

# MINUTES

Lowell City Council

Regular Meeting

Tuesday, July 13, 2021, 6:00 P.M.

## I. CALL TO ORDER – Mayor Sandy Railey

Mayor Sandy Railey called the meeting to order at 6:00 p.m. Those attending in-person were Councilmember Phil Bonham, Councilmember Ken Ervin, Councilmember Candy Funderburk, City Manager Scott Attaway, City Attorney John Russell Jr, Finance Officer Jared Pyles, Planning Director Alex Blackburn, Police Chief Scott Bates, and City Clerk Beverly Harris. A quorum was determined at the beginning of the meeting. The meeting was teleconferenced to the public and the agenda and meeting materials were made available prior on the city’s website. Members of the public were also present. Councilmembers Gillespie and Robinson were absent.

## II. INVOCATION / PLEDGE OF ALLEGIANCE

Mayor gave the invocation and led everyone in the pledge of allegiance.

## III. ADOPTION OF AGENDA FOR THIS MEETING

Councilmember Funderburk made a motion to adopt the agenda as presented, followed by a second from Councilmember Ervin. The vote was unanimously in favor.

## IV. PUBLIC COMMENTS

There were public comments.

## V. APPROVAL OF MINUTES

### A. Minutes from Council Meeting Held June 8, 2021

Councilmember Ervin made a motion to approve the minutes from the May 11, 2021 Council meeting, followed by a second from Councilmember Funderburk. The vote was unanimously in favor.

## VI. SPECIAL PRESENTATION

### A. Proclamation Designating the month of July as Parks and Recreation Month

Mayor Railey read the Proclamation designating the month of July as Parks and Recreation month. Councilmember Ervin made a motion to approve the Proclamation, followed by a second from Councilmember Funderburk. The motion was unanimously in favor.

B. Presentation by the Catawba River Keeper: South Fork River Health Project

John Searby with the Catawba River Keeper made a presentation on the South Fork River Health Project. The presentation on the project included an overview of the needed assessment of the river, obtaining a planning grant, creating an EPA 9-point watershed plan, EPA 319 grant funds, and execution of the EPA 9-point watershed plan.

Scott Attaway stated this is a partnership between the Catawba River Keepers and local municipalities and an amount of \$2500 could be taken out of the Stormwater Fund to help fund this initiative.

Councilmember Ervin made a motion to approve the \$2500 donation out of the Stormwater Fund, followed by a second from Councilmember Funderburk. The vote was unanimously in favor.

**VII. UNFINISHED BUSINESS**

A. Discussion and Consideration of Montcross Emerge Initiative

Scott Attaway stated during the regular June 2021 City Council meeting, Montcross Chamber President Marc Jordan, gave a presentation regarding the Emerge Initiative. He stated this is a targeted community and economic growth initiative focusing on Belmont, Cramerton, Lowell, McAdenville, Mount Holly, and Stanley as we emerge from the COVID-19 Pandemic. Mr. Attaway stated the Emerge will focus on (1) Providing Marketing and Communications support to local governments and small businesses, (2) Support Small Business Recovery and Growth, (3) Attract and Promote Remote Workers, and (4) Promote and Support Health and Social Impact. Mr. Attaway stated staff recommends supporting this endeavor with a portion of the anticipated American Recovery Plan funding in the amount of \$10,000.

Councilmember Funderburk made a motion to approve the \$10,000 donation from the City of Lowell to the Montcross Emerge Initiative to be paid out of the anticipated American Recovery Plan funds based on the approval of those funds, followed from a second from Councilmember Ervin. The vote was unanimously in favor.

**VIII. NEW BUSINESS**

A. Consideration of Setting Public Hearing for August 10, 2021 Regarding Rezoning Case #RZ21-01

Scott Attaway stated staff has received a rezoning request application regarding the properties located at: 260 A Oakland Drive (PID #127183), 300 Oakland Drive (PID #127178), 400 A Oakland Drive (PID #127181), 506 Oakland Drive (PID #220489), and 518 Oakland Drive (PID #220488). He stated the request is to change from the existing SFR-4 Zoning District to the IND District.

Councilmember Funderburk made a motion to set public hearing for August 10, 2021 regarding rezoning case #RZ21-01, followed by a second from Councilmember Bonham. The vote was unanimously in favor.

B. Consideration of Setting Public Hearing for August 10, 2021 Regarding Rezoning Case #RZ21-02

Scott Attaway stated staff has received a rezoning request application regarding the property located at Parcel ID#216857. He stated there is not an assigned address to the property, but the subject parcel lies west of S. Church Street and adjoins the “NorthPoint/Lineberger Property”. The request is to change from the existing SFR-4 Zoning District to the IND District.

Councilmember Funderburk made a motion to set public hearing for August 10, 2021 regarding rezoning case #RZ21-02, followed by a second from Councilmember Bonham. The vote was unanimously in favor.

C. Discussion of Possible Text Amendment to Lowell Development Ordinance Article 8, Table 8.1 Regarding Beauty Shops

Scott Attaway stated it has been requested by Council for staff to bring this matter before the entire City Council to discuss the matter of Beauty Shops in the Main Street zoning district.

There was further discussion and the Council requested this be presented to the Lowell Community Committee in partnership with the Montcross Emerge project. After further review by these groups it could be presented to Planning Board for consideration.

D. Consideration of Lowell Community Committee’s Proposed Edgewood Cemetery Policy

Cristy Cummings stated the Lowell Community Committee has created a cemetery policy to provide for the beautification and proper maintenance of the cemetery grounds. Currently, there is no cemetery policy in place which has created unsightly problems and a hinderance for the Public Works Department in providing proper maintenance care in an efficient manner. Ms. Cummings then presented the policy to Council for review and possible consideration.

Councilmember Ervin made a motion to adopt the proposed Edgewood Cemetery policy as presented, followed by a second from Councilmember Funderburk. The vote was unanimously in favor.

E. Discussion and Possible Action Regarding Relocation of Matthew Armstrong Cemetery

Scott Attaway presented to Council a letter from NorthPoint Development requesting the City of Lowell’s consent to move the grave (in accordance with NCGS 65-106) from the current location and relocate to another suitable site in conjunction with any living family member’s wishes.

Michael Johnson with NorthPoint Development was present via conference. Mr. Johnson stated this is only a single grave on the site that would need to be moved.

Councilmember Ervin made a motion to authorize the continuation of the work by NorthPoint Development regarding movement of the Michael Armstrong Cemetery in accordance with NCGS 65-106, followed by a second from Councilmember Bonham. The vote was two in favor and one opposed (Funderburk). The motion carries with the majority being in favor.

F. Selection of Environmental Services for Community Center CDBG-NR

Scott Attaway stated three proposals for the environmental services at the Community Center were received. The proposals received were as follows:

- The EI Group Inc - \$6701.50
- Terracon - \$10,850
- ECS Southeast - \$22,750

Staff's recommendation to Council is to accept the proposal from The EI Group Inc. for \$6701.50.

Councilmember Ervin made a motion to accept the proposal from The EI Group Inc of \$6701.50 for the environmental services at the Community Center as part of the CDBG-NR grant work, followed by a second from Councilmember Bonham. The vote was unanimously in favor.

G. Discussion of 2021 RAISE Grant Application

Scott Attaway stated the City of Lowell, City of Gastonia, and Gaston County will submit the joint grant application for the 2021 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) on July 9<sup>th</sup>, 2021. Mr. Attaway stated staff will summarize the application and provide a copy of the submitted application once available.

**IX. STAFF REPORTS**

A. Public Works Report

Scott Attaway and Thomas Shrewsbury covered the public works report.

B. Police Department Report

Scott Attaway covered the police department report. Chief Bates presented Nick Marlow as our new police officer for the City of Lowell.

C. Planning Department Report

Scott Attaway and Alex Blackburn covered the planning department report.

D. Parks and Recreation Report

Cristy Cummings presented the Parks & Recreation report.

E. Fire Department Report

Scott Attaway presented the Fire Department report.

F. Finance Officer Report

Jared Pyles presented the monthly financial report.

**X. CITY ATTORNEY REPORT**

John Russell did not have anything new to report.

**XI. CITY MANAGER REPORT**

Scott Attaway gave updates on the following items:

- NC City/County Manager's Association meeting update
- AIA Mapping Project update
- New public works work order system begins soon
- Pedestrian/Bicycle improvements complete on McAdenville Road
- Scheduled sidewalk repairs complete
- Carolina Thread Trail update
- Citizens Academy to kickoff August 30 at 6:00 pm
- ARP Funding update
- Upcoming trip to Washington DC regarding RAISE project
- International City/County Management Association

Councilmember Ervin made a motion to approve Scott Attaway attending the International City/County Management Association meeting in Portland, Oregon, followed by a second from Councilmember Funderburk. The vote was unanimously in favor.

**XII. MAYOR AND CITY COUNCIL GENERAL DISCUSSION**

Councilmember Ervin inquired about interest in the second police officer position.  
Councilmember Funderburk inquired more about the Citizens Academy.  
Mayor Railey thanked all citizens who participated and came to the meeting.

**XIII. CLOSED SESSION**

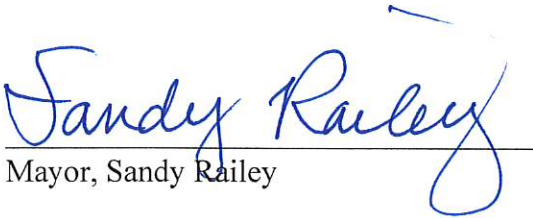
A motion was made at 7:30 pm by Councilmember Ervin to go into Closed Session in accordance with provisions of NCGS 143-318.11(a)(5) to discuss the acquisition of real property, followed by a second from Councilmember Funderburk. The vote was unanimously in favor.

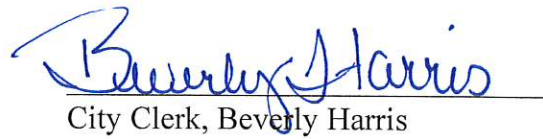
The Council reconvened from Closed Session at 7:46 pm.

**XIV. ADJOURN**

Councilmember Funderburk made a motion to adjourn the meeting, followed by a second from Councilmember Bonham. The vote was unanimously in favor. The meeting ended at 7:46 pm.

ATTEST:

  
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Mayor, Sandy Railey

  
\_\_\_\_\_  
City Clerk, Beverly Harris



## PROCLAMATION

#PR4-2021

### Designation of July as Parks and Recreation Month

**WHEREAS** parks and recreation programs are an integral part of communities throughout this country, including in the City of Lowell; and

**WHEREAS** our parks and recreation are vitally important to establishing and maintaining the quality of life in our communities, ensuring the health of all citizens, and contributing to the economic and environmental well-being of a community and region; and

**WHEREAS** parks and recreation programs build healthy, active communities that aid in the prevention of chronic disease, provide therapeutic recreation services for those who are mentally or physically disabled, and also improve the mental and emotional health of all citizens; and

**WHEREAS** parks and recreation programs increase a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

**WHEREAS** parks and recreation areas are fundamental to the environmental well-being of our community; and

**WHEREAS** parks and natural recreation areas improve water quality, protect groundwater, prevent flooding, improve the quality of the air we breathe, provide vegetative buffers to development, and produce habitat for wildlife; and

**WHEREAS** our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

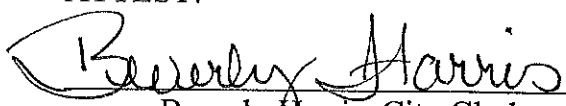
**WHEREAS** the U.S. House of Representatives has designated July as Parks and Recreation Month; and

**WHEREAS** the City of Lowell recognizes the benefits derived from parks and recreation resources

**NOW THEREFORE, BE IT RESOLVED BY** the City Council that July is recognized as Parks and Recreation Month in the City of Lowell.

Proclamation adopted this the, 13<sup>th</sup> day of July, 2021.

  
Sandy Railey, Mayor

ATTEST:  
  
Beverly Harris, City Clerk