

**MINUTES**  
**Lowell City Council**  
**Regular Meeting**  
**Tuesday, August 14, 2001**

**I. Call to Order**

Mayor Simonds called the meeting to order at 7:00 p.m. Councilman Bill Tolbert gave the invocation and everyone recited the Pledge of Allegiance.

**ATTENDING:** Mayor Larry Simonds, Mayor-Pro-Tem Sam Mitchem, Councilmen Ricky Bush, Mark Buchanan, and Bill Tolbert. Also attending was City Manager Gary Hicks and City Attorney Jim Windham.  
**ABSENT:** Councilman Grier Cobb

Mayor Simonds asked everyone to remember the Harold Rankin family on the death of his wife.

Councilman Bush said he would like to add a discussion about the meetings we have been holding to the agenda.

Councilman Buchanan asked to add shortfalls in the budget and having the City manager put a letter together of our needs here to submit to the N.C. Legislature to the agenda.

Councilman Buchanan asked to add waterlines being put in on Lineberger Street and Power Drive to the agenda and the type of fire hydrants they are putting in these new subdivisions.

Mayor Simonds asked to put these two items of Councilman Buchanan under New Business.

Mayor Simonds asked to add a complaint about a water bill to the agenda.

Mayor Simonds asked to put this right after the public hearing under Unfinished Business.

City Manager Hicks asked to add the recommendations from the Planning and Zoning Board Report to the agenda.

Mayor Simonds asked that this be put under Unfinished Business.

Councilman Buchanan made a motion to approve these additions to the agenda.  
Councilman Mitchem seconded the motion.  
The vote was unanimous.

**II. Approval of Minutes**

**III. Scheduled Public Comments**

**A. Kirby Case – Sewer Right-of-Way**

Mr. Case asked to have this put on next month's agenda.

**IV. Scheduled Public Hearings**

**A. Closing of High Street**

Councilman Buchanan made a motion to enter into a public hearing.  
Councilman Tolbert seconded the motion.  
The vote was unanimous.

Bobby Massey, an elder at Presbyterian Church, stated that the church wanted this street closed mainly because of the safety of the children. They have a lot of children going between these two buildings and would like to see this street closed. He said that the church had no plans for any other use of this street.

Councilman Mitchem made a motion to close the public hearing.

Councilman Buchanan seconded the motion.  
The vote was unanimous.

Councilman Mitchem made a motion to close this portion of High Street.  
Councilman Tolbert seconded the motion.  
The vote was unanimous.

V. Unfinished Business

A. Mr. Sprouse-- 1311 North Main Street-- discussed his high water bill.  
Mayor Simonds recommended putting in a new meter for 30 days and see if their bill comes down.  
Mr. Sprouse also asked how he could get the city truck at his house.

B. Recommendations from the Planning and Zoning Board  
City Manager Hicks stated that at the last Planning and Zoning meeting they made two recommendations. One was Mr. J.A. O'Quinn's term had expired and they recommended he be reappointed to a three year term and that Mrs. Gertrude Usery be appointed to a term on the Board of Adjustments concurrent with her term on the Planning Board. Mr. O'Quinn's term would be until August 14, 2004 and Mrs. Usery will be until December 2, 2002 for the Board of Adjustments. There are also two more vacancies. Mr. Jim Isbill's term has expired and the Board did not make a recommendation on that and we also need a replacement for Mrs. Jewel Norwood.  
Mayor Simonds recommended that Council take care of the first two items.

Councilman Buchanan asked if the meeting was called by the Chairman of the Planning Board.  
City Manager Hicks stated that Mr. Isbill did not call the meeting.  
Councilman Bush stated that Mr. Isbill had cancelled the meeting and Ray Barrett and J.A. O'Quinn called another meeting and elected these people. According to the rules. Mr. O'Quinn was already off the Board and was not allowed to vote. This was illegal.

Councilman Buchanan stated that if this was done illegally he did not want to vote for it.

Mr. O'Quinn stated that Mr. Isbill should have called a meeting back in December but he did not do it.

Mayor Simonds asked why the Board Meeting was called off.

City Manager Hicks stated that there were no items to go over.

Mr. Isbill stated that he announced at the Board Meeting that he term would be up in March.

City Attorney Windham stated that as a Board Member when your term expires you are through until reappointed.

There was some more discussion.

Councilman Tolbert made a motion to approve J. A. O'Quinn until August 14, 2004 and Gertrude Usery until December 2, 2002.

Councilman Mitchem seconded the motion.  
The vote was 3 to 1 (Councilman Bush opposing).

Councilman Tolbert made a motion to appoint Jack Woelfel to the Planning and Zoning Board and to the Board of Adjustments for a three-year term.

Councilman Mitchem seconded the motion.  
The vote was unanimous.

C. Proposed Community Center  
This item was tabled.

D. Hiring of Engineer to Survey Edgewood Cemetery