



**CITY OF LOWELL  
COUNCIL MEETING AGENDA  
TUESDAY, OCTOBER 11, 2022, 6:00 P.M.**

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- 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 September 13, 2022 (p. 1-7)
- 6. CONSENT AGENDA**
  - A. Planning Department and GIS Report (p. 8-11)
  - B. Public Works Report (p. 12)
  - C. Finance Department Report (p. 13-15)
  - D. Police Department Report (p. 16-17)
  - E. Parks and Recreation Report (p. 18-19)
- 7. NEW BUSINESS**
  - A. Presentation of Bob Bolick Park and Harold Rankin Park Master Plan and Consideration to Adopt (p. 20-23)
  - B. Consideration of Duke Power Equipment Placement Agreement (p. 24-32)
  - C. CDBG-NR Community Center Construction Bid Tabulations and Selection of Contractor (p. 33-34)
  - D. Consideration of FY 22-23 Fee Schedule Update for Planning and Zoning Fees (p. 35-37)
- 8. CITY ATTORNEY REPORT**
- 9. CITY MANAGER REPORT**
- 10. MAYOR AND CITY COUNCIL GENERAL DISCUSSION**
- 11. ADJOURN**

# MINUTES

Lowell City Council

Regular Meeting

Tuesday, September 13, 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, 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

Mr. Attaway made Council aware of section 9H to be added to the agenda. Mayor Pro Temp Smith made a motion to accept the agenda, seconded by Councilmember Gillespie. The vote was unanimously in favor.

IV. **PUBLIC COMMENTS** – Mayor Railey wanted the audience to be aware that the role of Council is to hear comments from the public and not to go back and forth in discussions with those electing to speak. If additional discussions need to be made regarding the subject, Council will seek out those persons and talk to them individually but not during this portion of the meeting. Mr. Attaway added that if anyone elects to speak regarding the two text amendments later this evening, it would be open for the public to speak. No individuals elected to speak during this time.

## V. APPROVAL OF MINUTES

A. Minutes from Council Meeting held August 8, 2022. Councilmember Funderburk made a motion to approve the minutes, seconded by Mayor Pro Temp Smith. The vote was unanimously in favor.

## VI. SPECIAL PRESENTATION

- A. Welcoming of the Lowell Citizens Academy Class of 2023 – One of the four participants was in attendance and was greeted by the Mayor.
- B. Arbor Day Proclamation – read by Mayor Railey.
- C. Hispanic Heritage Month Proclamation – read by Mayor Railey.

**VII. CONSENT AGENDA** – Mr. Attaway made note of a typo to 7F. The Text Amendment was corrected from “Gastonia County” to “Gaston County”.

- A. Planning Department and GIS Report – Councilmember Funderburk asked if there is a specific day that employees go out to view/inspect properties, buildings, and homes. Mr. Attaway said that it is based off call volume, email submittals, and complaints that come into the office.
- B. Public Works Report
- C. Finance Department Report
- D. Police Department Report
- E. Parks and Recreation Report
- F. Designation of a Lowell Police Chief to make recommendations to the NC ABC Control Commission on ABC Permit Applications.

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

**VIII. UNFINISHED BUSINESS**

- A. Public Hearing for Rezoning Case #RZ22-03 Regarding Parcel ID #'s 202167, 202166, 135144, 210660, 136564, and 202774 from the Zoning Districts of SFR-2 and SFR-3 to the CZ/SFR-4 Zoning District. Councilmember Funderburk made a motion to go into the Public Hearing, seconded by Councilmember Fulbright. The vote was unanimously in favor. Joe Gates then presented the conditional rezoning case. He stated this case is a continuation of what was brought forth to Council in the last few months. The Pulte Group has come forward to rezone this area and parcels for a conditional rezoning for a residential development. Pulte has had their public meetings and subsequently amended their application to decrease the amount of land from the original application based on them. They are still proposing the same total amount of units at 422 and they are still proposing same zoning classifications as before. A list of conditions was attached to the rezoning after a review from staff and input from other agencies like Catawba River and others who attended the public meeting. There were no questions from the council nor the audience at this time.

Bridgette Grant, Land Use Consultant with Moore & Van Allen Law Firm, gave a brief presentation about the project as well. She is working with Melissa Oliver from the Pulte Group. Ms. Grant talked of the different conditions to the amendment including: with the reduction of land they were able to reduce the number of homes from 490 to 422, the density remained the same at 1.86 dwelling units per acre, ability to use the smaller lots to create larger protected open spaces and increase the buffers along the conservation area, increased the tree save with open space and also have some contributions to the Thread Trail. She stated the revised overall site plan was intended to leave the balance of the site to not develop that area and keep the preservation of the area intact. Mr. Attaway added that rainwater flows directly to the South Fork River. With no questions from the audience, Councilmember Bonham made a motion to close the public hearing, seconded by Councilmember Funderburk. The vote was unanimously in favor.

Councilmember Bonham then made a motion to approve Ordinance No. 5-2022. He stated this amendment is reasonable because the subject property allows for the growth and expansion of neighborhoods supporting the local economic base of the City while improving access to quality

open spaces and environmental amenities to improve the quality of life for Lowell residents. The motion was seconded by Mayor Pro Temp Smith. Councilmember Funderburk thanked Pulte Group for working with the Catawba Land Conservatory and that makes her as well as the residents feel better. She still has concerns about the traffic issues. Councilmember Fulbright also thanked Pulte for their work with the Catawba Land Conservatory and also has concerns with the pending traffic issues but understood the reasoning behind the decisions of the Department of Transportation (DOT). With no other discussion, the vote was unanimously in favor.

- B. Public Hearing for Consideration of Text Amendment to Lowell Development Ordinance Article 8, Table 8.1 Regarding Beauty Shops and Barber Shops. Councilmember Funderburk made a motion to go into the public hearing, seconded by Councilmember Bonham. The vote was unanimously in favor. Presented by Joe Gates. He noted that in the July meeting a draft of this text amendment was presented regarding the shops in the Main Street zoning districts. This amendment caps the number of beauty and barber shops currently have downtown and that number can't be increased. With no discussion from the audience or council, Councilmember Funderburk made a motion to close the public hearing, seconded by Councilmember Bonham. The vote was unanimously in favor. Councilmember Funderburk then made a motion to accept the text amendment to Lowell Development Ordinance Article 8, Table 8.1 Regarding Beauty Shops and Barber Shops, seconded by Councilmember Funderburk. The vote was unanimously in favor.

## **IX. NEW BUSINESS**

- A. McCord Park update – presented by Mr. Attaway. In the FY23 Budget, the City allotted \$18,000 for this park to get the landscaping done to which a shade structures will consume all of that for their work. We tried for 6-9 months during the budget process to get quotes from the private sector with no bids received. Public Works Department decided to do as much of the work as possible. We are waiting on the contracting and subcontracting quotes. We are getting quotes now on shade structures which will necessitate a budget amendment or to move funds around for the completion or using ARPA funds. The Finance Director is tabulating expenditures to see where we are in the budget or use of these funds. Will try to bring more information to the Oct hearing and a recommended budget amount to finish the job. The other timeline for the project is all the planning. Councilmen Bonham asked if there will be a stage there. Mr. Attaway said yes, and it will be on a slab. Councilmember Funderburk and Fulbright asked if that is permanent? Mr. Attaway stated Cristy Cummings, Parks and Rec Director is looking into both permanent and removable options. Mr. Attaway then shared the design map of the location showing seating, benches, trees, and shrubbery. Councilmember Funderburk asked when the trees in the area will be cut. Mr. Attaway said that will be contingent upon the tree farmers recommendation on when they want to do it. Would think in late September or early October when it's a little cooler.
- B. Consideration of Lowell Water and Sewer CIP Update – Presented by Mr. Attaway giving the background. He reminded Council that they went through the update on the Lowell Water Sewer plan during this past fiscal year budget. What is needed to be done this evening is to conduct a study for a preconstruction planning grant for the project regarding the wastewater interconnection with Two Rivers Utilities. The grant awards a maximum \$400,000 and the City is applying to receive all. When staff met with NC Department of Environmental Quality (DEQ), it was recommended to also apply for the actual construction grant as well. This is for \$10 million. The 2019 study was reviewed by the City Engineer (Labella) for the Lowell 2030-35 timeline and will work with staff on the grant application. The grant requires applications be submitted by

September 30, 2022 and include the CIP amendment with the application. With no questions, Councilmember Bonham made a motion to approve updating the revised City of Lowell CIP, seconded by Councilmember Funderburk. The vote was unanimously in favor.

- C. Consideration of Resolution RS10-2022 for Preconstruction Planning Grant for a Wastewater Interconnection with Two Rivers Utilities – Presented by Mr. Attaway. This is the grant submittal requirement for the \$400,000 grant Lowell is applying for. Councilmember Funderburk asked how long it takes to get the funds. Mr. Attaway said approximately four months if approved and it is based on the submittals of other areas. Councilmember Bonham made a motion to approve the Resolution RS10-2022 for Preconstruction Planning Grant for a Wastewater Interconnection with Two Rivers Utilities, seconded by Mayor Pro Temp. Councilmember Gillespie asked if we are not awarded this grant, would we have to go through a loan. Mr. Attaway stated we would evaluate that at that time. The vote was unanimously in favor.
- D. Consideration of Resolution RS11-2022 for Construction Grant for a Wastewater Interconnection with Two Rivers Utilities. This is the grant submittal requirement for the \$10 million grant. Councilmember Bonham made a motion to approve Resolution RS11-2022 for Construction Grant for a Wastewater Interconnection with Two Rivers Utilities, seconded by Councilmember Funderburk. The vote was unanimously in favor.
- E. Consideration of Contract Extension with Centralina Council of Governments for CDBG-NR Construction Management Services. – Presented by Mr. Attaway. This is essentially a contract extension from January 1, 2021 to January 1, 2023 to avoid spending as much of the CDBG funds on the management of the project instead of the actual work of it due to delays. The delay comes from the Community Center and getting bids on the work needed. The City currently has a bid advertisement out for the Community Center that is due September 26 with at least one or two interested parties. We have to have at least two to bid. The Centralina contract amount is now increased from \$50,425 to \$67,233 coming from CDBG grant funds. Councilmember Fulbright asked what would happen if the work is not completed by the due date. Mr. Attaway stated that there would then be an issue with the Department of Commerce for not finishing by June 30, 2023 as we have already had extensions in the past. Earlier extensions were due to COVID and now the issues are more related to the lack of bid interest. Staff has narrowed down the scopes to be more concise in the hopes of obtaining more bids. Mayor Pro Temp made a motion to consider a contract extension with Centralina Council of Governments for CDBG-NR Construction Management Services, seconded by Councilmember Bonham. The vote was unanimously in favor.
- F. Interdepartmental Transfers for FY Budget 22 within the General Fund and the Water/Sewer Fund. Section 9 of the Budget Ordinance allows the transfer between departments within the same fund, including contingency appropriations, not to exceed 10% of the appropriated monies for the department whose allocation is reduced. The next meeting will show exactly what was done and he showed where we currently are in terms of the budget. For FY22 Public Safety had a large surplus due to the lack of filling a position and continue to search for another Police Officer, leaving salary funds available. There were appropriations from Administration that needed the interdepartmental transfers. Overall, when excluding the Powell Bill because that budgeted amount cannot change, the City is in good shape due to the unfillable positions and being fiscally conservative with the budget. A motion was not needed-Information purposes only.
- G. Consideration of Appointment of Jessica Holbrook, on behalf of Tech @ Lowell Library, and Anne Massey, City Resident, as members of the Lowell Community Committee (LCC) for the

City of Lowell. Councilmember Gillespie made a motion to consider the appointment of Jessica Holbrook, who is here tonight, and Anne Massey, City Resident, as members of the Lowell Community Committee (LCC), seconded by Mayor Pro Temp Smith. Mr. Attaway added that he spoke with Cristy Cummings regarding their bylaws that you have to be a Lowell resident or business owner. Jessica runs the local library and works on a lot of events with Cristy. He thought it fitting that she be a part of this group. The vote was unanimously in favor.

H. Consideration of Text Amendment to the Lowell Code of Ordinances Chapter 94-Litter Ordinance. Update to add Section 94.20 and create new text addressing pet waste and add definitions to Section 94.02. - Presented by Joe Gates. He stated this was noticed during the end of year review. This is in regard to a subsection to include pet wastes, disposal criteria and would add a new Section 94 in order to stay in compliance. Other towns around NC also include this language. Councilmember Funderburk asked if this is in general or on City property. Mr. Gates said the ordinance states that all pet owners are the responsible party and are responsible to pick up and properly dispose of waste left by their pets. Councilmember Gillespie asked if there have been issues called in. Mr. Attaway said it is not complaint-based but a requirement of the State for the Stormwater Management plan. Mr. Gates stated the focus is to keep it out of the stormwater. Councilmember Fulbright asked what happens if we do not comply. Mr. Attaway said there will be monetary fines if we are not in compliance. Councilmember Gillespie asked who will enforce the law, they will not actively look for problems but if there is a call, there will be a recourse for the situation. Mr. Attaway said Mr. Gates, Planning Director, will. Councilmember Bonham made a motion to consider a Text Amendment to the Lowell Code of Ordinances Chapter 94-Litter Ordinance. Update to add Section 94.20 and create new text addressing pet waste and add definitions to Section 94.02, seconded by Councilmember Funderburk. The vote was Gillespie, Smith, Funderburk, and Bonham for and Fulbright against.

X. **CITY ATTORNEY REPORT** – One update regarding the Labro property that there is a signed contract for the property in place with a court date of September 26 in Gaston County. He was not able to get the name of the owner but will provide information to Council as he receives it.

XI. **CITY MANAGER REPORT** –

- A. Community Center bid opening for repairs on the exterior will take place on September 26, 2022 at 2:00 pm.
- B. Attended Two Rivers Vitality Board Meeting which is held annually. Discussed their upcoming plans to do a rate/usage study. We will see who will be selected to perform the study around the first of the year.
- C. Water System Lead and Copper Rule update. The City is due to have a lead service inventory and placement strategy by October 6, 2024 required by the EPA. A lot of information to digest and Two Rivers has recommended hiring a consultant to help with the daunting task to help with staff in-house.
- D. Stormwater MS4 Update – A 30-day extension was granted the City to submit the update. Staff has about 3 weeks to submit this annual report.
- E. The City of Lowell was granted an AmeriCorp Member from Regional Stormwater Partnership of the Carolinas. Mr. Gates met with the representative last week. She may come into the office to work or work remotely, and it doesn't cost the city anything. Mr. Gates added that she will

mostly be used for public outreach with schools in our jurisdiction and community. She is also a former teacher.

F. Software Updates:

1. Launched new website with ProudCity and received positive feedback about looks and ease of use.
2. Polimorphic is moving along with the utility side software and the platform Joe Gates is working with them on updates specific to Planning Zoning. Polimorphic is working with Southern Software for utility building updates as well.
3. Will be looking into a new agenda creation software to help with the time consuming task of preparing the agenda monthly.

G. Will be taking on two appointments with the NC City and County Managers Association (NCCMA). One with the program committee and the other with the Master of Public Administration (MPA) Collaboration working with other MPA programs in the NC regions to get students more involved for the future. Good way to get interns and help on projects. Mr. Gates is scheduled to speak at his son's school about the prospects of working for a municipality.

H. NCLM Legislative Listening Goals Sessions for Council members to possibly attend. He asked if any members are interested to let him know if they are interested in attending one of the upcoming three meetings to build the Legislative agenda from Lowell's perspective.

I. Economic Development in the East Update from the Gaston Chamber. A breakfast meeting will be held September 22, 2022, and we are scheduled to attend if interested.

J. Aesthetics and Betterments survey was completed by Council and a Managers meeting will be held on September 27, 2022, to go over the results and he will report on the results of Gaston County selections. Councilmember Funderburk asked if we have to participate in the work that will be done. Mr. Attaway said no and we could just accept the results.

K. He noted that Mr. Stroupe, GIS Analyst, put together a map of the 2022-2026 highway maintenance improvement programs or State roads. Some scheduling of the resurfacing of streets are scheduled in each year. Councilmember Funderburk asked about the consistent potholes on Groves Street and DOT's responsibilities. Mr. Attaway said they have to do testing to determine if they will be able to do the repairs and how quickly they can begin but Public Works has done some of the work themselves for safety purposes.

## **XII. MAYOR AND CITY COUNCIL GENERAL DISCUSSION**

A. Councilmember Gillespie wanted to address the Northpointe progression and their plans for a park on about 4 acres of land. He requested that when naming the new park, it should be considered to name it after a Black person so the history of the community will be represented. He suggested his father as a possibility having been the first Black person on the Lowell City Council. Mr. Attaway said he believe the area will be donated to the city and he will bring that information back to the City. Councilmember Gillespie also mentioned Larry Marr for a possible name for the park.

B. Councilmember Funderburk asked Mr. Attaway about the \$10,000 to Montcross Area Chamber of Commerce (Belmont). Mr. Attaway said we did execute that. He said we'll have a formal report on the progress soon. She also mentioned NorthPoint in a meeting they were talking about the park they are doing. She said that NorthPoint worked on two homeowners who didn't get their way initially but didn't work on others to get what they needed. She didn't think they were being fair and she saw them in a different light now.

- C. Councilmember Fulbright stated that she knew one of the two women who were getting updates from NorthPoint and thought they were very fair and showed character. She also mentioned, regarding the naming of parks, that there are not any named by a woman either.
- D. Mayor Railey thanked everyone for coming and specifically thanked the Police Department for a successful drug bust recently.

*Councilmember Funderburk made a motion for a quick break before the closed session, seconded by Councilmember Bonham at 7:30pm. The vote was unanimously in favor. Closed Session resumed at 7:36*

**XIII. CLOSED SESSION**

- A. To discuss the Acquisition of Real Property Pursuant to NCGS 143-318.11(a)(5)  
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.

- XIV. ADJOURN** – Motion to adjourn was made by Councilmember Fulbright, seconded by Councilmember Funderburk. The vote was unanimously in favor. Adjourned at 7:53pm

ATTEST:

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Sandy Railey, Mayor

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Cheryl Ramsey, City Clerk





**To:** Scott Attaway, City Manager

**From:** Joe Gates, Planning Director

**Date:** Friday, October 7, 2022

**Re:** Monthly Department Update

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**Code Enforcement:**

Staff is scheduling inspections with Gaston County Building Inspection to address some minimum housing requests and commercial building maintenance. Staff addressed several grass and junk complaints during the month of September.

**Zoning:**

The Zoning Department issued 7 permits this month consisting of demolitions permits and 2 new commercial building structures (Gaston Christian Cafeteria and Toyota of Gastonia Building addition.) Both projects should be breaking ground in the coming months.

Staff is continuing to review site plans and plats as they are submitted. Two site plans were completed and stamped for approval in September. Staff has also began reviewing the preliminary plat for the Grove Street/Lowell Townhome project. This is another True Home development with approximately 190 townhomes units.

Staff is continuing their work with Polimorphic to build out the various processes associated with development and enforcement. Staff has made significant headway on identifying the various processes and permit types that will be needed. Staff has also been working on creating new fillable forms and information for the citizens and applicants to make the process as easy and streamlined as possible. Weekly progress calls have been scheduled to keep up progress and assure a timely implementation of the new software.

**Planning:**

Staff attended the GCAMP (Gaston County Area Municipal Planners) meeting this month.

Staff attended the GBA Collaborate: Economic Development in the East meeting with several council members in attendance.

Staff did not receive any submissions to the Planning Board and there regularly scheduled meeting for October 2022 was cancelled.

**Stormwater:**

Staff attended a School Career Day at Gaston Christian School on 09-16-2022. Staff was able to educate almost 600 students (K-5<sup>th</sup> grade) on subject of stormwater and other services that the City provides to its citizens.

Staff attended APWA Stormwater conference on September 19-20<sup>th</sup> in Winston Salem. Staff attended multiple sessions over the course of the conference and looks forward to implementing some practices into Lowell's enforcement and administration of the stormwater ordinance.

Staff completed and submitted the Annual Assessment for the MS4 permit to NCDEQ. Staff is still waiting on comments from NCDEQ regarding the submission.



**To:** Scott Attaway, City Manager

**From:** Todd Stroupe, GIS Analyst

**Date:** October 5, 2022

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

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### Meetings and Events

- Attended virtual 2022 Fall Quarterly Local Government (LGC) Meeting.
- Attended September City of Lowell Council Meeting.
- Participated in Gaston Business Association Collaborate: Economic Development in the East meeting.

### Digital and Online Mapping

- Generated potential stencil locations for stormwater education and outreach map.
- Generated potential new municipal building map.
- Updated McCord Park map with new landscaping, pathway, and garden bed area design.
- Updated official zoning map with new conditional zoning district and zoning designation.
- Generated tactical road modification maps for Downtown Lowell Plan.
- Generated road closure map for Fall Festival
- Developed City of Lowell Parks and Recreation interactive web map of park boundaries, trails, and park amenities for public use.
- Developed City of Lowell Zoning interactive web map of zoning districts and Gaston County parcels for public use.
- Developed City of Lowell Trash Pick-Up Schedule interactive web map for public use.
- Developed City of Lowell Downtown Businesses and Parking interactive web map for public use.

### Stormwater

- Worked with staff to complete Annual 2022 MS4 Self-Assessment.
- Worked with staff to complete Lowell Illicit Discharge Detection and Elimination Plan.
- Worked with staff to complete vehicle equipment washing SOP and checklists.
- Worked with staff to complete leaf collection SOP and sweep log.
- Created stormwater conveyance, inlets, and outlets web layers for stormwater infrastructure field collection.

- Continue to work on 2023 (Permit Year 2) MS4 Self-Assessment.
- Plan to kickoff stormwater mapping in October.

Other (Data Management, ETC.)

- Worked with staff to update trash pick-up street schedule.
- Performed monthly parcel, address points, streets data download and from Gaston County GIS to update the City's online layers.
- Continue to work on City of Lowell's Online GIS Hub.



**To:** Scott Attaway, City Manager

**From:** Thomas Shrewsbury, Public Works

**Date:** October 4, 2022

**Re:** Monthly report

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- Public Works crews helped with grading, irrigation and laying sod at McCord Park.
- Street Department staff worked on cleaning up curb, gutter, and sidewalks on W. First Street.
- Water Dept crews repaired leaks at the following locations.
  - Replace broken cut off at 603 Caroline Ave.
  - 2 in line break at 305 E. First Street.
  - 2 in line break at 809 McAdenville Ave.
  - 1 inch line break on N. Church Street
  - 2 in line break at 109 Railroad Street
- 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 worked with Waste Water Treatment Plant operators to remove sludge from the plant and begin cleaning drying beds out.
- Water Department replaced a fire hydrant at the intersection of Power Drive and Lowell Road.



**To:** Scott Attaway, City Manager

**From:** Lisa Nolen, Finance Director

**Date:** October 4, 2022

**Re:** Finance Update

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**Utility Billing:**

Completed training for conversion to the updated Mueller/Sentryx Infrastructure Network System.

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:**

Reconciling cash balance in Southern 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. Meetings with Centralina on ARPA grant money. Processing and paying bills. Completing other tasks as needed.

City of Lowell, North Carolina  
 FY 2023 Dashboard  
 7/31/2022

Department	Budget	YTD thru 7/31/2022	Budget Remaining	Percent Remaining	Percent of FY23 Remaining
<b>General Fund</b>					
Administration	996,649.00	59,304.46	937,344.54	94%	92%
Public Safety	1,165,063.00	87,996.90	1,077,066.10	92%	92%
Public Works	355,212.00	20,613.01	334,598.99	94%	92%
Sanitation	334,202.00	31,544.60	302,657.40	91%	92%
Parks	315,260.00	(980.44)	316,240.44	100%	92%
Powell Bill	88,000.00	-	88,000.00	100%	92%
<b>Total</b>	<b>3,254,386.00</b>	<b>198,478.53</b>	<b>3,055,907.47</b>	<b>94%</b>	<b>92%</b>
<b>Water/Sewer Fund</b>					
Water/Sewer	1,313,222.00	102,717.56	1,210,504.44	92%	92%
Wastewater Treatment	382,860.00	20,971.98	361,888.02	95%	92%
<b>Total</b>	<b>1,696,082.00</b>	<b>123,689.54</b>	<b>1,572,392.46</b>	<b>93%</b>	<b>92%</b>
<b>Stormwater Fund</b>					
Stormwater	392,919.00	18,983.94	373,935.06	95%	92%
<b>Total</b>	<b>392,919.00</b>	<b>18,983.94</b>	<b>373,935.06</b>	<b>95%</b>	<b>92%</b>

Notes:  
 None

Credit balance in Parks is due to accrued payable for the Master Plan from FY 2022.

City of Lowell, North Carolina  
 FY 2023 Revenue Dashboard  
 7/31/2022

Type	Budget	YTD thru 7/31/2022	Budget Remaining	Percent Remaining	Percent of FY23 Remaining
<b>General Fund</b>					
General Fund	3,254,386.00	118,804.57	3,135,581.43	96%	92%
Water/Sewer Fund	1,696,082.00	122,649.58	1,573,432.42	93%	92%
Stormwater Fund	392,919.00	27,625.50	365,293.50	93%	92%
<b>Total</b>	<b>5,343,387.00</b>	<b>269,079.65</b>	<b>5,074,307.35</b>	<b>95%</b>	<b>92%</b>

Notes:  
 None





**To:** Scott Attaway, City Manager

**From:** Carl Moore, Police Chief

**Date:** October 5, 2022

**Re:** Police Department Update

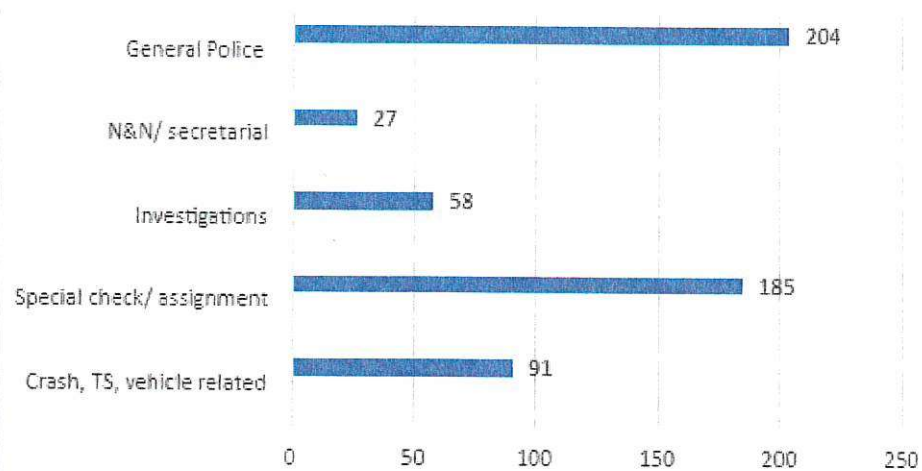
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The officers of the Lowell Police Department responded to 571 calls for service in September. That's up from 508 for September on 2021 and 417 in 2020. The calls for service have steadily increased since activity has returned to normal following the Covid shutdowns. This is indicative of a growing community and region and there is no indication of that changing. Officers documented 183 special checks this month showing continued efforts at crime prevention by patrol. Another way to prevent crime is through our community watch program. We hope to get back up and running very soon. A new supervisor has taken that role and they are working diligently to learn the new duties.

Sergeant Bowen received her Advanced Law Enforcement Certification in September. This certification is issued by the North Carolina Criminal Justice Education and Training Standards Commission. It required hundreds of hours of training along with years of honorable service to receive the certification. It shows her dedication to law enforcement and the City of Lowell. Sergeant Bowens certification marks the second such award granted to Lowell Police Officers under Chief Moore.

Cadet Kohl Scott is doing well in his BLET training. He has passed all of his classes taken so far with flying colors. He has completed extremely hard blocks such as Criminal Law, Constitutional Law and Firearms just to name a few. He is still on course to be graduated, sworn, and in field training by the year's end.

### SEPTEMBER CALLS BY TYPE



### Call history by year

**2022- 571**

**2021- 508**

**2020- 417**



**To:** Scott Attaway, City Manager

**From:** Cristy Cummings, Parks and Recreation Director

**Date:** September 30, 2022

**Re:** Parks and Recreation Monthly Report

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**Events:**

- Advertising and day-of coordination for Trucks in the Park
- Advertising and day-of coordination for Arbor Day Celebration
- Planning and advertising for River Sweep
- Communications with Catawba Riverkeeper and virtual meetings re:River Sweep
- Planning and advertising for Adult Senior Recess
- Planning and advertising for Fall Festival
- Planning and advertising for Treat Walk
- Scheduling and advertising for Mobile Mammogram Bus with CaroMont Health
- Currently working on rescheduling River Sweep and scheduling Veteran's Day event with LCC
- Creation of Christmas Parade Registration Form – set safety meeting with PD and Public Works on street closures and barricades.

**Athletics:**

- Communications with parents regarding soccer
- Coaching 5-6 soccer team
- Distribution of uniforms and schedules
- Cutting on and off lights for field rentals

**Projects:**

- Website training
- Adding content, photos, documents, and forms to new website
- Launched new website
- Harold Rankin Park and Bob Bolick Park Master Plan meeting and revisions
- Met with contractors on Community Center project bids

**General:**

- Attended Staff Meeting
- Attended Safety Meeting
- Attended an Employee Wellness Services meeting with CaroMont Health
- Attended meeting with Gaston County municipal Event Coordinators

- Attended Stormwater meeting regarding community outreach
- Parks and Recreation Director started Leadership Gaston program
- Attended Council Meeting
- Picked up trash
- Locking and unlocking bathrooms

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**AGENDA ITEM INFORMATION**

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**AGENDA ITEM #:** 7-A

**DESCRIPTION:** PRESENTATION OF BOB BOLICK PARK AND HAROLD  
RANKIN PARK MASTER PLAN AND CONSIDERATION TO  
ADOPT

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Please see the attached memo from the Parks and Recreation Director.



**To:** Scott Attaway, City Manager

**From:** Cristy Cummings, Parks and Recreation Director

**Date:** October 6, 2022

**Re:** Presentation of draft Master Plans of Bob Bolick and Harold Rankin Park and possible adoption of the Master Plans

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The City of Lowell has contracted with WithersRavenel to complete Master Park Plans for Harold Rankin Park and Bob Bolick Park. The City of Lowell solicited feedback from the Community for these two parks through a website survey for each of the parks, facebook comments, two separate public workshops at both Bob Bolick Park and Harold Rankin Park, and at Music in the Park – Teen Edition. Information on the workshops and surveys was also put into the City’s quarterly newsletter, a City-wide robo call, yard signs at the parks on the week of the events, Music in the Park – Echo:13, community bulletin boards, and on the letterboard at Harold Rankin Park.

The proposed Master Plans were presented to the Lowell Community Committee at the September 26, 2022 meeting and they recommended to submit the draft plans to the City Council without any changes.

Staff recommends submitting the draft Master Plans to City Council for their approval.

**CONCEPT**

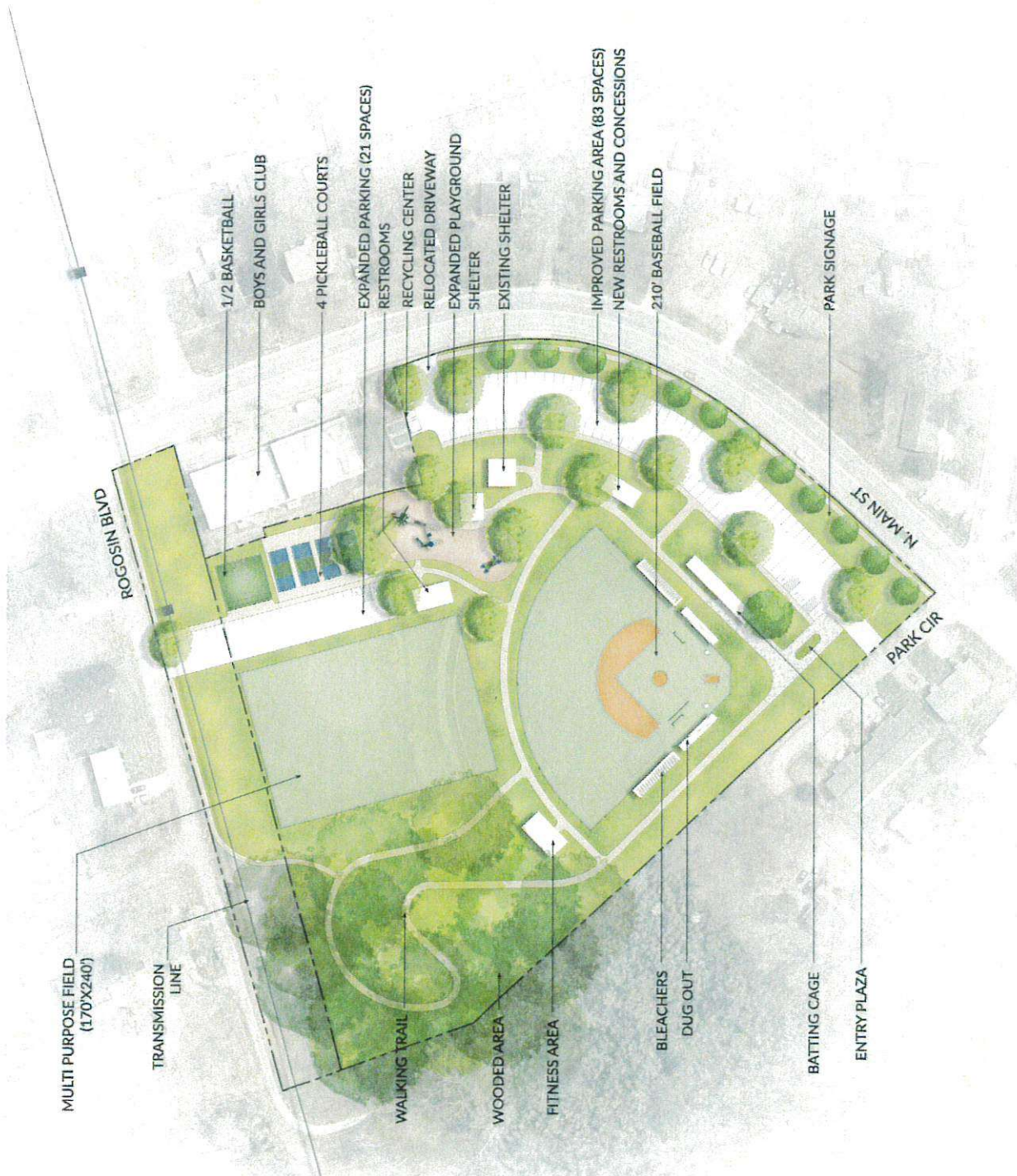
- 36 PARKING SPACES WITH 2 HANDICAP SPACES
- NEW BASKETBALL COURT
- PICNIC SHELTER WITH RESTROOM FACILITIES
- SPLASH PAD
- NEW PLAYGROUND
- NEW WALKS
- FENCE ALONG TRACKS



**CONCEPT PLAN**  
**BOB BOLICK PARK MASTERPLAN/LOWELL, NORTH CAROLINA**

**CONCEPT**

- IMPROVED/EXPANDED PARKING
- RELOCATED DRIVE
- MULTIPURPOSE FIELD
- SHIFTED/SHORTENED BASEBALL FIELD
- WALKING TRAIL
- 4 PICKLEBALL COURTS
- RESTROOMS
- EXPANDED PLAYGROUND
- SHELTER
- BLEACHERS



**CONCEPT PLAN**  
 HAROLD RANKIN PARK MASTERPLAN/LOWELL, NORTH CAROLINA



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## AGENDA ITEM INFORMATION

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**AGENDA ITEM #:** 7-B

**DESCRIPTION:** CONSIDERATION OF DUKE POWER EQUIPMENT  
PLACEMENT AGREEMENT

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Plug and Park NC with Duke Energy contacted the City about locating two Rapid Charging Electric Vehicle (EV) stations within the City that have a close proximity to I-85. Staff has met with representatives from Duke Energy on site at Harold Rankin Park to identify the best location for these EV stations.

I have included the proposed agreement from Duke Energy. Staff recommends approval to proceed with this agreement.

## Equipment Placement Agreement (DCFC)

Site Name: **City of Lowell**

SiteTracker Project No.: **P-001609**

Maximo WO: **41613170**

Utility: **NC-DEC**

Project Manager – **Eric Kennedy** – 704.773.3694 – [ekennedy@McKimCreed.com](mailto:ekennedy@McKimCreed.com)

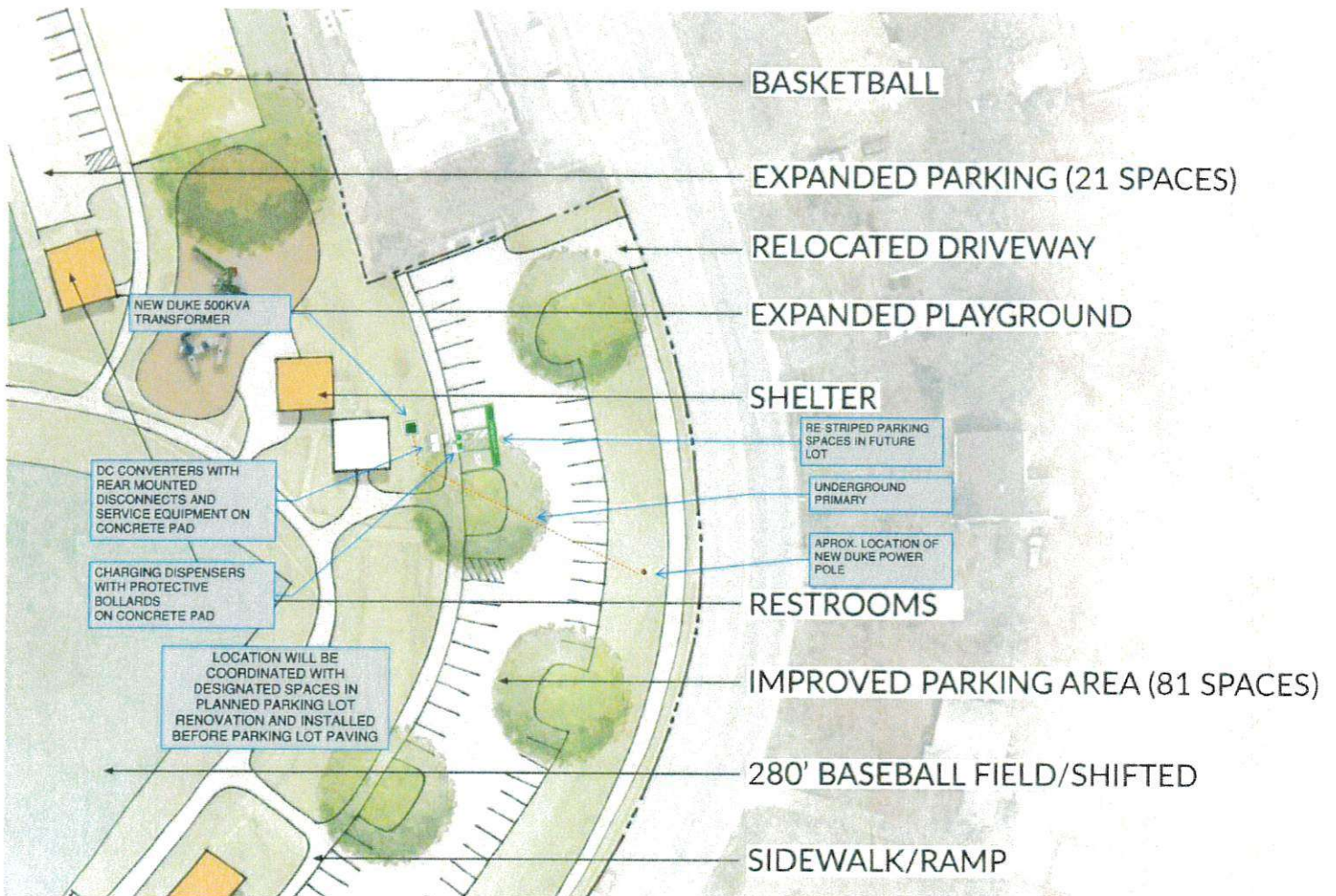
Site Host: **Scott Attaway** – 910.840.6857 [sattaway@lowellinc.com](mailto:sattaway@lowellinc.com)

Duke Engineer: **Greg Tibbs** – [greg.tibbs@duke-energy.com](mailto:greg.tibbs@duke-energy.com)

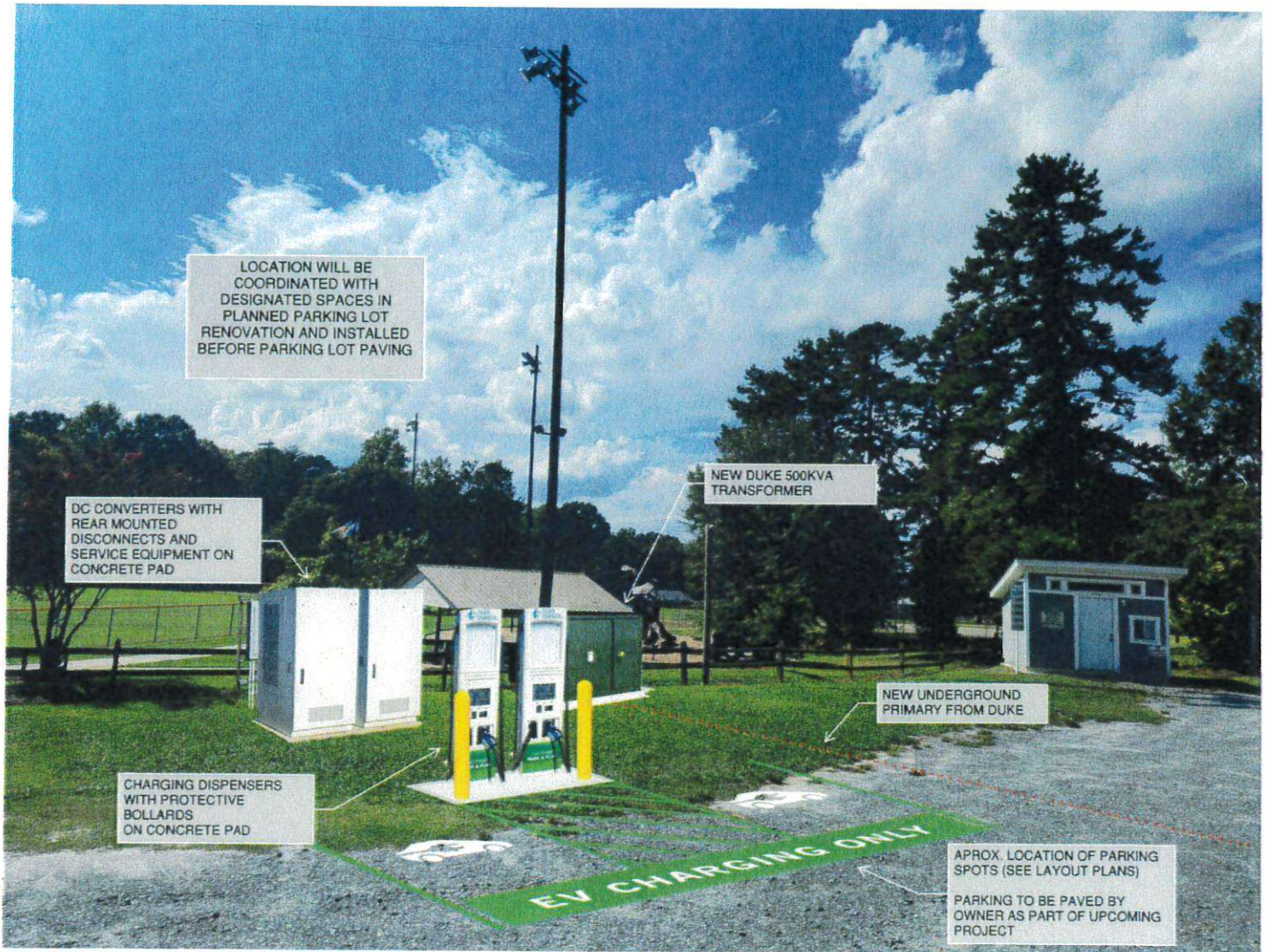
Site Location: 519 Park Cir, Lowell, NC 28098

County: **Gaston County**

Date of site visit: **9/22/2022**



- Preliminary layout of electric vehicle chargers in proposed park renovations.



- *Equipment layout in existing un-improved parking based upon approximate location of future parking spaces.*



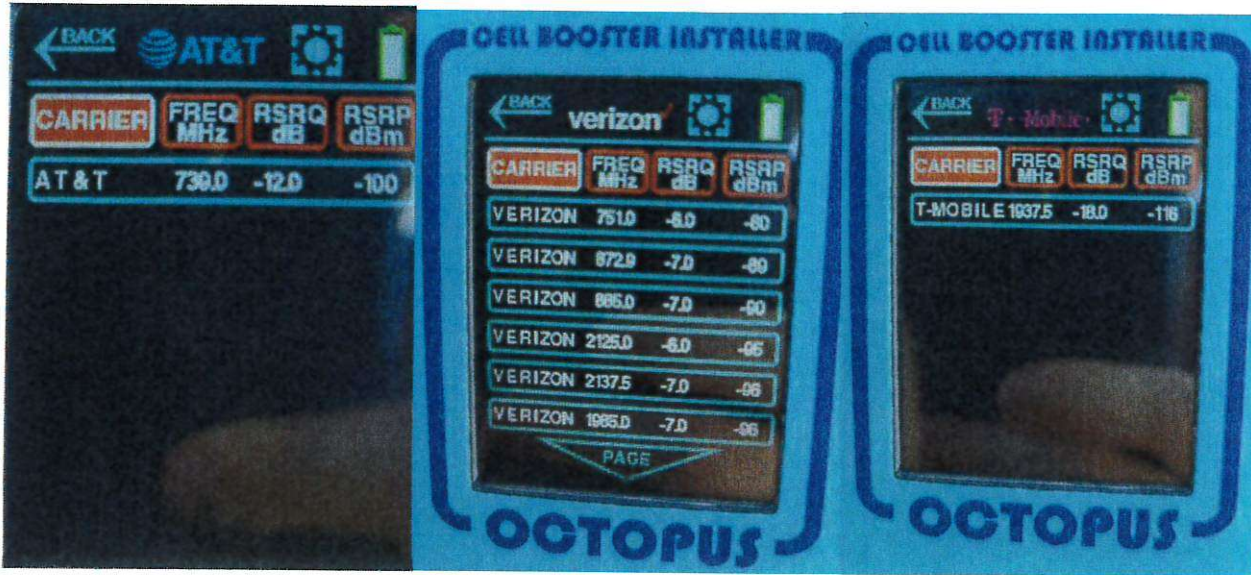
- *Approximate location of new service pole and underground primary in existing un-improved parking lot.*



Site photos:



Cellular Strength Measurements:



DESIGN APPROVALS

McKim & Creed	_____	Date	_____
Site Host Approval	_____	Date	_____
Duke PM Approval	_____	Date	_____
Duke Engineer Approval	_____	Date	_____

REVIEWER COMMENTS

**Dear Duke Energy Customer,**

Duke Energy is pleased to provide your electric service. In doing so, our goal is to meet your request with the least possible disturbance to your property without damaging any underground objects that may be present.

To provide the service you have requested, we must rely on your knowledge of any underground objects or obstructions that may impede the installation of poles, apparatus or underground facilities. You are the primary source of information about such objects or obstructions that could be damaged by Duke Energy or our contractor's equipment.

In the interest of safety and a damage-free and timely installation, please do the following:

1. Use the checklist(s) below to insure all site readiness requirements are completed.
2. Acknowledge that you understand the Electric Service Installation Provisions.

You may be responsible for any additional costs incurred by Duke Energy due to our inability to perform work on schedule as a result of the site not being ready or remaining ready until all work has been completed. If you have questions about these provisions or your electric service, please ask the Duke Energy representative handling your request. Thank you for your cooperation, and we look forward to providing you a safe and timely installation.

Site Contact Name: Scott Attaway Contact Number: (910.840.6857 - sattaway@lowellinc.com)

**Site Readiness Checklist**

**Note:** All marking/locating of lines and other customer-owned equipment must be done with flags, stakes, or paint. In accordance with 811 process all markings must be respected and protected.

CUSTOMER NAME: City of Lowell SERVICE ADDRESS(ES): 519 Park Cir, Lowell, NC 28098  
 SITE READY DATE: 9/29/2022 DATE SERVICE NEEDED (REQUIRED DATE): 11/29/2022

REQUIRED	REQUIREMENT	COMPLETED
<input type="checkbox"/>	Route clear (minimum 10 ft. width from source to meter base).	<input type="checkbox"/>
<input type="checkbox"/>	Grading within 6 inches of final or to final grade as indicated on Electric Service Installation Provisions.	<input type="checkbox"/>
<input type="checkbox"/>	Builder/Private underground obstacles (lines, tanks, tree protection zones, etc.) located and marked.	<input type="checkbox"/>
<input type="checkbox"/>	Effective July 1, 2016, Meter Socket(s)/Meter Center(s) is on the Meter Equipment Group approved list.	<input type="checkbox"/>
<input type="checkbox"/>	Self-Contained Meter Base Ready (meter base, load-side conductors, grounding rod and conductor installed).	<input type="checkbox"/>
<input type="checkbox"/>	CT cabinet / metering trough location marked/installed as indicated on CT Metering Site Readiness Checklist	<input type="checkbox"/>
<input checked="" type="checkbox"/>	I have been shown the pictures of Duke Energy's standard underground installation equipment and understand the potential impact to my property.	<input type="checkbox"/>
<input type="checkbox"/>	Large truck and/or trencher route clear to access meter base, poles, transformers, or other Duke Energy equipment.	<input type="checkbox"/>
<input type="checkbox"/>	Work only in dry conditions to prevent yard damage.	<input type="checkbox"/>
<input type="checkbox"/>	Individual Right of Way - signed and returned. All other Rights of Way – properly executed and returned.	<input type="checkbox"/>
<input type="checkbox"/>	Contribution-in-aid of construction obligation is met.	<input type="checkbox"/>
<input type="checkbox"/>	Concrete transformer pad is poured and metering conduit installed per specifications	<input type="checkbox"/>
<input type="checkbox"/>	Conduit ( <b>Gray, Schedule 40</b> ) installed, as discussed with project designer, for underground primary or service installations per specifications.	<input type="checkbox"/>
<input type="checkbox"/>	In multi-unit structures, all meter boxes are permanently and correctly marked/installed.	<input type="checkbox"/>
<input type="checkbox"/>	I have read, understood, and accepted the Electric Service Installation Provisions' terms.	<input type="checkbox"/>
<input type="checkbox"/>	As a developer, I understand my responsibilities outlined on the attached Subdivision/Multi-Family Checklist.	<input type="checkbox"/>
<input type="checkbox"/>	I have notified Duke Energy of the completion of the above Site Ready requirements.	<input type="checkbox"/>
<input type="checkbox"/>	The <b>maximum number</b> of customer conductors per phase - <b>12</b> for 750 MCM or smaller.	<input type="checkbox"/>
<input type="checkbox"/>	I have received a copy of the <b>Duke Energy Pad Mounted Transformer Building Clearance Standard</b> .	<input type="checkbox"/>
<input checked="" type="checkbox"/>	There are no known environmental hazards or contaminants on my property.	<input type="checkbox"/>
<input type="checkbox"/>		<input type="checkbox"/>

Once you have satisfied all of the requirements checked above, and if applicable on the accompanying CT Metering Site Readiness Checklist, please report to Duke Energy that your site is ready for service by calling Greg Tibbs - 704.866.5114, or, by faxing this form to greg.tibbs@duke-energy.com, referring to Work Order # (or Customer Job #) 41613170.

By signing, I acknowledge that I am the Owner/Customer or Representative of the Owner/Customer with authority to execute this document.

Owner / Customer / Authorized Representative Signature \_\_\_\_\_ Date \_\_\_\_\_

**Your request will not be scheduled until you have completed this notification. Standard scheduling and construction lead-times must be allowed before expecting delivery of your service.**

**Thank You**



**Electric Service Installation Provisions**

WO# 41613170  
(Internal Use Only)

I, Scott Attaway, have requested that Duke Energy install above ground or underground electric service conductors at my home/business located at: 519 Park Cir, Lowell, NC 28098 In making this request, I agree to the following checked provisions:

- 1.  While Duke Energy is responsible for locating publicly owned underground utility lines (telephone, CATV, gas) I am responsible for identifying for Duke Energy or its agent the correct location of all privately-owned underground objects that might be damaged by or cause damage to Duke Energy's equipment or its contractor's equipment in the process of installation. Underground objects include, but are not limited to: **septic tanks, drain lines, drain fields, designated repair areas, water lines, irrigation lines and electrical lines not owned by Duke Energy or other publicly owned utilities.**
- 2.  Once I have physically marked the privately-owned underground objects, within + or - 24 inches, using paint, flags, or stakes, Duke Energy or its contractor will assume responsibility for avoiding damage to said objects.
- 3.  I assume full responsibility for any damage to privately-owned underground objects caused by my failure to notify or incorrectly notify Duke Energy of the location of the underground objects.
- 4.  Duke Energy or its contractor will assume responsibility for performing said installation in a professional manner by avoiding damage to obvious above ground objects such as curbs, gutters, shrubbery, sidewalks, and buildings.
- 5.  I understand the specific route of the proposed above ground or underground conductors and location of poles and/or apparatus as described by the Duke Energy representative.
- 6.  In the course of installing underground lines and equipment in areas with landscape trees, there is the probability of some root damage and I will not hold Duke Energy or its contractor responsible for damage to or the health of any trees.
- 7.  Equipment tracks and ground disturbance will result from the use of equipment necessary for the installation of above ground or underground facilities.
- 8.  Duke Energy or its contractor **will not** be responsible for providing non-standard erosion control measures, reseeding lawns or replacing gravel in the area(s) disturbed due to the installation of poles, apparatus (such as transformers or pedestals) or underground facilities.
- 9.  I understand that I am responsible for complying with any state or federal requirements related to stormwater discharge including any site stabilization measures.
- 10.  I may be required to pay a contribution in aid of construction if rock or other adverse conditions are encountered. Refer to the Line Extension Plan (copy available upon request). Costs associated with lighting installations may vary from those listed below or could potentially be less if your project involves joint installation with other utilities. These conditions include, but are not limited to, the following examples:

<u>Examples of Charges</u>	<u>Unit Cost</u>
Trench Rock, Non-blast	\$ 27.65 per cubic foot
Place clean sand/clay backfill in a standard trench	\$ 1.62 per linear foot
Provide clean sand/clay backfill from on-site or offsite	\$ Actual Cost plus 15%
Provide conduit in trench	\$ 5.02 per linear foot
Punching under roads/driveways/sidewalk	\$ 28.88 per linear foot
Mechanical tamping to avoid settling of trench	\$ 2.00 per linear foot
Rock hole pole	\$ 328.08 per pole
Rock hole anchor	\$ 277.95 per anchor
Crew delay due to customer or site conditions	\$ 125.00 per hour (\$125 min)
Engineering costs	\$ 65.00 per hour
Other: _____	\$ _____

- 11.  To meet National Electric Safety Codes, work site grading, and landscaping must be \_\_\_ at final grade or \_\_\_ within 6 inches of final grade (Duke Representative to initial appropriate item) before installation of underground facilities. Refer to the Line Extension Plan (copy available upon request).
- 12.  I understand that I may be responsible for any additional costs incurred by Duke due to Duke's inability to perform work on schedule as a result of my failure to have the site ready or remain ready until all work has been completed (\$125 minimum charge).
- 13.  I have requested that Duke Energy install underground facilities on the property listed above. In making this request, I agree to be the single point of contact for Duke Energy and agree that I may be financially responsible to Duke Energy for any damage to Duke Energy's equipment that is caused by a contractor retained by me who is uninsured or otherwise does not have the financial ability to pay for said damages.
- 14.  I have provided Duke Energy with the correct load information to size the electrical facilities required by this request for service. I understand that there may be charges if the actual load requires Duke Energy to alter electrical facilities installed for this request for service.
- 15.  I assume full responsibility to determine if any lighting ordinances or restrictions that would prohibit the installation of the service requested.
- 16.  I agree to allow Duke Energy or its contractor to drive vehicles/equipment on my concrete drive or walkway and I will not hold Duke Energy or its contractor responsible for damage to my concrete drive or walkway.
- 17.  Duke Energy or its contractor will not be responsible for providing remediation or environmental control measures for preexisting environmental hazards or contaminants discovered during the installation of poles, apparatus (such as transformers or pedestals) or underground facilities. Environmental issues not disclosed during project initiation may delay the completion of construction.
- 18.  These provisions have been explained to me and I have received a copy of this document.

By signing, I acknowledge that I am the Owner/Customer or Agent of the Owner/Customer with authority to execute this document.

Owner / Customer / Authorized Representative Signature  
  
 910-381-8805 Donald.Hamilton@duke-energy.com  
 Duke Energy Representative Phone Number Fax Number

Date  
 9/29/2022  
 Date

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**AGENDA ITEM INFORMATION**

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**AGENDA ITEM #:** 7-C

**DESCRIPTION:** CDBG-NR COMMUNITY CENTER CONSTRUCTION BID  
TABULATIONS

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Staff has received 2 qualified and responsible bids for the replacement of all exterior windows and doors at the community center and for exterior paint, trim, soffit, fascia, and mortar touch up. Below is a tabulation of the bids, with Providence Restoration being the low bidder.

Staff recommends that the City contracts with Providence Restoration for the repairs to the community center.

Lowell CDBG-NR 17-C-2999 Community Center Rehabilitation Bid Tabulation Sheet  
 Sept. 22, 2022 2:00 p.m.

Contractor	Windows and Doors	Exterior Paint	Lead Abatement + Asbestos Abatement	Total bid w/vinyl windows	Total bid w/wood	Remove and replace metal roof on both porches option (*not totaled)
<b>Martin Enterprises (Vinyl Option)</b> 6911 Harvest Glen Dr Greensboro, NC 27406	\$104,500.00	\$142,000.00	\$44,565.36	\$291,065.36		
<b>Martin Enterprises (Wood windows option)</b> 6911 Harvest Glen Dr Greensboro, NC 27406	\$202,500.00	\$142,000.00	\$44,565.36		\$389,065.36	
<b>Providence Resotration (Wood windows option)</b> 4209 Price Short Cut Road Monroe, NC 28110	\$141,120.00	\$88,900.00	\$70,700.00		\$300,720.00	\$11,690.00
<b>Providence Restoration (vinyl windows option)</b> 4209 Price Short Cut Road Monroe, NC 28110	\$105,280.00	\$88,900.00	\$70,700.00	\$264,880.00		\$11,690.00

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**AGENDA ITEM INFORMATION**

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**AGENDA ITEM #:** 7-D

**DESCRIPTION:** CONSIDERATION OF FY 22-23 FEE SCHEDULE UPDATE FOR  
PLANNING AND ZONING FEES

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Please see the attached memo from the Planning Director.

Staff recommends approval.



**To:** Scott Attaway, City Manager

**From:** Joe Gates, Planning Director

**Date:** October 5<sup>th</sup>, 2022

**Re:** New Fees – Adopted Fee Schedule 2022-2023 – Annexation, Demolition and Development Agreements.

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It has come to staff's attention the need to add 3 fees to the 2022-2023 Adopted Fee Schedule. In recent conversations with developers and research during the review process of recent projects, staff has highlighted three categories that need to be addressed.

#### **Annexation**

The City of Lowell currently does not have a fee associated with the cost of processing an annexation request. The annexation fee would go towards covering such costs including, but not limited to, professional fees (engineering, legal, etc.) and the city's administrative costs (mailings, newspaper ads, etc.) **Staff proposes the following fee(s):**

**0-2 acres: \$500**

**2.1 - 10 acres: \$750**

**Greater than 10 acres: \$2,000**

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#### **Demolition**

The City of Lowell currently does not have a fee associated with specifically the demolition of structures. Historically, this type of review was reviewed as a "renovation" but staff felt this type of review needed to be separated into its own category.

**Staff proposes the following fee:**

**\$50**

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## **Development Agreements**

Development Agreements refer to the contracts that vest rights to develop a specific project for an extended period of time subject to the terms and conditions specified in the agreement. Section 7.15 of the Lowell Development Ordinance lays out this process. The development agreement process does require a public hearing and the city will incur costs for advertising and additional review time by staff. The Development Agreement fee would go towards covering such costs including, but not limited to, professional fees (engineering, legal, etc.) and the city's administrative costs (mailings, newspaper ads, etc.) **Staff proposes the following:**

**0-2 acres: \$500**

**2.1-10 acres: \$750**

**Greater than 10 acres: \$ 2,000 + \$10/acre**