-4 teams in-house for final game of season
- Ordering of soccer medals and held end-of-season soccer celebration for all ages (held on October 29)
- Opened up basketball registration, will extend registration until November 6
Basketball registrations have already doubled the number of registrations from the 2021 season

- Lowell Recreation has partnered with Woodlawn Baptist again this year for facility usage and helping us find coaches

Projects:

- Landscaping underway at McCord Family Park
- Public Works constructed new steps to ballfield at Harold Rankin Park
- Position for Athletics Supervisor has been posted to website

General:

- Parks and Recreation Director attended Leadership Gaston classes
- Attended Council Meeting
- Picked up trash
- Cleaning bathrooms
- Cleaned Community Center
- Updating letterboard at Harold Rankin Park
- Attended Catawba Riverkeeper Recreation sub-committee meeting
- Creation of content for LCC's Citizen's Academy Night
- Preparation and attendance of LCC meeting
- Ordered a portable pickleball net for new morning program for Wednesdays in Nov. 10am-12pm –Bob Bolick basketball court will be converted to pickleball
- Requested quotes for decorative street posts as requested by the LCC
- Maintaining field rental schedule and invoicing for McAdenville Dolphins and Strikers Soccer Club
- Coding invoices, updating department budget spreadsheet
- Updating website for departments
- Creating social media content

AGENDA ITEM INFORMATION

AGENDA ITEM #: 7-A

DESCRIPTION: DISCUSSION OF NEW BANNER POLES ON MCADENVILLE ROAD

The Lowell Community Committee (LCC) has requested to use beautification funds to install additional banner poles on McAdenville Road. Attached is a map of the approximate locations of these poles. Exact locations will be made by staff with information from NCDOT. The approximate cost of the installation of these banner poles will be \$10,000. Additional banners (smaller than current banners) will also need to be purchased at approximately \$75 per banner.

The total line item budgeted for Beautification in the FY 23 Budget is \$14,700 for the following:

New Signage, Banners (\$100x16=Christmas Banners), Flowers, American Flags (\$60x_), Christmas Decor and other Projects, New lights (\$2,000), X-Mas Trees (\$2,000), Cemetery Sign (\$2,000).

Staff would like Council direction on the LCC recommendation.

AGENDA ITEM INFORMATION

AGENDA ITEM #: 7-B

DESCRIPTION: UPDATE ON MCCORD PARK

Staff will provide an update on McCord Park.

AGENDA ITEM INFORMATION

AGENDA ITEM #: 7-C

DESCRIPTION: BUDGET AMENDMENT #1 FY 2022-2023 BUDGET

Please see the attached budget amendment regarding using ARPA Funds for the remaining expenses of McCord Park by supplanting budgeted funds.

**City Of Lowell
Budget Amendment #1
Budget Ordinance FY 22-23**

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, 2023:

Section 1: To amend the ARPA Special Revenue Fund and General Fund to be changed as follows:

ARPA Fund:

Cash:

	<u>Decrease</u>	<u>Increase</u>
60-1010-0005 Cash - ARPA	\$51,693.82	

ARPA Fund:

Fund Balance:

	<u>Decrease</u>	<u>Increase</u>
60-2990-0000 ARPA Fund Balance	\$51,693.82	

This will result in a decrease of \$51,693.82 in ARPA Cash and ARPA Fund Balance in FY 2022-2023.

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

General Fund:

Cash:

	<u>Decrease</u>	<u>Increase</u>
10-1010-0000 Cash		\$51,693.82

General Fund

Fund Balance:

	<u>Decrease</u>	<u>Increase</u>
10-3990-0000 ARPA Special Revenue Fund		\$51,693.82

This amendment will result in an increase of \$51,693.82 in Cash and an increase in the General Fund Balance in FY 2022-2023.

This amendment is for grant money received from ARPA.

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 _____ day of November, 2022.

Mayor

Attest:

City Clerk

AGENDA ITEM INFORMATION

AGENDA ITEM #: 7-D

DESCRIPTION: CONSIDERATION OF INTERLOCAL AGREEMENT
DESIGNATING A JOINT HISTORIC PRESERVATION
COMMISSION AND REQUESTING THAT GASTON COUNTY
HISTORIC PRESERVATION (GCHP) ACT AS THE CERTIFIED
LOCAL GOVERNMENT

Please see the attached memo from Gaston County Long Range Planner, Jamie Kanburoglu regarding the GCHP Agreement.



Building and Development Services Department **HISTORIC PRESERVATION & GRANTS**

Mailing Address: P.O. Box 1578, Gastonia, NC 28053

Street Address: 128 West Main Avenue, Gastonia, NC 28052

Phone: (704) 862-5510

Fax: (704) 866-3966

To: Planning Directors at Belmont, Bessemer City, Cherryville, Cramerton, Dallas, Gastonia, High Shoals, Lowell, McAdenville, Mount Holly, Ranlo, Stanley

From: Jamie Mendoza Kanburoglu, Long Range Planner for Gaston County

Subject: Gaston County Historic Preservation Commission – Update of By-Laws and Interlocal agreement

The Gaston County Historic Preservation Commission serves as the Certified Local Government (CLG) for all of Gaston County in regard to historic preservation services. Our legal staff has asked that we draw up interlocal agreements with all the towns and cities so that we can have a better record of the historic preservation services being provided to each municipality. I have attached an interlocal agreement template that has been approved by the HPC and our legal staff for your review.

1. File Name: Interlocal Agreement Template
(HPC_InterlocalAgreementTEMPLATE_2021FINAL.docx)

Our goal is to have the interlocal agreements approved by the County Commissioners as soon as possible. Your elected officials will need to review and approve the interlocal agreement prior to our staff presenting them to our County Commissioners. If you have any questions, please don't hesitate to send me an email or give me a call.

Sincerely,
Jamie Mendoza Kanburoglu
Long Range Planner
jamie.mendoza@gastongov.com

**INTERLOCAL AGREEMENT DESIGNATING A JOINT HISTORIC PRESERVATION
COMMISSION AND REQUESTING THAT GASTON COUNTY HISTORIC
PRESERVATION ACT AS A CERTIFIED LOCAL GOVERNMENT**

This is an agreement between the County of Gaston (“County”) and the City of Lowell (“City”) requesting the Gaston County Historic Preservation Commission to exercise those powers and duties given to it by and under the North Carolina General Statutes 160D and the Gaston County Historic Preservation by-laws within City of Lowell planning jurisdiction, as well as to act on the City of Lowell behalf as a Certified Local Government.

1. Designation of a Joint Historic Preservation Commission

Pursuant to the authority provided in Section 160D of the North Carolina General Statutes, the County and City of Lowell hereby designate the Gaston County Historic Preservation Commission as a joint historic preservation commission to be governed by the statutory sections cited above and provisions set forth in the Gaston County Historic Preservation Commission Ordinance, as established in the Ordinance and Resolution creating the Historic Preservation Commission and its amendments, as found in Resolution 90-124, 91-26, and 93-308. The Commission shall have the authority to exercise, within the planning jurisdiction of City of Lowell, all the powers and duties given to it by said statutes as well as the Gaston County Historic Preservation Commission By-Laws. These powers and duties shall include but are not limited to identification and designation of local historic districts and landmarks as provided in N.C. Gen. Stat. §160D, provided that any such designation be submitted to and approved by both the City of Lowell and the County. The Commission shall have the sole authority for issuing Certificates of Appropriateness for any designated landmark.

2. County Amendments to the Gaston County Historic Preservation Commission Ordinance

If the County proposes any amendment to the Gaston County Historic Preservation Commission Ordinance, it will provide the City of Lowell written notice of the proposed amendment and provide the City of Lowell reasonable opportunity to review and comment on the proposed amendment before the County holds a public hearing on the amendment.

3. Funding Commission

As established in the Ordinance creating the Historic Preservation Commission and subsequent amendments, the County will provide the staffing, materials, and funding it deems necessary to support the Commission's basic duties.

4. Termination of Agreement

The City of Lowell may terminate this agreement by providing the County a 90-day written notice of its intent to terminate. The County may terminate this Agreement by providing the City with a 90-day written notice of its intent to terminate. Any landmarks within the jurisdiction of the City of Lowell after withdrawal from the Agreement become the responsibility of the City of Lowell, provided that it has passed an ordinance to create a local preservation commission. Landmarks in the jurisdiction of the City of Lowell with no preservation commission will be de-designated by the Gaston County Historic Preservation Commission.

5. Entire Agreement

This Agreement constitutes the entire agreement between the Parties and it supersedes any and all prior representations and agreements, whether oral or written, between the Parties. No such prior representations or agreements may be offered or considered to vary the terms of this Agreement, or to determine the meaning of any of its provisions.

6. Severability

In the event that any provision of this Agreement is declared invalid for any reason by a court of competent jurisdiction, said finding will not affect the remaining provisions of this Agreement.

7. No Third-Party Beneficiaries

This Agreement is binding upon all Parties hereto, by and through their officials, agents, employees, and successors. This Agreement is enforceable only by the Parties. No person or entity is intended to be a third-party beneficiary of the provisions of the Agreement for purposes of any civil, criminal, or administrative action, and accordingly, no person or entity may assert any claim or fight as a beneficiary or protected class under the Agreement.

8. Rights of Third-Parties

This Agreement is not intended to impair or expand the rights of any person or organization seeking relief against the County or the City, or any officer or employee thereof, for their conduct or the conduct of any officer or employee. Accordingly, it does not alter legal standards governing any such claims by third parties, including those arising under state or federal law.

9. Effective Date

This Agreement shall become effective between the County and the City of Lowell after adoption by both the County Board of Commissioners and the governing body of the City of Lowell.

Sandy Railey
Mayor, City of Lowell

Date

ATTEST

Cheryl Ramsey
City Clerk

Date

APPROVED AS TO FORM:

John Russell, Jr.
City Attorney

Date

Chad Brown, Chairman
Gaston County Board of Commissioners

Date

ATTEST

Donna Buff
County Clerk

Date

APPROVED AS TO FORM:

Bill Stetzer
County Attorney

Date