

MINUTES

Lowell City Council
Regular Meeting

Tuesday, March 12, 2019, 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 DeWayne Chitwood, Councilmember Thomas Gillespie, City Attorney Jim Windham, City Manager Kevin Krouse, City Clerk Beverly Harris, Police Chief Scott Bates, Development Services Administrator Scott Attaway, and various citizens.

II. INVOCATION / PLEDGE OF ALLEGIANCE

Councilmember Gillespie gave the invocation and led everyone in the pledge of allegiance.

III. ADOPTION OF AGENDA FOR THIS MEETING

Mayor Railey stated to make an addition to the agenda for the meeting. The addition will be listed as item 8.D under New Business to discuss the contract with Collis and Associates.

Councilmember Ervin made a motion to adopt the agenda with the addition of item 8.D to discuss the contract with Collis and Associates, followed by a second from Councilmember Gillespie. The vote was unanimous.

IV. PUBLIC COMMENTS

There were no public comments.

V. APPROVAL OF MINUTES

A. February 12, 2019 Regular Council Meeting Minutes

Councilmember Funderburk made a motion to approve the minutes from the February 12, 2019 Regular Council meeting, followed by a second from Councilmember Chitwood. The vote was unanimous.

VI. CONSENT AGENDA

- A. Set Public Hearing for Rezoning Case #RZ19-01
- B. Set Public Hearing for Rezoning Case #RZ19-02
- C. Appointments to the Community Improvement Advisory Committee

D. Resolution Authorizing Individuals Permitted to Sign Requisition Forms for CDBG Grant Administration

Councilmember Ervin made a motion to approve the consent agenda and to schedule the public hearings for item A & B on April 9, 2019, followed by a second from Councilmember Gillespie. The vote was unanimous.

VII. UNFINISHED BUSINESS

A. Public Hearing Regarding Proposed Charter Amendment

Kevin Krouse gave a general overview of the proposed Charter amendment.

Councilmember Funderburk made a motion to go into Public Hearing regarding the proposed Charter Amendment, followed by a second from Councilmember Chitwood. The vote was unanimous.

Public Hearing Comments:

John Cantrell: Mr. Cantrell stated he supports the amendment of the charter from two-year terms to four years and staggered terms. He stated there would be continuity and the Council would be able to complete projects.

Harvey Roberts: Mr. Roberts stated he supports the amendment of the charter from two-year terms to four years and staggered terms. He stated as a former Council member in Lowell, the first year is spent as a learning curve and the second year is spent worrying about re-election. He stated the town would benefit tremendously with a four-year term.

Ed Jackson: Mr. Jackson stated he supports the amendment of the charter from two-year terms to four years and staggered terms. He stated he is not a citizen of Lowell but is greatly interested in the town. He stated continuity is appreciated in all areas in life and the extra term years would be needed to get everything accomplished. Mr. Jackson stated educating the voters on the candidates and their backgrounds is essential especially if they are going to serve a four-year term.

Pam Smith: Ms. Smith stated she supports the amendment of the charter from two-year terms to four years and staggered terms. She stated she has seen so much improvement in the past two years with the current council and can't imagine what they could have done with four years. She also felt staggering the terms is great for continuity.

Ann Worthy: Ms. Worthy stated she supports the amendment of the charter from two-year terms to four years and staggered terms. Ms. Worthy inquired why this change is happening now and the City Manager stated Lowell is the only town in Gaston County with two-year terms and non-staggered terms. He also stated other municipalities are seeing the benefits of longer and staggered terms.

There were no other public comments.

Councilmember Ervin made a motion to close the public hearing, followed by a second from Councilmember Funderburk. The vote was unanimous.

VIII. NEW BUSINESS

A. Ordinance Text Amendment to Section 91.02 Concerning Junk Vehicles

Scott Attaway stated a change was made to the NC General Statutes regarding what qualifies as a junk vehicle. Staff recommended the code of ordinances to reflect the following change.

Section 91.02 Definitions

(1) JUNKED MOTOR VEHICLE. As authorized and defined in G.S. 160A-303.2, the term JUNKED MOTOR VEHICLE means a vehicle that does not display a current license plate lawfully upon that vehicle and that:

Existing:

(c) Is more than five years old and appears to be worth less than one hundred dollars (\$100.00).

Proposed:

(c) Is more than five years old and appears to be worth less than one hundred dollars (\$100.00) or is more than five years old and appears to be worth less than five hundred dollars (\$500.00) as provided by the municipality in an ordinance adopted under this section.

Councilmember Ervin made a motion to approve the ordinance text amendment to Section 91.02 concerning junk vehicles, followed by a second from Councilmember Gillespie. The vote was unanimous.

B. Budget Amendment for Equipment Purchase

Kevin Krouse stated due to needing to solicit bids from grass cutting, staff took the opportunity to evaluate the option of bringing the service back in house and had received bids from local vendors. He stated the cost to contract the service is very similar to the cost of an employee with benefits and supplies. He stated the start-up cost is \$9,987.53 for the mowing equipment needed and this is a non-reoccurring cost. Staff recommended a transfer from the unassigned general fund balance (which currently stands at \$786,133) to pay for the equipment purchase.

Councilmember Ervin made a motion to adopt the budget amendment #4 for the equipment purchase through Parker Farm Service in the amount of \$9,988 and to approve bringing grass cutting back in-house, followed by a second from Councilmember Chitwood. The vote was unanimous.

C. Street Paving Schedule

Thomas Shrewsbury stated Public Works had compiled a list of streets for resurfacing. He stated the streets were picked based on the state of repair and the amount of traffic it received. Staff recommended an aggressive paving schedule for the current budget in the estimated amount of

\$121,615 which could address 7 projects in town. If Council approves, staff would move forward securing bids for the work and return with the bid amounts for Council's final approval.

Councilmember Ervin made a motion to approve the paving schedule to complete the first seven as advised by Public Works. Councilmember Ervin withdrew his motion.

Councilmember Bonham made a motion to give staff the authority to go out for bids on the 7 identified projects to be brought back to Council for review, followed by a second from Councilmember Gillespie. The vote was unanimous.

D. Contract with Collis and Associates

Rob Collis with Collis and Associates stated an amendment to the audit of accounts contract was needed due to the missed deadline with the State. He further stated the explanation of the modified contract terms would be as follows: The City of Lowell was unable to obtain the actuarial report for its Other Post-Employment Benefits plan (OPEB) until January 16, 2019. The report became available to the auditors during a seasonally busy time and additional time is needed to complete the audit.

Mr. Collis stated the revised deadline from Collis and Associates would be March 31, 2019.

Mr. Collis also gave a highlighted overview of the audit and stated he felt the City of Lowell is heading in a good direction with their audit. The overall opinion of the audit was good.

Councilmember Funderburk made a motion to approve the amendment to the Collis and Associates contract, followed by a second from Councilmember Ervin. The vote was unanimous.

IX. CITY ATTORNEY REPORT

Jim Windham did not have anything new to report.

X. CITY MANAGER REPORT

Kevin Krouse gave updates on the following items:

- Recycling Center opened 3/12/19
- Recycling Grant
- Lowell Woods
- NC DOT
- CMAQ Sidewalk
- Bike/Ped Plan Survey and Informational Meeting 3/28
- CDBG \$750K Update
- CDBG Infrastructure Grant
- New Businesses (Maya Rita Bakes, La Escondida, Washington Alloy)

XI. MAYOR AND CITY COUNCIL GENERAL DISCUSSION

Councilmember Gillespie inquired about the work being done for the historical marker to be located near the Joe Hudson Park and thanked John Cantrell for making a donation to the marker.


Councilmember Funderburk asked for yard sale permits to be reviewed by staff and Council in the near future and stated she was excited about the new recycling center.

Councilmember Ervin stated he will be attending a roundtable discussion between Gaston Cleveland MPO and the Charlotte-Mecklenburg MPO. He will bring information back to Council in the future.

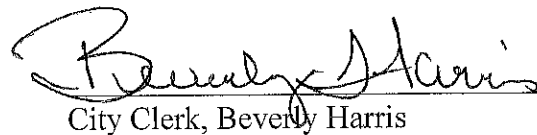
Mayor Railey asked Thomas Shrewsbury to provide her a list of streets in town that still have problems caused by the gas company. Mayor Railey stated she will submit this list to her contact that will address those problems.

XII. ADJOURN

Councilmember Funderburk made a motion to adjourn the meeting, followed by a second from Councilmember Ervin. The vote was unanimous. The meeting ended at 8:15 pm.



Mayor, Sandy Railey



City Clerk, Beverly Harris