



## City of Lowell Council Meeting Agenda

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April 11th, 2023, 6:00 PM

### 1: General

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- 1A. Call To Order
- 1B. Invocation / Pledge of Allegiance
- 1C. Adoption of Agenda for this Meeting
- 1D. Public Comments

### 2: Approval of Minutes

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- 2A. DRAFT-City Council Minutes from March 14, 2023

### 3: Special Presentation

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- 3A. One Gaston 2040 Vision Presentation

### 4: Consent Agenda

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- 4A. Finance Report
- 4B. Planning Report
- 4C. GIS Report
- 4D. Parks and Recreation Report  
March Monthly Report for Parks and Recreation  
*Presented By: Cristy Cummings*
- 4E. Police Report
- 4F. Public Works Report

### 5: Unfinished Business

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*No Items*

## **6: New Business**

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6A. Consideration of Adoption of Addendum to the Harold Rankin Park Site-Specific Master Plan  
City Council approved the conceptual design of the site-specific Master Plan for Harold Rankin Park. The attached documentation is a narrative of the project that summarizes the park project and conceptual design.

*Presented By:* Cristy Cummings

6B. Resolution 04-2023 to Adopt and Approve Harold Rankin Park Master Plan Report

6C. Preliminary Capacity Assurance Review (PCAR) / Willingness to Serve - Beacon Partners - McAdenville Industrial Project - Parcel 306717

6D. Request to Set Public Hearing - Text Amendment - Table 17.1 Permanent Sign Standards and Criteria

6E. Consideration of Illicit Discharge Detection and Elimination (IDDE) Plan adoption

6F. Consideration of Adoption of Façade Improvement Guidelines and Grant Program

6G. Consideration of ABC Permittee at City Events

6H. Consideration of Parks and Recreation Trust Fund (PART-F) Grant Basic Facts and Assurances

## **7: Reports / Discussions**

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7A. City Attorney Report

7B. City Manager Report

7C. Mayor and City Council General Discussion

## **8: Closed Session**

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8A. To Discuss the Acquisition of Real Property Pursuant to NCGS 143-318.11(a)(5)

8B. To Discuss Matters Regarding Personnel Pursuant to NCGS 143-318.11(a)(6)

## **9: Adjournment**

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9A. Meeting Adjournment



## Regular City Council Meeting Memorandum

Prepared By: Scott Attaway

### DRAFT-City Council Minutes from March 14, 2023

Meeting	Agenda Group
April 11th, 2023, 6:00 PM	Approval of Minutes
Reference File	Presented By

**To:**

**From:**

**Date:**

**Re:**

*placeholder for info here...*

# MINUTES

Lowell City Council

Regular Meeting

Tuesday, March 14, 2023, 6:00 P.M.

## I. CALL TO ORDER – Mayor Sandy Railey

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

## II. INVOCATION / PLEDGE OF ALLEGIANCE

Councilmember Gillespie gave the invocation and led everyone in the Pledge of Allegiance.

## III. ADOPTION OF AGENDA FOR THIS MEETING

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

## IV. PUBLIC COMMENTS

- A. Larry Simonds of 1603 Power Dr spoke about big government and how no one wants to work here. He complained of the recent reevaluation increases of homes and rezoning efforts of Lowell Rd. He said that will not help the people of Lowell and is ashamed of all members of council. He suggested they all resign. He then thanked the councilmembers for attempting to run it as it's a major undertaking to run a small city. He then continued to complain about the park across the street from City Hall as a waste of money.
- B. Keith Gates of 402 Walker Dr didn't know if Lowell has the authority but asked them to consider installing a traffic light at Phillips St and Interstate 7. He said that with the schools and when the interstate is backed up, there is a heavy amount of traffic. A light would solve a lot of the problems there. He also mentioned that the street name is incorrect for Walker Dr. It should be Walker Drive not Walker St.

## V. APPROVAL OF MINUTES

- A. Minutes from Council Meeting Held February 14, 2023



Councilmember Funderburk made a motion to approve the minutes from the February 14, 2023 Council meeting, seconded by Councilmember Bonham. The vote was unanimously in favor.

## **VI. SPECIAL PRESENTATION**

- A. Lowell Police Officer Kohl Scott Badge Pinning Ceremony. Chief Carl Moore read a prepared statement regarding Officer Scott's background and how he began his mission to be a Lowell Police Officer. The City Clerk then gave Officer Scott his Oath of Office in front of his family and friends.

## **VII. CONSENT AGENDA**

- A. Planning Department and GIS Report
- B. Public Works Report
- C. Finance Department Report
- D. Police Department Report
- E. Parks and Recreation Department Report
- F. Resolution #03-2023 Acceptance of AIA Water Mapping Grant in the amount of \$150,000

With no questions or changes, Councilmember Funderburk made a motion to accept the agenda, seconded by Mayor Pro Temp Smith. The vote was unanimously in favor.

## **VIII. UNFINISHED BUSINESS**

- A. Public Hearing: - Case #ZMA23-01 Request to rezone approximately 4.48 acres from VSR (Vehicle Service & Repair District) and CIV (Civic District) to IND (Industrial District); Ordinance #04-2023. Mayor Pro Temp Smith made a motion to go into public hearing, seconded by Councilmember Bonham. The vote was unanimously in favor. Presented by Joseph Gates. He stated that 5 acres of property or two parcels have been requested to be rezoned into the Industrial classification. It was unanimously approved by the Planning Board in their February 7, 2023 meeting. He showed the map to councilmembers of the requested location.

Councilmember Funderburk asked when the projects would be started in the area. The applicant, Rob Pressley of 2216 Monument St, Charlotte, NC said as soon as it is approved. He said his engineers and architects are waiting for his call and would be able to start as soon as possible. He plans to have the 1<sup>st</sup> of three buildings completed by the end of the year. There are no specific plans for across the street at this time. They will be marking it when the property is cleared. He stated he has already started talking to some corporate users about potential headquarters in the area. Mayor Pro Temp Smith asked Mr. Pressley if he had any renderings of what the building would look like. Mr. Pressley stated his Architect sent him some conceptual renderings that he sent back for adjustments that will be provided by the end of the week. He shared an example of Industrial Flex, the requested classification, with the Planning Board. The general nature of the building would be a showroom or office on the front side with storefronts and the back side would have warehouse access. He said their average building will be in the 3500-7000 square foot range of lease space.

Joe Heffner, pastor of the Church of God at 804 W 1<sup>st</sup> St, Lowell is satisfied about Mr. Pressley's description of the building but asked about the timing of construction as it relates to church parishioners coming on certain days of the week, especially during the times of worship as well as when it is built. Mr. Pressley said he couldn't give a definitive answer today but all the properties he has worked on, Sundays do not usually have a lot of activity. Mondays-Fridays would be primary days of business and Saturdays would be busy if there is a light show for example, maybe Sunday afternoons but you will not see truck traffic on Sundays during church hours. Mr. Heffner asked if they know the type of construction building. Mr. Pressley had the architect change his original renderings to be less modern and fit more with the look of Lowell. It will probably be a metal structure that has some masonry and EIFS facades on the front to make them very attractive. The sides will be part EIFS like wainscoting and the other portion at the top painted an attractive color with the back being metal.

Mr. Gates informed the council that the LDO has standards where an industrial zone would have to be built by the highway building type and lot standards. In the designs the LDO lists how tall it can be, architectural standards, scales, lighting, etc. that all applicants would have to adhere to in an industrial zone.

Larry Bragg of 727 Railroad St stated that his house is behind the property and requests that the back of the building has a nice façade as well since his neighborhood looks at the back side of the property. He asked the developer to consider screening the backside and not focus on just the front. Mr. Pressley said there is a 100 ft right-of-way on his side of the railroad track and then from the center of the railroad track there is 100 ft going towards the neighborhood. They will be talking to the railroad company to see what they are allowed to do as far as plantings or anything else. They plan to be self-contained on the property and look good on all sides. Mr. Bragg said there is nothing barring his view straight into this development and again asked Mr. Pressley and the council to be sympathetic to the neighborhood regarding the appearance when making this vote.

With no other comments or questions, 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 Case #ZMA23-01 to move to industrial zoning where this statement is reasonable that it allows the subject property to be used for or to provide opportunities for compatible and sustainable development of an underutilized nonresidential property to create job opportunities which are expected to serve local residents as well as persons who travel from surrounding communities. The development is expected to provide parking and access designed to promote safety for the motoring public while maintaining a pleasant pedestrian friendly auto-oriented environment compatible or transitional with uses in adjacent districts. It was seconded by Councilmember Funderburk. The vote was unanimously in favor.

- B. Public Hearing: Case #ZTA23-01 Consideration of text amendment to request to amend Article 3 – Definitions, Abbreviations, and Symbols, Article 8- Districts, 9- Building & Lot Type Standards & Specifications & Article 12 – Off Street Parking, Stacking and Loading Areas of the Lowell Development Ordinance and an Ordinance to allow for a new classification/use category

of “Industrial Flex” that would be added to the Table of Uses allowed in the Industrial District; Ordinance # 05-2023. Councilmember Fulbright made a motion to go into public hearing, seconded by Councilmember Funderburk. The vote was unanimously in favor. Presented by Joe Gates. He stated the Planning Board reviewed an application from the same applicant as in the previous public hearing (above) requesting text amendments be made to the following sections, which were individually explained in detail:

- Article 3 – Definitions, Abbreviations and Symbols
- Article 8 – Districts, Table 8.1 Table of Uses
- Article 9 – Building & Lot Type Standards & Specifications, Section 9.8-2 Highway Lot Type Standards (A) Building Placement, Parking, and Vehicle Access
- Article 12 – Off-Street Parking, Stacking and Loading Areas, Table 12.1 Off-Street parking Spaces to be Provided.

The Planning Board voted unanimously to recommend approving the text amendment application as submitted in their February 7, 2023 meeting.

Councilmember Bonham asked if there is anything in the ordinance that requires any outside storage to be shielded from view. Mr. Gates said yes, Article 10 under Additional Regulations.

Mr. Pressley stated that when they were looking at this text amendment, he and his Civil Engineer and Planning Director looked at other municipalities to see what they do regarding ordinances and compared that to Lowell. They wanted to separate truck parking from showroom parking because you don’t need to build massive parking lots, limiting them to one row. He added that this amendment will be for the town, not just this project. He said in his comparisons with other municipalities, it was noted that some were overly aggressive on parking, and some were under. They decided on a happy medium and this amendment would accommodate the parking issue. There will be no street parking.

David Wright of 719 Railroad St. asked if the developer would consider putting a privacy fence to prevent trash from coming over into the neighborhood. He gave an example of when dumpsters in the back get full and there is trash everywhere. Mr. Pressley said their preliminary design is at the back of the building for each space, there will be a roll-up door, a pedestrian door, and shared, between two units, a dumpster enclosure at the building with a fence around it. If the tenant has more trash than will fit in one dumpster, then they will have to have two dumpsters. The dumpsters will not be in the back of the building by the railroad tracks but closer to the building itself. There will also be cameras in the back of the building to thwart other people outside of the building tenants from dumping their personal trash in the dumpsters. He offered to get any neighbors’ contact information as well as council and show them exactly what his company will be doing.

Councilmember Gillespie said he understood what people were saying in that they just want the back side to look decent and blend in with the community. Councilmember Fulbright asked about parking for the trucks and if they will making entrances off of highway 7 or do they plan to tie into Phillips St. as well? Mr. Pressley said that they had one preliminary conversation with DOT to inform them of what they were doing and to get their input. They have also had a preliminary site plan they reviewed with Lowell staff and received more guidance. He said they made changes based on those discussions because DOT wouldn’t approve some things and

Lowell stated that some of the options would not work well with the town. They were initially looking at doing four buildings instead of three but it made more sense to do just three due to traffic flow, parking, landscaping, etc. The plan is to have an entrance for the larger trucks when they come off of Highway 7, into the property at the far western end, go behind the property and then exit back out at the Phillips St, take a left and pull up to the building. There will be limited access to the rear of the building and they will ensure that access is controlled. Mr. Attaway added to the Phillips St intersection discussion and stated this was discussed about a year ago. He said across the street it is already zoned industrial and they are trying to work with Mr. Pressley and any future tenants to line up the ingress egress with Phillips. He has contacted DOT about this and was told they have to meet signal warrants to put up a signal light. It is not the City of Lowell's decision to put a signal light on Highway 7. Councilmember Funderburk stated there was a light there at one time and didn't understand why DOT removed it.

Mayor Railey asked Mr. Attaway if it had to be a four-lane road to justify a signal. Mr. Attaway said it helps their case and he will continue to pursue getting a light at the intersection. There was further discussion on how a signal light is needed and issues with truck traffic.

Councilmember Bonham made a motion to close the public hearing, seconded by Councilmember Fulbright. The vote was unanimously in favor. Councilmember Bonham then made a motion to adopt Ordinance #5-2023 as outlined on pages 53-55. This ordinance shall take effect and be in force from and after the date of its adoption. This ordinance is consistent with the purpose and intent of the Lowell Development Ordinance, Lowell City Plan 2040 and any applicable duly adopted small area plans and is reasonable and in the public interest because it promotes health, safety and welfare. It was seconded by Mayor Pro Temp Smith.

Councilmember Funderburk said she thinks this is a good idea but she is concerned with the tractor trailers and since they don't have anything worked out with DOT with turning onto Phillips. She's concerned about the school traffic in the afternoon and traffic on I-85 and that there is no fix for it right now. She thought everything else was good, but this part concerned her. The vote was carried with Mayor Pro Temp Smith and Councilmembers Bonham and Fulbright voting yay and Councilmembers Gillespie and Funderburk voting nay.

- C. Public Hearing: Case # ZTA23-02 Consideration of text amendment request to amend Article 8 Districts - Section 8.4-5 Civic District (CIV); Ordinance # 06-2023. Mayor Pro Temp Smith made a motion to go into public hearing, seconded by Councilmember Fulbright. Presented by Joe Gates. The Planning Board voted unanimously at their February 7, 2023 meeting to approve the text amendment brought to City staff for the following section:

- Article 8-Districts, Section 8.4-5 (E) Civic District – General Standards and Specifications

Staff is proposing a reduction in the minimum lot size from 20,000 sq. ft to 10,000 sq. ft. and the minimum lot width from 96ft to 70ft. to allow for more diversity in the size and scale of development of the CIV.

Councilmember Funderburk asked if this was only for Civic [zones]. Mr. Gates said yes, this is the minimum so they can always go bigger. Ed Jackson of 209 Railroad St asked if 70ft was the minimum. Mr. Attaway said yes.

Councilmember Funderburk made a motion to close the public hearing, seconded by Mayor Pro Temp Smith. The vote was unanimously in favor. Councilmember Gillespie made a motion to receive Case # ZTA23-02 for the text amendment that the staff has recommended. That this ordinance is consistent with the purpose and intent of the Lowell Development Ordinance, Lowell City Plan 2040 and should be duly adopted for small area plans and is reasonable in the public interest because it promotes the health, safety, and welfare. It was seconded by Mayor Pro Temp Smith. The vote was unanimously in favor.

- D. Consideration to Adopt City of Lowell General Fund Capital Improvement Plan (CIP). Mr. Attaway presented the five-year CIP by Davenport Finance. This was presented in the council budget retreats and the work sessions as well. This version presented is different than the original agenda packet for today as it reorganized the uses of the funds for the General Government, City Administration, Facilities, and Police, then subdivided out the Parks and Recreation and transportation related projects. The change was made due to a meeting with the Recreation Grant Writer recently where it was recommended to separate it and specifically show Parks and Recreation. We receive grant points for our application to submit along with the CIP application that is inclusive of Harold Rankin Park. He stated the Land Water Conservation Fund (LWCF) Grant is due Friday [March 17, 2023] for \$500,000 and we have to match \$500,000. We are asking for the maximum of \$500,000. We are also applying for a Part F Recreation grant from the same project to help with funding for Harold Rankin Park which is also \$500,000. These two grants will offset the matches. As of today, the estimate for the phases at Harold Rankin Park is coming in at \$1,040,000 million, including the multi-purpose field, half-court basketball, the pickleball court, bocce ball, expanding the playground, new restroom facility, and updating the ball field and walking trail.

Mayor Railey asked Cristy Cummings if she got the email needed from the Lowell Women's Club? Mrs. Cummings said she did. Mr. Attaway explained that we needed a citizen advisory board or the LCC [Lowell Community Committee] and a local civic group that is not part of the city, which is the Lowell Women's Club that the Mayor is referring to in order to get more points for the grant. Mrs. Cummings added the Lowell Elementary PTO [Parent Teacher Organization] was the third presentation the city had to do and that has also been completed. Mr. Attaway also called the council's attention to the sources of funding in the summary to note the different grants the city is applying to.

With no further questions, Councilmember Bonham made a motion to adopt the CIP Plan Summary; the CIP Plan we are looking at is dated March 13, 2023, seconded by Councilmember Funderburk. The vote was unanimously in favor.

## **VI. NEW BUSINESS**

- A. City of Lowell Utility Allocations and Extensions Policy Amendments. Presented by Mr. Attaway. This amendment was originally adopted in 2021 and some corrections were made to make it coordinate better with the Preliminary Capacity Assurance Review (PCAR) process/application and the Full Capacity Assurance Review (FCAR) process/application. With no questions, Mayor Pro Temp made a motion to approve the Utility Allocations and Extensions

Policy with changes provided to us today, seconded by Councilmember Funderburk. The vote was unanimously in favor.

- B. Interlocal Agreement with Town of McAdenville for the City of Lowell to provide Water and Sewer Utility Service to Lowell Elementary. Presented by Mr. Attaway. McAdenville Board of Commissioners will be meeting tonight regarding their portion. He stated the major change is that this is now a three-way interlocal agreement. Since Gaston County is actually funding this water line extension to Lowell Elementary, as well as Lowell working with their engineers and contractors who are installing the line, they have been included in the interlocal agreement along with McAdenville and Lowell.

Councilmember Gillespie asked if they are using their [Gaston County] ARPA funds. Mr. Attaway said yes. Councilmember Funderburk clarified that they [McAdenville] will then be paying us [Lowell] for water service. Mr. Attaway said yes, they have already been paying for sewer service and once approved they will be charged for water service. Mayor Pro Temp stated that this is zero cost to the city, benefits the kids at Lowell Elementary, and we are also putting a fire hydrant closer to the school.

With no other questions or comments, Councilmember Funderburk made a motion to approve the Interlocal Agreement with Town of McAdenville for the City of Lowell to provide Water and Sewer Utility Service to Lowell Elementary, seconded by Councilmember Gillespie. Mr. Attaway added that the McAdenville attorney will be reviewing this tonight. He was not sure if they would have their Mayor and Council vote on it tonight as well. He asked the attorney at what point would the council need him to bring it back to them if and when McAdenville makes any changes and if that should be part of the motion. Mr. Grayson suggested it would be ok to put in open-ended language adding non-substantive clerical language would be reasonable. The motion was amended by Councilmember Funderburk to approve the Interlocal Agreement with Town of McAdenville for the City of Lowell to provide Water and Sewer Utility Service to Lowell Elementary and include minor non-substantive clerical changes from McAdenville tonight. Councilmember Gillespie confirmed that he previously seconded the motion. The vote was unanimously in favor.

- C. Consideration of Acceptance of FY 22-25 Audit Proposal by Butler and Stowe, CPA. Presented by Mr. Attaway. Brought to the Council to revisit our auditor status on an annual basis having signed a three-year contract with Butler & Stowe. He said ever since, we have been turning in our audits on time. He recommends that the city continues with this audit and noted that the first year is higher due to the single audit that is required due to the amount of grants that we have raising our budget. This is in line with what we have had for the last three years. Mayor Pro Temp made a motion to accept the FY 22-25 Audit Proposal by Butler and Stowe, CPA, seconded by Councilmember Bonham. The vote was unanimously in favor.
- D. Consideration to Add Two Bocce (baa-chee) Ball Courts to Harold Rankin Park Master Plan. Presented by Mr. Attaway. This is one of the amenities looked at last month to elevate the score needed for the grant. It is being done due to the Master Plan and surveys from the public as well as the strategic vision where one of the main goals is the vision of having multi-generational recreational opportunities. This is a multi-generational request and highly used by the senior population. He then showed a picture of the map and where it would be at the park. The map shows that the basketball quart has been added back in as requested from the February 14, 2023

council meeting. Pickleball is still included as well as the expansion to the playground. Councilmember Bonham asked if the location is set in stone. Mr. Attaway said this is the conceptual plan and it may move slightly if necessary, but it has to be in the same area of the plan. Councilmember Bonham said it would just concern him to have something near a fence where balls can fly over it. Otherwise, he thinks it's a good idea and appears to be low maintenance. Mayor Pro Temp asked if the bocce balls will be available through the City Parks and Rec? Cristy Cummings, Parks and Recreation Director, said that she is evaluating that and thinking of putting some kits together for pickle ball, bocce ball. The idea is for people to come to City Hall or wherever the Parks and Rec office will be to get a kit full of what would be needed to play these sports and leave a deposit. Once they return everything, the deposit will be returned.

Mr. Attaway then stated the dog park was taken out of the plan because it did not meet the size specifications for the grant. The minimum is 10,000 sq. ft. and we only have 4000 sq ft. to use. Councilmember Funderburk asked if anything will be in that area? Mr. Attaway said we can, but we would have to put non-permitted things in that area. The more we add to the submittal, the more we'll have to fund. If we get one grant and not the other, we will be responsible for more funding, therefore, we are trying to keep it to where the grants will cancel each other out and prepare to pay the difference. Councilmember Funderburk asked how long will take to know if we received the grant after applying. Mr. Attaway said LWCF [Land and Water Conservation Fund] is a federal grant and it takes a while, so he is not sure on the specific time period. Mayor Railey added that we really have not had a lot of luck with federal grants. Mrs. Cummings added that there are records showing the city has received the LWCF grant in the past, but it is unclear on how long ago, possibly when the ball field was constructed with the walking track. She stated that they do give priority to municipalities that have received this grant before, so this may be good. With no other questions Councilmember Bonham made a motion to add two Bocce Ball Courts to Harold Rankin Park Master Plan, seconded by Councilmember Funderburk. The vote was unanimously in favor.

**IX. CITY ATTORNEY REPORT** – Walt Grayson thanked staff and the Council for having him as a fill-in for John Russell. He stated that Mr. Russell will have some updates regarding local government in the legislature for them during next month's council meeting.

**X. CITY MANAGER REPORT**

Scott Attaway gave updates on the following items:

- A. McCord Park- Shade structure will be going up soon. Concrete is going poured on the poles tomorrow and that needs to set for a couple days, then they will attach the structure.
- B. Federal Funding- we received an email from US House of Representatives, Jeff Jackson's local office in Charlotte requesting that if we needed any funding along the lines of the agriculture subcommittee to let them know. He said he has and will be working on this as it is due by 6pm tomorrow [March 15, 2023].
- C. Grant Received - \$400,000 grant was received from NCDEQ for the preconstruction of the Wastewater Treatment Plant Regionalization project with Two Rivers. We are currently awaiting the award document in the mail that we have to respond to and approve a resolution for.

- D. Tax Updates- 2<sup>nd</sup> day of appeals was today and there will be two more. This will be notified to the public on the city's website. This is allowing Lowell residents to talk to someone about their taxes without going to the main tax office in Harrisonburg. Regarding tax help for the elderly, he thanked Councilmember Fulbright for wanting to get the word out and now we have two flyers on the board to get the word out more for property tax relief for the elderly and disabled. There are some things in place and coming to City Hall on April 12<sup>th</sup> at 6pm and April 28 at 11:30 to try to help this group with tax relief. Applications are due June 1 annually by the Homestead Act.
- E. Erosion Control Plan – Still working on this submittal for the Chemical Plant at 1602 N. Main St. He is working with a local engineer, Johnny Denton with Diamond Engineers, to get that drafted. We not only have to put up a fence and submit a 20 page document but also have to dig some temporary ponds for the construction or deconstruction of all the buildings at the Chemical Plant. That water will run down the site. They will not let us just let the water run freely into the South Fork River, so we have to contain it with what are called skimmer ponds. He suspects we will need more than one based on the topography of the land. He and the City Attorney are working on the contract with the demolition company as well.
- F. River Heights Update- He stated that Joe Gates has written over 50% or 30 out of 50 of the permits for the townhome side.

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

Councilmember Gillespie said in light of things that have happened recently regarding illicit drugs and things like that, it takes a village to raise a child. He wanted to thank Chief Moore for the wonderful job he has done in dealing with drug issues here. He also thinks it takes churches to help and he was thankful that Dr. Heffner came out tonight to show that he helps people as well. Lastly, he said it takes compassion and thinks we have a good city council board that believes in the law, our churches and helping our community.

Mayor Pro Temp thanked everyone for coming tonight from the citizens and Pastor Grove for hashing things out with us tonight and Attorney Grayson for filling in for John and keeping us straight.

Councilmember Funderburk said we should all get together and write some letters to the Homestead Act or whoever [regarding property taxes]. She said \$33,800 is not a lot of money to qualify and she is on a fixed income but receives more than that [annually]. She said her house went up 60% in the property tax and she appealed it. In the last census, 37% are elderly and 63% probably make more than that [\$33,800] but their taxes have gone up too. She didn't know if we should start emailing people to push the amount above \$33,000. She then asked Todd Stroupe about how to find the GIS mapping on the website. He told her he would help her to find it and send her another link.

Councilmember Fulbright said she had the opportunity to watch employees of Public Works work in filling in a hole, how tedious it was and how they communicated with one another with their sign language. She wanted to thank Thomas and asked him to tell his crew that they do a good job, and she appreciates them and all the departments here as well.



Mayor Railey thanked everyone for taking their time to come out tonight. She recommended councilmembers that have not done so yet to watch the training regarding the elected officials stormwater workshop. She said we should make sure we attend it. Mr. Attaway said to avoid issues like Councilmember Gillespie had in trying to sign up but the registration had closed, he would have city staff enter council's email addresses when these types of trainings are introduced so they will automatically be registered and receive a zoom link.

## **XII. ADJOURN**

Councilmember Bonham made a motion to adjourn the meeting, seconded by Councilmember Funderburk. The vote was unanimously in favor. The meeting adjourned at 8:00 pm.

ATTEST:

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Mayor Sandy Railey

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Cheryl Ramsey, City Clerk



## Regular City Council Meeting Memorandum

Prepared By: Lisa Nolen

### Finance Report

Meeting	Agenda Group
April 11th, 2023, 6:00 PM	Consent Agenda
Reference File	Presented By

**To: Scott Attaway, City Manager**

**From: Lisa Nolen, Finance Director**

**Date: April 11, 2023**

**Re: Finance Update**

### Utility Billing:

Worked with Finance Director to gather information and assisted in the completion of annual Local Water Supply Plan data report for the Public Works Director to submit.

Assisted Finance Director to complete AFIR report.

Participated in ongoing meetings, revisions, and implementation of Polimorphic system for UB payments, credit card payments, new customer applications and customer terminations, website forms, project management processes and payments for miscellaneous items, such as zoning permits, development fees, etc.

Processed disconnection of services on March 27<sup>th</sup> for customers with delinquent balances.

Continuous scanning of daily collection reports to the S:Drive for Finance Director, after completion of Daily Collection spreadsheets by Account Tech.

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

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

Monitoring meter alerts in Minet.

Ongoing training in all areas of operations and billing, in the Utility Billing dept., including all daily, weekly, and monthly responsibilities. Processed read files in Minet, reviewed files and readings, posted usage routes, processed billing reports, processed and printed bills, counted bills and transferred information to required postal forms, and mailed bills at the post office by the required mailing date.

Working monthly 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 Planning and Zoning

Director on adding new street addresses to Southern Software and MiNet system, so we can install meters at future development homes.

All other responsibilities include gathering readings and processing billing, posting payments, completing daily collection reports for the Finance Director, 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 for Finance Director, answering phones, compiling NSF letters to customers for Finance Director, compiling a wait list for second and third roll carts requested by customers, assisting customers with their various needs, ordering office supplies for all departments and assisting all City departments with clerical duties as needed.

Compiled records and files to get readings for February 28, 2023 billing cycle. Reviewed readings, posted meter routes to Southern Software, processed all pre-bill reports for bills, printed bills, organized bills per requirements of the post office, and mailed bills on the last business day of February.

**Finance:**

Ongoing meetings with Polimorphic for set-up, implementation, and trouble-shooting system for forms and payments. Assisting and training Utility Billing staff on Polimorphic payment system. Creating processes as needed for tasks through Polimorphic. Updating Polimorphic staff with needed changes and improvements.

Attended Governmental Accounting and Financial Reporting at UNC School of Government. This training provided information regarding accounting and financial reporting of governments. This training provided the requirements for financial reporting for Fund financial statements and Government-wide financial statements and all related documentation.

Reviewing, advising corrections needed, and signing off on timesheets for City Clerk/HR Director.

Entering cash receipts and cash disbursements in Southern Software. Posting all payroll related draft payments and draft payment for Planning Board Stipends. Processing and paying bills weekly via check and online. Using allocation spreadsheets for corresponding bills to allocate expenses to correct expense account. Collecting receipts from staff, breaking out charges to code to correct expense item, and posting all Visa and Lowe's credit card charges. Issuing purchase orders as needed for staff. Reconciling bank accounts. Completing other tasks as needed.

City of Lowell, North Carolina  
FY 2023 Revenue Dashboard  
1/31/2023

Type	Budget	YTD thru 01/31/23	Budget Remaining	Percent Remaining	Percent of FY23 Remaining
<b>Funds</b>					
General Fund	3,254,386.00	2,685,356.61	569,029.39	17%	42%
Water/Sewer Fund	1,696,082.00	1,026,146.64	669,935.36	39%	42%
Stormwater Fund	392,919.00	228,714.39	164,204.61	42%	42%
<b>Total</b>	<b>5,343,387.00</b>	<b>3,940,217.64</b>	<b>1,403,169.36</b>	<b>26%</b>	<b>42%</b>

Notes:  
None

City of Lowell, North Carolina  
FY 2023 Expense Dashboard  
1/31/2023

Department	Budget	YTD thru 01/31/23	Budget Remaining	Percent Remaining	Percent of FY23 Remaining
<b>General Fund</b>					
Administration	996,649.00	446,989.47	549,659.53	55%	42%
Public Safety	1,165,063.00	580,343.40	584,719.60	50%	42%
Public Works-Streets	355,212.00	126,412.62	228,799.38	64%	42%
Sanitation	334,202.00	190,969.82	143,232.18	43%	42%
Parks & Rec	315,260.00	100,887.65	214,372.35	68%	42%
Powell Bill	88,000.00	11,983.75	76,016.25	86%	42%
<b>Total</b>	<b>3,254,386.00</b>	<b>1,457,586.71</b>	<b>1,796,799.29</b>	<b>55%</b>	<b>42%</b>
<b>Water/Sewer Fund</b>					
Water/Sewer	1,313,222.00	706,515.08	606,706.92	46%	42%
Wastewater Treatment	382,860.00	161,558.34	221,301.66	58%	42%
<b>Total</b>	<b>1,696,082.00</b>	<b>868,073.42</b>	<b>828,008.58</b>	<b>49%</b>	<b>42%</b>
<b>Stormwater Fund</b>					
Stormwater	392,919.00	145,216.79	247,702.21	63%	42%
<b>Total</b>	<b>392,919.00</b>	<b>145,216.79</b>	<b>247,702.21</b>	<b>63%</b>	<b>42%</b>

Notes:  
None



## Regular City Council Meeting Memorandum

Prepared By: Joe Gates

### Planning Report

Meeting	Agenda Group	
April 11th, 2023, 6:00 PM	Consent Agenda	Item: C
Reference File	Presented By	

**To: Scott Attaway, City Manager**

**From: Joe Gates, Planning Director**

**Date: Wednesday, April 5th, 2023**

**Re: Monthly Department Update**

### Code Enforcement:

#### Nonresidential Building Maintenance

- Property owner has begun cleaning and preparation work for painting of trim and windows. Windows will be pulled out, repaired and repainted over the next month. They have also scheduled meetings with roofing contractors to receive bids on the repair/replacement of the roof.

#### Enforcement Action

- Letter sent to apartments on 413 Phillips St to remove trash from the parking lot and dumpster area. **Corrected by property owner.**
- Letter sent to 208 W. Second Street to remove junk and trash from the property. **Corrected by property owner.**
- Letter sent to 307 S. Church to remove junk and trash from the property. **Corrected by property owner.**

### Zoning:

- Issued 19 zoning permits in March.
- 12 of the 19 permits issued in March are new townhome permits for River Heights.

### Planning:

- Created agenda and meeting packet for April Planning Board Meeting.

- Planning Board Meeting was held on Apr 4<sup>th</sup> with 3 items on the agenda for discussion and one (1) item for recommendation.
  - Recommendation: Article 17 Signs - Discussed Master Sign Plan applications and the current ordinances for signs and there allowed heights and areas. Planning Board voted to approve a text amendment that would amend Table 17.1 concerning wall sign area and the addition of regulations for menu/drive-through signage.
  - Discussion: Article 12 Parking and Loading - Discussed the formulas used for different types of uses and discussed the idea of removing minimum requirements for parking regulations.
  - PCAR/Willingness to Serve application review and recommendation.
- Approved/stamped Preliminary Plat for Lowell Townhome/Groves Street project.
  - Next steps will include submittal of the Development Agreement (public hearing required) and submittal of Construction (Engineering) Drawings.
- Returned comments for Map 2 - Final Plat - River Heights, 20 Single Family Units.
  - Next steps will include bond estimate, final plat approval and continued construction inspections.
- Under review of Recombination Plat for Spencer Mountain (former Pulte) site.

#### **Stormwater:**

- Held municipal housekeeping & pollution prevention, municipal spill response, and illicit discharge detection and reporting training for city Public Works staff.
- Continue to work on the 2023 (Permit Year 2) MS4 Self-Assessment.
- Participated in a downtown walking survey for stormwater needs.
- Registered as a vendor for Riverfest 2023
- Performed 13 municipal vehicle and equipment inspections.

#### **Other**

- Attended monthly department heads meeting.
- Attended City Council Planning Retreat.
- Attended Polimorphic Monthly update meeting.
- Attended Lowell Community Committee meeting.
- Attended Lowell Planning and Zoning Board meeting.
- Attended GCLMPO Technical Coordinating Committee (TCC) meeting.
- Attended NC Main Street Annual Conference in Statesville.
- Attended Stormwater Commission meeting.
- Created Polimorphic online payment process for Lowell BBQ team sign-ups
- Attended Agenda Link training.



## Regular City Council Meeting Memorandum

Prepared By: Scott Attaway

### GIS Report

Meeting	Agenda Group	
April 11th, 2023, 6:00 PM	Consent Agenda	Item: D
Reference File	Presented By	

**To:** Scott Attaway, City Manager

**From:** Todd Stroupe, GIS Analyst

**Date:** April 5, 2023

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

### GIS and Mapping.

- Launched Lowell GIS Hub.
- Updated chemical plant site map by Geosyntec with building preservation highlights.
- Generated future riverfront park building footprint map and calculated total square footage for all footprints.
- Generated a new proposed façade grant boundary map.
- Generated map and calculated jurisdiction areas for 321Aberdeen Boulevard parcel and Gateway 85 Building #3 (Newell Brands)
- Located stormwater inlets at chemical plant for demolition plan.
- Generated stormwater inlet locations at chemical plant map.
- Performed monthly updates of GIS layers and Economic Development Overview Storymap.

### Other Tasks and Assignments

- Completed NCDOT Planning Grant Initiative – Measuring Progress of Bike/Ped Plans Survey
- Tested Verizon Reveal app for creating bulk item pickup job tickets.
- Created Survey123 online form for Lowell BBQ team sign-ups.

### Meetings and Events

- Attended March City Council Meeting.
- Attended NC GIS Conference in Winston-Salem.
- Attended NC Main Street Conference in Statesville.

- Attended Agenda Link training.
- Participated in chemical plant walking survey for demolition plan.
- Participated in a downtown walking survey for stormwater needs.
- Attended Planning Board meeting.
- Attended Stormwater Commission meeting.
- Attended monthly department heads meeting.

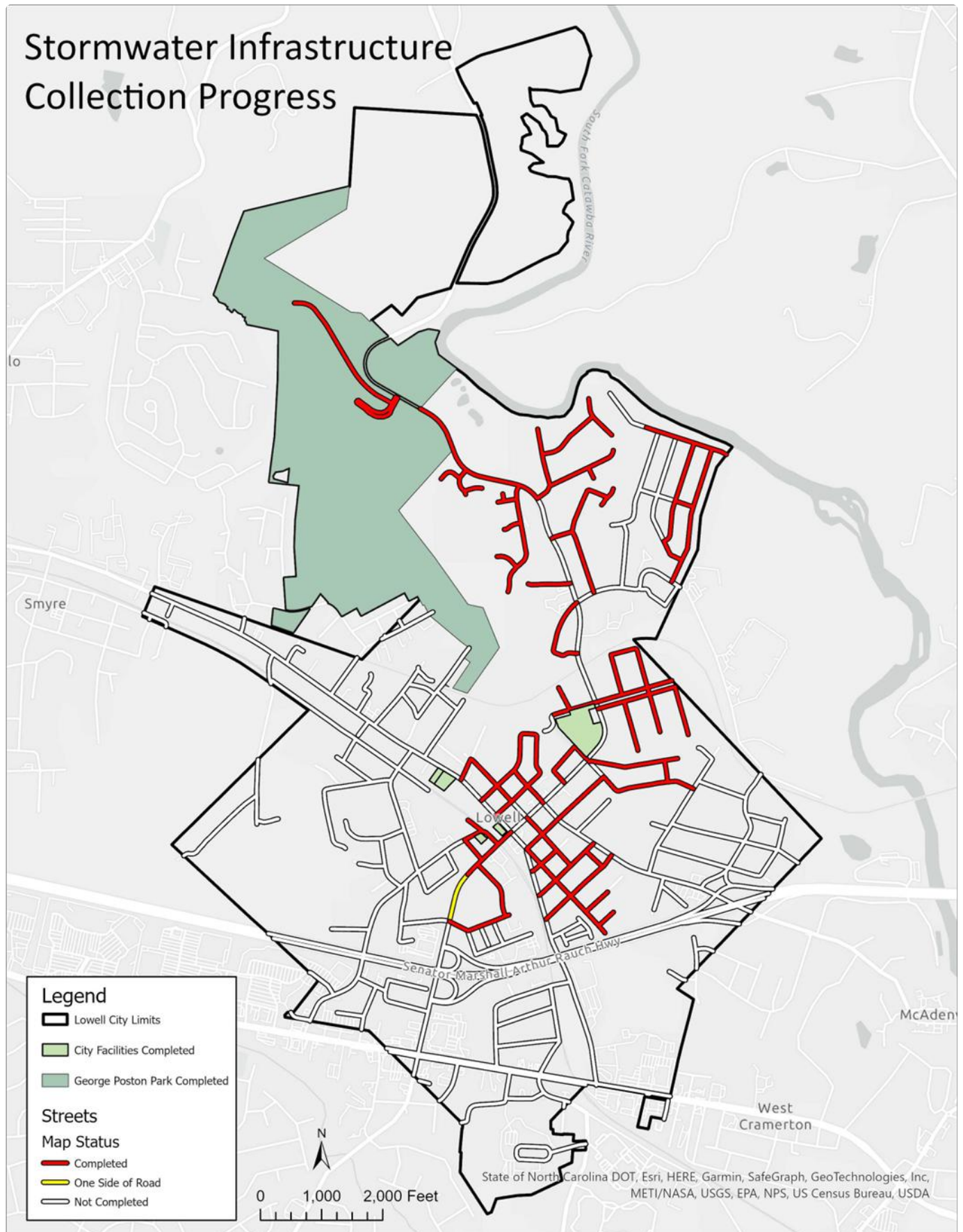
### Stormwater

- Registered as a vendor for Riverfest 2023
- Contributed Stormwater section to Spring Newsletter.
- Worked with staff to update the illicit discharge and elimination (IDDE) plan.
- Performed eight dry weather outfall inspections.
- Performed one public facility pollution prevention and good housekeeping inspections.
- Performed 13 municipal vehicle and equipment inspections.
- Hosted municipal housekeeping & pollution prevention, municipal spill response, and illicit discharge detection and reporting training for city staff.
- 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 the 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:



- Facilities completed: Bob Bolick Park, City Hall, Edgemont Cemetery, Harold Rankin Park, Public Works, County's George Poston Park
- 1,697 total features collected:
  - 535 Inlet points
  - 247 Outlet/Outfall points
  - 915 Conveyance (pipes, ditches, etc.) lines
- 36.6 miles\* of roadway in Lowell City Limits to map (\*new total road miles after removing unbuilt George Poston Parkway from the map):
  - 10.89 miles of road completed.
  - 25.71 miles of road to complete.

# Stormwater Infrastructure Collection Progress





## Regular City Council Meeting Memorandum

Prepared By: Scott Attaway

### Parks and Recreation Report

March Monthly Report for Parks and Recreation

Meeting	Agenda Group	
April 11th, 2023, 6:00 PM	Consent Agenda	Item: E
Reference File	Presented By	
	Cristy Cummings	

**To: Scott Attaway, City Manager**

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

**Date: April 4, 2023**

**Re: Parks and Recreation Monthly Report for March**

### Events:

- Eggs in the Park
  - Prep work and day-of coordination
  - Advertising
- Kid's Bike Rodeo
  - Prep work and coordination with Lowell Police
  - Communications with Lowell PD on rescheduling event due to inclement weather and
  - Advertising and notification of cancellation to the public
- Easter Senior Lunch
  - Opened Easter Senior Lunch registration both online and through phone calls
  - Planning of event
  - Advertising
- BBQ Cookoff
  - Creation of digital art for event
  - Planning
- Meeting with Fitview Wellness to discuss partnering on Health Fair event at McCord Family Park

### Athletics:

- Registration ended for youth baseball, 6 total teams for the City of Lowell
- Communications with parents regarding questions on league
- Accepting late registrations
- Meeting with area Parks and Recreation Departments to discuss joint leagues

- Creation of uniform order
- Supervising practices
- Distributing equipment
- Assisting with coaches when coaches/assistant coaches are unavailable
- Advertising Lowell Parks and Recreation 20% off weekend at DICK'S Sporting Goods as part of our sponsorship request
  - Also received \$550 in store credit - used to purchase new batting helmets, insta-cold packs, cones, and catchers gear
- Scheduled field work and laying out the bases/mound

**Projects:**

- Meetings and communications with WithersRavenel for PARTF and LWCF grant writing
- Daily communications with WithersRavenel on questions for PARTF and LWCF grants
- Reviewing final application and documents submitted for LWCF
- Submitted grant application to CaroMont Health to sponsor music events

**General:**

- Completion and mailing of City newsletter
- Picked up trash
- Cleaning bathrooms
- Updating letterboard at Harold Rankin Park
- Creation of content for LCC's Citizen's Academy Night
- Preparation and attendance of LCC meeting
- Coding invoices, updating department budget spreadsheet
- Updating website for departments
- Creating social media content



Small Ballfield at Harold Rankin after completion of field work





Large Ballfield at Harold Rankin after completion of field work



## Regular City Council Meeting Memorandum

Prepared By: Scott Attaway

### Police Report

Meeting	Agenda Group	
April 11th, 2023, 6:00 PM	Consent Agenda	Item: F
Reference File	Presented By	

**To: Scott Attaway, City Manager**

**From: Carl Moore, Police Chief; Jeff Harrison, Police Captain**

**Date: April 4th, 2023**

**Re: March Police update**

The Lowell Police Department responded to 782 calls for service in March 2023, on pace with the increase we expected. 600-800 Calls seems to be the new normal for LPD where just a few years ago, a very busy month would have been 400-600. Calls for service can range from a secure check of a residence or neighborhood to much more serious calls like shootings and traffic crashes where a fight has broken out. Other notable statistics include the number of misdemeanor and felony arrests made by LPD officers. In March, officers made 11 felony arrests totaling 22 felony charges. 17 Misdemeanor arrests were made for 23 total charges. 101 Traffic stops were conducted, and officers completed 239 special checks.

One of the felonies calls for service was a shooting call that resulted in Samuel Colt Usery being charged with Second Degree Murder. The Homicide took place at 307 S. Church Street, an address the LPD is very familiar with. In the past officers have made multiple arrests and served search warrants at this address, most of these calls have been drug related. The Victim and the suspect (Sam Usery) knew each other well. The facts of the case are: The victim and suspect had some sort of conflict; the conflict grew to the point of the accused firing shots from a handgun at the victim striking him multiple times resulting in his death. LPD got an officer on the scene quickly after the call was dispatched followed by assistance from the GCPD and the GCSO. The suspect was taken into custody and the investigation has so far has resulted in a charge of Second-Degree Murder against Sam Usery. Unfortunately, the homeowner has shown no signs of evicting the remaining drug users from the home so there will no doubt be more calls for service resulting from conflicts between the resident drug users.

The LPD and Ranlo PD participated in a joint active shooter training at multiple locations on 03-28. A short classroom session was followed by on-site training at Ranlo Church of God and Holbrook Middle School. Officers refreshed their skills and knowledge regarding response to active shooter calls. They

learned clearing techniques and practiced quick response tactics so in the event of an active shooter in our response area, the threat to human life can be limited.

Officer Lowery completed his Intoximeter certification training. He completed 40+ hours of training and learned how to properly run the scientific instrument used to measure the alcohol in a person's blood. Officer Lowery will use the certification to gather blood alcohol evidence that will be used in the prosecution of DWI charges.

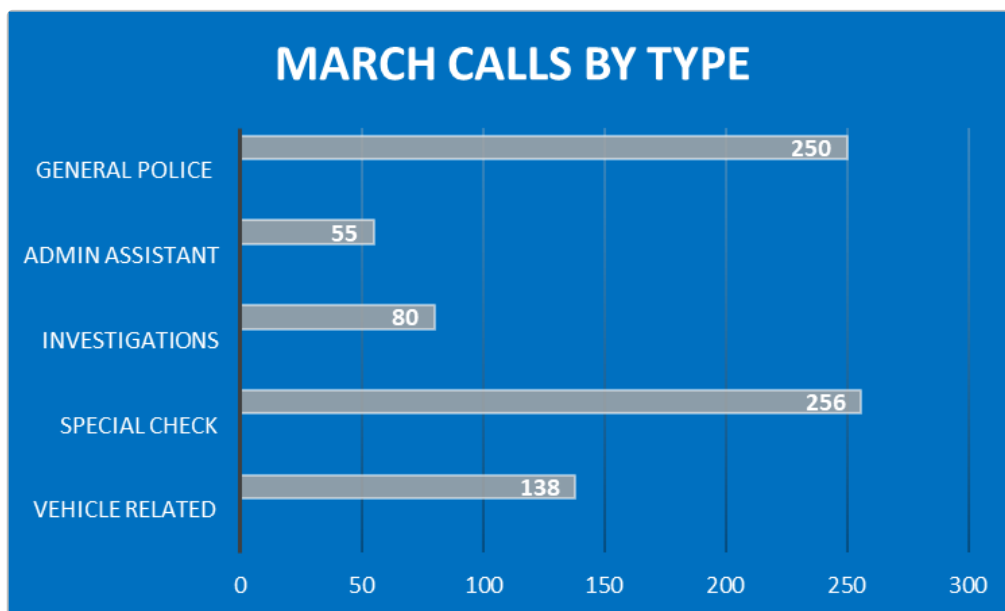
Community watch meeting continue to be held throughout the city. Response from residents has been positive and the program is allowing the citizens to meet the officers they would otherwise not know personally. Every meeting we encourage those in attendance to bring a neighbor and help spread the word. We will keep you updated on upcoming meetings and their locations.

#### **Yearly history of calls per month of march**

**2021- 576**

**2022- 750**

**2023- 782**







## Regular City Council Meeting Memorandum

Prepared By: Thomas Shrewsbury

### Public Works Report

Meeting	Agenda Group	
April 11th, 2023, 6:00 PM	Consent Agenda	Item: G
Reference File	Presented By	

**To: Scott Attaway, City Manager**

**From: Thomas Shrewsbury, Public Works Director**

**Date: April 6, 2023**

**Re: March 2023 Monthly Report**

Public Works worked on McCord Park. The new shade structure was installed as well as the completion of the cement work. Staffed spread chemicals on the vegetation, filled in bare spots and made repairs to the irrigation system.

Street Department staff worked clear grass from curb and sidewalk, cutting back trees hanging over the roadway and community entryways.

Water Dept crews repaired leaks at the following locations:

2-inch water line break on Belt Drive

$\frac{3}{4}$  inch break on S. Oak St.

$\frac{3}{4}$  inch break on Walnut St.

$\frac{3}{4}$  inch break on e. first St.

2-inch break on Railroad St.

Replaced broken cut off valves on E. First St and on S. Elm Street.

Crews worked closely with Duke Energy contractors replacing poles and Dominion Energy capping old gas lines around town. Staff worked to make sure our infrastructure was located and protected.

Sewer Department staff worked to clear right of ways and inspect arial lines throughout the system.

Water and Sewer staff worked to catch up on sewer line maintenance in high-risk areas.

Staff worked to clean thousands of feet of sewer main. Some of these were areas we have seen issues in the past and some were in wooded areas where they are not easily observed.

All staff worked to help with routine maintenance at the WWTP. Crews helped with prepping drying beds to waste and cleaning up the property.

Street department staff worked to perform spring cleaning at all city-maintained properties. Cutting grass, picking up sticks, trimming hedges and spraying weed killer to help reduce the weed eating in coming weeks.



## Regular City Council Meeting Memorandum

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Prepared By: AgendaLink

### Consideration of Adoption of Addendum to the Harold Rankin Park Site-Specific Master Plan

City Council approved the conceptual design of the site-specific Master Plan for Harold Rankin Park. The attached documentation is a narrative of the project that summarizes the park project and conceptual design.

Meeting	Agenda Group
April 11th, 2023, 6:00 PM	New Business
Reference File	Presented By
	Cristy Cummings

**To: Scott Attaway, City Manager**

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

**Date: April 4, 2023**

**Re: Possible Adoption of Addendum to the Harold Rankin Park Site-Specific Master Plan**

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*The Harold Rankin Park Site-Specific Master Plan was approved by City Council at the October 11, 2022 City Council meeting. The site-specific master plan that was adopted consisted of simply a conceptual illustration. WithersRavenel has recently created a narrative that includes the project description that will accompany site-specific master plan that will be submitted with our Parks and Recreation Trust Fund Application. This document summarizes the background of the project, the public involvement, the cost estimate, and project implementation timeline.*

*Staff recommends adding the attached addendum to the Harold Rankin Park Site-Specific Plan.*

## **Site Specific Master Plan**

Lowell, North Carolina

Harold Rankin Park Revitalization Project

- Harold Rankin Park Masterplan
- Project included on pages 4,8,9,10,11,12,14
- Minutes from 10-11-22 City Council  
Meeting Adopting Master Plan



MASTER PLAN FOR A PARK:

# HAROLD RANKIN PARK

*City of Lowell, North Carolina*



MARCH 17, 2023

# TABLE OF CONTENTS

<i>1</i>	<i>GENERAL BACKGROUND</i>
<i>2</i>	<i>PROJECT LOCATION MAP</i>
<i>3</i>	<i>SITE ANALYSIS</i>
<i>4</i>	<i>PUBLIC INVOLVEMENT &amp; RECREATIONAL NEEDS</i>
<i>5</i>	<i>CONCEPT PLANS</i>
<i>6</i>	<i>FINAL MASTER PLAN &amp; RECOMMENDATIONS</i>
<i>7</i>	<i>OVERALL COST ESTIMATE PHASE I PARK IMPROVEMENTS</i>
<i>8</i>	<i>PROJECT IMPLEMENTATION TIMELINE</i>







# GENERAL BACKGROUND

## *A Community Park*

Harold Rankin Park is the most used recreational facility within the City of Lowell. The property is owned by the City and has served the community as a park since 1978. The master plan for improvements to Harold Rankin Park will have short- and long-term benefits for the community.

By providing new, renovated, and similar facilities, the plan improves existing facilities and the diversity of recreational opportunities provided by the park will increase. Enhancements to the park will also improve accessibility and inclusivity. Additionally, the Salvation Army's Boys and Girls Club is adjacent and uses the parks facilities and programs daily.

In 2020, the City of Lowell had a Parks and Recreation Master Plan: Program Review & Needs Assessment Study completed by a project team from the Department of Parks, Recreation & Tourism Management at NC State University.

The purpose of this study was to determine the current and future recreational facility and program needs in Lowell by engaging citizens,

benchmarking peer communities, and implementing a city-wide needs assessment survey.

Several of the recommendations of this plan were incorporated into the master plan and are also included in the facilities identified for implementation. These include upgraded restroom facilities, a nature trail, pickleball courts, conversion of land to multi-purpose fields, and playground improvements. The proposed playground will be designed to be universally inclusive and the restroom facility will be ADA / ABA compliant. The study also recommended reconfiguration of the park to better accommodate multi-purpose programs and services. The study identified the most pressing needs as facility improvements for all aspects of the park and called for a comprehensive plan for improvements.

The master plan for Harold Rankin Park is in unison with the recommendations of this study and reflects the needs of the community as expressed by survey results and community engagement events.

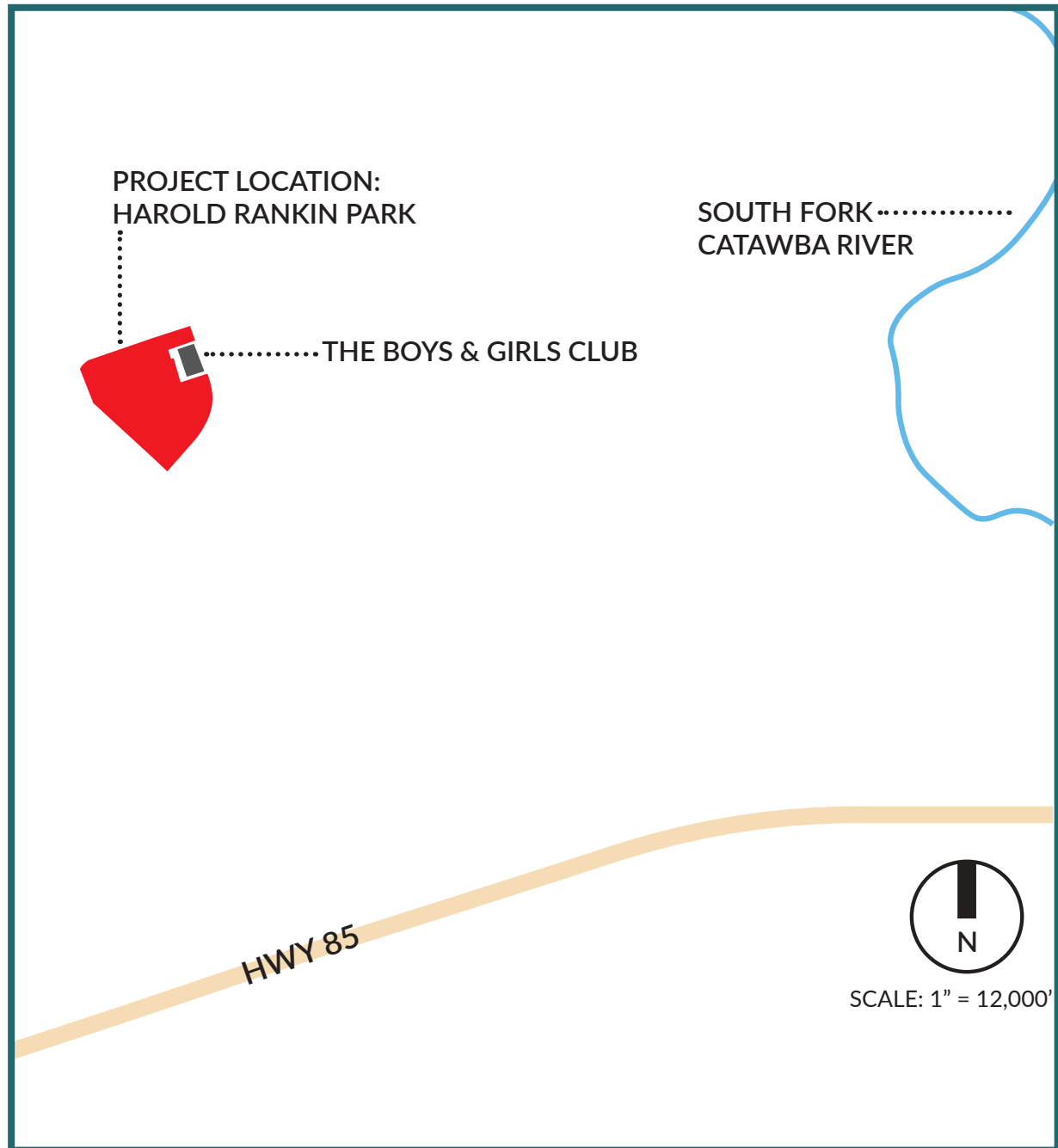


# PROJECT LOCATION MAP

HAROLD RANKIN PARK MASTER PLAN

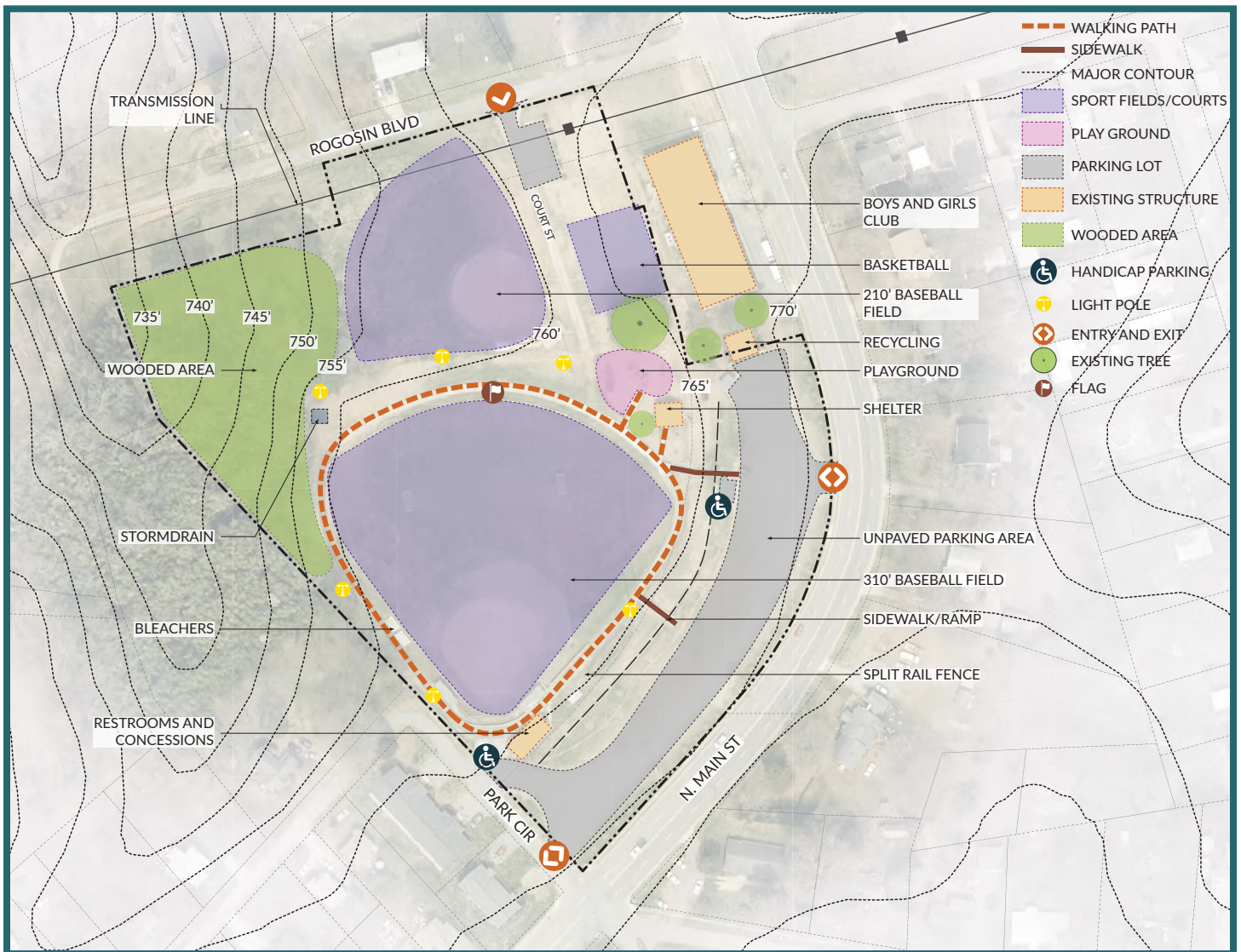
519 Park Circle Lowell, NC 28098

Latitude & Longitude: 35.271320, -81.097810





# SITE ANALYSIS



Harold Rankin Park is approximately 7-acres and features 2 baseball fields with a supporting restroom and concessions building. The park also includes a playground, basketball courts, picnic shelter, and exercise equipment. Support facilities include parking and connecting walkways.

A natural wooded area with significant slopes is situated in the northwest corner of the site. This area also contains invasive and exotic plant materials. Throughout the majority of the park, stormwater drains toward this northwest corner.

For the most part, the site is accessible with a few minor exceptions. The fields are in good condition but could benefit from upgrades to

bleachers, dugouts, and fencing. The playground is not accessible and does not feature inclusive play elements.

In addition, the restroom and concessions building is not entirely ADA compliant and needs improvements. The shelter is in fair condition.

The basketball court paving is in need of repair and the surrounding fencing is in poor shape. The parking surface is gravel with accessible parking spaces near the restroom building and the large baseball field.

Access drives in and out of the parking area could be improved and the entry / exit at the northern end should be relocated to improve sight distance.





Harold Rankin Park features walkways that connect park elements and provide a walking loop around the baseball field. The landscape consists of mowed and maintained areas with crepe myrtle trees along Main Street, and a large oak tree near the playground. The wooded area in the northwest corner is a mix of hardwoods and pine forest. In this area, there is also a large presence of bamboo. Typical wildlife seen in the park are small mammals (squirrels, rabbits, etc.) and songbirds.

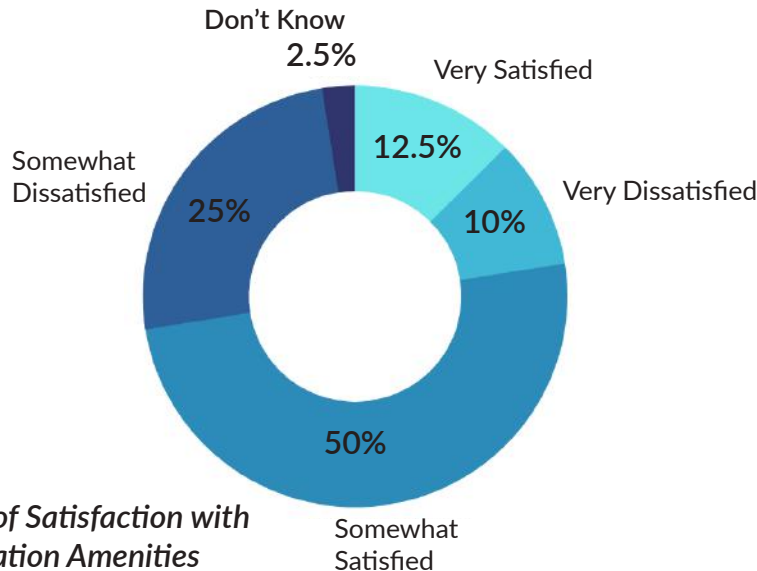
There are no streams, wetlands or other significant natural resources in the park. According to the USFWS National Wetland Inventory, there are no wetlands within Harold Rankin Park or the project area. Additionally, there are no floodways or floodplains in the park or project area.

According to the USFWS official species list (2/20/23) there are two known threatened and endangered (T&E) species and one proposed endangered species that may occur within the project area.

However, according to a February 20, 2023 letter from the NC Natural Heritage Program (NCNHP) there are no known occurrences of T&E species within 1 mile of the project area. A site survey of the project area determined that there is no suitable habitat present for T&E species.

Access to the large parking area includes two drives. The sight distance from the Main Street Drive is less than desirable. The drive from Park Circle is not well defined. And the drive from Rogosin Blvd is adequate.

# PUBLIC INVOLVEMENT & RECREATIONAL NEEDS



## Results of Community Input Yielded the Following as Priority Needs

- Natural Area
- Expanded Walking Track
- Improved Playground
- Pickleball and Basketball
- Picnic Shelters
- Bathrooms
- Field Improvements, Dugout
- Improve Outdoor Fitness Equipment

In conjunction with the master plan process the City of Lowell held a public workshop on June 20, 2022 to request feedback from the community on the current amenities as well what improvements residents would like to see in the future. An online survey about Harold Rankin Park was also posted on the City's website and publicized through:

- Social media posts
- The City's quarterly newsletter
- Robo-calls to City of Lowell residents
- Posts community boards and bulletins
- Yard signs around the park and City Hall
- Advertised on the large letterboard at Harold Rankin Park

After the public workshop the online survey was reopened and the City recruited a videographer to help promote the survey. The City also had a vendor space at two Music in the Park events in both June and July of 2022 and collected survey data. It was evident that citizens of Lowell support the project with 40 total surveys received. The data from these surveys was compiled and incorporated into the Master Plan for Harold Rankin Park.

On September 26, 2022, the plan was presented to the Lowell Community Committee for comments and they made a recommendation to present the Master Plan to the City Council for adoption. The plan was presented at a public City Council meeting on October 11, 2022 where it was adopted by the City Council.





# CONCEPT PLANS



## Concept A

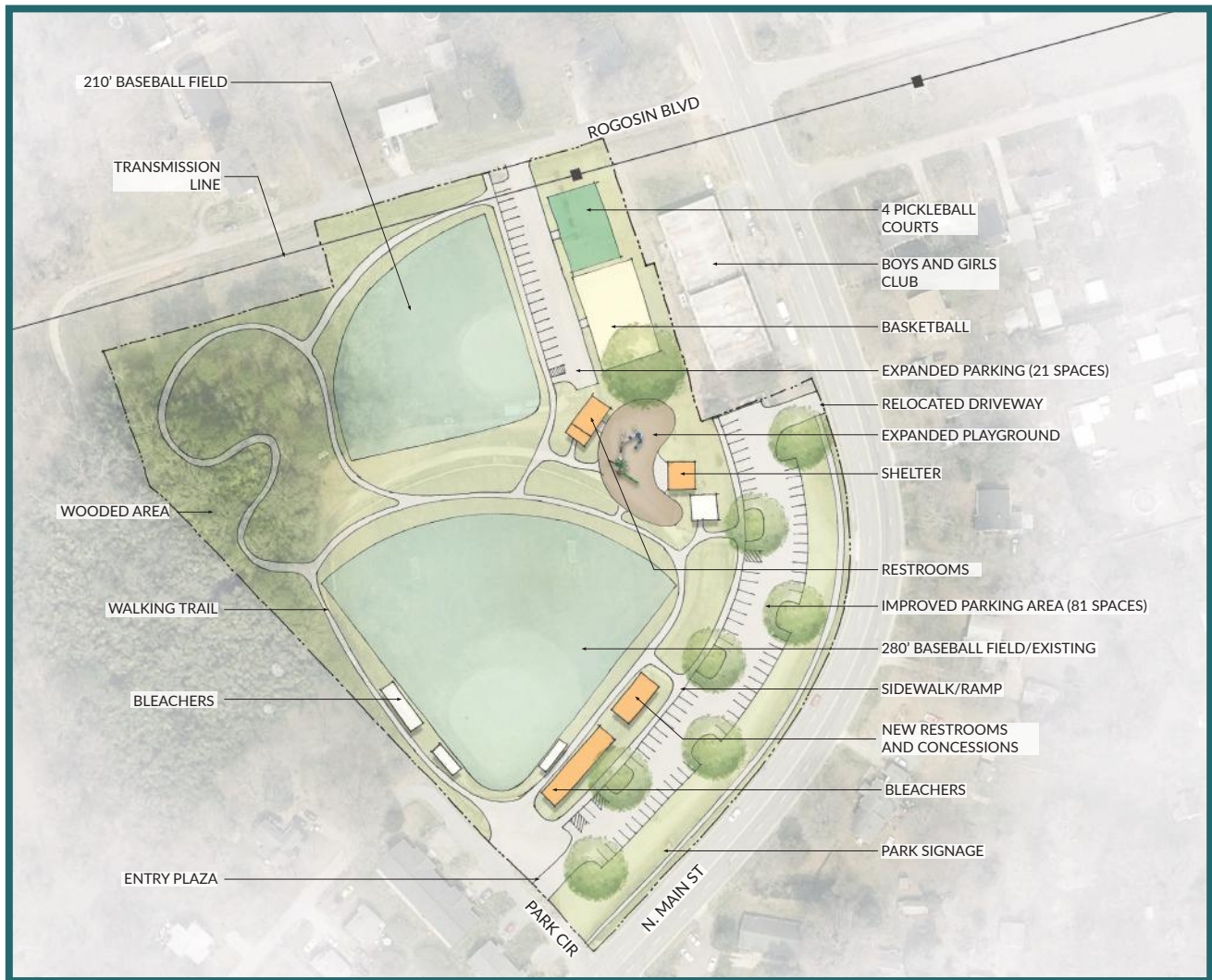
Recreational needs identified during the public involvement process went onto inform concept development. Two concepts were prepared for consideration by the town and the community. The major difference between the two concepts was the suggested replacement of the small baseball field with a multi-purpose field.

While some elements proposed in each concept were located differently, there are several recommendations common to both concepts. Replacement of the small baseball field with a multipurpose field will allow for multiple uses as practice fields and flexible play. Reducing the size of the large baseball field allows for the continuation of the loop walking trail and expansion of the playground.

In addition to the field revisions the following improvements are recommended by the final master plan.

### CONCEPT A SITE ELEMENTS

- Improved / Expanded Parking
- Relocated Drive
- Multi-purpose Field
- Shortened / Shifted Baseball Field
- Walking Trail
- 4 Pickleball Courts
- Restrooms
- Expanded Playground
- Shelter
- Bleachers



## Concept B

### COMMON SITE IMPROVEMENTS

- Reduced size of the large baseball field plus various improvements
- Parking and access improvements
- New concessions / restroom building
- Additional restroom building
- Additional shelter
- Playground expansion
- New walkways including the addition of a nature walk
- Addition of pickleball courts
- Addition of ½ court for basketball

### CONCEPT B SITE ELEMENTS

- Improved / Expanded Parking
- Relocated Drive
- Shortened Baseball Field
- Walking Trail
- 4 Pickleball Courts
- Restrooms
- Expanded Playground
- Shelter
- Bleachers
- New Concessions and Restrooms



# FINAL MASTER PLAN & RECOMMENDATIONS



## RECOMMENDATIONS

- Mult-purpose field
- Reduce the size of the large baseball field and various improvements / bleachers, dugouts, fencing, batting cage
- Parking and access improvements / paving and relocation of northern entry drive
- New concessions / restroom building
- Additional restroom building
- Additional shelter
- Expansion of the playground / accessible and inclusive
- New walkways including the addition of a nature walk
- Repurpose the existing basketball court for 4 pickleball courts
- Addition of a 1/2 court for basketball
- Other connecting walkways

# BUDGET NARRATIVE

## *Project Costs & Proposed Elements*

Elements proposed as improvements to the park increase the variety of recreational opportunities provided, support the adjacent Boys and Girls Club, and improve the overall park experience by ensuring accessibility and making it more inclusive.

Project costs defined reflect design, engineering, permitting, grading, erosion control, buildings, hardscapes, site furniture, and utilities needed to construct overall improvements identified. This vision for improvements was crafted through a deliberate community-based process along with input from City staff. Costs were determined based on recent projects completed by WithersRavenel and in coordination with various suppliers and contractors.

The following references, in sequence, those tasks and elements associated with improvements to Harold Rankin Park as illustrated by plans and budget provided for Phase I implementation:

- A. General costs refer to surveying construction staking work associated with the project. Surveys will stake for construction the layout of multi-purpose field, courts, walks, playground and, restroom building as well as storm drainage infrastructure and erosion control measures.
- B. Grading / Drainage costs include grading and earthwork associated primarily with the multi-purpose field and basketball court. Grading work associated with the nature trail is included in a separate line item. Also included here are the costs associated with establishing erosion control measures and drainage infrastructure.
- C. The restroom will be a prefabricated structure with 2 accessible bathrooms, approximately 10'x 20', situated on a concrete pad and connected to the walk system. It will be in close proximity to new recreation facilities including the courts, multi-purpose field and playground.
- D. The costs associated with improvements to and expansion of the existing playground make the playground universally accessible and inclusive. Improvements include the equipment, the redefinition of the playground edge, and poured in place surfacing.
- E. The ½ court basketball court is a response to a diminishing interest in basketball and the rise of interest in pickleball locally. The cost of the court includes paving, striping and goals.
- F. Existing basketball courts will be converted to pickleball courts. Repurposing these courts will require new fencing, surfacing and striping. A new walk / ramp will also be constructed to create an accessible route to the courts.
- G. The multi-purpose field replaces an existing small baseball field which expands the ability to accommodate various field sports as well as informal / flexible play which is currently absent from the park. Costs associated with this conversion include some grading, re-establishing vegetative cover and some fencing.
- H. The bocci court responds to the absence of multi-generational activities at the park and provides a facility specific to seniors. Costs include edging and a stone/sand surface and some seating.
- I. The walking trail includes the implementation of a hard surface trail as well as a natural surface trail. Together they provide two separate walking loops by connecting to other existing walks in the park and a new nature experience for visitors to the park. The new walks together are ¼ mile in length and create a new experience in the park. Associated costs include clearing, removal of exotic/invasive species, grading, natural surfacing and paving.

# OVERALL COST ESTIMATE



## LOWELL PARK MASTER PLAN - HAROLD RANKIN PARK

Order of Magnitude Estimate of Probable Capital Improvement Costs -Master Plan

3-Jan-23

The Overall budget from Harold Rankin Park is reflective of community desired park improvements through the master planning and community engagement processes.

Rankin Park Master Plan - 7.7 Acres		Unit	Quantity	Unit Cost	Subtotal	
<b>A. General</b>						
2	Staking and Layout	lump sum	1	\$15,000.00	\$15,000	
<b>B. Demolition</b>						
1	Demolition - paving	sq. yard	2,700	\$15.00	\$40,500	Existing sidewalks
2	Demolition - baseball fields	allowance		\$15,000.00	\$15,000	Fencing/Walks
3	Demolition - Buildings	allowance		\$10,000.00	\$10,000	RR/Concessions
	<b>Subtotal:</b>				<b>\$65,500</b>	
<b>C. Grading/ Drainage</b>						
1	Site Grading	acre	1.5	\$20,000.00	\$30,000	grading, fine grading
2	Erosion Control	Allowance		\$30,000.00	\$30,000	silt fence, diversions
3	Drainage Infrastructure	Allowance		\$100,000.00	\$100,000	
4	Construction Entrance	each	2	\$1,500.00	\$1,500	
	<b>Subtotal:</b>				<b>\$161,500</b>	
<b>D. Buildings and Structures</b>						
1	Picnic Shelter	allowance		\$100,000	\$100,000	
2	Restroom and concessions	allowance		\$300,000	\$300,000	
2	Restroom	allowance		\$200,000	\$200,000	
	<b>Subtotal:</b>				<b>\$600,000</b>	
<b>E. Utilities</b>						
1	Water service	allowance		\$15,000.00	\$15,000	
2	Sanitary sewer	allowance		\$25,000.00	\$25,000	
3	Lighting (parking)	allowance			\$0	
	<b>Subtotal:</b>				<b>\$40,000</b>	
<b>F. Playground</b>						
1	Playground Edge	linear foot	420	\$20.00	\$8,400	concrete
2	Playground Surfacing	sq. foot	8,650	\$10.00	\$86,500	engineered mulch
3	Play Equipment	Allowance		\$200,000.00	\$200,000	
	<b>Subtotal:</b>				<b>\$294,900</b>	
<b>G. Basketball Courts</b>						
1	Paving	sq. foot	2,350	\$45.00	\$105,750	Concrete
2	Striping	Allowance	1	\$3,000.00	\$3,000	
	<b>Subtotal:</b>				<b>\$108,750</b>	
<b>H. Pickleball</b>						
1	Paving	sq. foot	7,100	\$55.00	\$390,500	Asphalt
2	Striping	Allowance		\$6,000.00	\$6,000	
	<b>Subtotal:</b>				<b>\$396,500</b>	
<b>I. Baseball fields</b>						
1	Surface	sq. foot			\$0	
2	Fencing	Allowance		\$3,000.00	\$3,000	
	<b>Subtotal:</b>				<b>\$3,000</b>	
<b>J. Park Amenities</b>						
1	Benches	each	5	\$1,000.00	\$5,000	
2	Trash Receptacles	each	4	\$500.00	\$2,000	
	<b>Subtotal:</b>				<b>\$7,000</b>	
<b>K. Hardscape</b>						
1	Concrete Walk	sq. yard	3,680	\$45.00	\$165,600	4" concrete
2	Pavers	sq. foot	4,412	\$45.00	\$198,540	at entry
3	Asphalt paving	sq. yard	3,540	\$15.00	\$53,100	large parking lot
3	Asphalt paving	sq. yard	1,110	\$15.00	\$16,650	small parking lot
4	Parking Restriping	allowance		\$6,000.00	\$6,000	
	<b>Subtotal:</b>				<b>\$439,890</b>	
<b>L. Landscape</b>						
1	Shade Tree	Each	5	\$1,200.00	\$6,000	3" caliper, 16' height
2	Ornamental Tree	Each	11	\$750.00	\$8,250	2" caliper, 10' height
7	Lawns	sq. foot	5,700	\$1.50	\$8,550	seeded / watered
	<b>Subtotal:</b>				<b>\$22,800</b>	
<b>Rankin Park Subtotal</b>					<b>\$2,154,840</b>	
<b>Contingency</b>						
1	Mobilization and General Conditions (7.5%)	lump sum	1		<b>\$161,613</b>	7.5% of subtotal
2	Design/Engineering Services (12%)	lump sum	1		<b>\$258,581</b>	12% of subtotal
3	Construction Contingency (20%)	lump sum			<b>\$430,968</b>	20% of subtotal
<b>TOTAL:</b>					<b>\$3,006,002</b>	



# PHASE I PARK IMPROVEMENTS



## LOWELL PARK MASTER PLAN - HAROLD RANKIN PARK

Order of Magnitude Estimate of Probable Capital Improvement Costs -Master Plan - LWCF

10-Mar-23

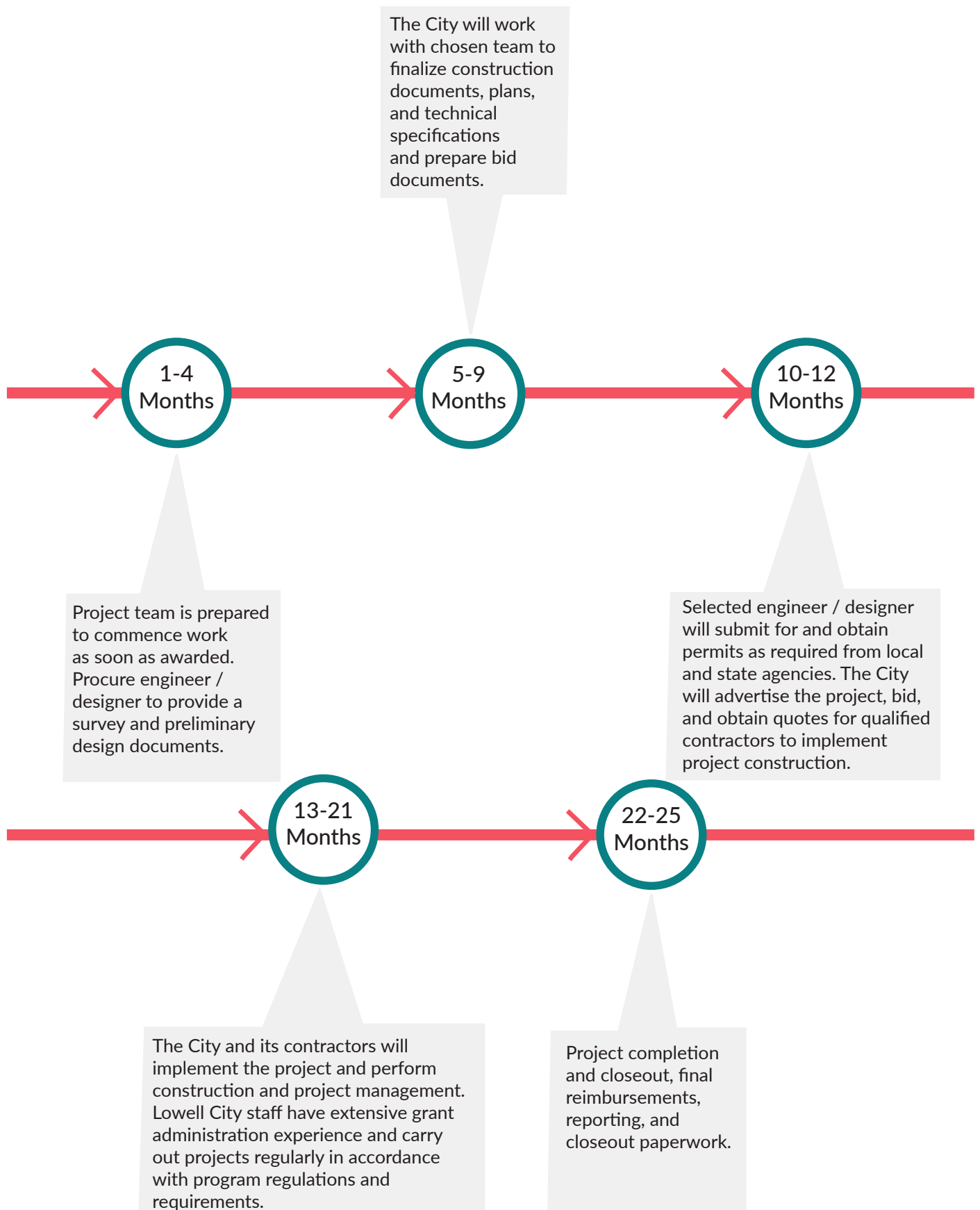
Rankin Park Master Plan - Approx. 7 Acres		Unit	Quantity	Unit Cost	Subtotal	
<b>A. General</b>						
2	Staking and Layout	lump sum	1	\$10,000.00	\$10,000	
<b>B. Grading/ Drainage</b>						
1	General Site Grading	acre	0.8	\$15,000.00	\$11,250	grading, fine grading
2	Erosion Control	Allowance		\$10,000.00	\$10,000	silt fence, diversions
3	Drainage infrastructure	Allowance		\$40,000.00	\$40,000	
4	Construction Entrance	each	1	\$1,500.00	\$1,500	
Subtotal:					\$62,750	
<b>C. Buildings and Structures</b>						
1	Restroom	allowance		\$225,000	\$225,000	
Subtotal:					\$225,000	
<b>D. Playground</b>						
1	Playground Edge	linear foot	300	\$31.00	\$9,300	concrete
2	Playground Surfacing	square foot	5,000	\$22.50	\$112,500	PIP
3	Play Equipment	Allowance		\$180,000.00	\$180,000	
Subtotal:					\$301,800	
<b>E. Basketball Courts</b>						
1	Paving	square foot	2,350	\$40.00	\$94,000	Concrete
2	Striping	Allowance	1	\$3,000.00	\$3,000	
Subtotal:					\$97,000	
<b>F. Pickleball</b>						
1	Surfacing	Allowance		\$25,000.00	\$25,000	
2	Fencing	linear foot	340	\$20.00	\$6,800	
3	Striping	Allowance		\$10,000.00	\$10,000	
4	Accessible Ramp	Allowance			\$7,000	
Subtotal:					\$48,800	
<b>G. Multi Purpose fields</b>						
1	Surface / prep and seeding	Allowance		\$15,000.00	\$15,000	
2	Fencing	linear foot	750	\$20.00	\$15,000	
Subtotal:					\$30,000	
<b>H. Bocci Court</b>						
1	Edging	linear foot	208	\$15.00	\$3,120	
2	Surface	square foot	1,183	\$8.00	\$9,464	
3	Benches	each	2	\$500.00	\$1,000	
Subtotal:					\$15,950	
<b>I. Walking Trail Contiguous 0.28 Miles</b>						
1	Concrete Walks	linear foot	700	\$40.00	\$28,000	concrete 8' wide
2	Nature Trail	linear foot	800	\$20.00	\$16,000	clearing/grading/mulch
Subtotal:					\$44,000	
Rankin Park Subtotal					\$835,300	
<b>Contingency</b>						
1	Mobilization and General Conditions	lump sum	1		\$62,648	7.5% of subtotal
2	Design/Engineering Services	lump sum	1		\$100,236	12% of subtotal
3	Construction Contingency	lump sum			\$41,765	5% of subtotal

**TOTAL:**

**\$1,039,949**

# PROJECT IMPLEMENTATION TIMELINE

## *Anticipated Benchmarks*



# **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 court will be larger to the size of a middle school sized court; 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 2<sup>nd</sup> 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 29<sup>th</sup>. 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 14<sup>th</sup>] due October 28<sup>th</sup>. 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 complaint, 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.

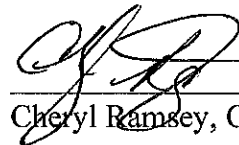
A. Councilmember Fulbright made a motion to go into Closed Session, seconded by Councilmember Bonham. The vote was unanimously in favor.

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



Prepared By: Scott Attaway

Resolution 04-2023 to Adopt and Approve Harold Rankin Park Master Plan Report

Meeting	Agenda Group
April 11th, 2023, 6:00 PM	New Business Item: C
Reference File	Presented By

To:

From:

Date:

Re:

placeholder for info here...



**RESOLUTION TO ADOPT AND APPROVE HAROLD RANKIN PARK MASTER  
PLAN REPORT**

**RESOLUTION NUMBER: RS04-2023**

**WHEREAS**, the City of Lowell established Harold Rankin Park in 1978, which continues to be the most used recreational facility within the City of Lowell; and

**WHEREAS**, the City has undertaken several public outreach initiatives to determine the current and future recreational facility and program needs in Lowell by engaging citizens; and

**WHEREAS**, the City has developed the Harold Rankin Park Master Plan based on recommendations from community members through a public survey, public meetings, and focus groups;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Lowell that the 2023 Harold Rankin Master Plan Report reflects the recreational needs of the community, will have short-term and long-term benefits for the community, and is hereby adopted and approved for implementation.

THIS RESOLUTION, adopted this the 11<sup>th</sup> day of April, 2023.

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**Sandy Railey, Mayor**

**ATTEST:**

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**Cheryl Ramsey, City Clerk**



**Preliminary Capacity Assurance Review (PCAR) / Willingness to Serve - Beacon Partners - McAdenville Industrial Project - Parcel 306717**

Meeting	Agenda Group	
April 11th, 2023, 6:00 PM	New Business	Item: D
Reference File	Presented By	

**To:** Scott Attaway, City Manager

**From:** Joe Gates, Planning Director

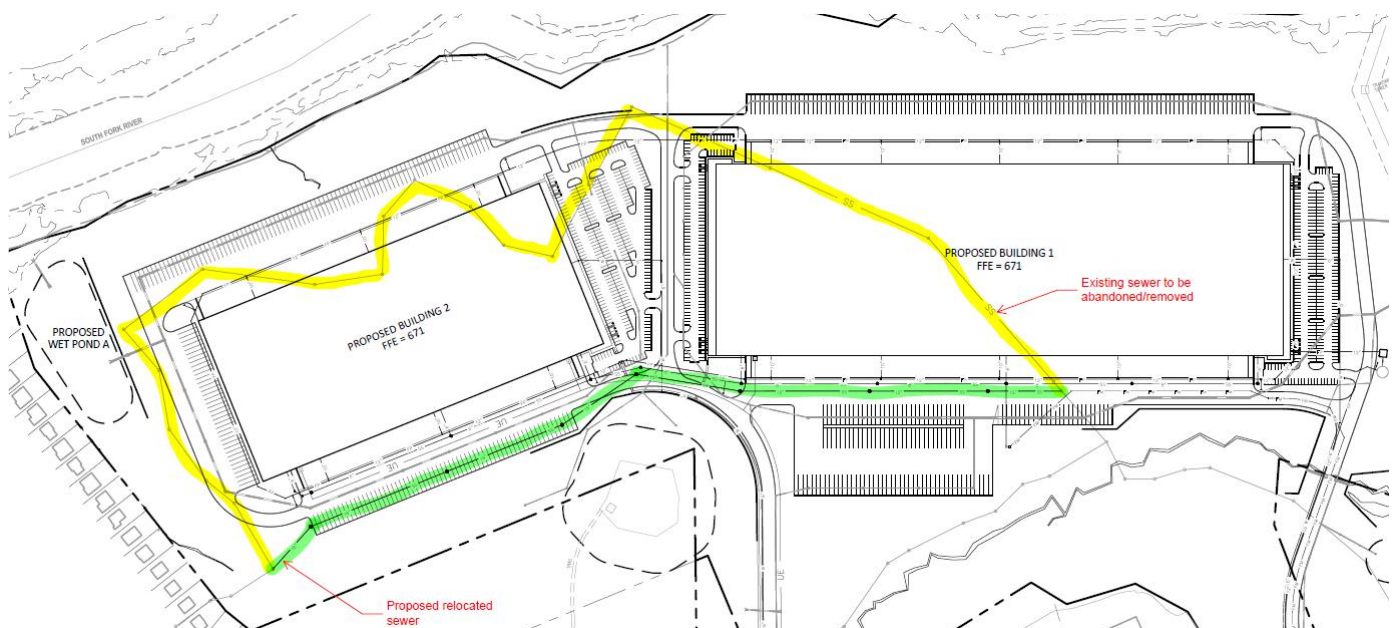
**Date:** Wednesday, April 5th, 2023

**Re:** Preliminary Capacity Assurance Review (PCAR)/Willingness to Serve Application - Beacon Partners, McAdenville Industrial Project, Parcel # 306717

On Tuesday, April 4th, 2023, the City of Lowell Planning and Zoning Board reviewed the application for a PCAR/Willingness to Serve for the McAdenville Industrial Project located on parcel 306717. After reviewing all the information provided, the Planning and Zoning Board voted unanimously to approve the application citing compliance with the Utility Allocation and Extension Policy and recommendations by staff.

The proposed development on Saxony Drive (PID 306717) is located within the City of Lowell Utilities Service Area, but not the Municipal City Limits of the City of Lowell. The development can be served with sanitary sewer service by an existing 15" sewer outfall located on the property. As part of the site grading and development, the Developer is agreeing to replace the **4,478 LF of existing 15" sewer outfall** with approximately **2,300 LF of new 15" epoxy lined DIP or PVC** will be located within a maintenance easement dedicated to the City. The estimated cost of construction and engineering for replacement of this section of the City's existing sanitary sewer outfall is estimated to be approximately \$1,059,000.

Per the submitted Preliminary Capacity Assurance Review application (PCAR), the proposed project includes 425 employees and 273 loading bays with an estimate average daily sewage flow of 37,925 gallons per day (0.038 MGD). A preliminary review indicates that there appears to be sufficient capacity in the City's system to consider acceptance of the proposed domestic strength wastewater flow.



General locations of the existing sewer line (YELLOW) and proposed sewer line (GREEN)

**OTHER INFORMATION:**

The application and the updated Utility Allocation and Extension Policy has been added to this agenda item for your reference. The process known as "willingness to serve" is intended to identify and address any potential capacity issues early in the development process. Existing water and sewer maps from the public works department may be made available to the applicant for the creation of a concept plan attachment to the application. Approval of the PCAR does not reserve capacity within the wastewater system.

Memorandums of Support from the Public Works Director and the City Engineer have been added to the agenda item for City Council's review.

## MEMORANDUM OF SUPPORT

TO: Joe Gates , City of Lowell Planning Administrator

FROM: Bonnie A. Fisher, PE

DATE: March 31, 2023

RE: McAdenville Industries/Beacon Properties at Saxony Drive Utility Services

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### PROJECT DESCRIPTION:

The proposed development on Saxony Drive (PID 306717) is located within the City of Lowell Utilities service area and can be served with sanitary sewer service by an existing 15" sewer outfall located on the property. As part of the site grading and development, the Developer is agreeing to replace the 4,478 LF of existing 15" sewer outfall with approximately 2,300 linear feet of new 15" epoxy lined DIP or PVC sanitary sewer that will be dedicated to the City at no cost. The existing 15" sewer outfall will be abandoned in place. The new sewer line will be located within a maintenance easement dedicated to the City. The estimated cost of construction and engineering for replacement of this section of the City's existing sanitary sewer outfall is estimated to be approximately \$1,059,000.

Per the submitted Preliminary Capacity Assurance Review application (PCAR), the proposed project includes 425 employees and 273 loading bays with an estimated average daily sewage flow of 37,925 gallons per day (0.038 MGD). A preliminary review indicates that there appears to be sufficient capacity in the City's system to consider acceptance of the proposed domestic strength wastewater flow.

Water service shall be provided to the site by connection to the Town of McAdenville's system.

### RECOMMENDATION:

The replacement of aging infrastructure by the proposed sanitary sewer will be a beneficial investment in public infrastructure that will help reduce Inflow & Infiltration within the City's sewer system, and approving sewer service for this project does not negatively impact the City's ability to consider service to other future developments. Therefore, approval of the PCAR is recommended. Note that recommendation for approval is not an assurance of sewer capacity, nor is it approval of the preliminary sewer system design provided by the Applicant. Sewer flow allocation and construction plans are reviewed and approved during the FCAR process per the City's Policy for Managing Utility Allocations & Extensions.

# CITY OF LOWELL



e-mail this application along with utility plan to:

Public Works Director, City of Lowell  
101 W. First Street  
Lowell, NC 28098  
tshrewsbury@lowellinc.com

## Capacity Assurance Review Application

### FLOW ACCEPTANCE / WILLINGNESS TO SERVE

All requests require a utility drawing indicating that proposed water/sewer connection point(s) and sizes.

#### **SELECT SUBMITTAL TYPE:**

FLOW ACCEPTANCE ☐ (RESERVES CAPACITY)

DATE: 10/13/2022

WILLINGNESS TO SERVE ☒ (DOES NOT RESERVE CAPACITY)

### Requested By

John	Core	Beacon Partners
<i>First Name</i>	<i>Last name</i>	<i>Company, HOA, Developer, etc.</i>
500 E Morehead Street, Suite 200		
<i>Address</i>		<i>Apartment/Unit #</i>
Charlotte	NC 28202	john.core@beacondev
<i>City</i>	<i>State</i>	<i>Zip</i>
		<i>Email</i>
		<i>Fax</i>
		<i>Phone</i>

### Project Location

McAdenville Industrial	
<i>Project Name</i>	<i>Phone</i>
Saxony Drive	
<i>Site Address</i>	<i>Apartment/Unit #</i>
McAdenville	NC 28098
<i>City</i>	<i>State</i>
John Core	<i>Zip</i>
<i>Contact Person Name</i>	<i>Email</i>

### Project Information

Complete the following:

1. Project is ☒ new ☐ modification
2. Type of development (15A NCAC 02T.0114 Wastewater Design Flow Rates)
  - a. Residential, apartment \_\_\_\_\_ units
  - b. Residential, townhome/condominium \_\_\_\_\_ units
  - c. Amenity Center (sf) or Pool (people) \_\_\_\_\_ units
  - d. Residential, single-family \_\_\_\_\_ lots
    - i. Public Roads? ☐ Y ☐ N
  - e. Restaurant \_\_\_\_\_ seats
  - f. Retail or retail with food prep \_\_\_\_\_ sf
  - g. Office \_\_\_\_\_ 425 #emp/shift
  - h. Warehouse \_\_\_\_\_ 273 #loading bays
  - i. Hotel or suites \_\_\_\_\_ rooms
  - j. School \_\_\_\_\_ students
    - i. Cafeteria ☐ Y ☐ N
    - ii. Gym/Locker Rooms ☐ Y ☐ N
  - k. Other (provide flow calculations) \_\_\_\_\_
3. Will this project have a pool? ☐ Y ☒ N
  - a. If yes, pool must have a 4-inch drain line



4. Will this project have a private sewer lift station? ☒ Y ☐ N
5. Total wastewater flow requested (average daily flow in gpd, show calculations) 37925
6. Commercial only: Peak wastewater flow requested (peak hourly flow in GPH): 3951
7. Average Daily Water Demand: 0
8. Peak Water Demand (GPM): 0
9. Does this project include a 6-inch or larger private sewer line providing service to multiple buildings? ☐ Y ☒ N
10. Does this project include a 2-inch or larger private water line providing service to multiple buildings? ☐ Y ☒ N

City Tracking #:	Map #
<b>Basin</b>	<b>Flow amount (gpd)</b>
Does the flow transmit through a <b>City</b> lift station? <input type="checkbox"/> Y <input type="checkbox"/> N	
If yes, which station?	
WWTF <b>Basin:</b>	



**To:** Joe Gates, Planning Director

**From:** Thomas Shrewsbury, Public Works

**Date:** March 30, 2023

**Re:** Beacon Sewer Realignment

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Dear Mr. Gates

In recent meetings, there has been discussion about a planned commercial development just outside city limits and on Pharr Yarn properties on Power Drive. The planned development would require a section of the Power Drive outfall sewer line to be relocated to allow construction of the new building and potentially a new customer to the Lowell sewer system. I wanted to convey how this proposed change would affect the City of Lowell sewer collection system from an operations, maintenance, and environmental perspective.

The line developers are proposing to eliminate is a 15-inch terra cotta (clay) sewer line and has been in service for over 50 years. This portion of sewer main catches a substantial portion of the Northwestern end of the community. The 15-inch sewer line currently runs adjacent to the Southfork River and consists of several turns and ariel sections of pipe due to the topography of the land. The area in question has always presented maintenance challenges to Public Works staff because of the bad terrain, natural drainage areas and limited access points.

Developers have proposed replacing the 15-inch sewer line to the front side of the newly proposed building. This realignment would move the sewer line much further from the Southfork River, minimizing the potential environmental impacts from future sewer spills. The new sewer line would be going through a parking area that the City of Lowell would possess an easement to maintain, which is the same type of agreement we currently have in place to maintain the old line. The new sewer line would be installed on level ground with 24-hour access and none of the topography issues we currently have.

Considering the future financial, environmental and maintenance benefits these changes would have, staff would strongly recommend acceptance of the proposed sewer realignment as well as the opportunity to add a new customer to the City of Lowell sewer system.

Respectfully,

Thomas Shrewsbury

City of Lowell, Public Works Director

City of Lowell  
Policy for Managing Utility Allocations & Extensions

**PURPOSE:** A Policy to Establish the Provision of Water Distribution and Sewer Collection Services to Serve the Corporate Limits of the City of Lowell and Incorporate by Extension Additional Areas Outside the Corporate Limits Which May be Advantageous for Annexation into the City of Lowell, North Carolina.

***WHEREAS,*** the City of Lowell, incorporated 1879, for the purpose of establishing essential municipal services for both current and future citizens;

***WHEREAS,*** the City of Lowell City Council declares the extension of potable water and sewer collection services into areas of need and areas of future growth to be a major priority; *and*

***WHEREAS,*** the City of Lowell City Council desires to establish a sound policy for the management of both water and sewer capacity to promote orderly growth in accordance with the *City of Lowell Comprehensive Land Use Plan*.

**SCOPE/COVERAGE:**

**Section 1 - Policy for Evaluating and Reserving Utility Allocations**

**I. General Principles**

- A. The City of Lowell has allocated substantial capital for investment in the infrastructure necessary to support a growing, prosperous, and healthy community. Water supply and wastewater treatment capacity are among the most important elements of this infrastructure.
- B. Increasing the City's property tax base and/or revenue sources by the expansion and improvement of residential, commercial, industrial, and/or civic land uses and fostering a higher quality of life for its residents are the paramount factors by which utility allocation decisions are based.
- C. Consistent with the intent of this policy and other public statements and policies made by the City Council, the following hierarchy shall apply to the evaluation of utility allocation requests:
  - 1. Location: The priority for utility extension will be given to applicants whose subject extension is to service an area that is within the corporate limits or otherwise incorporated into the City of Lowell.
  - 2. Industrial projects and other major employers.

City of Lowell  
Policy for Managing Utility Allocations & Extensions

3. Commercial development projects with a mixed-use element.
4. Non-profit or civic uses which contribute to or attract significant economic development to the City.
5. Additional phases attached to residential projects with a proven record of quality product and economic success.
6. Residential projects that include tangible, high quality community amenities.
7. Residential projects that include diverse products and opportunities.
8. Residential projects, not otherwise described above.

## **II. Reservation Process**

- A. Preliminary Capacity Assurance Review (PCAR): The owner of any project requiring utility service within the City of Lowell shall submit a written application for an allocation. The application shall be in letter form, addressed to the City, and shall include detailed information on the amount of capacity necessary to serve the project, the nature of the project, project schedule in relation to consumption of utility capacity, and other supporting information demonstrating how the project serves the needs and interest of the City of Lowell. A Preliminary Capacity Assurance Review (PCAR), application shall be submitted prior to, or concurrently, with the preliminary plat submittal for subdivisions; or concurrently with, or prior to, submittal of construction drawings for all other developments. This preliminary application submittal does not require a fully engineered site plan and can be submitted with a conceptual plan of the development site that includes a preliminary estimate of flows. The PCAR (also known as a Willingness to Serve) is intended to identify and address any potential capacity issues early in the development process. Existing Water and Sewer maps from the Public Works department may be made available to the applicant for the creation of a concept plan attachment to the application. Approval of the PCAR does NOT reserve capacity within the wastewater system.
- B. Full Capacity Assurance Review (FCAR): After approval of the PCAR, the owner of the project shall submit a completed FCAR application with fully engineered site utility plans for review. After a complete submittal is received, the City shall perform an engineering analysis of the existing public wastewater system and water system to verify sufficient capacity in the system to accommodate the proposed development. The existing system shall be evaluated from the new customer's proposed point of connection through the existing local gravity sewer, the trunk sewer, any pump stations, and to the wastewater treatment facilities. All costs associated with this engineering, evaluation and analysis shall be the

City of Lowell  
Policy for Managing Utility Allocations & Extensions

responsibility of the developer. After sufficient capacity is confirmed by the City, the FCAR application may be approved.

Approval of the FCAR application and utility allocation reserves capacity for the development in the public wastewater system for twenty-four (24) months from the date of approval.

- C. The Planning Board shall review and make recommendation to the City Council for consideration and approval of all Willingness to Serve notifications (PCAR) and allocations (FCAR), which require or may require a daily flow allocation of five thousand gallons (5,000 gpd) or more; any application that requests allocation for any project outside the incorporated jurisdiction of the City; and, any allocation made for a land use category from capacity otherwise set aside for a different land use type.
1. Residential Subdivision Development, Mixed-use Planned Developments, Commercial and/or Industrial Developments, and Special Use Permits. The City Council shall with deliberation incorporate the evaluation of utility allocation requests into the decision-making process associated with each of the aforementioned review processes established within the City's development standards and specifications. The criteria contained herein for evaluation of utility allocation requests shall be included as elements within the review process for the accompanying land use application with regard to conformity with City of Lowell' policies and ordinances, planning practices, and consistency with the adopted *City of Lowell Comprehensive Land Use Plan* or later version.
- D. The City Public Works Engineer shall review for approval all incorporated area applications for utility Willingness to Serve notifications (PCAR) and capacity (FCAR), which require a daily flow allocation of less than five thousand gallons (5,000 gpd) for allocations.
1. The City Public Works Engineer shall consider the goals articulated by this and related City policies when reviewing applications for utility allocations. If an application is denied, the City Public Works Engineer shall state in writing the reasons for denial of the request.
2. Appeals process. Any applicant whose application for utility service is denied by the City Public Works Engineer and who believes that such denial is inconsistent with the goals and priorities stated by this and related City policies may appeal the denial for review by the City

City of Lowell  
Policy for Managing Utility Allocations & Extensions

Council for final decision at the next regularly scheduled City Council meeting.

- E. Utility allocations granted under this policy shall require the requestor to post the tap fees within forty-five (45) days of the date the allocation/Full Capacity Assurance Review (FCAR) is granted. Failure to pay the tap fees within this period may result in revocation of the allocation.
1. All utility allocations approved by the City shall be effective for a period of twenty-four (24) months. Projects possessing an allocation must start construction within the time shown on the project schedule prepared and submitted by the developer or customer.
  2. Upon request by the applicant and at the discretion of the City Manager, an allocation may be extended for a twelve (12) month period.
  4. At the final expiration date for an unused allocation the City shall rescind the allocation and retain sixty percent (60%) of the applicable fees paid to the City.
  5. Authority of the distributing of utility allocations in association with the City's utility services is held exclusively by the City of Lowell. Utility allocations shall not be redistributed to a third party.
  6. Relinquishment of allocated utilities shall be in accordance with Subsection II.E of this policy.
- F. An allocation holder may relinquish capacity back to the City subject to the following policies for reimbursement of fees paid:
1. If a project is unsuccessful in obtaining any required City or County permit or approval or any State permit or approval, and the allocation holder relinquishes capacity back to the City within ninety (90) days of the date the allocation is granted, the full amount paid on utility tap fees shall be reimbursed without penalty or other withholding by the City.
  2. If a project is successful in obtaining all required City, County and State approvals and agrees to relinquish the total capacity allocation granted back to the City within ninety (90) days following receipt of final permit approval from the City, then the total amount of the utility

City of Lowell  
Policy for Managing Utility Allocations & Extensions

capacity fees paid to the City shall be returned without penalty or other withholding by the City.

3. If a project is unsuccessful in obtaining any required City or County permit or approval or any State permit or approval and holds an allocation for ninety (90) or more days, but relinquishes back to the City the full amount of allocation within fewer than six (6) months beyond the scheduled date for start of construction, then twenty percent (20%) of the total utility tap fees shall be retained by the City and the remaining amount shall be returned to the applicant.
4. If a project is successful in obtaining all required City, County and State approvals and holds an allocation for ninety (90) or more days following receipt of final permit approval from the City, but relinquishes back to the City the full amount of allocation within fewer than six (6) months beyond the scheduled date for start of construction, then twenty percent (20%) of the total utility tap fees shall be retained by the City and the remaining amount shall be returned to the applicant.
5. If a project is or is not successful in obtaining all required City, County and State approvals and the allocation holder agrees to relinquish the total capacity allocation granted back to the City after six (6) months beyond the scheduled date for start of construction, but within twelve (12) months beyond the scheduled date for start of construction, then thirty percent (30%) of the total utility tap fees shall be retained by the City and the remaining amount shall be returned to the applicant.
6. If a project is or is not successful in obtaining all required City, County and State approvals and the allocation holder agrees to relinquish the total capacity allocation granted back to the City after twelve (12) months beyond the scheduled date for start of construction, but within eighteen (18) months beyond the scheduled date for start of construction, then forty percent (40%) of the total utility tap fees shall be retained by the City and the remaining amount shall be returned to the applicant.
7. If a project is or is not successful in obtaining all required City, County and State approvals and the allocation holder agrees to relinquish the total capacity allocation granted back to the City after eighteen (18) months beyond the scheduled date for start of construction, but within twenty-four (24) months beyond the scheduled date for start of construction, then fifty percent (50%) of the total utility tap fees shall



City of Lowell  
Policy for Managing Utility Allocations & Extensions

be retained by the City and the remaining amount shall be returned to the applicant.

8. If a project is or is not successful in obtaining all required City, County and State approvals and has not demonstrated significant construction advancement in the proposed project within twenty-four (24) months beyond the scheduled date for start of construction, then the City shall rescind the allocation and retain sixty percent (60%) of the applicable fees paid to the City and the remaining amount shall be returned to the applicant.
- F. Granting of a utility allocation does not imply or confer approval of any other applications or reviews as may be required by City Ordinance or policy and does not imply or create any vested right per G.S 160D-108.
- G. If the City of Lowell approves an allocation for utility capacity for a project and a permit for such project is ultimately denied by the North Carolina Department of Environmental Quality, its successors or other responsible regulatory agency, then the City of Lowell shall bear no liability for any costs incurred by the applicant, nor bear further responsibility in the matter. In such cases, applicable utility access fees, if previously collected, shall be returned as provided in Section 1 Subsection II.E.

City of Lowell  
Policy for Managing Utility Allocations & Extensions

**III. Capacity Accounting**

- A. Due to weather related factors, the regulatory environment, and the dynamic nature of both water resources and wastewater flow and treatment, accounting of available utility capacity is, by its very nature, inexact. The City of Lowell shall seek to track the amount of capacity that may be available for allocation; however, such reports do not constitute a policy statement, commitment or guarantee on the amount of capacity available for allocation.
  - 1. The City Public Works Engineer shall prepare and incorporate as part of the program established hereunder a schedule of utility capacity available and a list of allocations granted.
  - 2. The City Public Works Engineer shall make at least annual reports to the City Council regarding the status of utility capacities available and allocations granted.

**Section 2 - Utility Extension Policy**

**I. General Principles**

- A. The City of Lowell has allocated substantial capital for investment in the infrastructure necessary to support a growing, prosperous, and healthy community. Water supply and wastewater treatment capacity are among the most important elements of this infrastructure.
- B. Increasing the City's property tax base and/or revenue by the expansion and improvement of residential, commercial and industrial, and/or civic land uses and fostering a higher quality of life for its residents are the paramount factors by which utility allocation decisions are based.
- C. Consistent with the intent of this policy and other public statements and policies made by the City Council, the following hierarchy shall apply to the evaluation of utility extension requests:
  - 1. Location: The priority for utility extension will be given to applicants whose subject extension is to service an area that is within the corporate limits or otherwise incorporated into the City of Lowell.
  - 2. Industrial projects and other major employers.
  - 3. Commercial development projects with a mixed-use element.
  - 4. Non-profit or civic uses which contribute to or attract significant economic development to the City.

City of Lowell  
Policy for Managing Utility Allocations & Extensions

5. Additional phases attached to residential projects with a proven record of quality product and economic success.
  6. Residential projects that include tangible, high quality community amenities.
  7. Residential projects that include diverse products and opportunities.
  8. Residential projects, not otherwise described above.
- D. The planning and extension of water and sewer systems of the City of Lowell shall be accomplished in accordance with the following general principles:
1. Extensions shall be made to promote the orderly growth of the community. The minimum distance for any extension of a water main or sanitary sewer main shall be determined by City Council. In general, the minimum distance for extensions shall be one platted block or, in the case of water mains, from main line valve to main line valve; and in the case of sanitary sewer extensions, from manhole to manhole.
  2. The size of water mains and sanitary sewer mains to be installed, and the other required system facilities shall be determined by the City Council in accordance with the recognized standards and accepted engineering practices and design, and in accordance with applicable system plans adopted by the City Council.
  3. The City shall be responsible for the maintenance, operation, control and ownership of all water and sewer facilities.
  4. Developers of subdivisions shall be responsible for the full cost of installing utilities within their own subdivisions, and for the full cost of any mains or outfalls required to connect said subdivisions to the water or sewer systems of the City existing at the time. This provision shall apply to all subdivisions whether within or outside of the corporate limits.

**II. Application for Extension and Approval of Extension Application**

- A. Any property owner or owners desiring water or sanitary sewer service shall apply in writing to the City Council requesting the extension of water or sanitary sewer service or both. No request for the extension of services shall be considered unless submitted in writing in accordance with this Chapter and applicable provisions of the City of Lowell Development Ordinance.

City of Lowell  
Policy for Managing Utility Allocations & Extensions

- B. The applicant shall be required to submit as part of the application, and prior to approval, such information, plans, specifications, or other data as may be required to adequately determine if the requirements of this Chapter and applicable provisions of the City of Lowell Development Ordinance are to be met.
- C. Prior to final approval by the City, the applicant shall furnish to the City all necessary information, reports, plans and specifications as well as appropriate fees payable to the City and documentation of all required permits from other units of government and their agencies.
- D. When application is made for a water or sewer extension or both to serve an area or development that is planned as part of a larger development project or subdivision, all of which is not to be developed at the time application is made, the owner or owners shall submit plans in sufficient detail in order to determine the size and type facilities which will be necessary to serve the entire development or subdivision when completed.
- E. No extension to the water or sanitary sewer system of the City shall be made, and no application approved, except in accordance with the requirements of this Section and the consistent with the adopted *City of Lowell Comprehensive Land Use Plan* or later version.

**III. Financing Extensions within the Corporate Limits**

- A. *Extensions to Existing Lots, Parcels or Developed Property.*
  - 1. When application is received requesting the extension of water or sanitary sewer service or both to serve property, within the corporate limits, which is developed or where streets have been previously dedicated and accepted by the City, and where the area is not part of a new subdivision, the City Public Works Engineer or other person designated by the City Council shall estimate the cost of the project and present the application for the extension, the estimated cost and other required information to the City Council for consideration. If the application is approved by the City Council, and subject to the availability of funds, the City will install or have installed by contract under its supervision, the extensions which have been approved, and the extensions shall be financed in accordance with this Section.

City of Lowell  
Policy for Managing Utility Allocations & Extensions

2. Upon receipt of a petition to extend a water and/or sewer main, the City Council has the following five options for response:
  - a. Install the extension at the City's expense.
  - b. Approve and allow the petitioner to install the extension at petitioner's expense.
  - c. Install the extension at the petitioner's expense.
  - d. Install and jointly finance the extension in cooperation with the petitioner.
  - e. Deny the request.
3. The criteria under which an option will be chosen are generally defined herein; however, the City Council may act according to any aforementioned option, which it feels is in the best interest of the City.
4. When the City determines that it is advisable to install larger size lines or facilities than are necessary to serve the benefited property, the difference in the cost of the larger size facilities over the cost of the facilities required to serve the benefited property the extensions shall be paid by the City and excluded from the total cost to be shared by the property owner(s) and the City as provided herein.

- B. *Extension by the City Council's Initiative.* Nothing in this Chapter shall prevent the City Council from extending water or sanitary sewer mains or both within the corporate limits on their own initiative without receipt of an application from property owners and to assess the cost of such extensions in accordance with Subsection III.A above, when, in the opinion of the City Council, the general public interest requires such extensions of service.

#### **IV. Financing Extensions to Subdivisions and Properties Outside of the Corporate Limits**

The financing of extensions of water or sanitary sewer service or both to properties located outside of the corporate limits or to subdivisions for which the extension of service has not been approved as of the date of adoption of this Ordinance shall be performed in accordance with the provisions of this Article and other applicable City Ordinances including but not limited to the City of Lowell Development Ordinance.

- A. All applications for water and sewer extensions to serve properties located outside of the corporate limits or to serve subdivisions, for which an application for extension has not been approved as of the date of this Ordinance, shall be made in the same manner and under the same requirements as provided for in Subsection III.A and Subsection III.B.

City of Lowell  
Policy for Managing Utility Allocations & Extensions

- B. If an application is approved by the City Council, the owner or owners shall be required to pay 100% of the total cost of all extensions. However, the City may participate to the extent agreed upon by the City Council in the cost of larger size mains that are in excess of the size mains required to serve the project. No reimbursement by the City shall be made upon annexation and all water and sewer lines connected to the City system and located outside of the corporate limits shall become the property of the City at the time those facilities are connected.
- C. All applicants requesting utility services shall, at the request of the City, file a petition for annexation to the City. Failure to file a petition for voluntary annexation or satellite annexation on notice from the City may result in immediate termination of water service upon finding by the City Council of a breach of the agreement for the provision of water service.

**V. Specifications; Ownership**

Any water mains or sanitary sewer mains, lift stations, pumping stations, tanks, controls, telemetry, easements and/or other appurtenances extended under the provisions of this Chapter shall be installed and constructed in accordance with the approved plans, specifications and other requirements of the City. All facilities installed under the provisions of this Chapter, whether within or outside the corporate limits, shall become the sole property of the City and under its jurisdiction and control for any and all purposes whatsoever at the time those facilities are connected to the City system. The property owner or owners shall grant to the City such utility easement as the City may require. In addition, a deed to the City for water or sewer facilities installed which are located outside the corporate limits, the cost of which is borne by the applicant or property owners, shall be executed prior to the time any extensions provided for in this Chapter are connected to the City system.

ADOPTED on this the 14<sup>th</sup> day of March 2023

s/ Sandy Railey  
Sandy Railey, Mayor

s/ Cheryl Ramsey  
Cheryl Ramsey, City Clerk

\*Original version adopted on August 10, 2021\*



Request to Set Public Hearing - Text Amendment - Table 17.1 Permanent Sign Standards and Criteria

Meeting	Agenda Group	
April 11th, 2023, 6:00 PM	New Business	Item: E
Reference File	Presented By	

To: Scott Attaway, City Manager

From: Joe Gates, Planning Director

Date: Wednesday, April 5th, 2023

Re: Request to set a public hearing to amend *Table 17.1 Permanent Sign Standards and Criteria* to allow for more "Sign Copy Area Allowance" in the Interstate Highway 85 Commercial District (C-85), US Highway 74 Commercial District (C-74) and the Industrial District (IND).

During their April 4<sup>th</sup>, 2023 regular meeting, the City of Lowell Planning & Zoning Board reviewed a text amendment brought forth by City of Lowell Staff for the following section:

- *Table 17.1 - Permanent Sign Standards and Criteria*

After reviewing the proposed amendment, the Planning Board voted unanimously to recommend **APPROVAL** for the text amendment as submitted by staff. Staff requests that City Council set a public hearing at their next regularly scheduled meeting on **Tuesday, May 9<sup>th</sup>, 2023**, for this proposed text amendment.

**STAFF REPORT**

Staff has been reviewing the sign ordinance and recent Master Sign Plan applications and subsequent hearing outcomes since the adoption of the Lowell Development Ordinance (LDO). Based on this research, staff is now recommending changes to *Table 17.1 - Permanent Sign Standards and Criteria* of *Article 17 - Sign Regulations*.




Two (2) requests are being made at this time by staff.

- Increase the "Sign Copy Area Allowance" for the following zoning districts: Interstate Highway 85 Commercial District (C-85), US Highway 74 Commercial District (C-74) and the Industrial District (IND) to 10% of the wall area or 100 square feet, whichever is less.
- Due to the large area of the properties, physical size of the buildings, and their typical locations along major interstate highways and US highways, staff believes that larger allowances for signs attached to the building (blade or projecting/v-type/flat or wall) will provide better visibility and clearer identification for these larger developments and that signs will be in better proportion to the buildings they are attached to. Those businesses looking to increase beyond those quantities shown in the table can still utilize the Master Sign Plan application process and submit those requests for approval by the City Council.



# Wall Sign Area

**Table 17.1 – Permanent Sign Standards and Criteria**


Sign Type	Sign Copy Area Allowance (sq. ft.)	Sign Illumination	Minimum Letter Size	Maximum Number	Other Requirements
<b>Permanent Attached Signs – General</b>					
Blade* (or Projecting)					Only one <i>sign</i> (blade, V-type or flat <i>sign</i> ) allowed per occupancy per street or parking frontage
V-type*					
Flat* (or Wall)		32** Ambient External Internal	6"	One per street or parking frontage per occupancy	Internally-illuminated <i>signs</i> – <i>sign</i> face can be illuminated  No attached signage above second story except in monolithic multi-story buildings fronting major thoroughfares.  May encroach into adjoining street right-of-way pursuant to an encroachment agreement. See 17.5(G), also see 17.7-1(J)

\*May encroach into adjoining street right-of-way in the Main Street (MS) and Mixed Use (MU) Districts pursuant to an encroachment agreement subject to the provisions of Sections 17.5(G) and 17.7-1(I) of this Article.

**\*\* For buildings located in the Interstate Highway 85 Commercial District (C-85), US Highway 74 Commercial District (C-74) or the Industrial (IND), allow sign area shall be calculated at 10% of the eligible wall area, not to exceed 100 square feet.**

# Drive-Through Sign

**Table 17.1 - Permanent Sign Standards and Criteria**

Sign Type		Sign Copy Area (sq ft)	Max. Sign Height (feet)	Sign Illumination	Min. Letter Size	Max Number	Min. Setback from Property Lines	Other Requirements
Permanent Freestanding Signs - General and Special Purpose								
<u>Drive-Through Sign</u>		<u>64</u>	<u>8</u>	<u>Internal</u>	<u>N/A</u>	<u>One per drive-through lane. **</u>	<u>15 feet from any residential zoning district. Measure from the sign face to the nearest edge of any residential zoning district or property line</u>	<u>May also contain an electronic or video display screen and audio component for interaction with the customer.</u>

\*May encroach into adjoining street right-of-way in the Main Street (MS) and Mixed Use (MU) Districts pursuant to an encroachment agreement subject to the provisions of Sections 17.5(G) and 17.7-1(I) of this Article.

\*\* The drive-through sign may be designed as separate ground signs grouped together and may include the use of preview boards designed as separate ground signs installed at a distance earlier in the drive through lane, however the total area of all signs shall not exceed 64 square feet



Consideration of Illicit Discharge Detection and Elimination (IDDE) Plan adoption

Meeting	Agenda Group	
April 11th, 2023, 6:00 PM	New Business	Item: F
Reference File	Presented By	

**To:** Scott Attaway, City Manager

**From:** Joe Gates, Planning Director

**Date:** Wednesday, April 5th, 2023

**Re:** Consideration for adoption of the City of Lowell Illicit Discharge Detection and Elimination (IDDE) Plan

Per the City of Lowell Stormwater Management Plan NCS00044, Section 3.4.3, the City of Lowell is required to "maintain and implement a written IDDE plan to detect and address illicit discharges, illegal dumping and any non-stormwater discharges identified as significant contributors if pollutants to the MS4." Staff has drafted a plan that meets these requirements and is requesting approval from the City Council.

On Tuesday, April 4th, 2023, the City of Lowell Stormwater Commission reviewed the proposed Illicit Discharge Detection and Elimination (IDDE) Plan provided by city staff. After reviewing all the information provided, the Stormwater Commission Board voted unanimously to approve the plan.

An excerpt from the Lowell Stormwater Management Plan citing the requirement for this IDDE plan has been attached to this agenda item as well as copy of the proposed IDDE plan.

## PART 7: ILLICIT DISCHARGE DETECTION AND ELIMINATION PROGRAM

The City of Lowell will develop, manage, implement, document, report and enforce an Illicit Discharge Detection and Elimination Program (IDDE) which shall, at a minimum, include the following illicit discharge detection and elimination BMPs. The existing IDDE Program that is loosely held together with internal policies will be formally put together and adopted by the City Council and reside within the City of Lowell Code of Ordinances.

Table 15: Illicit Discharge Detection and Elimination BMPs				
<b>Permit Ref.</b>	<b>3.4.1: MS4 Map</b> Measures to develop, update and maintain a municipal storm sewer system map including stormwater conveyances, flow direction, major outfalls and waters of the United States receiving stormwater discharges.			
<b>BMP No.</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>
	<b>Description of BMP</b>	<b>Measurable Goal(s)</b>	<b>Schedule for Implementation</b>	<b>Annual Reporting Metric</b>
<b>19.</b>	<b>Maintain a Storm Sewer System Map of Major Outfalls</b>			
	The MS4 map creation will begin with the review of proposals to identify and select a consultant. The scope will be to map outfalls, known pipes, structures, and flow directions.	1. Consultant selected to perform initial map creation and mapping.	1. Begin in Permit Year 1 FY 21/22  Conclude initial mapping in Permit Year 2 FY 22/22	1. Consultant selected? Y/N/Partial  Initial mapping completed? Y/N/Partial
		2. Map creation with receiving waters added.	2. Permit Year 3 FY 23/24 Once	2. Report when map is created
		3. Map creation with flow directions.	3. Permit Year 3 FY 23/24 Once	3. Report when map is created
		4. Map creation with SCMs and other structures added.	4. Permit Year 3 FY 23/24 Continuous	4. Report when map is created
<b>20.</b>	<b>Continually update MS4 Map</b>			
	Add new construction infrastructure to the map continuously	1. Maintain the outfall map with all new infrastructure of conveyances and outfalls added yearly to the map.	1. Annually, once BMP No. 19 is completed	1. Report whether or not new outfalls were identified. How many were identified during the permit year and how many during permit term.
<b>Permit Ref.</b>	<b>3.4.2: Regulatory Mechanism</b> Measures to provide an IDDE ordinance or other regulatory mechanism that provides legal authority to prohibit, detect, and eliminate illicit connections and discharges, illegal dumping and spills into the MS4, including enforcement procedures and actions.			
<b>BMP No.</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>
	<b>Description of BMP</b>	<b>Measurable Goal(s)</b>	<b>Schedule for Implementation</b>	<b>Annual Reporting Metric</b>
<b>21.</b>	<b>Maintain adequate legal authorities</b>			

**Table 15: Illicit Discharge Detection and Elimination BMPs**

		2. Staff should routinely perform inspections of the different quadrants of the MS4 Outfall Map by performing regular dry weather (no rain in previous 72 hours) outfall inspections to proactively identify illicit discharges and illicit connections.	2. See BMP No. 23 Annual inspections of all quadrants.	2. See BMP No. 23
		3.	3.	3.
25.	<b>Maintain an Illicit Discharge Detection and Elimination Program</b>			
	Maintain a written Illicit Discharge Detection and Elimination Program, including provisions for program assessment and evaluation and integrating program.	1. See BMP No. 21	1. Permit Year 1 FY 21/22 Continuous	1. See BMP No. 20
Permit Ref.	<b>3.4.4: IDDE Tracking</b> Measures for tracking and documenting the date(s) an illicit discharge, illicit connection or illegal dumping was observed, the results of the investigation, any follow-up of the investigation, the date the investigation was closed, the issuance of enforcement actions, and the ability to identify chronic violators.			
BMP No.	<b>A</b> <b>Description of BMP</b>	<b>B</b> <b>Measurable Goal(s)</b>	<b>C</b> <b>Schedule for Implementation</b>	<b>D</b> <b>Annual Reporting Metric</b>
26.	<b>Track and document investigations of illicit discharges</b>			
	For each case the City of Lowell shall track and document 1) the date(s) the illicit discharge was observed; 2) the results of the investigation; 3) any follow-up of the investigation; and 4) the date the investigation was closed.	1. Keep a spreadsheet of stormwater ID calls, online submissions, and emails.	1. Continuously in Permit Year 1 FY 21/22	1. Document total # of submissions, resolutions, and the length in between. Y/N/Status
		2. Identify hotspot areas (see BMP No. 6)	2. Continuously in Permit Year 1 FY 21/22	2. Y/N/Status
Permit Ref.	<b>3.4.5: Staff IDDE Training</b> Measures to provide training for municipal staff and contractors who, as part of their normal job responsibilities, may observe an illicit discharge, illicit connection, illegal dumping or spills. Training shall include how to identify and report illicit discharges, illicit connections, illegal dumping and spills. Each staff training event shall be documented, including the agenda/materials, date, and number of staff participating.			
BMP No.	<b>A</b> <b>Description of BMP</b>	<b>B</b> <b>Measurable Goal(s)</b>	<b>C</b> <b>Schedule for Implementation</b>	<b>D</b> <b>Annual Reporting Metric</b>
27.	<b>Provide Employee Training</b>			



**Table 15: Illicit Discharge Detection and Elimination BMPs**

	The permittee shall implement and document a training program for appropriate municipal staff, who as part of their normal job responsibilities, may come into contact with or otherwise observe an illicit discharge or illicit connection. (See the SOP BMP No. 23)	1. Begin a quarterly training program for Public Works staff to identify and report illicit discharge/SOP.	1. Begin in Permit Year 2 FY 22/23 Quarterly	1. Report number of staff trained
28.	<b>Fact Sheets</b>			
	Hang fact sheet posters in employee common areas to serve as a reminder of the basics on identifying and reporting illicit discharges, connections, and dumping.	1. Create fact sheets for illicit discharges.	1. Begin in Permit Year 2 FY 22/23 Once	1. Y/N/Status
		2. Display posters in common areas.	2. Begin in Permit Year 2 FY 22/23 Once	2. Number of posters hung
Permit Ref.	<b>3.4.6: IDDE Reporting</b> Measures for the public and staff to report illicit discharges, illegal dumping and spills. The mechanism shall be publicized to facilitate reporting and shall be managed to provide rapid response by appropriately trained personnel.			
BMP No.	A	B	C	D
	Description of BMP	Measurable Goal(s)	Schedule for Implementation	Annual Reporting Metric
29.	<b>Stormwater Hotline</b>			
	The City of Lowell shall promote and maintain a stormwater hotline/helpline for the purpose of the public asking stormwater questions and reporting issues.	1. See BMP No. 12	1. See BMP No. 12	1. See BMP No. 12
30.	<b>Stormwater Website</b>			
	The City of Lowell shall promote and maintain, an internet web site designed to convey the program's message. Other information included: the MS4 permit, SWMP, applicable ordinances, reporting mechanisms, educational materials, opportunities for involvement, and stormwater number.	1. See BMP No. 11	1. See BMP No. 11	1. See BMP No. 11

## **City of Lowell**

# **Illicit Discharge Detection and Elimination (IDDE) Plan**



**Updated March 20, 2023**



# Table of Contents

<b>Section 1: Introduction .....</b>	<b>1</b>
1.1 MS4 Program Background .....	1
1.2 IDDE Program Overview .....	1
1.2.1 Definitions of Illicit Discharges and Sanitary Sewer Overflows.....	1
1.2.2 Illicit Discharge and Sanitary Sewer Overflow Issues .....	3
1.2.3 Timeframe for Elimination of Illicit Discharges .....	3
1.2.4 Non-Stormwater Discharges.....	3
1.3 Statement of IDDE Program Responsibilities.....	4
1.4 Preparation of the IDDE Plan .....	4
1.5 Water Quality .....	4
1.6 IDDE Program Goals and Milestones .....	5
1.6.1 Legal Authority.....	5
1.6.2 Storm Sewer System Mapping.....	5
1.6.3 Categorization and Prioritization of Drainage Areas .....	5
1.6.4 Dry Weather Screening.....	6
1.6.5 Identification and Elimination .....	6
<b>Section 2: Legal Authority.....</b>	<b>7</b>
2.1 Overview .....	7
2.2 Existing Legal Authority .....	7
<b>Section 3: Storm Sewer System Mapping .....</b>	<b>8</b>
3.1 Mapping Requirements .....	8
3.1.1 Required Mapping Elements .....	8
3.2 Status of Existing Mapping .....	8
<b>Section 4: Categorization and Prioritization of Drainage Areas in the MS4.....</b>	<b>9</b>
4.1 Drainage Area Categorization Process (Priority Areas) .....	9
4.1.1 Minimal Risk Areas.....	9
4.1.2 High Priority Outfalls/Areas .....	10
4.1.3 Low Priority Outfalls/Areas .....	10
4.2 Criteria for Categorization of Priority Areas.....	11
4.2.1 Annual Report Content.....	11
<b>Section 5: Dry Weather Screening and Sampling .....</b>	<b>12</b>
5.1 Screening and Sampling Purpose .....	12
5.2 Screening and Sampling Process .....	12
5.2.1 Dry Weather Screening/Sampling .....	12
5.2.2 Inaccessible Outfalls.....	14
5.2.3 Sample Analysis .....	14
5.2.4 Field Equipment and Supplies .....	15
5.3 Interpretation of Results .....	16

<b>Section 6: Identification and Elimination .....</b>	<b>19</b>
6.1 Source Isolation Procedures .....	19
6.1.1 Sandbagging .....	19
6.1.2 Smoke Testing .....	20
6.1.3 Dye Testing.....	20
6.1.4 CCTV/Video Inspection .....	20
6.1.5 Optical Brightener Monitoring .....	20
6.2 Removal and Confirmation .....	21
6.2.1 Reporting Requirements.....	21
6.3 Standard procedure for Corrective Actions/Enforcement.....	21
6.2.2 General enforcement Procedure.....	21
6.4 Follow-Up Screening Process .....	22
6.5 Common Illicit Discharges and Procedures .....	22
6.5.1 Car Washing .....	23
6.5.2 Vehicle Maintenance/Oil Changes .....	23
6.5.3 Illegal Dumping.....	23
6.5.4 Sanitary Sewer Leaks/Septic Tanks .....	24
6.5.5 Construction Sediment (erosion) .....	24
6.5.6 Landscaping Runoff .....	24
<b>Section 7: Training.....</b>	<b>24</b>
7.1 Training Purpose.....	24
<b>Section 8: Outreach and Education .....</b>	<b>25</b>
8.1 Purpose of IDDE Outreach and Education.....	25
8.2.1 Stormwater Fliers.....	25
8.2.2 Stormwater Website and Social Media.....	25
8.2.3 Staff training .....	25
8.2.4 Education during enforcement/investigations .....	25
8.2.5 Water Resources Committee and Annual Water Quality Conference ....	<b>Error! Bookmark not defined.</b>
8.2.6 Stream cleanups .....	25
<b>Section 9: Appendices.....</b>	<b>26</b>
APPENDIX A: COMMON GENERATING SITES AND THEIR POLLUTION POTENTIAL.....	26
APPENDIX B: SCREENING PROCESS FLOWCHART (ENLARGED) .....	30
APPENDIX C: Outfall Screening Inventory Sheet.....	31
APPENDIX D: REPORT/DOCUMENTATION OF CONFIRMED OUTFALL .....	34

## Abbreviations/Terms

BMP	Best Management Practice
CCTV	Closed Circuit Television
CWA	Clean Water Act
EPA	United States Environmental Protection Agency
IDDE	Illicit Discharge Detection and Elimination
IWQR	Integrated Water Quality Report
L	liter
mg	milligrams
MS4	Municipal Separate Storm Sewer System
NCDEQ	NC Department of Environmental Quality
NPDES	National Pollutant Discharge Elimination System
*SSO	Sanitary Sewer Overflow
*SVF	System Vulnerability Factor
TMDL	Total Maximum Daily Load
UA	Urbanized Area
UV	Ultraviolet

Potential Pollution Source: A business, industrial site, facility, (etc.) that works with materials that have the potential to cause harm to nearby waters. Including but not limited to: Public works facilities, industrial sites that handle materials that could impact water quality, waste collection sites, neighborhoods with a large number of pools, areas with older sanitary or storm sewer infrastructure, areas with a high concentration of septic tanks, etc.

# Section 1: Introduction

## 1.1 MS4 Program Background

In 1990, the United States Environmental Protection Agency (EPA) promulgated Phase I of its municipal stormwater program under the authority of the Clean Water Act (CWA). Phase I utilized National Pollutant Discharge Elimination System (NPDES) permit coverage to address stormwater runoff from large municipal separate storm sewer systems (MS4s) that served urbanized areas.

The North Carolina Department of Environmental Quality (NCDEQ) administers NPDES permitting in North Carolina, and has issued a General Permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems (MS4). Most municipalities in the state are required to register for the MS4 permit since they have urbanized areas, including City of Lowell. The permit requires covered municipalities to develop a plan documenting the stormwater best management practices they will use to meet the six minimum control measures identified in the permit.

The permit authorizes discharge of stormwater and certain non-stormwater discharges from or associated with regulated MS4s, provided that the activity is conducted in accordance with the conditions set forth in the permit.

NCDEQ has issued a new permit, to become effective July 1, 2021 that has several significant changes from the existing permit.

## 1.2 IDDE Program Overview

The objective of the IDDE program is to systematically find and eliminate sources of illicit non-stormwater discharges to its MS4 and implement procedures to prevent such discharges.

During the development of the IDDE program, the City must continue to implement their existing IDDE program established under the 2021 permit, per the requirements of the updated MS4 permit.

### 1.2.1 Definitions of Illicit Discharges and Sanitary Sewer Overflows

The City will prohibit illicit discharges and sanitary sewer overflows (SSOs) to its MS4 and require removal of such discharges.

**Sanitary Sewer Overflow (SSO).** A SSO is a discharge of untreated sanitary wastewater from a municipal sanitary sewer.

**Illicit Discharge.** An illicit discharge is any discharge to an MS4 that is not composed entirely of stormwater, *except*:

- ▶ Discharges authorized under a separated NPDES permit that authorizes a discharge to the MS4; or
- ▶ Non-stormwater discharges allowed by Article 19 - Stormwater, Section 19 - Illicit Discharges and Connections of the City of Lowell Development Ordinance summarized below:

### Allowed Non-Stormwater Discharges

- Water line flushing
- Landscape irrigation
- Diverted stream flows
- Rising ground waters
- Uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20))
- Uncontaminated pumped ground water
- Discharges from potable water sources
- Foundation drains
- Air conditioning condensation
- Irrigation water
- Springs
- Water from crawl space pumps
- Footing drains
- Lawn watering
- Individual residential car washing
- Flows from riparian habitats and wetlands
- Dechlorinated swimming pool discharges
- Street wash water
- Other non-stormwater discharges for which a valid NPDES discharge permit has been approved and issued by the state of North Carolina, and provided that any such discharges to the municipal separate storm sewer system shall be authorized by Gaston County or municipality.

### 1.2.2 Illicit Discharge and Sanitary Sewer Overflow Issues

The permit is focused on improving water quality of receiving waterbodies. Studies have shown that illicit discharges can be a significant contributor to stormwater pollution.

There are many sources of illicit discharges, intentional and unintentional in nature. Typical examples include:

- ▶ Intentional dumping of materials into catch basins
- ▶ Cross connection of sanitary sewer system to storm drainage system
- ▶ Pumping of contaminated water and/or groundwater
- ▶ Failing septic systems
- ▶ Floor drains in older buildings
- ▶ Washing machines discharging to storm drainage systems
- ▶ Sediment from unsecured areas

In the aggregate, illicit discharges are a significant contributor to poor receiving water quality.

Similarly, sanitary sewer overflows, caused by capacity issues or blockages, can also contaminate receiving waters with untreated waste.

### 1.2.3 Timeframe for Elimination of Illicit Discharges

The following are requirements for elimination listed in **Section 3.4: Illicit Discharge Detection and Elimination Program** of the MS4 permit:

**Eliminate illicit discharges as soon as possible.** Upon detection, the permittee shall eliminate illicit discharges as soon as possible and require the immediate cessation of such discharges upon confirmation of responsible parties in accordance with its enforceable legal authorities.

**Where illicit discharge can't be eliminated within 60 days.** Where elimination of an illicit discharge within sixty (60) days of its confirmation is not possible, the permittee shall establish a schedule for its elimination not to exceed 180 days. The permittee shall immediately commence actions necessary for elimination. The permittee shall diligently pursue elimination of all illicit discharges. In the interim, the permittee shall take all reasonable and prudent measures to minimize the discharge of pollutants to its MS4.

**No grace period provided.** The period between identification and elimination of an illicit discharge is not a grace period. Discharges from an MS4 that are mixed with an illicit discharge are not authorized by this general permit, are unlawful, and remain unlawful until eliminated.

### 1.2.4 Non-Stormwater Discharges

Sources of non-stormwater listed in Article 19 - Stormwater, Section 19 - Illicit Discharges and Connections of the City of Lowell Development do not need to be addressed. However if any of these sources are identified as significant contributors of pollutants to their MS4, the City will implement measures to control these sources so they are no longer significant contributors of pollutants, and/or eliminate them entirely through this written IDDE program.



### 1.3 Statement of IDDE Program Responsibilities

The lead individuals responsible for implementing the IDDE Program in the City of Lowell is:

#### Lowell IDDE Program

Table 1-1 Additional Roles and Responsibilities for IDDE Program	
Role/Staff position	Responsibility
Stormwater Administration	<ul style="list-style-type: none"><li>• Assist illicit discharge investigations</li><li>• Assist in future outfall screening after mapping is completed</li><li>• Collect records/documentation</li><li>• Outreach and Education Lead illicit discharge investigations</li><li>• Enforcement of illicit discharge</li><li>• Inspect discharges found during outfall screening,</li><li>• Municipal facility inspections</li></ul>
Gaston County Natural Resources	<ul style="list-style-type: none"><li>• Post Construction review &amp; Inspections</li><li>• Construction Site Runoff Control</li></ul>
Public Works Department	<ul style="list-style-type: none"><li>• Maintain municipal facilities</li><li>• Inspect and repair stormwater conveyances</li><li>• Document maintenance activities and send them to the Planning Department for collection</li><li>• Wash/maintain municipal vehicles &amp; equipment</li></ul>
GIS Analyst	<ul style="list-style-type: none"><li>• Create/add to MS4 mapping</li><li>• Initial outfall screening as mapping is being completed</li></ul>

### 1.4 Preparation of the IDDE Plan

The IDDE program for the City was developed by the City staff. Actions taken as part of the IDDE Plan will be documented in the City Annual Report (Annual Assessment) as required by the MS4 General Permit.

### 1.5 Water Quality

Section 305(b) of the Federal Clean Water Act (CWA) requires each State to monitor, assess and report on the quality of its waters relative to designated uses. Section 303(d) of the CWA requires each State to list waters not meeting water quality standards and prioritize those waters for Total Maximum Daily Load (TMDL) development or other management. Reporting for these waters is submitted to EPA every two years.

**Table 1-2** identifies the impaired waterbodies in the City of Lowell based on the 2022 Integrated Water Quality Report.

Table 1-2 303(D) Impaired waters in Lowell			
Receiving Water Name	Stream Index/AU Number	Water Quality Classification	303(d) Listed Parameter(s) of Interest
South Fork Catawba River	(11-129-(15.5)	C	Turbidity (50 NTU, AL, FW miles)

NCDEQ has developed Total Maximum Daily Loads (TMDL) for waters in the City of Lowell. The TMDL identifies the capacity of a surface water to assimilate pollutants without impacting its designated uses. Please refer to **Table 1-3**.

Table 1-3 TMDL or Management strategies applicable to Lowell			
Name of TMDL or Strategy	Pollutant	Waterbody Name	Link
Lake Wylie TMDL	Nitrogen, Phosphorus		<a href="https://deq.nc.gov/media/4639/download">https://deq.nc.gov/media/4639/download</a>

## 1.6 IDDE Program Goals and Milestones

In general, the goals of the IDDE program are to detect and eliminated illicit discharges, and prevent future illicit discharges. The primary components of the program include:

- ▶ Legal authority
- ▶ Storm sewer system mapping
- ▶ Categorization and Prioritization of Catchments
- ▶ Dry Weather Screening
- ▶ Catchment Investigations
- ▶ Identification and Elimination of Illicit Discharges

### 1.6.1 Legal Authority.

In order to enforce provisions of the IDDE program, the City will review its existing legal authority to perform elements of its Written IDDE Plan. City of Lowell has already adopted an illicit discharge ordinance. Per the approved SWMP, the IDDE ordinance will be reviewed on an annual basis

### 1.6.2 Storm Sewer System Mapping.

Detailed storm sewer mapping is required to determine the extent of each outfall's catchment and to evaluate the potential for IDDE contributions. The City of Lowell has mapped the locations of all SCMs under construction during the City's October 2019 audit. The more detailed mapping of pipes, flow direction, inverts, open ditches, inlets, catch basins, manholes, sizes, and conditions will start in Permit Year 2 FY 22/34

### 1.6.3 Categorization and Prioritization of Drainage Areas

The City will rank and prioritize catchments for screening based upon their potential for illicit discharge contributions. Please refer to the detailed discussion in Section 4. The categorization and prioritization process will guide the screening and investigation of the outfalls, and will be updated as information becomes available.

The initial categorization and prioritization must be completed by the first permit year, and then updated annually thereafter.

#### **1.6.4 Dry Weather Screening**

The City will complete dry weather screening and sampling of required MS4 outfalls and interconnections over the 5 permit years. At least 20% of the outfalls within the MS4 boundaries will be screened per year

Progress, including outfalls screened and results, will be included in each Annual Report.

#### **1.6.5 Identification and Elimination**

Once the source of the illicit discharge has been isolated and confirmed, the City shall take measures to eliminate the illicit discharge and perform follow-up confirmatory testing as identified in Section 7. Identified illicit discharges must be removed in accordance with the time frames established in Section 1.2.3.

## **Section 2: Legal Authority**

### **2.1 Overview**

The IDDE program shall provide that the permittee has adequate legal authority (a currently effective ordinance or other regulatory mechanism) to accomplish the following tasks:

- ▶ Prohibit illicit discharges;
- ▶ Investigate suspected illicit discharges;
- ▶ Eliminate illicit discharges; and
- ▶ Implement enforcement procedures and actions.

### **2.2 Existing Legal Authority**

The City has adopted a version of the state model Phase II stormwater ordinance and within this ordinance an IDDE section was included. This functions to give the municipality legal authority to investigate, prevent, and inspect illicit discharge violations.

## Section 3: Storm Sewer System Mapping

### 3.1 Mapping Requirements

The mapping shall include, at a minimum, a depiction of the permittee's separate storm sewer system with the required elements in 3.1.1 below.

The mapping is intended to facilitate the identification of key infrastructure and factors influencing proper system operation, and the potential for illicit sanitary sewer discharges. The map shall include the required infrastructure and water resources information as indicated in Section 3.1.1 below.

#### 3.1.1 Required Mapping Elements

- ▶ Municipal separate storm sewer system
  - Outfalls and receiving waters
  - Storm sewer pipes
  - Open channel conveyances (swales, ditches, etc.)
  - Catch basins/inlets/Culverts
  - Interconnections with other MS4s and other storm sewer systems
  - Municipally-owned stormwater treatment/retention structures (including but not limited to)
    - detention and retention basins
    - infiltration systems
    - bioretention areas
    - water quality swales
    - gross particle separators
    - oil/water separators
    - other proprietary systems
- ▶ Catchment delineations for use in priority rankings
  - Map of Potential Pollution sources (needed for priority ranking)
- ▶ Waterbodies identified by name and indication of all use impairments as identified on the most recent Integrated Water Quality Report pursuant to Clean Water Act section 303(d) and 305(b).

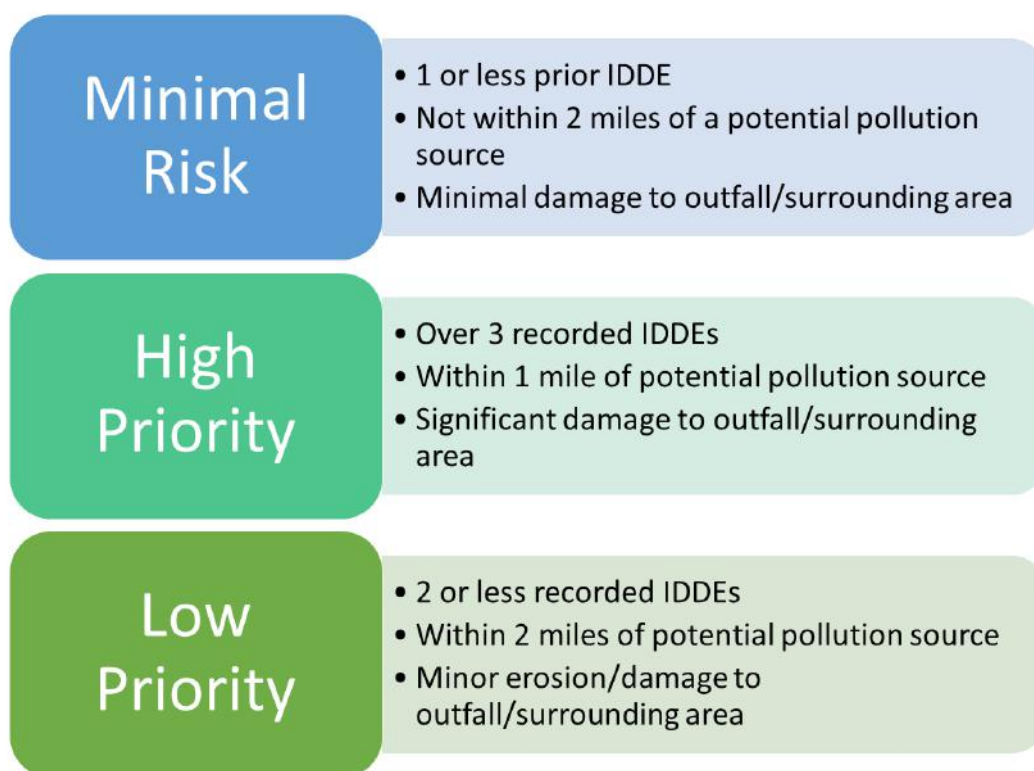
### 3.2 Status of Existing Mapping

The mapping of municipal storm sewer outfalls within the City of Lowell requires completion and some revision. Outfall mapping was done previously by the City during the previous permit cycle. The existing mapping will be used as a base (following verification) and shall be add missing required elements to bring it up to standard.

## Section 4: Categorization and Prioritization of Drainage Areas in the MS4

### 4.1 Drainage Area Categorization Process (Priority Areas)

During the first year of the permit cycle the City will classify and drainage areas based on several factors (through desktop analysis). The categories will be used for scheduling monitoring of those areas and outfalls contained within them and the following repeat inspections throughout the permit cycle. The priority areas categories will be shown on the MS4 map as the City of Lowell SWMP BMP 19 is being completed. Priority area categories will be determined by the risk of pollution potential, previously reported illicit discharges, distance from certain industrial/commercial properties, and repeat offenders. Outfalls will be inspected on an annual (accumulative, 20% per year) basis through the dry weather screening process described later in this document. The initial priority areas will be created using the MS4 map by looking at areas with those listed qualifiers. The priority areas will be further specified as outfall inspections are completed.



► Should a drainage area have multiple reported illicit discharges, its classification can be upgraded to a higher priority. However an outfall can only decrease its priority if no reported illicit discharges have occurred throughout an entire permit cycle.

#### 4.1.1 Minimal Risk Areas

Drainage areas (and associated outfalls) with minimal pollution risk or illicit discharge potential will be marked as "Minimal Risk". Outfalls within this category include: At maximum one recorded illicit discharge, the outfall itself is in good condition with minimal wear, and the outfall is not within proximity of a significant potential pollution source.



- ▶ No more than one recorded illicit discharge
- ▶ Not within 2 miles of a significant potential pollution source
- ▶ Minimal to no damage/wear/weathering/erosion of the outfall and surrounding

#### **4.1.2 High Priority Outfalls/Areas**

High Priority Drainage areas include: discharging to an area of concern to public health due to proximity of recreational areas, draining into drinking water supplies, proximity to high pollution potential sources, repeated illicit discharges, considerable damage to the outfall/surrounding area, frequent sanitary sewer/septic issues, or other significant risks to water quality. The outfalls within these areas will be prioritized for maintenance if issues are found.

- ▶ Over 3 recorded illicit discharges and/or incidents with dry weather screening
- ▶ Within 1 mile of a high pollution potential source
- ▶ Significant damage/weathering/wear/erosion of the outfall and surrounding area that requires repair
- ▶ Screened/inspected annually (compared to once per cycle)

#### **4.1.3 Low Priority Outfalls/Areas**

Low Priority Outfalls/Areas are ones where there is some potential risk for pollutants or other water quality impacts, but on a lesser level than High Priority. These risks include: Minor/limited damage to the outfall/drainage area, pollution potential areas are of a lesser risk (recreational areas, businesses that are unlikely to be a significant source of pollutants, neighborhoods etc.) minimal reported illicit discharges, some risk of clogging or more frequent maintenance (compared to minimal risk).

- ▶ 2 or less recorded illicit discharges
- ▶ Within 2 miles of a significant potential pollution source
- ▶ Minor erosion/damage but of lower priority

## 4.2 Criteria for Categorization of Priority Areas

The City will use the below criteria to determine the correct category to sort each area into

- ▶ **Past discharge complaints and reports.** Where past complaints and reports indicate the potential for illicit discharge connections.
- ▶ **Poor dry weather receiving water quality.** Upon inspection during dry weather screening, low quality water (turgid, abnormal plant growth, oil/grime buildup near the outfall, sediment deposits, odors, surfactants on the surface, etc.) will set an outfall into the high or low priority depending on the level of water impairments and receiving stream quality.
- ▶ **High density/proximity of generating sites.** Institutional, municipal, commercial, or industrial sites, with a historically higher potential to generate pollutants that could contribute to illicit discharges. Including but not limited to:
  - Vehicle Dealers
  - Service Stations
  - NPDES permitted sites
  - Industrial Manufacturing Areas
  - Car Washes
  - Vehicle Maintenance Facilities
  - Landscape and garden centers
  - Recycling Centers
  - For further specification on facilities, see Appendix A
- ▶ **Pollutant contributor to impaired waterbodies.** Impaired waterbodies that receive a discharge from the MS4 or waters with approved TMDLs, where illicit discharges have the potential to contain the pollutant identified as the cause of the impairment. Should an outfall drain immediately into a impaired water body, it will be classified as high priority.

### 4.2.1 Annual Report Content

The City will provide an updated listing of all catchments and the results of the ranking for each catchment in each annual report.

## **Section 5: Dry Weather Screening and Sampling**

### **5.1 Screening and Sampling Purpose**

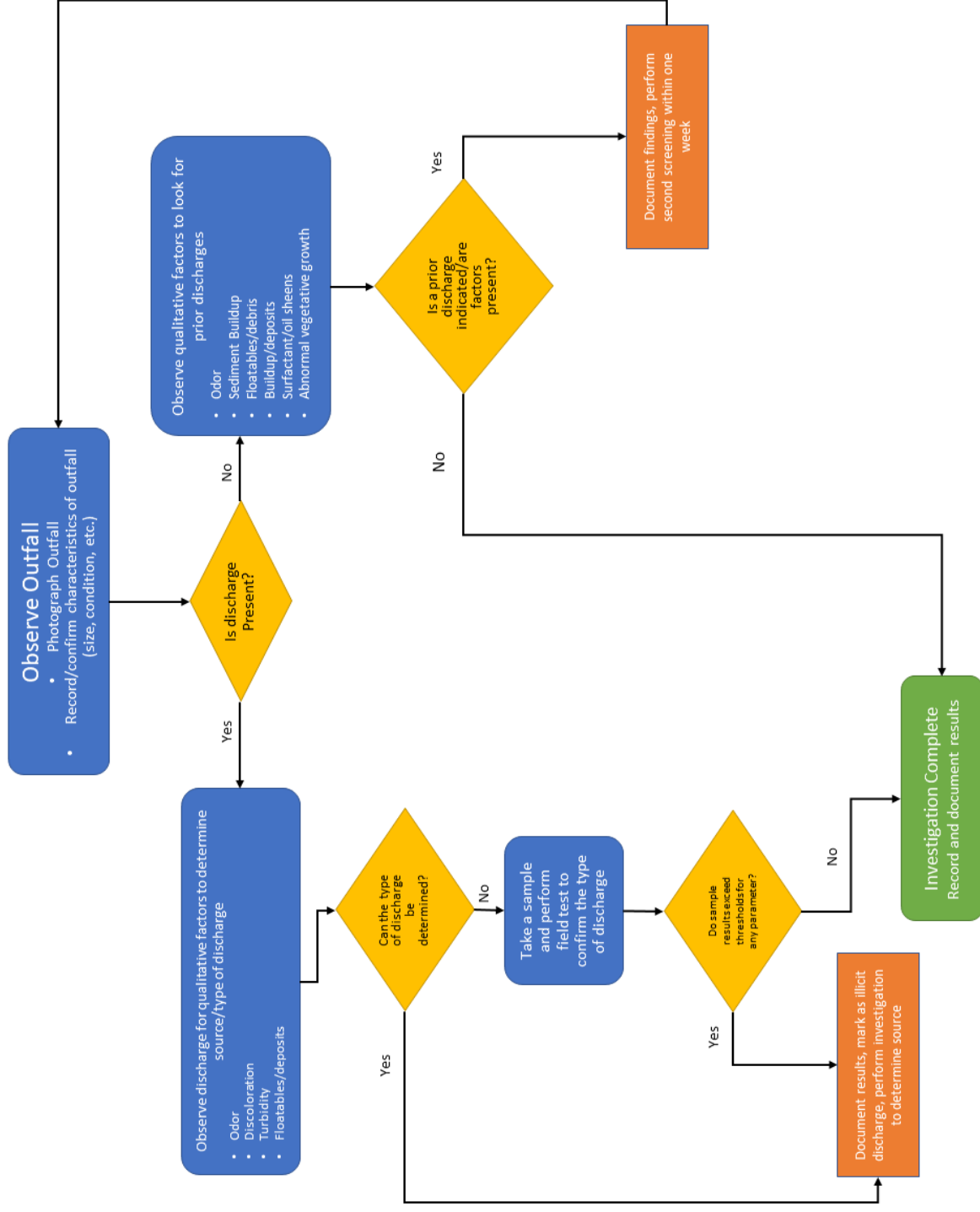
This screening procedure is to be used for screening and sampling of outfalls within the MS4 in dry weather for evidence of illicit discharges.

Dry weather observations are important to the IDDE protocol, because unexpected flow (or evidence of prior discharges) during dry weather is often an indication of potential illicit discharges. As this has not previously been done by City of Lowell dry weather inspections will also function as a way to verify the categories the outfalls/priority areas were sorted into as they will need to be initially determined through desktop analysis.

### **5.2 Screening and Sampling Process**

#### **5.2.1 Dry Weather Screening/Sampling**

Dry weather screening and sampling shall proceed only when no more than 0.1 inches of rainfall has occurred in the previous 72-hour period. Under those conditions, when discharge is observed, the discharge will be determined by qualitative factors of the discharge itself; should the discharge be inconclusive a sample will be taken for testing to determine the severity and cause of the discharge. If no dry weather flow is observed, the City shall record the condition of the outfall and other relevant information. If no flow is observed, but evidence of dry weather flow exists, the inspectors shall revisit the outfall during dry weather within one (1) week of the initial observation, if practicable/weather allowing, to perform a second dry weather screening for any observed flow. Previous evidence of dry weather flow includes (but not limited to): Abnormal vegetation, remnants of chemicals, soap/surfactant sheens, abnormal amounts of sediment, staining, etc. The City shall record any other necessary follow-up actions to identify the source of any apparent intermittent flow not sampled. Depending on the qualitative nature of the discharge, water sampling can be done to verify the source and potential impact of the illicit flow, with high priority outfalls in particular. The specific process is defined in the below figure (enlarged in appendix B). See Appendix C for the outfall screening inventory sheet



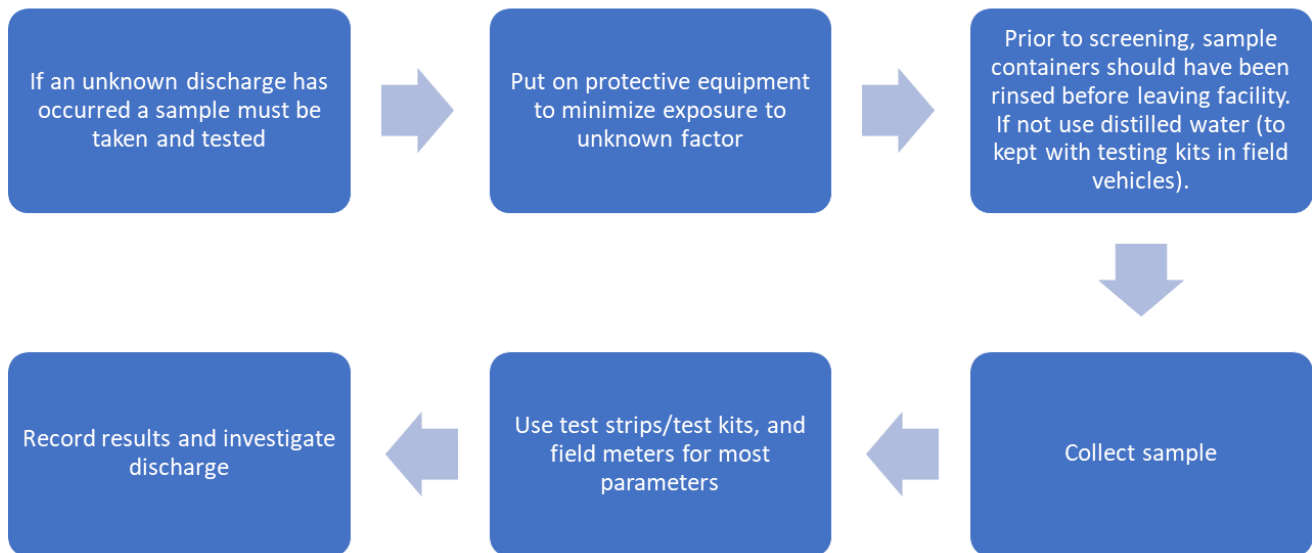
### 5.2.2 Inaccessible Outfalls

If an outfall is inaccessible or submerged, the City shall proceed to the first accessible upstream stormwater structure for the observation and sampling and report the location with the inspection results. If an interconnection is inaccessible or submerged, interconnection screening shall occur at the first accessible location within the City MS4 system up-gradient of the interconnection.

### 5.2.3 Sample Analysis

Analyses can be performed with field test kits/field instrumentation, except for fecal coliform analyses, which must be conducted by a laboratory.

Field test kits or field instrumentation are permitted for all parameters except fecal bacteria and any pollutants of concern (TMDL/impaired stream pollutants where relevant). The typical sampling process is outlined below:



#### 5.2.4 Field Equipment and Supplies

**Table 5-3** indicates field equipment that may be necessary in order to carry out the dry weather screening tasks.

Table 5-3 Dry Weather Screening Field Equipment and Supplies	
Equipment/Supplies	Purpose
Clipboard	For Organization of field sheets and writing surface
Field Sheets	To record observation data
Pens/Pencils/Permanent Markers	Proper Labeling
Gloves	To protect the sampler and sample from contamination/contact
Flashlight/headlamp w/batteries	For looking into outfalls, manholes and storm drains. Cell phone can suffice if necessary
Cooler	For transporting samples for testing
Digital Camera	For documenting field conditions at time of inspection. A cell phone will suffice
Personal Protective Equipment (PPE)	Reflective vest, and boots
GPS Receiver	For taking special location data. Cell phone can suffice if necessary
Water quality Meter	Hand held meter – if available – for quickly testing samples for various water quality parameters
Test strips	Strips to quickly do field samples of suspected illicit discharges. Bring enough for multiple screenings in a day
Label Tape	For labeling sample containers
Sample Containers	Make sure all sample containers are clean. Keep extra sample containers on hand at all times. Make sure there are proper sample containers for what is being sampled for (for example bacteria requires sterile containers)
Pry Bar or Pick	For opening catch basins and manholes when necessary
Sandbags	For damming low flows in order to take samples
Hammer or Mallet	Opening suck manholes/basins
Utility Knife	Multiple Uses
Measuring Tape	Measuring distances and depth of flow
Safety Cones	Safety near roads
Hand Sanitizer	Disinfectant/decontaminant
Rubber boots/waders	Accessing shallow streams/areas
Sampling Pole	For accessing hard to reach outfalls and manholes



### 5.3 Interpretation of Results

The most common standards/benchmarks are listed in the below table. The standards are taken from the 2019 NCDEQ "In-Stream Target Values for Surface Waters" document found on the [NCDEQ Classification & Standards web page](#). If a standard is excluded or has no value in the table, no water quality criteria relevant to City of Lowell is known at this time.

Pollutant or Parameter	All waters (Class C) (NC 02B Standards)
Chlorine, Total Residual	17ug/l
Coliform Bacteria, Fecal	<200/100 mL
Hardness	100 mg/l
Nitrate Nitrogen	10000 ug/l
pH	6.0-9.0

Based upon the results of the screening, the categorization and prioritization results will be adjusted accordingly and documented in the Annual Report. Where illicit discharges are suspected based on the screening results, those outfalls will be reevaluated to ensure they are in the appropriate risk category as listed in Section 4.2

If sampling is not required and a discharge can be determined by qualitative factors, the below table can be used to assist in determining the source/type of Illicit Discharge that is occurring/has occurred

Qualitative Factor		Likely Cause
Odor	Sulfur/sewage smell	Likely a sewage leak. Investigate for upstream dumping, broken sewage lines, unmaintained septic tanks/surfacing
	Feint waste smell with nearby deposits	Possible dumping or runoff of pet waste or other types of waste/chemicals. Look for floatables or near by waste. Can be accompanied with abnormal vegetation and residues
Color	Clayish red/brown	Indication of sediment buildup. Likely from construction, or an unstable yard.
	Grey/Milky	Surfactants or other pollutants. Nearby car washing or direct piping/dumping of greywater (washing machines, dishwashers, etc)

	Unnatural/vibrant colors	Usually from dyes or some specific types of chemicals used in manufacturing or other processes. Indicative of dumping or facility maintenance needed upgradient.
Sediment Deposits	Built up piles of sediment along dry/shallow areas	Typical of an erosion upgradient. Likely from construction or an unstable yard
Abnormal Vegetation	Algae buildup on outfall or in receiving waters	Likely from fertilizers (or other N & P sources) reaching the outfall. Typically from dumping or runoff from nearby landscaping
	Abnormally high/healthy grass and other vegetation. (or growing inside pipes/similar abnormal places)	Typical of fertilizer runoff or dumping of pet waste. Can be indicative of sewage leaking, but not the best qualitative measure to use for that determination.
Floatables/Debris/Litter	Dead fish/organisms	If a large amount of dead organisms are in the water (particularly fish), it could be a fish kill due to severe chemical dumping or other contributing factors. Sampling will need to be done and will likely need to be reported. This is a severe (and fairly rare) indicator.
	Yard debris/grass	Most likely runoff from nearby residential landscaping. Dumping yard waste near outfalls (or into their yards drainage swales) is common.
	General small litter (cigarette butts, bottles, wrappers, etc.)	Runoff from the drainage area can carry smaller/lighter pollutants into the outfall. Depends on the amount present. Can indicate dumping, but is more likely to be incidental
	Large debris (tires, concrete blocks, construction waste, etc.)	Waste that is too heavy for typical runoff to carry is indicative of dumping. The source depends on the type of waste present. Concrete bags, construction wrappers, and similar indicate it comes from a construction site. General large waste such as tires or house waste indicates residential dumping.

Deposits/Sludge Buildup	Milky/grey viscous sludge	Can be several things, most likely is cooking grease buildup. Common near restaurants with poorly maintained grease traps or nearby dumping
	Dark rings on outfall structure	Can be several things. If a oil sheen can be seen, it is likely oil runoff. Can come from residential car maintenance, general dumping, or from nearby maintenance facilities

## Section 6: Identification and Elimination

### 6.1 Source Isolation Procedures

When the source of a suspected illicit discharge can be confined between two manholes, more detailed investigation methodologies shall be used to isolate the source of the illicit discharge.

The more detailed methodologies may include one or more of the following:

- ▶ Sandbagging
- ▶ Smoke Testing
- ▶ Dye Testing
- ▶ CCTV/Video Inspections
- ▶ Optical Brightener Monitoring

It is important to note that public notification is an important aspect of these investigations, particularly where such methods are visible to the public. Prior to smoke testing, dye testing, or TV inspections, the City shall notify property owners in the affected area.

The below table is comparative "Fingerprints" (mean values) of flow types to help determine the cause of a illicit discharge is a sample is taken. These are rough/average values that can be returned from testing if the type/source of illicit discharge is unknown, the data is approximate and should be used for investigations, not for standards testing. Some natural/local factors can impact the expected numbers and should be accounted for. (source: Illicit Discharge Detection and Elimination: A Guidance Manual for Program Development and Technical Assessments, 2004 Center for Watershed Protection).

Flow Type	Hardness (mg/L as CaCO <sub>3</sub> )	NH <sub>3</sub> (mg/L)	Potassium (mg/L)	Conductivity (µS/cm)	Fluoride (mg/L)	Detergents(mg/L)
Sewage	50	25	12	1215	0.7	9.7
Septage	57	87	19	502	.93	3.3
Laundry Wash Water	45	3.2	6.5	463.5	.85	758
Car Wash Water	71	0.9	3.6	274	1.2	140
Tap Water	52	<0.06	1.3	140	.94	0
Groundwater	38	0.06	3.1	149	0.13	0
Landscape Irrigation	53	1.3	5.6	180	.61	0

#### 6.1.1 Sandbagging

This technique can be particularly useful when attempting to isolate intermittent illicit discharges or those with very little perceptible flow. The technique involves placing sandbags or similar barriers (e.g., caulking, weirs/plates, or other temporary barriers) within outlets to manholes to form a temporary dam that collects any intermittent flows that may occur. Sandbags are typically left in place for 48 hours, and should only be installed when dry weather is forecast. If flow has collected behind the sandbags/barriers after 48 hours it can be assessed using visual observations or by sampling. If no flow collects behind the sandbag, the upstream pipe network can be ruled out as a source of the intermittent discharge. Finding appropriate durations of dry weather and the need for multiple trips to each manhole makes this method both time-consuming and somewhat limiting. This technique will be used in the cases of dumping investigations to ensure

### **6.1.2 Smoke Testing**

Smoke testing involves injecting non-toxic smoke into drain lines and noting the emergence of smoke from sanitary sewer vents in illegally connected buildings or from cracks and leaks in the system itself. Typically a smoke bomb or smoke generator is used to inject the smoke into the system at a catch basin or manhole and air is then forced through the system. Test personnel are placed in areas where there are suspected illegal connections or cracks/leaks, noting any escape of smoke (indicating an illicit connection or damaged storm drain infrastructure). It is important when using this technique to make proper notifications to area residents and business owners as well as local police and fire departments.

If the initial test of the storm drain system is unsuccessful then a more thorough smoke-test of the sanitary sewer lines can also be performed. Unlike storm drain smoke tests, buildings that do not emit smoke during sanitary sewer smoke tests may have problem connections and may also have sewer gas venting inside, which is hazardous.

It should be noted that smoke may cause minor irritation of respiratory passages. Residents with respiratory conditions may need to be monitored or evacuated from the area of testing altogether to ensure safety during testing.

### **6.1.3 Dye Testing**

Dye testing involves flushing non-toxic dye into plumbing fixtures such as toilets, showers, and sinks and observing nearby storm drains and sewer manholes as well as stormwater outfalls for the presence of the dye. Similar to smoke testing, it is important to inform local residents and business owners. Police, fire, and local public health staff should also be notified prior to testing in preparation of responding to citizen phone calls concerning the dye and their presence in local surface waters.

A team of two or more people is needed to perform dye testing (ideally, all with two-way radios). One person is inside the building, while the others are stationed at the appropriate storm sewer and sanitary sewer manholes (which should be opened) and/or outfalls. The person inside the building adds dye into a plumbing fixture (i.e., toilet or sink) and runs a sufficient amount of water to move the dye through the plumbing system. The person inside the building then radios to the outside crew that the dye has been dropped, and the outside crew watches for the dye in the storm sewer and sanitary sewer, recording the presence or absence of the dye.

The test can be relatively quick (about 30 minutes per test), effective (results are usually definitive), and inexpensive. Dye testing is best used when the likely source of an illicit discharge has been narrowed down to a few specific houses or businesses.

### **6.1.4 CCTV/Video Inspection**

Another method of source isolation involves the use of mobile video cameras that are guided remotely through stormwater drain lines to observe possible illicit discharges. IDDE program staff can review the videos and note any visible illicit discharges. While this tool is both effective and usually definitive, it can be costly and time consuming when compared to other source isolation techniques. In situations where the outfall is exposed (ex. ditch conveyances) that are abnormally large or difficult to access – a video drone can be used to investigate issues in outfalls. This option will be utilized for pinpointing suspicious factors, give scale of the issue, or help determine the source of a discharge.

### **6.1.5 Optical Brightener Monitoring**

Optical brighteners are fluorescent dyes that are used in detergents and paper products to enhance their appearance. The presence of optical brighteners in surface waters or dry weather discharges suggests there is a possible illicit discharge or insufficient removal through adsorption in nearby septic systems or wastewater treatment. Optical brightener monitoring can be done in two ways. The most common, and least expensive, methodology involves placing a cotton pad in a wire cage and securing it in a pipe, manhole, catch basin, or inlet to capture intermittent dry weather flows. The pad is retrieved at a later date and placed under UV light to determine the presence/absence of brighteners during the monitoring period. A second methodology uses handheld fluorimeters to detect optical brighteners in water sample collected from outfalls or ambient surface waters. Use of a fluorometer, while more

quantitative, is typically more costly and is not as effective at isolating intermittent discharges as other source isolation techniques.

## 6.2 Removal and Confirmation

When the source of an illicit discharge is identified and confirmed, the City will exercise its authority as necessary (see Section 2: Legal Authority) to require its removal.

### 6.2.1 Reporting Requirements

For each confirmed source, the permittee shall record the following information. The Lowell stormwater program will investigate, record, and collect data on illicit discharges. This is the primary method that IDDE data will be input with, however a template offline form is included in Appendix D

- ▶ Location of the discharge and its source(s);
- ▶ Description of the discharge;
- ▶ Method of discovery;
- ▶ Date of discovery;
- ▶ Date of elimination;
- ▶ Date of follow-up investigation (typically 2 weeks after)
- ▶ Mitigation or enforcement action taken; and

## 6.3 Standard procedure for Corrective Actions/Enforcement

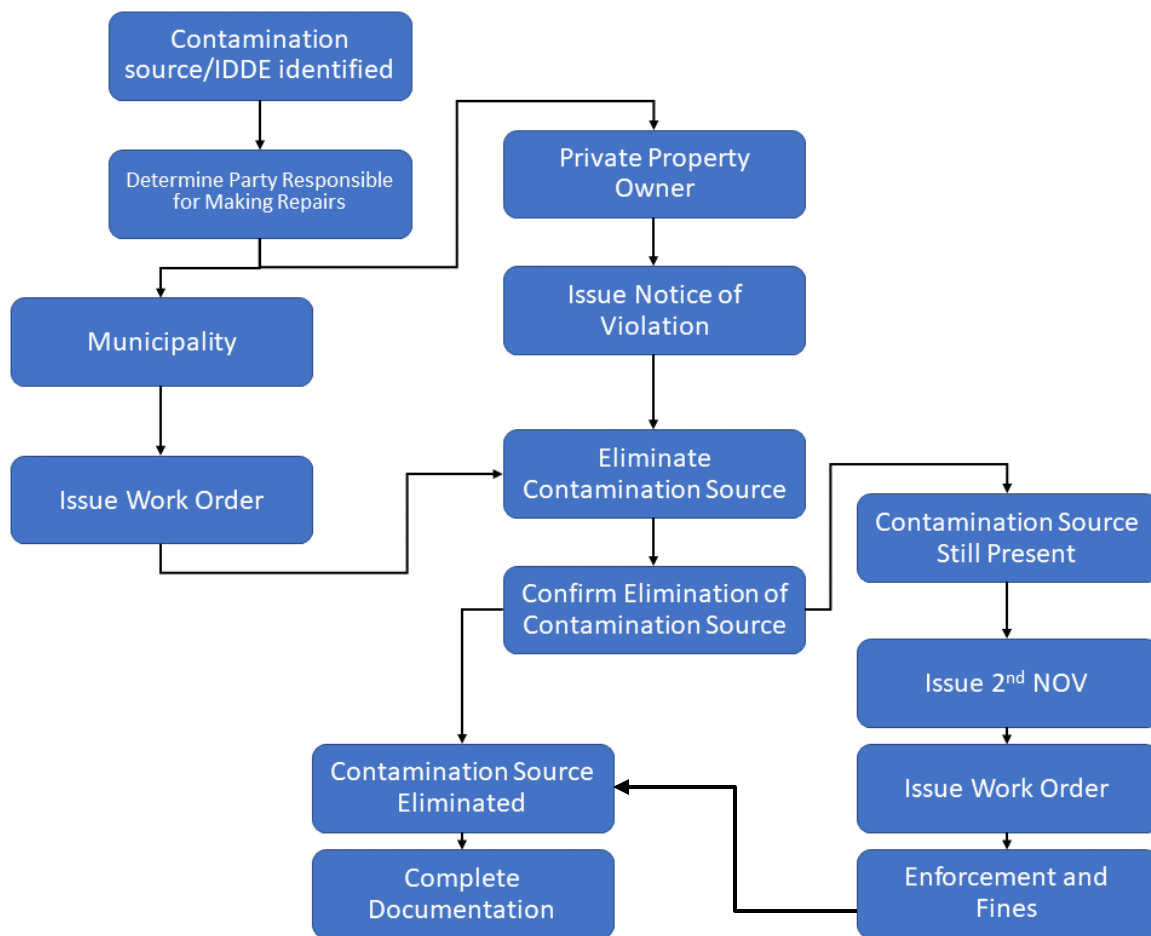
### 6.3.1 General enforcement Procedure

Most illicit discharge investigations should follow the same standard for enforcement procedures as most fall into similar categories/types of discharges. The below flowchart and figure define some of the standard procedures that will be followed (with modification depending on the discretion of the IDDE officer).

General/Standard Methods to Fix Illicit Discharges		
Sewage	Break in right-of way	Repair by municipality
	Commercial or Industrial Direct Connection	Enforcement
	Residential direct connection	Enforcement; Incentive or aid
	Infrequent discharge (e.g. RV dumping)	Enforcement; Spill response
	Straight pipes/septic	Enforcement; Incentive or aid
Wash Water	Commercial or industrial direct connection	Enforcement; Incentive or aid
	Residential direct connection	Enforcement; Incentive or aid
	Power wash/Car wash (commercial)	Enforcement
	Commercial wash down	Enforcement
	Residential car wash or household maintenance activities	Education
	Professional oil change/car maintenance	Enforcement; Spill response



Liquid Wastes	Heating oil/solvent dumping	Enforcement; Spill response
	Homeowner oil change and other liquid waste disposal (eg., paint)	Warning; education; Fines
	Spill (trucking)	Spill Response
	Other industrial wastes	Enforcement; Spill responses



## 6.4 Follow-Up Screening Process

Upon completion of the catchment investigation and illicit discharge removal and confirmation, if necessary, the catchment outfall or interconnection will be scheduled for follow-up screening within five years.

The City may elect to conduct follow-up screening sooner based on the catchment's illicit discharge priority.

Follow-up screening will consist of dry weather screening and sampling; wet weather screening and sampling will also be required in catchments where wet weather screening is required due to SVFs.

## 6.5 Common Illicit Discharges and Procedures

There are a variety of residential and commercial illicit discharges that can be frequently run into. Typically, these are handled by the City of Lowell. However, these discharges are frequent enough that standard procedure should be written as a 'fall-back', for informational purposes, for training, and consistency.

### **6.5.1 Car Washing**

Residential car washing is a frequent source of stormwater pollutants. The soaps/detergents used to clean the vehicle often end up flowing into storm drains. The larger concern comes from unregulated charity carwashes that can happen repeatedly. Ideally residential car washing should be done on their lawn to allow for natural filtering processes to take place, and our educational materials on the topic follow this recommendation.

Enforcement on this is tricky as it is not ideal to discourage charity or community efforts either. The City of Lowell Phase II Stormwater Ordinance allows for one charity car wash at a given location per month. The requirement is to prevent the soap from reaching storm drains. The procedure for this type of discharge is to inspect the storm drains during the event to ensure some type of blocking or redirecting is occurring to minimize surfactant and road pollution – and to enforce the once per month limitation. Record should be made of when and where the car wash is occurring to track their frequency. Finding commercial car wash IDDE incidents would likely occur during outfall screening, from reports, or blatant wash water overflows.

### **6.5.2 Vehicle Maintenance/Oil Changes**

Vehicle maintenance can be a stormwater concern from the municipal, commercial, industrial, and residential sectors. Most maintenance activities have the potential to leave some residue behind and the oils/fluids used can harm stream quality if not handled properly. Municipal facilities will have the handling of potential pollutants included in their facility O&M plans, but the other 3 rely on reports, outfall screenings, or in field investigations of other matters.

Should an outfall have indicators of oil pollutants during its screening, an investigation will take place. The source of the oil will be dependent on the surrounding areas and where the outfalls drainage area is located.

If the oil is believed to come from a residential neighborhood, it is likely due to either a mismanaged oil change or intentional dumping. A 'warning notice' letter will be sent to the nearby homes reporting that oil pollution was found as an outreach effort or in hopes of a report being made if the dumping was witnessed. If the oil is located near a business (such as a oil change shop, general repair shop, tire dealer, etc.) then the business will be investigated. Any oil catches should be looked at, storm drains on and near the property will be investigated to look for residual oil or evidence of the source of discharge, any barrels or dumpsters should be sealed with no leaks, and parts should be properly disposed of. Should the business be found responsible, the illicit discharge officer has the discretion to determine if the oil was dumped intentionally/grossly mismanaged or if it was a one time incidental event (depending on severity and amount of oil spilt and if spill procedure was followed/in place) – and enforcement will follow that decision. Finding vehicle maintenance IDDE cases is usually from reports, outfall screenings, and

### **6.5.3 Illegal Dumping**

One of the more common types of illicit discharges is illegal dumping. This term can range from paint/other chemicals being poured into a storm drain to debris/litter being dumped near an outfall. The severity and frequency of this type of discharge varies widely. Investigation and enforcement on this type of discharge can be challenging as it is difficult to determine where the dumping comes from in many cases.

The procedure for investigating these discharges is typically in response to a report or from outfall screenings. If the dumping is physical litter/debris the first step is trying to find some sort of identifying feature. Mailing tags, construction logos, unique or odd litter. If an exact source can't be determined through investigation or from the report itself, a general notice will be sent out to nearby businesses/residential areas and further monitoring will occur.

If the dumping discharge is liquid in nature the first step of the investigation will be following residuals or evidence of the origin of the discharge. If it is from containers remaining on site of the investigation they shall be investigated for any similar identifying features. If a source is determined a notice of violation and attached fine shall be sent to the offending party if significant evidence is found. If not, a general notice requesting reports and educating on the

action will be sent to the nearby area as well as more strict monitoring of that site to prevent additional discharges in the future.

#### **6.5.4 Sanitary Sewer Leaks/Septic Tanks**

Wastewater (sewage) discharges are typically of an incidental nature due to a lack of maintenance. If left unchecked a sewage leak can lead to impairment of receiving streams due to the bacteria and other substances that get released. Septic tanks are rarely maintained due the cost and “out of sight out of mind” nature of them.

As the cost for repairing leaking sewer lines and septic tanks can be considerable, the investigation and repair of the tank takes initial priority over enforcement for incidental leaks. To determine if a reported discharge is from sewage there are several indicators. An odor of ‘waste’ or sulfur can be the initial tell indicator that somewhere on the property has a wastewater leak, if strong enough it can help determine the location of the leak as well. Visual indicators of a wastewater leak include ground swelling in some areas (typical of larger/more significant leaks), deposits/staining of rain runoff on driveways or elsewhere on the property, abnormal vegetative growth in a patch/small area, and an ‘oily sheen’ can be used. If the leak can not be easily determined, dye testing can be used (particularly on properties using septic tanks) as an attempt to locate the leak.

Intentional sewage IDDE incidents (direct piping of wastewater, electing to disconnect from sewage or their own septic tank, using wastewater to impact neighboring properties, and similar) would fall under the enforcement category. Typically, these will be in response to reports generated regarding the site

#### **6.5.5 Construction Sediment (erosion)**

Construction sites (and similar) create conditions where erosion is more likely to occur. To combat this all construction sites are required to have sediment and erosion control plans in place to limit runoff pollution and removing soil from the property. Despite that, many construction sites can produce turbid runoff if the erosion control methods are not kept up to standard. Sediment runoff increases the turbidity of receiving streams, leaves sediment deposits in outfalls/drainage structures, and increases erosion from the generating site. Typically construction sediment can be rectified by replacing fallen sediment fences which is usually accomplished by notifying the builder – this happens more frequently on residential projects. To determine where sediment runoff is coming from, typically a trail of sediment deposits or red clay staining can be followed – or going to the nearest construction site up gradient of the project. If it occurs more than once, enforcement following the standard procedure in 7.3 will take place.

#### **6.5.6 Landscaping Runoff**

Runoff from landscaping activities can carry a variety of pollutants along with it. Animal waste, unsecured sediment, fertilizers, pesticides, yard waste/grass clippings, etc. Many of the pollutants from this type of runoff can impact receiving water quality in different ways. Animal waste, fertilizers, and yard clippings carry the limiting nutrients (nitrogen and phosphorus) that can lead to algal blooms. Sediment can build up in outfalls, make waters more turbid, and impact stream/lake beds once it settles. Pesticides are toxic to most forms of aquatic life as well. Identifying landscaping runoff can vary as the pollutants themselves can vary greatly.

Landscaping runoff from residential sources (homes and neighborhoods) should be enforced with an educational approach (if incidental). For commercial landscaping (most businesses, golf courses, etc.) the standard enforcement procedure should be followed.

## **Section 7: Training**

### **7.1 Training Purpose**

Annual IDDE training will be made available to all employees involved in the IDDE program. This training will at a minimum include information on how to identify illicit discharges and SSOs and may also include additional training specific to the functions of particular personnel and their function within the framework of the IDDE program. The frequency and type of training will be documented and reported.

# Section 8: Outreach and Education

## 8.1 Purpose of IDDE Outreach and Education

Educating the citizens plays a major role in reducing illicit discharges within the City. Most illicit discharges from residential sources are due to common misunderstandings about the storm sewer system – primarily the misconception about stormwater being treated. Through outreach efforts we plan to educate the citizens of Lowell to reduce the amount illicit discharge incidents. Efforts will focus on community events, handing out materials, and public involvement activities

### 8.2.1 Stormwater Fliers

Distributing fliers is a powerful tool for environmental education outreach programs. They can be quickly handed out at booths/events, are visually interesting, and can carry a lot of information in a small package. The Lowell stormwater program already utilizes educational flyers covering both general stormwater as well as specific IDDE flyers. Most of the flyers cover several IDDE topics and explain why they are bad for water quality. More IDDE specific flyers will be created per the SWMP and to ensure a more varied coverage of informational materials and topics. The flyers will be left at municipal buildings (such as town hall), distributed during IDDE investigations, and will primarily be distributed at events such as farmers markets, City specific festivals/events, and community events such as litter pickups and stream cleanups. The materials also include the contact information for reporting illicit discharges.

### 8.2.2 Stormwater Website and Social Media

The Lowell municipal stormwater website has educational information about stormwater and illicit discharges. The site has the digital versions of the fliers posted to allow for a broader access to help extend outreach efforts. The website also provides contact information to report illicit discharges. The municipal social media pages are also used to promote public involvement events and share educational materials.

### 8.2.3 Staff training

Staff training for detecting illicit discharges is a key part to an illicit discharge program that responds to illicit discharges as fast as possible. By training staff who are often in the field who would be more likely to see an illicit discharge, it is more likely to be reported. In addition, staff who can identify an illicit discharge and know who to report the discharge will ensure illicit discharges do not go unnoticed.

### 8.2.4 Education during enforcement/investigations

As previously stated, most residential illicit discharges are incidental/non-malicious from a lack of general knowledge of stormwater pollution.

### 8.2.5 Stream cleanups

Stream cleanup activities are a threefold approach to outreach. The stream cleanups themselves help improve streams that have debris/litter in them. They also provide an activity for citizens to take part in (public involvement/participation) in a way that feels local to them and rewarding since it is directly helping the environment they are part of. Personal attachment to an activity like that tends to make it “hold” better in their memory and make it more impactful to them. The stream cleanups also provide an opportunity to talk about stormwater and distribute educational materials.

## Section 9: Appendices

### APPENDIX A: COMMON GENERATING SITES AND THEIR POLLUTION POTENTIAL

Land Use/Generating site Description	Associated SIC Code(s)	Regulated Stormwater Hotspot	Unregulated Stormwater Hotspot	Illicit Discharge potential	
				Direct	Indirect
COMMERCIAL					
Animal Care Services	0742, 0752		X	L	L
Auto Repair	7532-7539, 7549		X	M	M
Automobile Parking	7521			L	M
Building Materials	5211-5251		X	L	L
Campgrounds/Rv Parks	7033		X	L	M
Car Dealers	5511-5599,		X	M	M
Car Washes	7542		X	L	L
Commercial Laundry/Dry Cleaning	7211-7219		X	L	L
Convenience Stores	5399		X	L	L
Food Stores And Wholesale Food And Beverage	5141-5149 5411-5499		X	L	M
Equipment Repair	7622-7699		X	M	m
Gasoline Stations	5541		X	M	M
Heavy Construction Equipment Rental And Leasing	7353	X		L	H
Building And Heavy Construction (For Land Disturbing Activities)	1521-1542 1611-1629	X		L	M
Marinas	4493	x		L	m
Nurseries And Garden Centers	5261		X	L	M
Oil Change Shops	7549		X	M	M
Restaurants	5812,5813,7011		X	M	L
Swimming Pools	7997, 7999		X	L	L
Warehouses	4221-4226	X		L	L

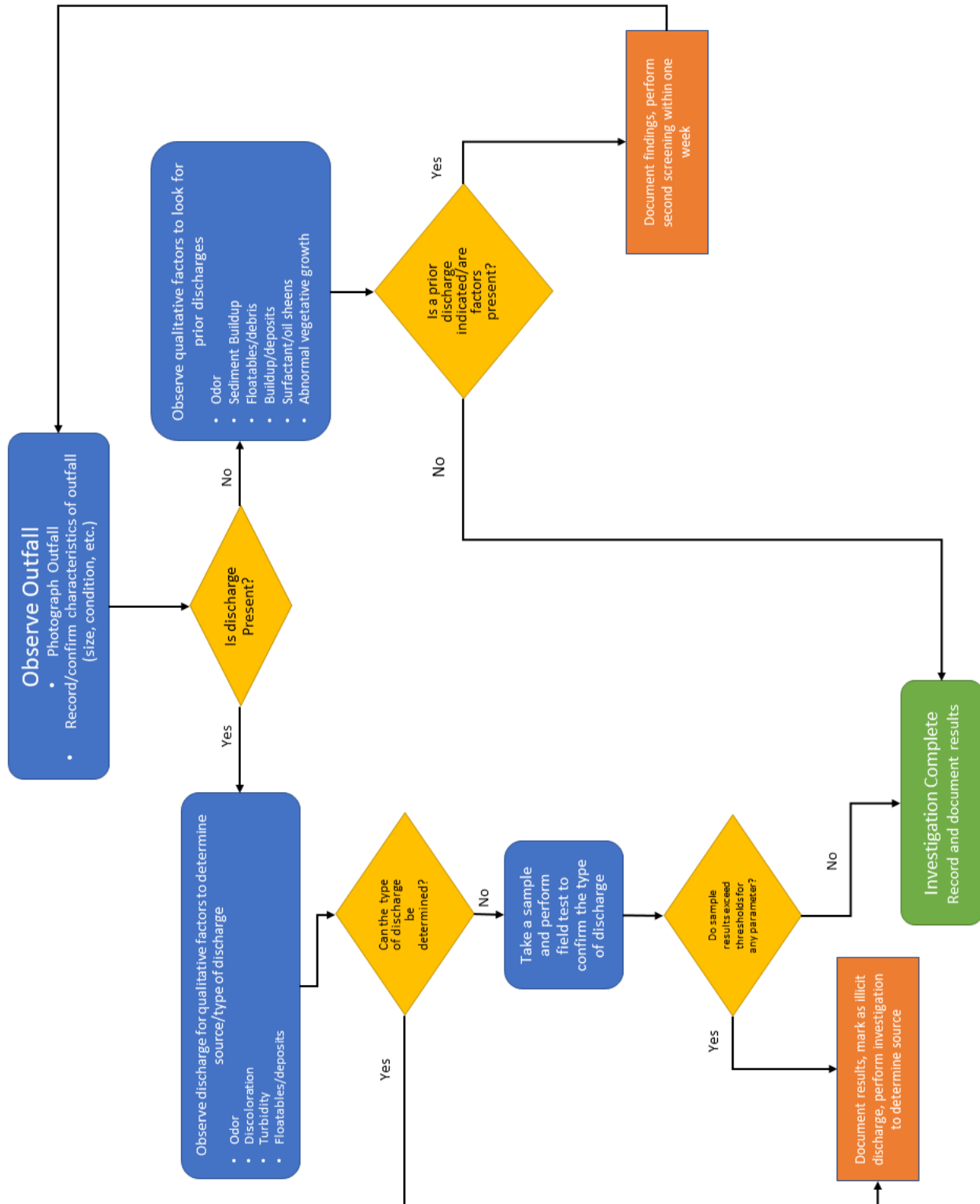
Wholesalers Of Chemical Petroleum	5162- 5169,5172		X	I	L
<b>INDUSTRIAL</b>					
Apparel And Other Fabrics	2311-2399 3131-3199	X		L H	L M
Auto Recyclers And Scrap Yards	5015, 5093	X		L	H
Beverages And Brewing	2082-2087	X		L	L
Boat Building And Repair	3731,3732	X		L	H
Chemical Products	2812-2899	X (2830, 2850)		2810 H 2820 H 2840 H 2860 M 2830 L 2850 L 2870 L 2890 L	2810 L 2820 L 2840 L 2860 L 2830 L 2850 L 2870 L 2890 L
Food Processing	2011-2141	X		2010 H 2020 H 2030 H 2040 H 2050 L. 2060 L 2070 M 2090 L 2110 M	2010 L 2020 L 2030 L 2040 L 2050 L. 2060 L 2070 L 2090 L 2110 L
Garbage Truck Washout Activities	4212		X	L	H
Industrial Or Commercial Machinery, Electronic Equipment	3511-3599 3612-3699	X		L	L
Instruments, Photographic And Optical Goods, Watches And Clocks, And Other Miscellaneous Manufacturing	3812-3873 3933-3999	X		L	L
Leather Tanners	3411	X		H	M
Metal Production, Plating, And Engraving Operations	2514, 2522, 2542, 3312- 3399, 3411- 3499, 3590	X** (2514,252 2, 2542, 3411-		H	L

		3433, 3442- 3499, 3590)			
Paper And Wood Products	2411-2499, 2511, 2512, 2517, 2519, 2521, 2541, 2611-2679	X** (2434, 2652- 2657, 2671- 2679)		2400 L 2500 L 2600 H	2400 H 2500 L 2600 H
Petroleum Storage And Refining	2911	X		2911 H	H
Printing	2711-2796	X		M	L
Rubber And Plastics	3011-3089	X		L	L
Stone, Glass, Clay, Cement, Concrete, And Gypsum Product	3211-3299	X (3233)		L	L
Textile Mills	2211-2299	X		h	L
Transportation Equipment	3711-3728, 3743-3799	X		H	M
INSTITUTIONAL					
Cemeteries	6553		X	L	L
Churches	8661		X	L	L
Colleges And Universities	8221-8222		X	L	M
Corporate Office Parks			X	L	L
Hospitals	8062-8069 8071-8072		X	L	L
Private Golf Courses	7997		X	L	L
Private Schools	8211		X	L	L
MUNICIPAL					
Composting Facilities	2875	X		L	L
Public Golf Courses	7992		X	L	L
Landfills And Hazardous Waste Material Disposal	4953, HZ, LF	X		L	H
Local Streets		MS4	X	L	H
Maintenance Depots	4173	MS4		M	H
Municipal Fleet Washing	4100	MS4		L	M



Public Works Yards		MS4		M	H
Steam Electric Plants	SE	X		L	L
Treatment Works	TW	X		L	L
Transport Related (NPDES regulation is for the portion of the facility dedicated to vehicle maintenance shops, equipment-cleaning operations, and airport deicing operations).					
Airports	4581	X		L	M
Streets And Highways Construction	1611, 1622	X		L	H
Ports	4449, 4499	X		L	H
Railroads	4011, 4013	x		L	H
Rental Car Lots	7513-7519	X		L	M
Us Postal Service	4311	X		L	M
Trucking Companies And Distribution Centers	4212-4215, 4231	X		L	M
Petroleum Bulk Stations Or Terminals	5171	X		L	H

## APPENDIX B: SCREENING PROCESS FLOWCHART (ENLARGED)



## APPENDIX C: Outfall Screening Inventory Sheet

### SECTION 1: BACKGROUND DATA

Sub-Watershed:		Outfall ID:	
Date of Inspection:		Time of Inspection:	
Inspectors:			
Temperature(F):	72-Hour Rainfall (In):		
Latitude:	Longitude:	#of Photos taken:	
Land Use in Drainage Area (Check All that Apply): <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div>           Industrial <input type="checkbox"/>            Urban Residential <input type="checkbox"/>            Suburban Residential <input type="checkbox"/>            Known Industries:         </div> <div>           Open Space: <input type="checkbox"/>            Institutional: <input type="checkbox"/>            Commercial: <input type="checkbox"/>            Other: _____         </div> </div>			

### SECTION 2: OUTFALL DESCRIPTION

LOCATION	MATERIAL	SHAPE		DIMENSIONS	SUBMERGED
Closed Pipe <input type="checkbox"/>	PVC <input type="checkbox"/> STEEL <input type="checkbox"/> HDPE <input type="checkbox"/> CON. <input type="checkbox"/> Other:	Circular <input type="checkbox"/> Elliptical <input type="checkbox"/> Box <input type="checkbox"/> Other:	Single <input type="checkbox"/> Double <input type="checkbox"/> Triple <input type="checkbox"/> Other:	Diameter/ Dimensions: _____	Water: No <input type="checkbox"/> Partially <input type="checkbox"/> Fully <input type="checkbox"/>  Sediment: No Partially Fully
Open Channel <input type="checkbox"/>	Concrete <input type="checkbox"/> Earthen <input type="checkbox"/> Rip-Rap <input type="checkbox"/> Other:	Trapezoid <input type="checkbox"/> Parabolic <input type="checkbox"/> Other:		Depth _____ Top Width _____ Bottom Width _____	
In-Stream <input type="checkbox"/>	(Applicable when collecting samples)				
Flow present?	Yes <input type="checkbox"/> No: <input type="checkbox"/> If no, skip to section 5				
Flow description (if present)	Trickle <input type="checkbox"/> Moderate <input type="checkbox"/> Substantial <input type="checkbox"/>				

**SECTION 3: QUANTITATIVE CHARACTERIZATION**

FIELD DATA FOR FLOWING OUTFALLS				
PARAMETER		RESULT	UNIT	EQUIPMENT
Flow #1	Volume		Liter	Bottle
	Time to Fill		Seconds	
Flow #2	Flow Depth		In	Tape Measure
	Flow Width		Ft,In	Tape Measure
	Measured Length		Ft,In	Tape Measure
	Time of Travel		Seconds	
	Temperature		F	Thermometer/Probe
	pH		pH Units	Test Strip/probe
	Ammonia		mg/L	Test Strips

**SECTION 4: PHYSICAL INDICATORS FOR FLOWING OUTFALLS ONLY**Are any Physical Indicators Present in the flow Yes ☐ No ☐

INDICATOR	CHECK IF PRESENT	DESCRIPTION	RELATIVE SEVERITY INDEX (1-3)		
Odor	<input type="checkbox"/>	Sewage <input type="checkbox"/> Rancid/sour <input type="checkbox"/> Petrol <input type="checkbox"/> Sulfide <input type="checkbox"/> Other:	<input type="checkbox"/> Faint	<input type="checkbox"/> Easily Detected	<input type="checkbox"/> Noticeable from distance
Color	<input type="checkbox"/>	Clear <input type="checkbox"/> Brown <input type="checkbox"/> Gray <input type="checkbox"/> Yellow <input type="checkbox"/> Green <input type="checkbox"/> Orange <input type="checkbox"/> Red <input type="checkbox"/> Other:	<input type="checkbox"/> Faint colors in sample bottle	<input type="checkbox"/> Clearly visible in sample bottle	<input type="checkbox"/> Clearly visible in outfall flow
Turbidity	<input type="checkbox"/>		<input type="checkbox"/> Slight Cloudiness	<input type="checkbox"/> Cloudy (color showing)	<input type="checkbox"/> Opaque
Floatables (Does not include trash)	<input type="checkbox"/>	<input type="checkbox"/> Sewage (toilet paper, etc.) <input type="checkbox"/> Suds <input type="checkbox"/> Petroleum Other: _____	<input type="checkbox"/> Few/slight; Origin not obvious	<input type="checkbox"/> Some; Indications of origins (eg., possible suds or oil sheen)	<input type="checkbox"/> Some; Origin clear (eg.,. Obvious oil sheen, suds, floating sanitary materials)

**SECTION 5: PHYSICAL INDICATORS FOR BOTH FLOWING AND NON-FLOWING OUTFALLS**

INDICATOR	CHECK IF PRESENT	DESCRIPTION	COMMENTS
Outfall Damage	<input type="checkbox"/>	<input type="checkbox"/> Spalling, Cracking or Chipping <input type="checkbox"/> Peeling Paint <input type="checkbox"/> Corrosion	
Deposits/Stains	<input type="checkbox"/>	<input type="checkbox"/> Oily <input type="checkbox"/> Flow Line <input type="checkbox"/> Paint Other:	
Abnormal Vegetation	<input type="checkbox"/>	<input type="checkbox"/> Excessive <input type="checkbox"/> Inhibited	
Poor Pool quality	<input type="checkbox"/>	<input type="checkbox"/> Odors <input type="checkbox"/> Colors <input type="checkbox"/> Floatables <input type="checkbox"/> Oil sheen <input type="checkbox"/> Suds <input type="checkbox"/> Excessive Algae Other:	
Pipe Benthic Growth	<input type="checkbox"/>	<input type="checkbox"/> Brown <input type="checkbox"/> Orange <input type="checkbox"/> Green Other	

**SECTION 6: OVERALL OUTFALL CHARACTERIZATION**

Unlikely/Minimal risk (no major indicators, issues, or severities) <input type="checkbox"/>	Potential risk (presence of 2 or more indicators/issues) <input type="checkbox"/>	Suspect (one or more indicators with a severity of 3+) <input type="checkbox"/>	High Risk (3+ severe indicators) <input type="checkbox"/>
--	--	--	--

## APPENDIX D: REPORT/DOCUMENTATION OF CONFIRMED OUTFALL

### Report/Documentation of Confirmed Illicit Discharge

Location of Discharge and Source	Description of Discharge	Method of Discovery	Date of discovery/Date of Elimination/Follow up date (2 weeks typical)	Mitigation or enforcement action taken
			Discovery: _____  Elimination: _____  Follow up: _____	
			Discovery: _____  Elimination: _____  Follow up: _____	
			Discovery: _____  Elimination: _____  Follow up: _____	
			Discovery: _____  Elimination: _____  Follow up: _____	



Consideration of Adoption of Façade Improvement Guidelines and Grant Program

Meeting	Agenda Group	
April 11th, 2023, 6:00 PM	New Business	Item: G
Reference File	Presented By	

**To:** Scott Attaway, City Manager

**From:** Joe Gates, Planning Director

**Date:** Wednesday, April 5th, 2023

**Re:** Consideration of Adoption of Façade Improvement Guidelines and Grant Program

In an effort to incentivize reinvestment in the City of Lowell, the Lowell Community Committee (LCC), along with staff, has worked over the last few months to modernize and update the guidelines and the scope of the program known as the "City of Lowell Façade Improvement Guidelines and Grant Program." The last update to this program appears to have been back in 2013. Some key area of note for changes to this program include eligible geography and project types, matching grant amount, and decision making processes to name a few.

One of the biggest changes to this policy is removing the restriction for the Façade Grant program to only apply to the "downtown" area. The LCC is requesting that City Council broaden the applicability and reach of the grant program in an effort to recruit more businesses throughout the city and encourage redevelopment and improvements across the city in key zoning districts that are in high visibility and high traffic areas.

A copy of the revised guidelines, application and program eligibility map has be attached for your review and consideration.



# City of Lowell

## Façade Grant Application

*Please fill out this application completely and legibly, and return to City of Lowell no later than*

**First Cycle Deadline - Sept 30th, 2023**

**Second Cycle Deadline (If available) - February 28th, 2024**

Property Information	Business Name	Telephone
	Physical Address	Email
Business Category	<input type="checkbox"/> Retail <input type="checkbox"/> Restaurant <input type="checkbox"/> Other	
How long has your business been established at this location?		
Is the property on the Historic District Registry?		

Applicant Information	Full Name	Telephone
	Mailing Address	Fax
	Email	Federal Tax ID Number

Owner Information (if other than applicant)	Full Name	Telephone
	Mailing Address	Fax
	Email	Federal Tax ID Number

Please describe façade improvements you plan to implement with the façade grant award. Proposed Façade Improvements (please specify).

Scope of Proposed Project (include a summary of the building's current condition, areas to be improved and how, as well as any proposed materials or colors)

Required Documentation (these items must be submitted with the signed Application)

Photos, plans, or sketches of proposed improvements.

Quotes, fee proposal, and any other documentation that supports the proposed budget.

Owner's permission, if necessary.

I agree to comply with the guidelines and standards of the City of Lowell Façade Grant Program and I understand that this is a voluntary program, under which the City has the right to approve or deny any project or proposal or portions thereof.

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
(if other than applicant)

**Submit the completed Application by the deadlines listed at the top of the application, with all required documentation attached:**

- by email to [jgates@lowellnc.com](mailto:jgates@lowellnc.com) or [ccummings@lowellnc.com](mailto:ccummings@lowellnc.com)
- by mail to Lowell Community Committee % Joe Gates, City of Lowell, Street, Lowell NC 28098
- or in person to Lowell City Hall, 101 West First Street, Lowell, NC 28098

## City of Lowell

### Façade Grant Agreement

THIS AGREEMENT is entered into this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by and between the CITY OF Lowell (City) and \_\_\_\_\_ (Grantee), whose address is \_\_\_\_\_.

WHEREAS the City has approved a façade improvement grant to Grantee subject to the execution of this Agreement, and Grantee desires to accept the grant and to abide by the terms of this Agreement, and

WHEREAS the City has approved a grant in an amount not to exceed \_\_\_\_\_ for façade improvements at \_\_\_\_\_, Lowell, North Carolina,

NOW THEREFORE, the parties agree as follows:

1. Grantee reaffirms that all information provided to the City in its Façade Grant Application is correct and accurate.
2. Grantee has read and agrees to abide by the provisions and requirements of the City of Lowell Façade Grant Program.
3. All work performed by Grantee will be consistent with the approval by the City. If Grantee desires to make any changes in the project, Grantee will obtain written approval from the City before implementing such changes. Grantee understands that the City is not required to approve any changes.
4. Grantee agrees to complete the improvements within four (4) months from the date of this Agreement and understands that failure to complete the improvements within such period will result in forfeiture of the grant. Grantee may request one (1) extension for two (2) additional months based on compelling reasons for the delay. Grantee understands that the City is not required to approve the request for extension.
5. Grantee understands that the grant will be paid to Grantee only upon completion of the work, submission of all dated statements or invoices to the City, and approval by the City of the completed work.
6. Grantee will notify the City immediately if Grantee's interest in the subject property changes in any way. This Agreement is not assignable by Grantee without prior written approval of the City, which will not be unreasonably withheld.
7. Grantee hereby grants to the City the right to use pictures, renderings, or descriptions of the work for any and all promotional purposes desired by the City.

IN WITNESS THEREOF, the parties have signed this Agreement on the day and year first written above.

WITNESSES FOR THE CITY

CITY OF LOWELL

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
By: Scott Attaway, City Manager

WITNESSES FOR THE GRANTEE

GRANTEE

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
By: \_\_\_\_\_

WITNESSES FOR OWNER

OWNER (if other than Grantee)

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
By: \_\_\_\_\_

## **City of Lowell Façade Improvement Guidelines and Grant Program**

### **Objective and Purpose**

As a result of a strong measure of public input, the City of Lowell has adopted as a primary goal the improvement of the appearance and livability of Lowell. As part of that effort, the City of Lowell has developed Façade Improvement Standards to provide direction to businesses and property owners in maintaining and improving the appearance of building facades in the City of Lowell .

The rehabilitation of structures in Lowell should respect and reflect the architectural integrity and history of the entire building and retain those elements that enhance the building. Facades should be in harmony with the character of the and in coordination with the color and design of adjacent structures.

As a means of encouraging the maintenance and improvement of building facades, the City of Lowell may consider appropriating funds from time to time to a structured competitive grant program to provide financial assistance to owners of buildings in the City of Lowell. Awards through the City funded grant program shall comply with the following provisions, requirements and guidelines.

The purposes of the program are to:

- Promote storefront rehabilitation in the designated areas. See program map for eligibility.
- Preserve the unique character of the historic buildings;
- Encourage aesthetic compatibility for improvements to facades of non-historic structures;
- Encourage the use of quality materials, good design, and workmanship in the rehabilitation of properties;
- Make improvements that make a highly visible contribution to Lowell.

### **Guidelines**

1. All rehabilitation funded through grant awards under this program must be performed in accordance with the City of Lowell Development Ordinance and these guidelines in making façade improvements under this program. Any building or property classified as “Historic” in Gaston County Historic Preservation Commission must receive approval for the proposed work prior to applying for the Façade Grant Program.

2. Approved types of rehabilitation include:

- a. Safe cleaning of brick/stone fronts or wall surfaces (chemical stripping, water wash, or scraping, no sand blasting is allowed)
- b. Masonry repair, mortar joint repair, re-pointing of brick.
- c. Re-painting and patching of façade walls.
- d. Repair/replacement of windows and/or doors.
- e. Removal of siding and exterior false facades and metal canopies.
- f. Repair, reconstruction, and/or replacement of original architectural details.
- g. Installations of canvas-type awnings.
- h. Structural and cornice repair and/or replacement.
- i. Railings, ironwork repair or addition.
- j. Historic reconstructions, rehabilitation or compatible reconstruction of a store front.
- k. Landscaping including sidewalks and plantings.

- l. Murals.
- m. Installation/replacement/repair of exterior lighting and appropriate signage including structures or frames that contain or hold sign, if performed in conjunction with a full façade rehabilitation.

**3. Ineligible projects include:**

- a. Improvements made prior to grant approval.
- b. Interior rehabilitation/improvements
- c. Construction of false fronts.
- d. Blocking up of windows or installing storm/vinyl windows and doors.
- e. Demolition of historic features.
- f. Roof and chimney repair and construction of mansard roof.
- h. Materials that are inappropriate to the original structure or nearby structures.

## **Priorities**

1. Priority in funding will be given to rehabilitations projects that notably and visibly improve facades.
2. This program is to aid substantial investments to improve the aesthetic qualities of a building as well as protect for the future.
3. Colors used should be compatible with other buildings and that are true to the style and age of the structure.
4. The City reserves the right to withhold approval of grant application if color, design, sign design or other façade component is not deemed appropriate to the historic integrity of the structure and/or the as a whole.

## **Eligibility**

1. A façade is defined as an individual storefront or commercial building side which faces a public right-of-way or is otherwise visible to the general public.
2. Commercial buildings must be located within the designated areas (see program map.)
3. Owner or tenants of buildings are eligible to apply; however, the owner must sign the application.

## **Grant Award**

1. Grant awards and amounts are at the discretion of the City Council.
2. Decisions may be based upon such factors to include size and scope of project, potential positive impact on the appearance of the area, project costs, and the availability of funds.
3. Qualifying projects are eligible for a grant at a minimum of \$500 and a maximum of \$2,500 per façade, on a 50/50 matching, reimbursement basis.

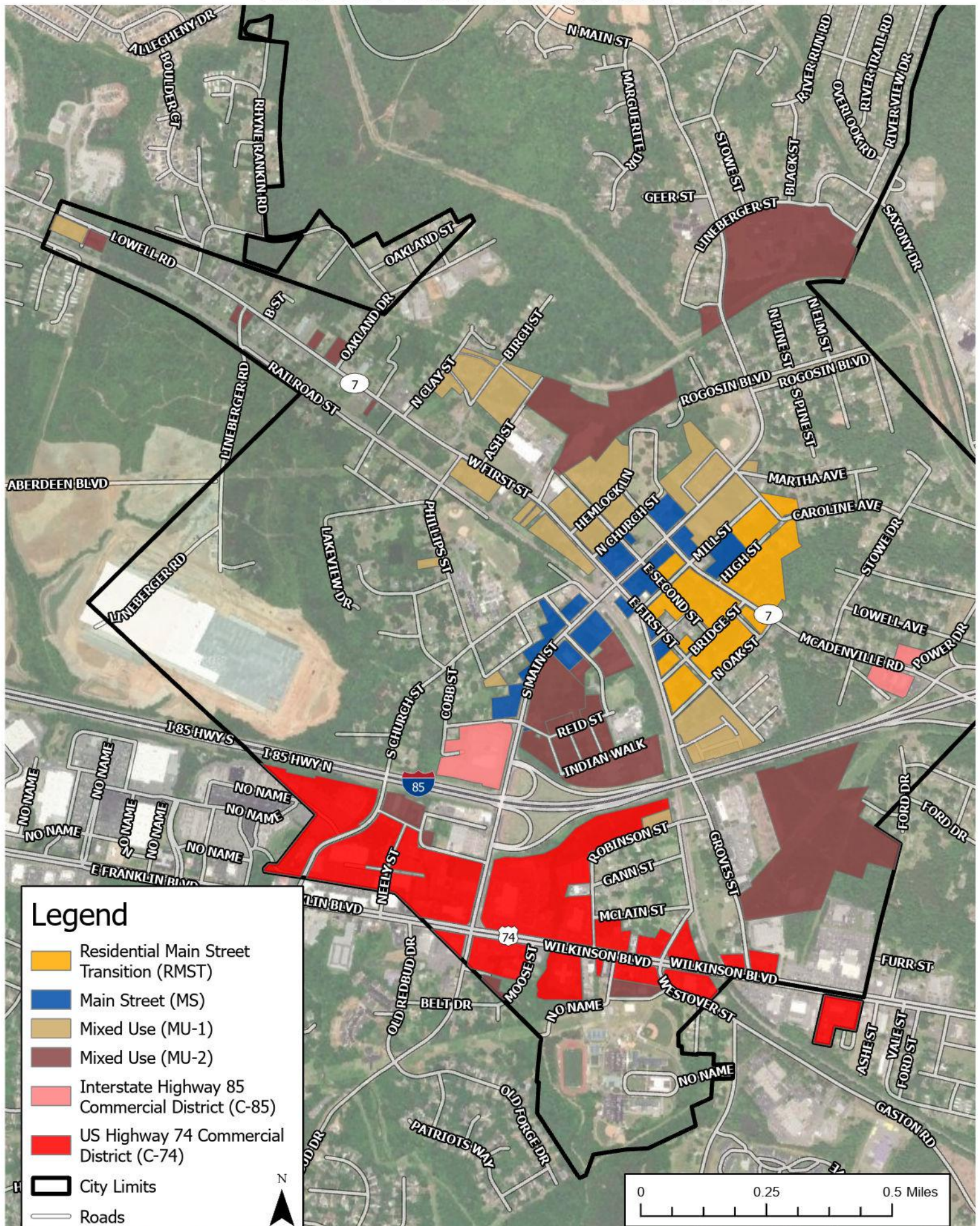
4. At least two project cost estimates must be submitted with the application. If both estimates are deemed equal in regards to quality of materials used, etc., only fifty percent of the lowest estimate will be considered in the amount of the award, regardless of which bid is accepted by the building owner.
5. The grant amount shall be determined at the time of application approval and paid when the project is completed.
6. The work must be completed within four months of application approval, but the owner may request one extension for two additional months based upon compelling reasons for the delay.

## **Decision Making Process**

1. Prospective applicant are urged to meet early in the process with City Staff to ensure the completeness and competitiveness of the application by the application deadline.
2. After the submittal deadline has passed, all applications that have been received and determined to be complete will be forwarded to the Lowell Community Committee for review and evaluation.
3. Applications determined by staff to be incomplete will be returned to the applicant. In such cases City Staff will work with the unsuccessful applicants to help ensure a complete application for the next application period or grant cycle.
4. Contact will be made with all successful applicants notifying them of the potential grant award.
5. For approved applications, an agreement/contract must be approved between the City, the applicant and the owner before work may begin.
6. Applicants must obtain necessary zoning and building permits if applicable.
7. Upon completion of work, applicant must submit adequate documentation that all contractors have been paid for work performed and that no outstanding issues of any kind remain regarding the project.
8. When the City is satisfied that all work has been completed in accordance with the approved application and that all expenses have been paid by the owner or applicant, the City will reimburse the applicant for one half of the actual project cost or the amount of the grant award, whichever is less.



# PROPOSED FACADE GRANT BOUNDARY



Path: \\lowell\GIS Drive\GIS\_Files\Map\_Files\MapRequests\2023\March\Proposed Facade Grant Boundary.aprx

This map is a graphic representation and should only be used for illustrative purposes. Map created by City of Lowell Planning Department with data provided by Gaston County GIS.





Regular City Council Meeting Memorandum

Prepared By: Scott Attaway

Consideration of ABC Permittee at City Events

Meeting	Agenda Group
April 11th, 2023, 6:00 PM	New Business Item: H
Reference File	Presented By

To: Lowell Mayor and City Council

From: Scott Attaway, City Manager

Date: April 6, 2023

Re: Consideration of ABC Permittee at City Events

Please see the attached email from John Searby, Executive Director of the Catawba Riverkeeper.

Scott,

I wanted to reach out and let you know that we would be willing and interested in supporting any City of Lowell events by securing the appropriate temporary ABC permits and selling beer at those events. With our existing infrastructure that runs 3 retail locations that serve alcohol, we could bring a mobile “jockey box” draft system to serve draft craft beer and supplement it with domestic canned beer options. We would handle all of the logistics and expenses of the ABC permitting and would keep the proceeds of the beer sales to support the South Fork Collective and the work that group is doing to improve water quality, flood resiliency, and recreational access on the South Fork. These proceeds would be credited City of Lowell as contributions to that effort.

We will have to dive a little deeper into all of the potential events you would be interested in and handle them on a case by case basis depending on other conflicts we might have, but I am confident that we can handle the majority of them. In addition to your beer sales, we will plan to have handouts and provide information to residents regarding the work of the South Fork Collective that Lowell is involved in, educating them on the importance of stormwater management efforts which will help your future MS4 permit reviews.

If you have any questions, don’t hesitate to reach out. If you or a member of your staff could send a reply to this email with dates, times, and locations for all of the prospective events, I’ll have my staff start to review those and confirm which ones we can help with.

Thanks,  
John

**John Searby**  
Executive Director



c: 309.989.7476  
o: 704.679.9494

[www.CatawbaRiverkeeper.org](http://www.CatawbaRiverkeeper.org)

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Regular City Council Meeting Memorandum

Prepared By: AgendaLink

Consideration of Parks and Recreation Trust Fund (PART-F) Grant Basic Facts and Assurances

Meeting	Agenda Group	
April 11th, 2023, 6:00 PM	New Business	Item: I
Reference File	Presented By	

To:

From:

Date:

Re:

placeholder for info here...

# N.C. Parks and Recreation Trust Fund (PARTF): 2022-2023 Basic Facts and Assurances

Local Government Name: <u>City of Lowell</u>		
Federal Employee I.D. Number: 56- <u>6003509</u>		County: <u>Gaston</u>
<div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <b>Local Government Contact Person for Grant*</b>  Name: <input checked="" type="checkbox"/> Mr. <input type="checkbox"/> Ms. <u>Scott Attaway</u>  Title: <u>City Manager</u>  Organization: <u>City of Lowell</u>  Mailing Address: <u>101 West First Street</u>  City: <u>Lowell</u> State: <u>NC</u> Zip: <u>28098</u>  Telephone: <u>704-824-3518</u>  E-mail: <u>sattaway@lowellinc.com</u>  <small>*must be an employee of the sponsoring local government.</small> </div> <div style="width: 48%;"> <b>Local Government Manager</b>  Name: <input checked="" type="checkbox"/> Mr. <input type="checkbox"/> Ms. <u>Scott Attaway</u>  Title: <u>City Manager</u>  Organization: <u>City of Lowell</u>  Mailing Address: <u>101 West First Street</u>  City: <u>Lowell</u> State: <u>NC</u> Zip: <u>28098</u>  Telephone: <u>704-824-3518</u>  E-mail: <u>sattaway@lowellinc.com</u> </div> </div>		
<b>Chief Elected Official</b> Name: <input type="checkbox"/> Mr. <input checked="" type="checkbox"/> Ms. <u>Sandy Railey</u> Title: <u>Mayor</u> Mailing Address: <u>101 West First Street</u> City: <u>Lowell</u> State: <u>NC</u> Zip: <u>28098</u>		<b>Type of Project:</b> <input type="checkbox"/> Land Acquisition Only <input checked="" type="checkbox"/> Development Only (construction or renovation) <input type="checkbox"/> Land Acquisition and Development
<b>Site Control (check all that apply):</b> <input checked="" type="checkbox"/> Owned by local government <input type="checkbox"/> To be obtained with this land acquisition project <input type="checkbox"/> Has been obtained for this land acquisition project using an approved waiver that expires on this date: _____ <input type="checkbox"/> Leased by applicant for 25 years or more <input type="checkbox"/> Easement <input type="checkbox"/> Owned by school board		<b>Costs rounded to nearest dollar:</b> PARTF funds requested: \$ <u>500,000</u> .00 Local government's matching funds: \$ <u>500,000</u> .00 Total cost of project: \$ <u>1,000,000</u> .00
Recreation Resources Service (RRS) regional consultant: <u>Alex Godette</u>		
Project Name: <u>Harold Rankin Park Revitalization</u>		
Is this an LWCF-funded park on these <a href="#">lists of NC projects</a> ? <input checked="" type="checkbox"/> yes <input checked="" type="checkbox"/> no		
If yes, list the grant number(s): <u>#582 Lowell Ball Park</u>		
<b>Certification and Approval by Local Governing Board</b> I hereby certify the information contained in the attached application is true and correct and the required dollar-for-dollar matching funds will be available during the project period. This application has been approved by the local governing board.		
<b>Chief Elected Official:</b>		
<u>Sandy Railey</u> <small>Print or Type Name</small>	<u>Mayor</u> <small>Title</small>	_____ <small>Signature</small>
If two local governments are applying together, this form must be completed and signed by each local government. One applicant must be identified by adding "primary sponsor" in the "Local Government Name" section.		
<b>THIS FORM MUST BE COMPLETE IN ITS ENTIRETY FOR YOUR APPLICATION TO BE CONSIDERED</b>		

Signature: