



**CITY OF LOWELL
COUNCIL MEETING AGENDA
TUESDAY, MAY 12, 2020, 7:00 P.M.**

- 1. CALL TO ORDER** – Mayor Sandy Railey
- 2. INVOCATION / PLEDGE OF ALLEGIANCE**
- 3. ADOPTION OF AGENDA FOR THIS MEETING**
- 4. PUBLIC COMMENTS**
 - A. Comments received will be read by City Clerk
- 5. APPROVAL OF MINUTES**
 - A. Minutes from Council Meeting Held March 10, 2020 (p. 2-7)
- 6. OLD BUSINESS**
- 7. NEW BUSINESS**
 - A. Presentation & Discussion of Departmental Capital Requests for FY2020-21 (p. 8-9)
 - B. Set Public Hearing for June 9, 2020 for FY2020-21 Municipal Budget
 - C. Consideration of Proposals for Required Zoning Code Updates (p. 10-14)
 - D. Budget Amendment for Township Grant (p. 15-17)
 - E. Ratification of Decision to Suspend Utility Cutoffs and Late Fees April and May
 - F. Resolution in Support of Build Grant Application (p. 18-22)
- 8. STAFF REPORTS**
- 9. CITY ATTORNEY REPORT**
- 10. CITY MANAGER REPORT**
- 11. MAYOR AND CITY COUNCIL GENERAL DISCUSSION**
- 12. ADJOURN**

MINUTES

Lowell City Council

Regular Meeting

Tuesday, March 10, 2020, 7:00 P.M.

I. CALL TO ORDER – Mayor Sandy Railey

Mayor Sandy Railey called the meeting to order at 7:00 p.m. Those attending were Councilmember Phil Bonham, Councilmember Ken Ervin, Councilmember Candy Funderburk, Councilmember Thomas Gillespie, City Manager Kevin Krouse, City Attorney Jim Windham, City Clerk Beverly Harris, Police Chief Scott Bates, Development Services Administrator Scott Attaway, Parks and Recreation Director Cristy Cummings, Finance Officer Kevin Haney, and various citizens. Councilmember Shane Robinson was absent.

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

Councilmember Ervin made a motion to amend the agenda by removing item 7C and 7D under Old Business from the agenda, followed by a second from Councilmember Gillespie. The vote was unanimous.

Councilmember Ervin made a motion to approve the amended agenda, followed by a second from Councilmember Gillespie. The vote was unanimous.

IV. PUBLIC COMMENTS

A citizen asked Council to consider expanding the park equipment at the Bob Bolick Park.

V. APPROVAL OF MINUTES

A. February 11, 2020 Regular Council Meeting Minutes

Councilmember Funderburk asked for the speed limit under New Business, Section E to be changed from 35 mph to 20 mph not 25 mph.

Councilmember Ervin made a motion to approve the February 11, 2020 Council meeting minutes with the amendment, followed by a second from Councilmember Funderburk. The vote was unanimous.

B. February 28, 2020 Council Planning Retreat Minutes

Councilmember Funderburk made a motion to approve the February 28, 2020 Council planning retreat minutes, followed by a second from Councilmember Gillespie. The vote was unanimous.

VI. SPECIAL PRESENTATION

A. Recognition of Lowell Recreation Youth 7-8 Basketball Team for Winning the League Championship

Yvette Broussard recognized the Lowell Recreation Youth ages 7-8 basketball team for winning the League Championship. A trophy was presented to the team.

B. Recognition of Lowell Recreation Youth 11-12 Basketball Team for Winning the League Championship

Yvette Broussard recognized the Lowell Recreation Youth 11-12 basketball team for winning the League Championship. A trophy was presented to the team.

VII. OLD BUSINESS

A. GCLMPO Projects Update – Dean Leadbetter from NCDOT

Dean Leadbetter, NCDOT Corridor Development Engineer presented information regarding Lowell's recent transportation project submittal. The project is described as follows: N. Main St. Bike/Ped improvements on route NC 7 (N Main St)/SR2201 (N Main St), from NC 7 (First St) to Geer St. Pedestrian improvements at three downtown intersections on NC 7 (N Main St), bike lanes via 4-lane to 3-lane conversion on SR 2201 (N Main St) to Geer St, sidewalk gaps east side to Lineberger St. Mr. Leadbetter stated NCDOT is looking at 12-13 years for these projects to be in construction and into completion. He also stated the I-85 widening project has been re-started.

B. Bicycle and Pedestrian Plan Presentation

Kevin Krouse presented the Lowell bike and pedestrian plan to Council. He asked them to review for a possible adoption of the plan at a future meeting.

C. Adoption of CDBG-Infrastructure Grant Budget Ordinance in the Amount of \$1,981,691

This item was removed from the agenda as it was already adopted at the October 8, 2019 meeting.

D. Adoption of CDBG-Neighborhood Revitalization Grant Budget Ordinance in the Amount of \$830,000

This item was removed from the agenda as it was already adopted at the October 8, 2019 meeting.

E. Adoption of the Fair Housing Plan

Kevin Krouse stated as part of the utilization of federal grant funding the City of Lowell is reminded to affirm the furthering of the Fair Housing Act. Mr. Krouse stated the Fair Housing Act was adopted in 1968 and was created to help limit discriminatory practices related to landlords, tenants, and housing. The act was created on the principle that every American should have an equal opportunity to seek a place to live, without being afraid of discrimination due to factors outside their control. He stated the City of Lowell must take meaningful actions that promote the fair housing act and its mission. The Fair Housing document presented to Council was developed to demonstrate the City's commitment to equitable housing practices in Lowell.

Councilmember Ervin made a motion to adopt the Fair Housing Plan as presented, followed by a second from Councilmember Gillespie. The vote was unanimous.

F. Public Hearing for Zoning Text Amendment to UDO Section 7.6.6.6

Councilmember Funderburk made a motion to go into Public Hearing for Zoning Text Amendment to UDO Section 7.6.6.6, followed by a second from Councilmember Gillespie. The vote was unanimous.

In accordance with the City of Lowell Strategic Plan, staff has begun to review the fifth goal to "Develop Land Use Master Plans for Undeveloped Areas".

Scott Attaway stated staff is asking the Lowell City Council to consider a text amendment to the Lowell Unified Development Ordinance, Section 7.6.6A and 7.6.6B of the Lowell UDO Corridor Highway Overlay District. He stated the Planning Board made a recommendation of approval for the text amendment and tonight's public hearing was advertised on 2/20/20 and 2/27/20. He stated no calls have been received regarding the notification. *(See attached text amendments)*

Public Hearing was opened to the public for comments. Ed Jackson inquired about the C-2 zoning within this overlay area. There were no further comments from the public.

Councilmember Funderburk made a motion to close the Public Hearing, followed by a second from Councilmember Gillespie. The vote was unanimous.

Councilmember Gillespie made a motion to approve the zoning text amendment to UDO Section 7.6.6.6 as presented, followed by a second from Councilmember Funderburk. The vote was unanimous.

G. Set Special Workshop Meeting for March 27, 2020

Kevin Krouse asked Council to set a special workshop meeting date for March 27, 2020.

Councilmember Ervin made a motion to set the special workshop meeting date of March 27, 2020, followed by a second from Councilmember Funderburk. The vote was unanimous.

VIII. NEW BUSINESS

A. Request to Allow the City Manager to Accept a Grant from the NC Division of Water Infrastructure in the amount of \$150,000

Kevin Krouse stated the Division of Water Infrastructure reviewed the city's application to the Asset and Assessment grant program. The State Water Infrastructure Authority has approved the City of Lowell to receive a grant in the amount of \$150,000 for the sewer portion. Mr. Krouse stated staff will be able to purchase software with this money to begin mapping of the sewer system and any future changes. He also stated no cash will be required from the City of Lowell for this grant.

Councilmember Ervin made a motion to allow the city manager to accept the \$150,000 grant from the NC Division of Water Infrastructure, followed by a second from Councilmember Funderburk. The vote was unanimous.

B. Resolution to Affirm Mandated Compliance of NPDES MS4 Stormwater Program

Scott Attaway stated the North Carolina Department of Environmental Quality (NCDEQ) has issued the City of Lowell Notice of Violation NOV-2020-PC-0093 after an audit on 10/30/19. The prescriptive pathway to compliance from DEQ requires that the City of Lowell address the MS4 permit deficiencies by adopting a Council Resolution within sixty (60) calendar days of the notice.

Councilmember Funderburk made a motion to adopt the Resolution to affirm mandated compliance of NPDES MS4 Stormwater Program, followed by a second from Councilmember Ervin. The vote was unanimous.

C. Request to Consider Ordinance Amendment Based on NC Senate Bill 155 Regarding the Sale of Alcohol

Kevin Krouse stated staff has received requests from two local business owners, The Corner Grocery and QSC Food Mart, for the City to consider enacting the "Brunch Bill" provision in Lowell. Senate Bill 155 which passed in 2017 modernized ABC laws for breweries and distilleries. One of the many provisions is referred to as the Brunch Bill which permits establishments with a valid ABC permit to sale/serve alcohol starting at 10 a.m. on Sundays, two hours earlier than previously permitted. The local governing body must pass its own ordinance permitting the brunch bill for it to apply within the City of Lowell.

Councilmember Funderburk made a motion to deny the request, the motion died due to lack of a second. There were no further motions or votes made regarding the Ordinance.

D. Request to Write-Off Uncollectible Customer Utility Debt in the Amount of \$3,908.17

Beverly Harris presented \$3,908.17 worth of uncollectible customer utility debt for consideration of write-off. She stated these are accounts that could not be turned into NC Debt Setoff or have already met the threshold amount of collectible debt through NC Debt Setoff collections.

Councilmember Ervin made a motion to write-off uncollectible customer utility debt in the amount of \$3,908.17, followed by a second from Councilmember Bonham. The vote was unanimous.

E. Budget Amendments to General Fund

Kevin Krouse stated budget amendments are needed for the following: Powell Bill Fund Balance \$120,000 (To cover shortfall for various street paving projects done throughout the city.); Administration \$2727 (To cover the purchase and installation of the plaque/marker for the Flats Community.).

Councilmember Ervin made a motion to adopt budget amendment #4, followed by a second from Councilmember Gillespie. The vote was unanimous.

F. Budget Amendment to Enterprise Fund

Kevin Krouse stated a budget amendment is needed for the following: Water & Sewer Fund \$57,352 (For the principal and interest for the Wastewater Treatment Plant improvements done in 2015.).

Kevin Krouse stated there was a typo on budget amendment #3 and asked that \$57 be changed to \$57,352.

Councilmember Ervin made a motion to adopt the amended budget amendment #3, followed by a second from Councilmember Gillespie. The vote was unanimous.

G. Consideration of Appointment of Scott Bates to the Citizen Improvement Advisory Committee

Scott Ataway stated the Lowell Community Improvement Advisory Committee recommends Scott Bates to be appointed as a member of the Committee.

Councilmember Ervin made a motion to appoint Scott Bates to the Citizen Improvement Advisory Committee, followed by a second from Councilmember Funderburk. The vote was unanimous.

IX. STAFF AND COMMITTEE REPORTS

Cristy Cummings gave an update on the following items: Birch Street trailhead, Easter Senior Luncheon, Flashlight Easter Egg Hunt, and the Freedom Festival sponsorship packets.

Scott Attaway updated Council on the upcoming River Sweep project, which is a component of the stormwater audit as a public outreach event.

X. CITY ATTORNEY REPORT

Jim Windham did not have anything new to report.

XI. CITY MANAGER REPORT

Kevin Krouse updated Council on the following items:

- Coronavirus update
- CDBG grant update
- Duke Energy street light rate increase
- Wastewater collection system annual report
- Community Center update
- Thank you letters to Gastonia and Bessemer City from Mayor Railey during leaf season
- Scott Attaway scholarship for zoning certification program
- Upcoming Two Rivers rate increase

XII. MAYOR AND CITY COUNCIL GENERAL DISCUSSION

Councilmember Ervin thanked staff for their efforts. He also commended the Lowell Police Department for highlighted items from the police report.

Councilmember Gillespie thanked everyone involved with the Flats Historical marker.

Mayor Railey thanked everyone for coming to the meeting.

XIII. ADJOURN

Councilmember Funderburk made a motion to adjourn the meeting, followed by a second from Councilmember Bonham. The vote was unanimous. The meeting ended at 8:30 pm.

Mayor, Sandy Railey

City Clerk, Beverly Harris



DESCRIPTION: Capital Budget FY20-21

AGENDA ITEM NO. 7-A

MEETING DATE: 5/12/20

BACKGROUND INFORMATION:

This will be an opportunity for the Council to hear budget request and justifications from city departments. The Capital needs will be the major focus.

Staff will use Council direction to finalize the FY20-21 draft budget for Council consideration in June.

CITY MANAGER'S RECOMMENDATION:

Provide direction on budget development

ACTION TAKEN:

New Proposed Capital Expenses

GENERAL FUND	Cost	Priority	Useful Life	Explanation	Annual Payment	Terms
Streets	\$ 80,000	Medium	10 years	Dump Truck	\$ 12,528	7
Sanitation	\$ 200,000	High	6 years	Trash Truck	\$ 17,837	6
Police	\$ 12,450	Medium	8 years	Generator	\$ 2,633	5
Stormwater	\$ 90,000	High	8 years	Leaf Vacuum	\$ 16,133	6
	\$ 275,000	Medium	10 years	Street Sweeper		FY2021-22
Sub-Total	\$ 657,450				\$ 49,131	

W/S FUND	Cost	Priority	Useful Life	Explanation	Annual Payment	Terms
Water/Sewer	\$ 90,000	High	10 years	Back Hoe Loader	\$ 12,557	8
	\$ 12,000	Medium	10 years	Camera System for Utility Lines	\$ 2,538	5
	\$ 65,000	Medium	8 years	Jet Vac Sewer Cleaning Machine	\$ 13,746	5
Sub-Total					\$ 28,841	

WW Treatment

Sub-Total	\$ 167,000
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Total	\$ 824,450
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DESCRIPTION: Zoning Code Updates

AGENDA ITEM NO. 7-C

MEETING DATE: 5/12/20

BACKGROUND INFORMATION:

See attached memo from the Planning Department.

The complete proposals are included at attachments to the agenda

CITY MANAGER'S RECOMMENDATION:

Recommendation is on the Planning Directors memo

ACTION TAKEN:

To: Kevin Krouse, City Manager
From: Scott Attaway, Development Services Administrator
Date: 5-7-20
Re: Analysis and Comparison of received bids for 160D – UDO Revisions

Staff has received the following quotes for updating the Lowell Unified Development Ordinance as it relates to new statutory requirements regarding G.S. 160D, current court rulings, general updates that bring the UDO current with development practices, and improve the reader's ability to understand the ordinance. A summary of the two quotes are below.

Centralina Council of Governments (COG) proposal (including public meetings)

Note: Centralina wrote the current Lowell UDO

1. INITIAL MEETING WITH CITY

Centralina will meet with representatives of the City for an initial discussion of key concerns. After meeting with City staff, Centralina will provide an overview of the sections to be amended, the general purpose of each amendment (160D statute changes, other state law changes, local policy option, etc.), an updated timeline and milestones for involving the Advisory Committee, appointed and elected boards. This outline will be the guiding document for the code development work. Deviations from this work plan must be approved by the City Manager and CCOG Planning Director along with any necessary adjustments in timeline and budget.

2. UNIFIED DEVELOPMENT ORDINANCE UPDATE PROCESS GUIDANCE

Centralina will provide the City with guidance on a timeframe for the project, recommended engagement with the community, and milestones for communicating with the Planning Board and City Council. As requested by the City, Centralina will provide technical assistance on writing the code and will serve in an advisory role to the City staff. Centralina COG staff will present the code changes to the Planning Board (up to two meetings) and the City Council (up to two meetings). City staff will interface directly with the public.

3. WRITE AND REVIEW PROPOSED UNIFIED DEVELOPMENT ORDINANCE TEXT

While preparing the ordinance, we will consult with a City designated Advisory Committee, (i.e., City Manager or appointed staff, a designated member of the City Council and/or appointed Planning Board) as desired to get an indication of what issues are of special importance to the City and how such issues should be addressed in a given chapter. A summary reviewing the ordinance in terms of 160D and draft word documents of each impacted chapter will be provided to assist in the review and adoption of text amendments. Up to three (3) meetings with the Advisory Committee are called for in this proposal.

Centralina will prepare draft zoning ordinance text for the City based on input from the Advisory Committee. Centralina will consult with the Advisory Committee, make ordinance

adjustments as recommended, and update references throughout the document chapters. The Advisory Committee will sign off on each Chapter during preparation. It is our recommendation that Advisory Committee members play an active role in ordinance adoption.

4. OTHER ELEMENTS AND FINAL PRODUCTS

Draft ordinance changes shall be reviewed by the Town based on the timeframe agreed to for each draft section.

As a final product, Centralina will furnish the City with a digital copy (PDF and DOC) of the Unified Development Ordinance to take forward for adoption.

CCOG will perform the tasks identified in the scope of work and as detailed herein for a sum of \$16,600 from the City of Lowell. The amount due to CCOG pursuant to this statement of work may not exceed this amount unless proper written justification has been submitted to the Organization and approved by the Organization prior to performance of work. The Organization will be billed for the Services as outlined on the table below.

Bill Date	Payment Amount
At contract signature	\$5,000
July 1, 2020	\$2,900
September 1, 2020	\$2,900
November 1, 2020	\$2,900
December 1, 2020	\$2,900

Centralina Council of Governments (COG) proposal (City Staff only for public meetings)

CCOG will perform the tasks identified in the scope of work and as detailed herein for a sum of \$15,000 from the City of Lowell. The amount due to CCOG pursuant to this statement of work may not exceed this amount unless proper written justification has been submitted to the Organization and approved by the Organization prior to performance of work. The Organization will be billed for the Services as outlined on the table below.

N-Focus proposal (including public meetings)

N-Focus anticipates the Scope of Work will require:

1. Prepare draft articles & present at regularly scheduled work sessions. These drafts are to be consistent with the guiding principles below:

- a) Ensure consistency with state (G.S. 160D);
- b) Create user-friendly format with “plain language” text in place of jargon;
- c) Minimize text redundancies and need to reference multiple sections of code. Provide cross-references where multiple sections of ordinance must be accessed;
- d) Ensure text, terms and procedural consistency within code;
- e) Update and add definitions to reflect current planning practice and usage;
- f) Maximize use of diagrams and graphics to promote intuitive understating and use of UDO; and
- g) Maximize clarity to City staff, citizens, and professional developers.

2. Prepare materials and assist, if needed, with presentations to the Planning Board (x1) and Governing Board (x2) for public hearing & adoption

The Fee for the Scope of Services proposed shall be Twenty-Two Thousand Five Hundred and no/100's (\$22,500.00). Travel cost to/from Local Government as well as travel within Local Government jurisdiction by Contractor personnel is included. Modifications after Planning Board approval and recommendation shall be billed at the discounted hourly rate of One Hundred-Forty and no/100's (\$140.00) dollars.

*Mentioned extending payment terms if needed.

N-Focus proposal (City Staff only for public meetings)

The Fee for the Scope of Services proposed shall be Eighteen Thousand Six Hundred Eighty-Five and no/100's (\$18,685.00) dollars. Travel cost to/from Local Government as well as travel within Local Government jurisdiction by Contractor personnel is included. Modifications after Planning Board approval and recommendation shall be billed at the discounted hourly rate of One Hundred-Forty and no/100's (\$140.00) dollars.

Staff Recommendation:

It is staff's recommendation to choose N-Focus (\$18,685) to lead the UDO re-write and 160D compliance updates. Staff will lead the public meetings between the Planning Board and City Council to reduce costs. Staff believes there is little difference in the process of either organization's proposal, but there is a suspected difference in the outcome. The track history of N-Focus in simplifying land use ordinances while utilizing modern planning practices will help Lowell City Council meet their development goals. Also, we believe this will enable the City of Lowell Planning Board and staff to best prepare for the future growth and development that is coming.

Salisbury's land development ordinance 'stress-tested'

By [Liz Moomey](#)
[Email the author](#)

Published 12:00 am Wednesday, October 9, 2019

SALISBURY — Compared to neighboring cities, Salisbury's land development ordinance has not inhibited developers from investing in the city, according to N-Focus, a Kannapolis-based firm that "stress-tested" the ordinance.

The Planning Board heard Tuesday from Rick Flowe and Tim Gauss of N-Focus about the good and the bad of the development ordinance. They determined that it does support housing and development projects at an affordable price. But they also concluded that the ordinance is not user-friendly, that the required setback dimensions could cause limitations or constraints and that it needs to be updated to conform with current legislation and court rulings.

Flowe and Gauss presented a 27-page report about their findings and their short- and long-term recommendations.

In their analysis, board Chairman Bill Wagoner noted one statement in particular: "Conversely, ordinances with fewer requirements, faster and simpler review procedures and clear, well-written standards may be considered more welcoming of development."

He said the Planning Board should operate under this philosophy.

"How do we take that philosophically and become a leader in this community in having an ordinance that in fact promotes to the best extent we can — concurrent with the plan — with promoting capital investment of this community?" Wagoner asked.

Flowe said usability should be seen as a developer picking up the ordinance and finding what they are looking for. If they don't find it in 10 minutes, they likely are gone since they are not married to a certain town.

"The information we share with them they're going to use to make important financial decisions, and that's a responsibility that we have to take very seriously," Flowe said. "And what we learned from your staff is they don't always have an ease of finding things."

Because information is not easy to find in the development ordinance, there is no consistency in interpretation, he said.

Flowe said to think like a developer who would likely have information about parking and landscaping on a computer screen side by side, since the two issues are related. He said separating the ordinance into separate files is helpful, which the city does.

He added the ordinance has some narratives that are academic, which allows for a different understanding based on who is reading it. Gauss said it is ripe for misinterpretation.

Gauss said the board should consider the hot spots of Salisbury and zone accordingly. There is abundant property in highway business and commercial mixed use zones, he said.

He said the Planning Board should plan for future thinking about who is going to live there and what businesses will operate there. Flowe said the board can also zone properties to allow for pockets that provide for projects to roll.

"You have to create the right opportunities, and to do that you want to network of hot nodes throughout the city," Gauss said.

Flowe said the ideal development ordinance should make both the tree hugger and the tree cutter happy.

"It's actually five wins in the scenario," Flowe said. "There's the citizen. There's the property owner — they're not always the same. There's the environment. There's the business community. And there is leadership."

The Planning Board was told to evaluate N-Focus' analysis for discussion at its Nov. 12 meeting.

The city is working on an update of its comprehensive plan, and Flowe recommended making major changes to the development ordinance after it is finished. He recommended the board begin cleaning up the legislative and court issues and working on the organization of the ordinance.



DESCRIPTION: Budget Amendments

AGENDA ITEM NO. 7-D

MEETING DATE: 5/12/20

BACKGROUND INFORMATION:

See attached memo from the Finance Department.

CITY MANAGER'S RECOMMENDATION:

Approve Budget Amendment

ACTION TAKEN:

MEMO

To: Kevin Krouse

From: Kevin Haney

Date: 5/7/20

Re: Explanation of budget amendment #5 items (Main and 1st Streets crosswalks)

Beautification (10-4100-3304 - \$7514):

\$7404 to RAI Products for crosswalk hardware (poles, pedestals, lights, etc.)

\$110 to Gaston Rentals for rental of light tower to do work at night

Contracted Services (10-5600-4500 - \$53,219):

\$2500 to NCDOT for signalization of crosswalks

\$5550 to Huffstetler Group for boring for the installation of crosswalk signals

\$45,169 to Paveway Systems for pattern pavement at crosswalk

Capital Outlay-Other Improvements (10-5600-7300 - \$10,000):

\$10,000 to BERCO for installation of crosswalk signals

**City Of Lowell
Budget Amendment #5
Budget Ordinance FY 19-20**

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, 2020:

Section 1: To amend the General Fund, the estimated revenues are to be changed as follows:

General Fund:

Revenues:

	<u>Decrease</u>	<u>Increase</u>
10-3300-0000 Township Grant	\$70,733	

This will result in an increase of \$70,733 in the General Fund fund balance, bringing the General Fund revenues budgeted for FY 19-20 from \$2,528,018 to 2,598,751.

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

General Fund:

Administration:

	<u>Decrease</u>	<u>Increase</u>
10-4100-3304 Beautification		\$ 7,514

Public Works:

10-5600-4500 Contracted Services		\$53,219
10-5600-7300 Capital Outlay-Other Improvements		\$10,000

This amendment will result in an increase of \$7,514 in the Administration Department appropriations, bringing the appropriations for Administration in FY 19-20 from \$588,604 to 596,118. This amendment will also result in an increase of \$63,219 in the Public Works Department appropriations, bringing the appropriations in Public Works in FY 19-20 from \$298,922 to \$362,211.

This amendment is for the amount billed and received from Gaston County for Township Grant expenses.

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

Adopted this _____ day of May, 2020.

Mayor

Attest:

City Clerk



DESCRIPTION: Budget Amendments

AGENDA ITEM NO. 7-F

MEETING DATE: 5/12/20

BACKGROUND INFORMATION:

See attached memo from the Planning Department

CITY MANAGER'S RECOMMENDATION:

Approve included resolution

ACTION TAKEN:

MEMORANDUM

To: Kevin Krouse, City Manager
From: Scott Attaway, Development Services Administrator
Date: May 1, 2020
Subject: Item for May 12, 2020 City Council Meeting

RESOLUTION TO SUPPORT APPLICATION TO U.S. DEPARTMENT OF TRANSPORTATION'S 2020 BETTER UTILIZING INVESTMENTS TO LEVERAGE DEVELOPMENT (BUILD) TRANSPORTATION DISCRETIONARY GRANTS PROGRAM

Background

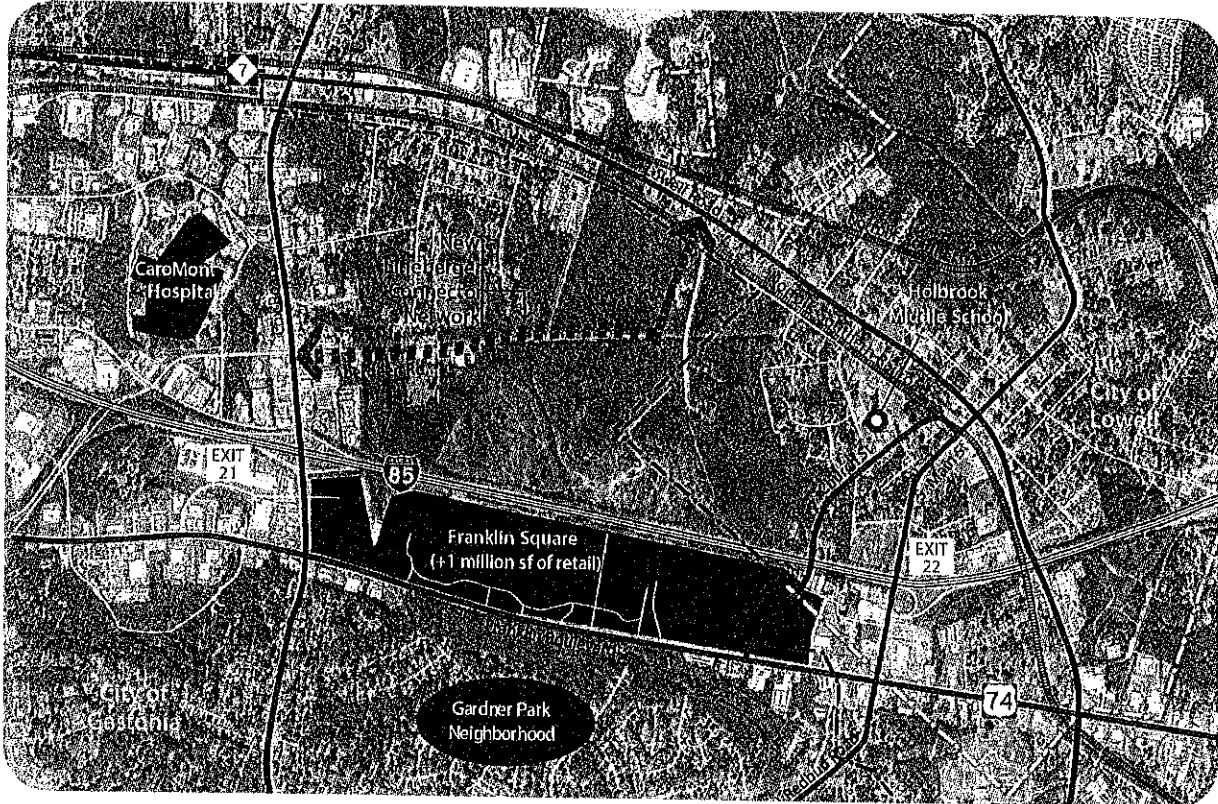
Transportation, and more importantly access and land use, are the main engines that drive property development. Currently, the ~400-acre Lineberger property can only be accessed from the north via Lineberger Road to NC Highway 7 and this access has challenges due to an existing skewed at-grade crossing of the Norfolk Southern Railroad Main Line. In addition, I-85 along the southern border of the property serves as a significant barrier, restricting connectivity and economic opportunity. Because of environmental considerations, topography, and transportation and access issues, this property has remained an undeveloped "gem" along the I-85 corridor.

Working with NorthPoint Development, a conceptual master plan has been developed to determine the potential build out of the property. The master plan includes the proposed construction of eight (8) buildings for a total of +/- 4,675,000 s.f. Upon full buildout, NorthPoint Development is estimating a total of 2,571 new jobs. In addition, a Traffic Impact Analysis (TIA) is being completed to evaluate the impacts the proposed development may have on the surrounding transportation system. A copy of the site plan is attached.

BUILD Grant Application Submittal

The U.S. Department of Transportation has issued a Notice of Funding Opportunity for the Department of Transportation's Better Utilizing Investments to Leverage Development (BUILD) Transportation Discretionary Grants. Funds for the FY 2020 BUILD Transportation program are to be awarded on a competitive basis for projects that will have a significant local or regional impact. The USDOT has been authorized to solicit applications for and award grants of up to \$25 million. The application process requires local jurisdictions to pass resolutions in support of the application. For the 2020 BUILD grant, the City of Gastonia, the City of Lowell and Gaston County, will be seeking funding to construct the following:

- 33 Aberdeen Boulevard Extension (3-lane)
 - o 2,410 ft. from Cox Road to the current terminus (widening)
 - o 2,911 ft. from the current terminus to the NC 7 Connector (new construction)
- 34 NC Highway 7 Connector (2-lane)
 - o 1,900 ft. from the proposed Aberdeen Boulevard Extension to NC Hwy 7
- 35 Norfolk Southern Railroad Crossing Improvement



The deadline for submittal is May 18, 2020.

Recommendation

Approve the attached Resolution of Support for the City of Lowell's Application to the U.S. Department of Transportation's 2020 BUILD Transportation Discretionary Grants Program.



**RESOLUTION TO SUPPORT APPLICATION TO U.S. DEPARTMENT OF
TRANSPORTATION'S 2020 BETTER UTILIZING INVESTMENTS TO LEVERAGE
DEVELOPMENT (BUILD) TRANSPORTATION DISCRETIONARY GRANTS PROGRAM**

WHEREAS, the U.S. Department of Transportation's ("USDOT") Better Utilizing Investments to Leverage Development Transportation Discretionary Grants Program ("BUILD") provides funding for capital investments in surface transportation infrastructure and;

WHEREAS, the Lineberger Connector Project was identified as a regional project in the *Franklin Boulevard Corridor Access and Alternative Development Mobility Strategy*, completed in August 2016 by the City of Gastonia and the City of Lowell and;

WHEREAS, the cities of Gastonia and Lowell, in partnership with Gaston County, seek to apply for grant funding to construct the Lineberger Connector Project, which will extend Aberdeen Boulevard east to connect to the existing Lineberger Road with improvements north to NC 7, and provide direct access to approximately 400 acres of property that is ripe for local and regional development and;

WHEREAS, the cities of Gastonia and Lowell, in partnership with the property owner, are actively working with NorthPoint Development for the development of the Lineberger property and;

WHEREAS, the proposed development will include over 4,675,000 s.f. of warehouse and wholesale sales, distribution, and storage operations and;

WHEREAS, upon full buildout, NorthPoint Development is estimating a total of 2,571 new jobs and;

WHEREAS, the property currently has only one access point via Lineberger Road, which is a substandard two-lane facility with an at-grade crossing of the Norfolk Southern rail corridor and;

WHEREAS, in order for freight trucks to avoid this access, it is imperative that Aberdeen Boulevard be extended through the site to allow for a connection to Cox Road to the west, with safe and direct access to I-85 and;

WHEREAS, this proposed project presents a unique opportunity to provide accessibility to an area that could produce significant economic development and job creation along Interstate 85 and;

WHEREAS, the area in which the Lineberger Connector Project is located completely within a federally designated Opportunity Zone, which could bring a much-needed infusion of investment dollars for economic development into the most distressed rural and urban areas of our state and;

WHEREAS, the project will exemplify a strong public-private partnership involving multiple partners in both the public and private sectors, including collaboration among neighboring jurisdictions to achieve both local and regional benefits, now;

THEREFORE, BE IT RESOLVED, that the City of Lowell City Council hereby declares support for the funding and construction of the Lineberger Connector Project.

Resolution adopted this the, 12th day of May, 2020 upon a motion of _____ and seconded by _____ by a vote of ____ affirmative votes to ____ negative votes.

Sandy Railey, Mayor

ATTEST:

Beverly Harris, City Clerk