

Minutes for the Regular City Council Meeting
101 W. First Street, Lowell, North Carolina, 28098
October 10, 2023, 5:59 PM - October 10, 2023, 9:04 PM

Roll Call: (The following members were in attendance)

Sandy Railey, Mayor

Phil Bonham, Councilmember

JoAnna Fulbright, Councilmember

Candy Funderburk, Councilmember

Thomas Gillespie, Councilmember

Travis Smith, Mayor Pro-Tem

1. General

1A. Call To Order - 5:59 PM

Mayor Sandy Railey called the meeting to order at 6:00pm. City staff present were City Manager Scott Attaway, City Attorney John Russell, Police Chief Carl Moore, Police Assistant Chief Jeff Harrison, GIS Analyst Todd Stroupe, Stormwater Administrator Jamie Watkins, Finance Director Lisa Nolen, City Planner Joe Gates, Parks and Recreation/Events Coordinator Tori Dellinger, Planner Tyler Cobb, Public Works Director Thomas Shrewsbury, and City Clerk Cheryl Ramsey. A quorum was determined at the beginning of the meeting. The meeting was teleconferenced on YouTube for the public and the agenda and meeting materials were made public on the city's website as well as in person. Members of the public were also in attendance. Due to technical difficulties, the YouTube broadcast did not begin until approximately 6:20pm.

1B. Invocation / Pledge of Allegiance - 6:01 PM

Rusty Frost gave the Invocation and led everyone in the Pledge of Allegiance.

1C. Adoption of Agenda for this Meeting - 6:03 PM

Mayor Railey asked for a motion to adopt this meeting. Councilmember Fulbright made a motion to remove the public hearing under 5B, Unfinished Business regarding the Social District because of the concerns in having it in Lowell at this time, seconded by Councilmember Funderburk. It was unanimously voted in favor. Councilmember Gillespie thanked Councilmember Fulbright for making this motion because it is a little premature and people have to have time to think about it. Councilmember Bonham then made a

motion to accept the modification that was just passed and adopt the remainder of the agenda, seconded by Mayor Pro Tem Smith. This vote was unanimously in favor. The votes were explained by City Attorney Russell for those who were not able to hear the motions.

The item was motioned To Amend by JoAnna Fulbright and seconded by Phil Bonham with a passing result 5-0-1-0 Abstained by Sandy Railey

1D. Public Comments - 6:07 PM

1. Larry Simonds of 1603 Power Dr., Lowell, NC - asked what the vote was on because people in the hallway could not hear? He asked if they [Council] got rid of the public hearing. Mr. Russell stated that there was a motion where there will not be a public hearing regarding consideration of the social district. Mr. Simonds stated it was advertised that there will be a public hearing. Someone in the audience interjected and said she thinks they [council] are saying there will not be a public hearing because this will not be brought up now. Mr. Russell said that was correct. Mr. Simonds continued and complained about the approval by the Lowell Planning and Zoning Board on April 4th 2023, regarding how long it took them to approve 273 warehouse doors on Power Line Dr. and also Saxony. He then read the motion and the conversation from the meeting. He said Mr. Gates came to the zoning meeting and in less than five minutes they approved to put 274 warehouses between the Lowell Elementary School and the mill where there is a two-lane road. He said there was no consideration to the people, no public hearing and those warehouses should not be built today. It should have been tabled and studied and we have nothing to offer the citizens of Lowell. No doctor's office, no sidewalks and things we need but the tax rate is doubled. He said all the buildings should help the tax rate correct? What are you [council] thinking? He said we need better leadership. He then left the meeting.

2. Debbie Johnson of 407 McAdenville Rd, Lowell, NC spoke about why she is against the Social District.

3. John Cato of 109 Walnut St, Lowell, NC said he is running for City Council and wanted to know how you [Council] are going to amend the law. He said according to the Alcohol, Tobacco, and Firearms of the State of NC, you can not serve or consume alcohol within 500 yards of a church. You have three churches within the places that you are serving alcohol and how are you going to amend that? He then left the meeting.

4. Deanna Tilley of 207 N Church St said she spoke to two alcoholics where one is dying and one is recovering and they moved to Lowell to get away from the alcohol. She is against the social district. She then complained about the traffic from 85 that was rerouted

through Lowell and how the city can't handle that kind of traffic. She thinks it should be local only traffic and to keep that on the highway or put back on 74. She said it is dangerous and is not right. She said no one asked them if that was ok and no one is listening. She said she got signatures from people in a four block area and the overwhelming majority said no to the Social District with two saying yes.

5. Richard Sigmund, pastor of Lowell Freewill Baptist Church. He doesn't live in Lowell but speaking as a leader in this community for his church and is dead set against the Social District. He said alcohol is a drug because it changes your ability to function, drive, make a clear decision and should be treated as such.

6. Paul Williams of 703 McAdenville Rd is against the Social district and thinks the topic should be on the ballot. He said he is not against the idea of a social district but thinks we don't have the size as other cities to handle it and the amenities those bigger cities have.

7. Alice Neal of 3006 Lowell Rd, Gastonia NC is against the Social District and is against having alcohol served at 10am. She thanked Council for tabling it. She also complained about the traffic and construction problems.

8. Nick Felton of 303 Caroline Ave, Lowell NC is a new resident to Lowell and is very proud to live here because he thinks it has a lot of potential. He offered his services to beautify the city. He thanked Council for listening to everyone.

9. Brenda Carr of 507 Robinson St, Lowell NC is against the Social District. She said this a good Christian town and can't believe this was ever brought up but she needed to speak up about it.

10. Heather Seay of 1110 Catawba Run Rd, Lowell NC and thanked Council for listening to the people and reconsidering the Social District. She too said she didn't have a big opposition to it but does not think Lowell is ready for it. She also thinks it should be on the ballot in 2025. She then clarified what Larry Simonds said earlier about the Planning Board approving a warehouse in McAdenville. She said the Lowell Planning Board does not have the authority to approve a warehouse in McAdenville. We [Planning Board] approved to allow them to spend millions of dollars to replace our sewer lines, the line that got hit by a tree and spilled thousands of gallons of raw sewage into the South Fork River a few months ago. She wanted this to be clarified for the record.

11. Bill Knox of 5105 Meadow Woods Dr., Lowell NC made a public endorsement of Norris Lamb for Mayor and that the other candidate has week after week publicly ridiculed this Council and City staff saying demeaning and disparaging comments and thinks Mr. Lamb will put dignity and respect in this town.

Mayor Railey allowed Councilmember Gillespie to say a comment. He said he is so proud of democracy at work at this meeting. He said the Gazette came to him and Councilmember Funderburk recently and even after we voted to table it [public hearing for Social District], he said after hearing the comments tonight, if we had to vote on this, he would have voted no.

12. Jeff Miller of 2333 Winterfield Dr., Gastonia NC is concerned about the Social District and the safety issues it would bring. He is glad it has been tabled and believes it should be thrown out.

13. Pattie Buffin of 3007 Lowell Rd, Gastonia NC made comments against the Social District.

2. Approval of Minutes

The item was motioned To Approve by Candy Funderburk and seconded by Travis Smith with a passing result 5-0-1-0 Abstained by Sandy Railey

2A. Approval of Minutes 9-12-2023 - 6:40 PM

With no corrections, Councilmember Funderburk made a motion to accept the minutes from September 12, 2023, seconded by Mayor Pro Tem Smith. The vote was unanimously in favor.

3. Special Presentation

3A. Proclamation 03-2023 In memory of Sam Mitchem - 6:41 PM

Mayor Sandy Railey read the Proclamation and presented the flag to his widow, Donna Mitchem. Councilmember Funderburk made remarks about Mr. Mitchem. A picture was taken with Mrs. Mitchem and she thanked Council for the honor to her husband.

Ms. Tilley interjected and wanted to say a prayer for former Councilmember Steve Ryan who is about to go into war in Israel as well as a prayer for the niece of her friend killed in Israel.

4. Consent Agenda

With no questions, Councilmember Funderburk made a motion to approve the consent agenda, seconded by Mayor Pro Tem Smith. The vote was unanimously in favor.

The item was motioned To Approve by Candy Funderburk and seconded by Travis Smith with a passing result 5-0-1-0 Abstained by Sandy Railey

4A. Stormwater Department Report - 6:47 PM

4B. Customer Service Utility Billing Report - 6:47 PM

4C. Planning Department Report - 6:47 PM

4D. Public Works Report - 6:47 PM

4E. Finance Report - 6:47 PM

4F. Geographic Information System (GIS) Report - 6:47 PM

4G. Communications Report - 6:47 PM

4H. Parks & Recreation Report - 6:47 PM

4I. Police Report - 6:47 PM

5. Unfinished Business

5A. Public Hearing - Economic Development Grant Agreement - Project Seattle - 6:48 PM

Consider approval of an Economic Development Grant Agreement, pursuant to North Carolina General Statute 158-7.1 and 160D-1001.

Councilmember Funderburk made a motion to go into public hearing, seconded by Mayor Pro Tem Smith. The vote was unanimously in favor.

Mr. Attaway said staff received an application from Project Seattle, a Fortune 500 company, who is considering a total investment of \$21 million to establish a facility in Gastonia and Lowell in our Gateway 85 Industrial Park located at Building #7. This is the building in the most northern end of the former Lineberger Rd. Project Seattle is anticipating adding 107 new jobs with an average salary of \$25.82 an hour. The company's Capital Investment and the property and operations allow it to qualify for a level 2 Economic and Development grant. This information and the resolution has been included in the agenda packet for review. He opened it up for Council questions.

Councilmember Funderburk asked if we know what Project Seattle is? Mr. Attaway said we do not. He said it is a code name and the company has not announced anything further. He

gave Council a reminder in why companies do that. The NC Department of Commerce are the ones who announce companies in tandem with the company. If the name of the company gets out before Commerce has announced it, Commerce will pull back all of their incentives and not offer the State level grants. So we, Lowell and Gastonia, are not getting this information yet.

Councilmember Bonham asked if he had a general idea of the percentage that will be in Lowell? Mr. Attaway asked Mr. Gates, Planning Director, to answer as he has worked more closely on this. Councilmember Bonham said Building #7 is 700,000 sq. ft. and it's his understanding they are taking half. Half of a sliver of that is in Lowell correct? So it's a sliver of 350k not a sliver of 700k correct? Mr. Gates said yes it is just the southwest corner of the building and the parking lots, probably 50,000 sq. ft. or less if he had to guess. Mr. Attaway said the way the jurisdiction will align, there will definitely be more of a parking lot in Lowell than the building itself. The appraised value will be minimal. Councilmember Funderburk asked how much they will be given per year in incentives? Mr. Attaway said the the City of Lowell grant amount they would receive is listed in years 1-5 at \$83,790, then \$73,696, then \$65,170, then \$46,864 and year five at \$35,260 (down each year from year one to five). He said the taxes to the City of Lowell totals \$125,120 for the five years.

Councilmember Bonham asked prior to this development, what would you estimate the tax income from all property up to the (inaudible) zone? Mr. Attaway said the whole former Lineberger tract property was in the neighborhood of a few thousand or several hundred that was paid because he thinks there was an agricultural exemption on the property.

Councilmember Gillespie asked how many jobs will this plan create? Mr. Attaway repeated 107 jobs at \$25.82 an hour. Councilmember Gillespie said he doesn't have a problem granting incentives. He continued stating that Sonic and Newell, and the economic development say they will have so many jobs [available] and his only concern in giving grants, is that we make sure people, acknowledging that he knows that Mr. Attaway can't control this, but that the people of Lowell get an opportunity to work as well. His thing is that when he votes to give an incentive, his goal is for the people of Lowell to also get jobs to provide for their families. Councilmember Bonham agreed and added that the issue with Sonic, and they reached out to us [Council], is that we were in conjunction with the State and the County for all the incentives that were offered to Sonic who never met the criteria so they never received any credit, rebate, or any types of money thereof. They understood the taxes of their property and paid it every single year. The misconception of the

community is we're just funneling money back for cashbacks and that's not true. He added, the way this works is what's good for one is good for the other, you do this for us and we credit back for reimbursement, if you meet the criteria. Sonic has never done that, has paid 100% of their taxes, and has not received any reimbursements because they did not meet the criteria. So for Newell, they filed and proved they met the criteria, so they will get the credit. It's all about economic development. So to your [Councilmember Gillespie] point, and Sonics he assumed, we got their application too and they never developed it, so our people that applied, did not get employment here because they didn't employ anyone. Covid hit and now we are just taking a check for their taxes. These guys over here [Project Seattle], encourage you to reach out to the citizens of Lowell that want to be employed and he would hope they reach out to Lowell first. Mr. Attaway added the Mayor mentioned Newell in her closing remarks at the last council meeting reading out the website for employment, and that is something that we [staff] will look to in building a rapport with whatever this new place will be. We do not have an Economic Development department in the city, but the Planning Department will still reach out and communicate with them that we will help by putting advertisements on bulletin boards and any other way to get the word out to the community. Councilmember Funderburk added that Sonic was supposed to bring 500 jobs and never did. She said they even applied to bring the incentive back and the city said no. Mr. Attaway said that's correct. He said there was discussion recently about them not being able to qualify for the initial level and then coming for a level one or two but that never came to Council. As you know there are not a lot of employees there and believes they went to a remote work plan but he does not know what the final plans are for this property.

Councilmember Bonham wanted everyone to understand that this is not a giveaway. This is you [company] gained this advantage if you give us something in return. If not, you do not get the credit. That simple. Councilmember Funderburk asked if we were to vote no on this, would they still build it anyway? Mr. Attaway said he did not know. He said if the building is built, then they are just looking for tenants. Mr. Russell asked Mr. Attaway to clarify the incentive of putting in equipment, fixtures, etc. Mr. Attaway said we have already done an economic development for the entire development within Lowell. This is for the tenant specifically. Mr. Russell added that this is the investment criteria they have to meet for things they have to get installed inside the building, they are not getting credit for the building itself.

Paul Williams of 703 McAdenville Rd, Lowell NC asked what building is #7? Councilmember Bonham said it is 700,000 sq. ft. closest to the railroad. With no other questions from the public, 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 Resolution 08-2023, seconded by Councilmember Gillespie. The vote was unanimously in favor.

The item was motioned To Approve by Candy Funderburk and seconded by Travis Smith with a passing result 5-0-1-0 Abstained by Sandy Railey

To go into the Public Hearing

The item was motioned To Approve by Phil Bonham and seconded by Candy Funderburk with a passing result 5-0-1-0 Abstained by Sandy Railey

To come out of the Public Hearing

The item was motioned To Approve by Phil Bonham and seconded by Thomas Gillespie with a passing result 5-0-0-0

5B. Public Hearing - Social District -

Amending Chapters 97 and 130 of the Lowell Code of Ordinances.

This item was removed during the approval of the Adoption of the Agenda for this Meeting.

6. New Business

6A. Discussion and Consideration of Change Order 001 and 002 for the Demolition Project at 1602 N. Main Street - 7:05 PM

Presented by Scott Attaway. He stated we received change order 001 and 002 and he will briefly discuss both. The first change order is regarding a canopy on loading dock #3A on N. Main and Lowell Spencer Mtn Rd. We had our structural engineer, who is the construction manager for this project with LaBella, analyze the canopy. We were set to keep that canopy for an events stage on the redevelopment plans for this site that our architects identified in the conceptual master plan. It was determined that the loading dock was tied into the warehouse portion and recommended by the engineer that it can not carry the sufficient load once the other piece of wall comes down. They recommended taking it down and rebuilding a new canopy and look at it in the redevelopment plans when we get to that point. He said he brought the architect out to the site today and they agreed with the structural engineer. The engineer believed there could be a better solution and we were given a \$4500 design estimate from the engineer to figure out how to design what is there. He said that is in the plans to figure out the costs to construct the bracing, etc. It is staff's recommendation to remove the canopy and that charge is zero cost to the city.

Mr. Attaway continued and discussed the second change order. He said there are several items here (see Agenda packet for further details).

- Structure #1 - there is a clarifier in the NE corner of building #7, which used to be a sopheric acid tank and containment
- Structure #2 - there are two concrete containments walls at the front of building #5 that was not included in the bid document.
- Structure #3 - there is various pipe racking that runs throughout the SE side of the site.
- Structure #4 - tank containment east of building #30 and associated equipment and several separated out to pipe racking in structures #5,#6,& #7.
- Structure #8 - two concrete container basins.
- Structure #9 - there is various debris scattered throughout the site and this would include removing that all the way to the fence line at Poston Park.
- Structure #10 - and 11- Appearing in this property was undocumented soils in two different buildings in building #12 and building #4. These were tested and came back negative so it is good to dispose of. We asked DEQ if we could just use it on the site but since that is not where our approval came from we'd have to go through a pretty lengthy preapproval process to use any material on site.
- Structure #12 - building #4 is the building we are keeping. This is to remove all the interior equipment including conduit, fans mounted on the wall, catwalks, and a small elevator used to move items up to the mixers. This is the building the architects mentioned in our artifact inventory to keep the large mixers where they are. So this means everything in the building is to be removed, keeping the two large mixing containers to be cleaned up as part of the artifact wall.
- Structure #13 - two tanks along the north wall of building #10.
- Structure #14 - the former substation, DEQ is asking that we keep the fencing around it and they will assist us with soil remediation
- Structure #15 - their was a frack tank next to building #29

For all of these structures to be included in the change order, we have been given a discounted price of \$68,700. This amount would increase if you pick the items you want done for individual buildings. This amount is still well below the next low bid when we selected TriFecta for the demolition. He said it was \$959,000 as a total bid from TriFecta and

adding in the \$68,700 is still below the next bidder who started at \$1,325,000. He explained to the audience that the City of Lowell received \$2 million in direct funding from the State of North Carolina from our local delegation to bring down this site. It is not tax dollars. This will cover the change order and there will be more change orders. He said he went out there today and they took the slab out of the old pump house at the back of the property and found a 9ft pit with water in it. This will need to be tested and then filled in, then a grade will be put over it. LaBella is working with City staff and DEQ to make sure that gets done. He said they have tested every single slab of all these areas or 30 structures and only two remain as of today. All of the TCLP (Toxicity Characteristic Leaching Procedure) samples of the concrete slabs came back negative on this site. He congratulated council for all the years they have looked at this project thoroughly because things appear to be paying off. Staff is recommending the discounted amount of \$68700 be approved.

Councilmember Bonham asked what else is out there? Mr. Attaway said they are still pulling up slabs now and as they pull them up, DEQ's Environmental Consultant is using North Carolina's purse of funds to test the soils underneath the slab for any soil remediation needed. Then we will ask the State, out of the bankruptcy funds from this former company to use the bankruptcy funds to remediate the soils. Everything is being thoroughly tested.

With no other questions, Councilmember Gillespie made a motion that we go ahead with the consideration that the City Manager gave us and do these changes because we are there and can't go back and we still have money to do this. The motion was seconded by Councilmember Fulbright. The vote was unanimously in favor.

The item was motioned To Approve by Thomas Gillespie and seconded by JoAnna Fulbright with a passing result 5-0-1-0 Abstained by Sandy Railey

6B. Amendment to Lowell Code of Ordinances - Brunch Bill - 7:17 PM

Proposal of a new section to Chapter 130 General Offenses to regulate the sale of Alcoholic Beverages on Sundays.

Presented by Scott Attaway. He gave a brief background stating that the Ratified Senate Bill 155 by then Governor on June 30, 2017 and became effective on that date allowing cities to adopt an ordinance permitting the sale of alcoholic beverages starting at 10 am on Sundays instead of the 12pm former start time. City staff received a petition from eight local businesses asking that Council consider adoption of the Brunch Bill.

Councilmember Funderburk made a motion that we table this for a public hearing on Tuesday, November 14, 2023, seconded by Councilmember Gillespie. The vote was rejected

with Councilmembers Gillespie and Funderburk voting yay and Mayor Pro Tem Smith and Councilmembers Fulbright and Bonham voting no.

There was then a discussion regarding the bill. Mayor Pro Tem Smith said his issue with tabling it is there are eight businesses in Lowell that are losing sales for people not necessarily staying in Lowell. They could be travelling through, going to a game and buying alcohol to take with them. If those sales are not in Lowell, they will go to Cramerton, Belmont, and everywhere around us to get it. It helps the city, it helps the businesses because people don't just go in and buy alcohol, they buy other things. He understands the social district that nobody wants it and completely agrees if that's what you don't want but does not agree with hurting our business owners. He said it's a two hour difference.

Councilmember Funderburk said she was approached by six different churches, Freewill Baptist, Church of God, First Baptist, Presbyterian Church, Woodlawn Baptist and the Methodist Church, and they would like for council to vote no and that is why she brought it to council. Councilmember Gillespie said to the Mayor that we did this many years ago and wasn't sure if she was Mayor then. Councilmember Funderburk said 2017. Councilmember Gillespie continued and said it [the Brunch Bill] didn't pass then and this is a rehash of what we've been through that want to do this at 10 o'clock instead of 12. He said two hours, as Mayor Pro Temp Smith said, doesn't make a difference, but to some it does. Lowell is very conservative, very religious town and people can do what they want to do but he thinks that 12 o'clock is not going to hurt anyone. If they have to go to Cramerton, Gastonia, even Charlotte, that's up to them but just because someone else is doing something, doesn't mean Lowell has to. Again, he is really proud of those that can come tonight, even if they have left the meeting, that they are just not going to stand for and don't appreciate a lot of things that deal with alcohol. We said no in 2017 and he still says no.

Councilmember Fulbright says she concurs that the business's deserve that and they've been asking for years for this and they keep getting denied. She said Mayor Pro Tem Smith is right. She has friends who tell her they will get up and go to Gastonia, a thousand feet outside of city limits, and buy alcohol and bring it right back into the city [Lowell]. People are going to drink if that's what they are going to do whether it's 10 o'clock or 12 o'clock but as far as our businesses go, they want to serve mimosa's for breakfast. If someone wants to stop by a business and buy a bottle of wine on their way home from church to serve with dinner, they can't do that until after 12. So she thinks, to be fair to businesses,

we tabled the Social District to maybe never, but let's not take a few extra dollars away from our businesses.

With no other discussion, Councilmember Bonham made a motion to approve Ordinance #10-2023, seconded by Councilmember Fulbright. The vote was accepted with Mayor Pro Tem Smith, Councilmembers Fulbright and Bonham voting yes and Councilmembers Funderburk and Gillespie voting no.

The item was motioned To Set by Candy Funderburk and seconded by Thomas Gillespie with a failed result 2-3-1-0 Opposed by Travis Smith, JoAnna Fulbright, Phil Bonham Abstained by Sandy Railey To table the vote for the Brunch Bill and set a public hearing for November 14, 2023.

The item was motioned To Approve by Phil Bonham and seconded by JoAnna Fulbright with a passing result 3-2-1-0 Opposed by Candy Funderburk, Thomas Gillespie Abstained by Sandy Railey To approve Ordinance #10-2023

6C. Discussion of Amendment to Traffic Calming Policy - 7:31 PM

Presented by Scott Attaway. He gave a brief background stating that the City of Lowell has a traffic calming policy established in roughly 2016, 2017, with the former City Manager and some of this current council. What we have found since he began in 2019 is that he has never seen a situation where that policy has actually triggered a traffic calming measure, like a speed bump, road hump, etc. The last speed bump was installed in around 2014 and Mr. Shrewsbury confirmed this. He continued and said when we do get calls about speeding in certain neighborhoods, residential areas, or any area for that matter, City Police go out with a mobile radar sign and collect data. That data, time and time again, has not moved it to the caliber of needing a traffic calming measure. He asked Asst. Chief Harrison to explain more about the policy and a possible revision of the policy.

Asst. Chief Harrison informed Council of the attachments in the agenda packet and the suggestions he is considering for the policy. He then went over the areas that are highlighted, indicating they are recommended to be added to the policy. He mentioned the biggest problem with the policy is the Class A and Class B categories that the analysis would fall into using the average speed. Since the Police started conducting this, he has found that the average speed is very very low. One of the study's he did in a 25 mph speed zone, the average speed was 14 mph and in another one, the average speed was 21 mph. There was a complaint that cars were speeding in these areas but it was not triggering any real action according to the policy. He started to look at what would be a better measurement and the standard the Department of Transportation (DOT) uses nationwide is the 85th percentile (the speed in which 85% of the cars are traveling). The traffic analysis program used by Lowell Police to download information and put into graphs for better

ease has the 85th percentile setting on it. The street where the average was 14 mph, the 85th percentile was 24mph, which gets us closer to a realistic picture of how fast most of the cars are travelling. Therefore, we changed the Class A and Class B from average speed to the 85th percentile. Also under Class A, it was 0 to 9 mph and will change to 1 to 9 mph. Those were the bigger changes and other changes were minor and primarily changes in language used. He stated that he used the traffic calming policies of Lowell, Dallas, Belmont, and Kings Mountain for references that would be suitable for Lowell. Mr. Attaway added that this is only applicable to city streets as we can't do anything to NCDOT state roads. Councilmember Bonham made a suggestion that any time we do anything that relates to roads, with Police and Public Works for example, that a map could go out that highlights the roads that are not Lowell's so people will understand we are doing the best we can with what is ours and not ours. Mr. Attaway said we have a Powell Bill map where we get a portion of the gas tax back from the state every year, approximately \$90,000-100,000 a year to help repave our approximately 13+ miles of city streets. He will ask Joe Gates to get a map out so that the citizens can see what Lowell is responsible for and what it is not.

A gentleman asked if this was up for discussion. Mayor Railey said no sir. The gentleman continued talking anyway asking what the criteria for 300 vehicles before you can get speed bumps. He said if you only have 250 [vehicles] and they are doing 60 in a 25, does it qualify [for speed bumps]? Mayor Railey allowed Asst. Chief Harrison to answer. He stated that most of the city's around us are 500 vehicles and he chose 300 because we are a smaller city. He didn't have the figure in front of him but Lowell had well over 300 on all of the streets studied so far. The gentleman asked if that was a day or 24 hour period. Asst. Chief Harrison said that was average of the 10 days studied. The gentleman said "so anyone less than 200-300 wouldn't qualify even if they are doing 60 in a 25?" Asst. Chief Harrison said the smallest area that we referenced was well over 300 cars.

The item was motioned To Approve by Travis Smith and seconded by Phil Bonham with a passing result 5-0-1-0 Abstained by Sandy Railey

6D. Budget Amendment #5 - 7:40 PM

Presented by Lisa Nolen, Finance Director. She stated there were accrued interest in the amount of \$1,239.37 observed after moving the ARPA funds and closing the bank account. This amendment will move these remaining ARPA funds to the General Fund.

The item was motioned To Approve by Travis Smith and seconded by Thomas Gillespie with a passing result 5-0-1-0 Abstained by Sandy Railey

6E. Budget Amendment #6 - 7:41 PM

Lisa Nolen presented. She said this budget amendment is to move the ARPA interest to the Community Investment Fund (CIF).

The item was motioned To Approve by Candy Funderburk and seconded by Phil Bonham with a passing result 5-0-1-0 Abstained by Sandy Railey

6F. Resolution #07-2023 - 7:41 PM

Mr. Attaway said this is a resolution to formerly adopt the CIF in the city's financial system as mentioned last month and in the budget retreats. It's an account to use for capital purchases above the \$75,000 amount. This was set place by the council to have funds available for critical infrastructure as it relates to city facilities, like water and sewer infrastructure, smaller city road projects and Parks and Recreation items as well.

The item was motioned To Approve by Travis Smith and seconded by Phil Bonham with a passing result 5-0-1-0 Abstained by Sandy Railey

6G. Budget Amendment #7 - 7:43 PM

Presented by Lisa Nolen. She said since we approved the resolution to formerly adopt the CIF, this is an amendment to move all the CIF funds, that was originally moved within the General Fund, into it's own fund or fund #41.

The item was motioned To Approve by Phil Bonham and seconded by Thomas Gillespie with a passing result 5-0-1-0 Abstained by Sandy Railey

6H. Consideration of Approval of City of Lowell Task Order with Withers Ravenel/ DWI Project No.: SRP-W-ARP-0301 / American Rescue Plan Act (ARPA) / Pre-Construction Planning Grant (PCPG) - 7:44 PM

Presented by Scott Attaway. This is in relation to our DWI project. This is a grant the city applied for our Wastewater treatment plan to be studied and a possible merge regionalization with Two Rivers utility provider. The \$400,000 grant we received, located in the packet, will show the application and the engineer that prepared the grant, LaBella. They had a total project cost of \$669,850 and the resolution approving that is also included. Staff is recommending this Pre-Construction Planning grant be awarded to WithersRavenel in the amount of \$588,000. That leaves a balance of \$188000, which would be paid from a combination of funding sources, including system development fees from oncoming developments going on in Lowell, water and sewer fund balance and the direct funds that we receive from the state of North Carolina in the most recently approved state budget of \$8.25 million dollars. Representatives, Ken Orie and Amanda Whitaker from WithersRavenel were in the audience and allowed to speak. Mr. Orie discussed the project

of working with Lowell's regional partners to lower the burden on the rate payers in the future. It involves the typical planning, design, surveying as well as construction observation. There is also a section to ensure the city is in compliance throughout the term with the State.

The item was motioned To Approve by Candy Funderburk and seconded by Travis Smith with a passing result 5-0-1-0 Abstained by Sandy Railey

6I. Centralina Regional Council Statement of Work Amendment for approval - 7:48 PM

Presented by Scott Attaway. He stated our contract with Centralina to oversee the exterior construction of the Community Center and the second set of homes from the CDBG Neighborhood Revitalization grant expired at the end of September and we now have to do another Statement of Work Amendment with Centralina. The updated version is on your desks (attached) because the one in the packet was incorrect with a home included that dropped out and another that didn't qualify. The additional fees for this is \$7000 to be paid out of the CDBG-NR grant funds. Ms. Ramsey added that Centralina corrected the amount by lowering it approximately \$2000 for the two houses that should not have been included.

The item was motioned To Approve by Candy Funderburk and seconded by Travis Smith with a passing result 5-0-1-0 Abstained by Sandy Railey

7. Reports / Discussions

7A. City Manager Report - 7:51 PM

Presented by Scott Attaway.

1. Good news! We received, and sent to the public on last Friday [Oct 6, 2023], that the city was awarded another \$500,000 grant from the Land and Water Conservation fund for Harold Rankin Park renovation project. We are waiting on the contract for the Part F funds of another \$500,000 grant awarded to the city for a total of \$1 million awarded for this first phase of Harold Rankin Park, which is fantastic! It is on social media but for those who may not have seen it, this is for a new restroom facility, expansion of the playground, and the lower ball field will be more rectangle. The second phase will encompass the primary ball field on the redevelopment plan. Other small things will be included like the pickle ball courts at the existing basketball court, adding a half court basketball area, a trail in the woods, and bocce [pronounced baa-chee] ball.

2. We did receive direct funding from the State of North Carolina's budget in two parts. One for \$8.25 million for water and sewer rehabilitation, construction and expansion projects. These are direct funds which is essentially like a grant and we do not pay this back as long as they are administered correctly. The second part was discretionary funds for the

downtown parking improvements and community center interior remodeling of \$150,000 also from the State of North Carolina's approved budget.

3. We received, for the DWI project, \$7.9 million for water and sewer upgrades. A little over \$2 million of that is a grant where \$500,000 is the principal forgiveness, leaving us with about \$5.3 million amount for the construction project WithersRavenel just talked about. That remaining \$5.3 million is at a .74% interest rate and that is a phenomenal rating program that is offered by DEQ and DWI.

4. Thanks to all the staff and the legwork done to get all these grants. He also said the Fall Festival was the best he's ever seen it. He said we'll take any and all concerns provided seriously and try to account for everything we can. Shout out to all the city employees and staff volunteering. They have really been working hard.

7B. City Attorney Report - 7:56 PM

Nothing to report.

7C. Mayor and City Council General Discussion - 7:56 PM

Councilmember Gillespie thanked Mr. Attaway and his staff. He said 'this man has done a magnificent job'. In three years and seven days, Mr. Attaway has done things that others failed to do in years. He has been on this council for a long time and Mr. Attaway has brought a Thread Trail from South Carolina to Spencer Mountain, not yet but coming, for the people to exercise and walk and just do great things. This is all because he has a good staff and a good vision to see these things. He's gotten more grants than anybody he's known as a City Manager. He has worked on a Public Works facility and getting the dump trucks to the outer part of Lowell which includes an annexation of hopefully 400-500 houses. Mr. Attaway has done some things nobody has ever done. A riverfront park in the works with kayaking and an amphitheater. He heard someone say 'oh that's just what Lowell needs, another park'. Yes we do need another park because we do. He is trying to get a new police station and City Hall too. He is working hard! Last but not least, this was the biggest and best Fall Festival with a wonderful band we ever had. He wanted to say hats off to him, his staff, and this council. If you listen to this YouTube you can see a lot of good things have been mentioned that are done right and we are going to keep on in the future.

Mayor Pro Tem Smith wanted to echo what Gillespie said with a lot of good things going on and a lot more to come. He thanked the audience for coming. He reminded people

about the River Sweep also this past Saturday morning [Oct 7, 2023]. Last year we had seven people show up and this year there were 35. It was a good weekend in Lowell!

Councilmember Funderburk thanked the citizens for coming out and this is the most we've had, which is usually for the budget or something controversial. She invites people to come when it's just regular stuff too, like the sewer system. This and stormwater stuff are things we have to talk about and people don't understand what really goes on running a city. Scott and his staff have done an excellent job with grants and it takes more than one person to do that and it takes time. We've been working on the revitalization of the Birch St area for years and the grant people take the money away because we can't do this or that and then the city gets the blame for everything. Sometimes it is not the city's fault and she wished people would realize that and do more research instead of blaming those here. Sometimes we make mistakes as we are human too. She thinks the city is doing good and went walking on the trail the other day for two miles and learned how to play bocce ball with the seniors and had a great time. Hope a lot more activities will come for our citizens soon, so just hang on!

A lady from the audience spoke about her upbringing here in Lowell [mostly inaudible as she was speaking very low and had on a mask].

Councilmember Bonham reminded everyone including council that we are a Mayor-Council form of government and there is a lane that council lives in with the things we do and do not do. Knowing where we live is very important as it keeps the city safe, legally, and from disruptions. It is not up to us to approach, even as customers, any city employee in any capacity outside of the City Manager. If I had a concern, I'd take it straight to the City Manager and not the department it is referred to. I do not take my personal opinions about a specific department to that department employee, whether I think their job is warranted or not, it is not for discussion. I don't set employees up via third party phone calls or anything else. We have a job to do here and we don't have to all agree but we have to live in a certain manner that is respectful and courteous and upholds and takes into consideration everything we put forth and that is to be transparent, to be inclusive. Anything other than that, undermines the mission of this council.

Councilmember Fulbright echoed the thoughts of thanking you all for being here to voice your opinions tonight. She said although we don't always agree and you might not agree with the decisions made here, we are balancing to make the city run and a profit for

everyone. She applauded all of the audience for their morals and their faith. We [Council] too have Christian beliefs and faith but we also have to keep the city running and be fair to our businesses. She said if her mother were alive today, they'd be face to face arguing this point but we're in a position that we have to make tough decisions sometimes. Thank you for being here and allowing us to hear your voices.

Mayor Railey thanked everyone for coming and that each one of them are appreciated. She invited them to please come again.

At 8:07 pm, Councilmember Bonham then made a motion for a 10 minute recess before the closed session, seconded by Mayor Pro Tem Smith. The vote was unanimously in favor.

**The item was motioned To Break by Phil Bonham and seconded by Candy Funderburk with a passing result 5-0-1-0 Abstained by Sandy Railey
To have a 10 minute break before Closed Session.**

8. Closed Session

8A. To Discuss the Acquisition of Real Property Pursuant to NCGS 143-318.11(a)(5) - 8:16 PM

Councilmember Funderburk made a motion to go into Closed Session to discuss the acquisition of real property pursuant to NCGS 143-318-11(a)(5) at 8:18pm, seconded by Mayor Pro Tem Smith. The vote was unanimously in favor.

Councilmember Bonham made a motion to come out of Closed Session, seconded by Councilmember Funderburk. The vote was unanimously in favor.

The item was motioned Convene into Closed Session by Candy Funderburk and seconded by Travis Smith with a passing result 5-0-1-0 Abstained by Sandy Railey

The item was motioned ReConvene into Regular Session by Phil Bonham and seconded by Candy Funderburk with a passing result 5-0-1-0 Abstained by Sandy Railey

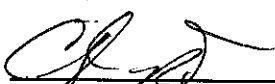
9. Adjournment


9A. Meeting Adjournment - 9:03 PM

Councilmember Fulbright made a motion to adjourn, seconded by Councilmember Bonham. The vote was unanimously in favor. The meeting adjourned at 9:04 pm.

The item was motioned To Approve by JoAnna Fulbright and seconded by Phil Bonham with a passing result 5-0-1-0 Abstained by Sandy Railey

Attest:


Cheryl Ramsey, City Clerk


Sandy Railey, Mayor



**PROCLAMATION IN MEMORY OF
SAMUEL "SAM" R. MITCHEM JR.**

PR03-2023

WHEREAS, Samuel "Sam" R. Mitchem Jr. passed away on Thursday, April 27, 2023 and

WHEREAS, he was a long time member of Woodlawn Baptist Church where he has been a member since he was five years old, he loved hearing and singing the old hymns.

WHEREAS, Sam was a 1977 graduate of Ashbrook High School and went on to study at Gaston Community College in Business Administration.

WHEREAS, he owned and operated Sam's Jewelry and Pawn Shop since 1992 always willing to help and give; and he was a dedicated Mason and Shriner.

WHEREAS, he was a dedicated public servant who worked to enhance the lives of Lowell residents during his term with the Planning Board from November 1982 to November 1991 and his two terms as a City Council member from December 1999 to December 2007 and November 2009 to December 2017; and


WHEREAS, he offered himself unselfishly and willingly in the pursuit of a better community for all citizens; and

NOW, THEREFORE, I, SANDY H. RAILEY, Mayor of the City of Lowell, on behalf of the City of Lowell Council, do hereby proclaim that the City extend its sincere appreciation to Samuel "Sam" R. Mitchem Jr. for his contributions to the community and offers condolences and deepest sympathies to his family and friends on behalf of the grateful residents of Lowell.

This the 10th day of October, 2023.


Sandy H. Railey, Mayor

ATTEST:


Cheryl Ramsey, City Clerk



RESOLUTION TITLE: TO APPROVE A GASTON COUNTY LEVEL TWO INCENTIVE GRANT PURSUANT TO N.C.GEN.STAT. §158- 7.1 AND TO AUTHORIZE GASTON COUNTY TO ENTER INTO AN ECONOMIC DEVELOPMENT AGREEMENT (EDA) WITH PROJECT SEATTLE

RESOLUTION: 08-2023

WHEREAS, Project Seattle is a Fortune 500 Company considering a total investment of \$21,000,000 to establish a facility in Gaston County, to include the purchase and installation of Machinery & Equipment, with the expectation to complete this investment on or before December 31, 2024; and,

WHEREAS, Project Seattle's investment is anticipated to add approximately 107 new jobs with an average salary of \$25.82 per hour over the next twelve months; and,

WHEREAS, North Carolina General Statute §158-7.1 authorizes a County to undertake an economic development project by providing grants for the location of industry; and,


WHEREAS, Gaston County developed an economic grant policy to provide global advanced manufacturing companies and distribution facilities with incentives to develop high quality industries in the County; and,

WHEREAS, it is anticipated that the Company's capital investment in and at the Property and its operations thereat will generate significant ad valorem tax, sales tax and other revenues to the County and will qualify for a Level Two Grant; and,

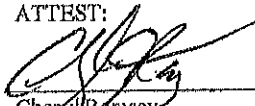
WHEREAS, the County will prepare a detailed Economic Development Agreement (EDA), between Project Seattle and the County, to induce the company to provide good job opportunities and capital investment which will enhance the County's ability to attract additional business and industry.

NOW, THEREFORE, BE IT RESOLVED that the Gaston County Board of Commissioners approves a Level Two Grant, and further authorizes the Chairman, Vice-Chairman or the County Manager to execute any documents necessary to complete an Economic Development Agreement, for Project Seattle.

Adopted the 10th day of October, 2023



Sandy Railey
Mayor

ATTEST:


Cheryl Ramsey
City Clerk



ORDINANCE NO. 10-2023

**An Ordinance To Amend Chapter 130 Of the Lowell Code of Ordinances Entitled
"General Offenses"**

WHEREAS, on June 29, 2017, the North Carolina General Assembly enacted Senate Bill 155, entitled "An Act to Make Various Changes to the Alcoholic Beverage Control Commission Laws"; and

WHEREAS, Section 4 of Ratified Senate Bill 155 authorizes city and county governments to adopt an ordinance to allow alcohol sales beginning at 10 am on Sundays; and

WHEREAS, Ratified Senate Bill 155 was signed into law by Governor Roy Cooper on the 30th day of June, 2017 and became effective on that date (Session Law 2017, Chapter 87); and

WHEREAS, by enacting Senate Bill 155, North Carolina joins 47 other States in allowing alcohol service before noon on Sunday; and

WHEREAS, Sunday morning alcohol service will allow the hospitality community and retail merchants in our community to meet the needs of their customers; and

WHEREAS, Sunday morning alcohol service will benefit our small business community, bring people into business districts earlier in the day, and generate increased tax revenues; and

WHEREAS, our community has a diverse and growing population with different religious beliefs, each of which has various times and multiple days for worship;

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

Section 130.25. Chapter 130 "General Offenses" Section 130.25 is hereby added to read as follows:

Section 130.25 – Sunday Sales of Alcoholic Beverages before Noon on Sundays

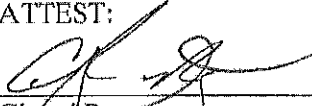
(A) Pursuant to the authority granted by S.L. 2017-87 any establishment located in the corporate limits of the City of Lowell and holding an ABC permit issued pursuant to G.S. 18B - 1001 is permitted to sell beverages allowed by its permit beginning at 10 A.M. on Sundays.

(B). All ordinances or portions of ordinances in conflict herewith are repealed to the extent of any such conflict.

Adopted the 10th day of October, 2023


Sandy Railey
Mayor

ATTEST:


Cheryl Ramsey
City Clerk

**City Of Lowell
Budget Amendment #5
Budget Ordinance FY 23-24**

BE IT ORDAINED by the City Council of the City of Lowell, North Carolina, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2024:

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

ARPA Fund:

Cash:

	<u>Decrease</u>	<u>Increase</u>
60-1020-0005 Cash - ARPA	\$1,239.37	

ARPA Fund:

Fund Balance:

	<u>Decrease</u>	<u>Increase</u>
60-2990-0000 ARPA Fund Balance	\$1,239.37	

This will result in a decrease of \$1,239.37 in ARPA Cash and ARPA Fund Balance in FY 2023-2024. This completes the full transfer of ARPA funds to the General Fund.

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

General Fund:

Cash:

	<u>Decrease</u>	<u>Increase</u>
10-1020-0000 Cash		\$1,239.37

General Fund

Fund Balance:

	<u>Decrease</u>	<u>Increase</u>
10-3990-0000 Fund Bal. Appropriated		\$1,239.37

This amendment will result in an increase of \$1,239.37 in Cash and an increase in the General Fund Balance in FY 2023-2024. This completes the full transfer of ARPA funds to the General Fund.

This amendment is for accrued interest on grant money received from ARPA.

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

Adopted this 10th day of October, 2023.



Mayor

Attest:



City Clerk

**City Of Lowell
Budget Amendment #6
Budget Ordinance FY 23-24**

BE IT ORDAINED by the City Council of the City of Lowell, North Carolina, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2024:

Section 1: To amend the Community Investment Fund balance to be changed as follows:

**Community Investment Fund:
Fund Balance:**

	<u>Decrease</u>	<u>Increase</u>
10-3990-2000 CIF Balance Appropriated		\$1,239.37

This will result in an increase of \$1,239.37 in CIF Balance Appropriated.

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

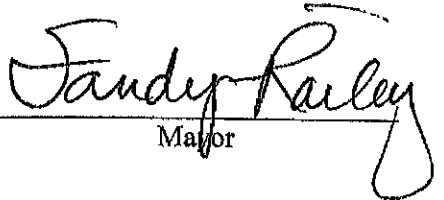
**General Fund:
Fund Balance:**

	<u>Decrease</u>	<u>Increase</u>
10-3990-0000 Fund Bal. Appropriated	\$1,239.37	

This amendment will result in a decrease of \$1,239.37 in Fund Bal. Appropriated.

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

Adopted this 10th day of October, 2023.



Mayor

Attest:



City Clerk



RESOLUTION #07-2023

**RESOLUTION TO ESTABLISH THE COMMUNITY INVESTMENT
FUND (CIF) IN THE CITY'S FINANCIAL SYSTEM**

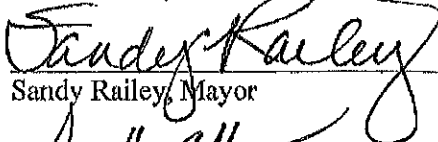
WHEREAS the establishment of the Community Investment Fund for all future capital needs of the City will flow directly into the CIF as a long-term strategy to help fund the City's future; and

WHEREAS The City of Lowell has committed to a portion of property tax revenue and excess fund balance to fund the CIF. The City's policy/commitment is to transfer fund balance that exceeds 50% of General Fund Expenditures Goal; and

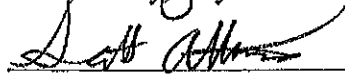
WHEREAS The City of Lowell's net budget is not increased, the increase of revenue and expenditures are a result of transfers.

NOW THEREFORE BE IT RESOLVED that the City of Lowell with the establishment of the Community Investment Fund (CIF), revenue traditionally budgeted in the general fund will now flow directly in the CIF as a long-term strategy to fund future capital needs of the City, including, but not limited to, city infrastructure projects, capital equipment, property acquisition, grant matches, etc.

Approved this 10th day of October 2023 by the City Council of the City of Lowell during a duly advertised regularly scheduled City Council meeting.

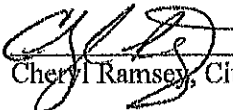


Sandy Railey, Mayor



Scott Attaway, City Manager

CITY SEAL



Cheryl Ramsey, City Clerk

ATTEST

**City Of Lowell
Budget Amendment #7
Budget Ordinance FY 23-24**

BE IT ORDAINED by the City Council of the City of Lowell, North Carolina, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2024:

Section 1: To amend the Community Investment Fund balance in the General Fund to be changed as follows:

**General Fund CIF:
Fund Balance:**

	<u>Decrease</u>	<u>Increase</u>
10-3990-2000 CIF Balance Appropriated	\$2,032,817.90	

**General Fund CIF:
Expenses:**

10-4100-9100 Transfer to CIF		\$2,032,817.90
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This will result in a decrease of \$2,032,817.90 in CIF Balance Appropriated in the General Fund and an increase of \$2,032,817.90 in Transfer to CIF.

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

**Community Investment Fund:
Fund Balance:**

	<u>Decrease</u>	<u>Increase</u>
41-2990-0000 Fund Bal. – CIF Appropriated		\$2,032,817.90

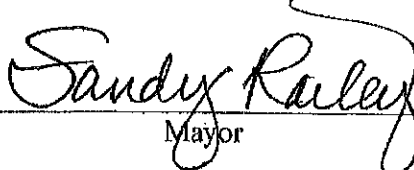
**Community Investment Fund:
Revenue:**

41-3990-9500 Transfer from General Fund		\$2,032,817.90
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This will result in an increase of \$2,032,817.90 in CIF Fund Balance Appropriated and an increase of \$2,032,817.90 in Transfers from General Fund.

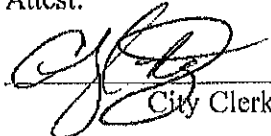
Section 3: Copies of this budget amendment shall be furnished to the Clerk of the City Council, and to the Budget Officer and the Finance Officer for their direction.

Adopted this 10th day of October, 2023.



Mayor

Attest:



City Clerk



Exhibit C-#3
Statement of Work Amendment

This Statement of Work Amendment to Exhibit C (this "Amendment C-#3"), dated as of October 13, 2023 (the "Amendment C-#3 October 13, 2023"), is an amendment to, and is hereby incorporated into, the Initial Statement of Work Exhibit C (the "Relevant SOW") of the Services Agreement with an Effective Date of January 28, 2021 (the "Agreement"), by and between CENTRALINA COUNCIL OF GOVERNMENTS, d.b.a Centralina Regional Council ("Centralina"), and the City of Lowell, ("Client"). Centralina and Client are each referred to individually as a "Party" and collectively as the "Parties" to this Amendment.

RECITALS

WHEREAS, Centralina is a North Carolina regional council of governments pursuant to Chapter 160A, Article 20, Part 2 of the General Statutes of North Carolina and having a principal place of business at 10735 David Taylor Drive, Suite 250, Charlotte, North Carolina 28262; and,

WHEREAS, Client is a local government member of Centralina having a principal place of business at 101 West First Street, Lowell, NC 28098; and,

WHEREAS, the Relevant SOW identified Services to be rendered to Client by Centralina to support Client's efforts to complete Construction Management services; and,

WHEREAS, the time for performance of the Relevant SOW ends on September 30, 2023 and the Services contemplated under the Relevant SOW have not yet been completed; and,

WHEREAS, Client wishes to purchase, and Centralina wishes to provide, additional or different services related to the Relevant SOW's Services;

NOW THEREFORE, Client and Centralina agree to amend the Relevant SOW as follows:

1. "Time For Performance" section III: The time for performance/expiration date is amended to expire as of March 1, 2024.

2. The following changes or additions to Services and or Deliverables included in SOW Amendment C#3:

The construction management activities for the following properties in the City of Lowell:

- 1) 108 Oakland Dr. – Inspections / Project Meetings / Project Closeout
- 2) 419 Birch St – Inspections / Project Meetings / Project Closeout
- 3) 309 Hemlock – Inspections / Project Meetings / Project Closeout
- 4) 705 Potts St. – Inspections / Project Meetings / Project Closeout
- 5) Lowell Community Center - Inspections / Project Meetings / Project Closeout

3. "Compensation" Section IV: The fees due to Centralina from Client are amended as follows: The Centralina contract amount is now increased from \$76,781 to \$83,781. Additional fees of \$7,000.00 will be billed at the end of each quarter based on the hours accrued on the project during the quarterly reporting period.




CENTRALINA
REGIONAL COUNCIL

This Amendment C-#3 has been executed by each Party's duly authorized representative.

CENTRALINA REGIONAL COUNCIL

CITY OF LOWELL

By: 
Geraldine Gardner (Oct 16, 2023 11:21 EDT)

By: 

Name: Geraldine Gardner

Name: Scott Attaway

Title: Executive Director

Title: City Manager

Date: Oct 16, 2023

Date: Oct 17, 2023

"This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act."

Lisa Nolan (signature)
Lisa Nolan, City of Lowell Finance Officer


C#3 Contract Amendment City of Lowell County -signature needed

Final Audit Report

2023-11-06

Created:	2023-10-16
By:	Alice Flowers (aflowers@centralina.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAvIA8Ikj20xg1D4kDcl5n63dfrFRgkMCu

"C#3 Contract Amendment City of Lowell County -signature needed" History

-  Document created by Alice Flowers (aflowers@centralina.org)
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-  Document emailed to Geraldine Gardner (ggardner@centralina.org) for signature
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-  Email viewed by Geraldine Gardner (ggardner@centralina.org)
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-  Document e-signed by Geraldine Gardner (ggardner@centralina.org)
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Signature Date: 2023-10-17 - 1:44:43 PM GMT - Time Source: server
-  Document emailed to Lisa Nolen (lnolen@lowellinc.com) for signature
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2023-11-06 - 2:20:05 PM GMT
-  Document e-signed by Lisa Nolen (lnolen@lowellinc.com)
Signature Date: 2023-11-06 - 2:22:36 PM GMT - Time Source: server

 Agreement completed.

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