

## REGULAR MEETING – SEPTEMBER 7, 2006

The Mayor and City Council met in regular session on Thursday, September 7, 2006 at 7:00 p.m. in the Council Chambers of City Hall, located at 114 West Sycamore Street. Mayor Huitt led the Pledge of Allegiance. The following council members were in attendance:

**CLONINGER      HOVIS**

Councilman Heavner was absent. Councilman Houser arrived late, just prior to the adjournment of the meeting. Based on those present Mayor Huitt declared a quorum, and proceeded with the agenda.

Councilman Cloninger made the motion unanimously approved to adopt the **CONSENT AGENDA** as follows:

- Approval of Minutes of the August 3<sup>rd</sup> regular meeting.
- **PROCLAMATIONS:**
  - Littler Sweep – September 16 – 30, 2006
  - Public Power Week – October 1 – 7, 2006
  - Resident’s Rights Week – October 2 – 6, 2006
- (P-01-06) Revised per diem meal allowance rates
- (P-02-06) Revision to the Student Advisory Council By-Laws, as directed by City Council at the August 3<sup>rd</sup> meeting
- Budget Amendments:
  - (BA-04-06) – Fire Department Capital Expense
  - (BA-05-06) – Police Department Capital Expense
- (R-10-06) *revision* Amendment to the Lake Norman RPO Memorandum of Understanding regarding the RPO for Cleveland, Gaston, Iredell and Lincoln Counties

### **REGULAR AGENDA:**

#### **PRESENTATION OF PROCLAMATION RECOGNIZING FIRE FIGHTER APPRECIATION MONTH:**

Mayor Huitt asked City Attorney Dan Barefoot to read aloud a proclamation recognizing fire fighter appreciation month. The Muscular Dystrophy Association assisted in sponsorship, in honor of the efforts of the Lincolnton and Boger City Fire Departments, for their assistance and fund raising efforts. Ruthie Mihal, of the Muscular Dystrophy Association, was in attendance and came forward with fire fighter Randy Hallman for presentation of the framed proclamation.

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**CERTIFICATION OF MUNICIPAL ORDINANCE DECLARING SPEED LIMIT MODIFICATIONS AND REQUEST FOR CONCURRING ORDINANCE BY NCDOT FOR NC 27/150 WITHIN THE CORPORATE LIMITS OF LINCOLNTON:**

**(O-04-06)**

Jeff Emory, City Manager reviewed a request received by the North Carolina Department of Transportation to update several existing speed zones within the corporate limits of Lincolnton. The area requested for modification is located on NC 27/150 highway in front of GE Massey Elementary School, from SR 1286 (Newbold Street), eastward to SR 1287 (Roper Drive), and will reduce the speed limit to 35 mph 30 minutes before to 30 after school begins and ends on school days only. Councilman Hovis made the motion to approve the ordinance as requested by NCDOT. Councilman Cloninger seconded the motion, which was unanimously approved.

**AWARD BID FOR NORTH ASPEN STREET ELECTRIC LINE RELOCATION:**

**(C-13-06)**

Steve Peeler, Director of PW&U, reviewed five bids received by the City for the relocation of the electric line located on N. Aspen Street. Steve said of the five bids, Williams Electric of Shelby submitted the lowest bid of \$ 41,766.20. The original budgeted amount for this project in fiscal year 2006-2007 was \$ 42,000.

Steve noted that this bid amount did not include engineering and administrative costs as those costs have increased significantly since the original estimates for this project were obtained. He suggested that \$ 5,000 of the project costs be taken from the consulting fee line item rather than the electric division capital expense line item because of the increase.

Councilman Cloninger made the motion unanimously approved to award the bid to Williams Electric in the amount of \$ 41,766.20, as recommended.

**LINE EXTENSION REQUEST AGREEMENT BETWEEN THE CITY AND RUTHERFORD ELECTRIC MEMBERSHIP CORPORATION AS REQUIRED BY SENATE BILL 512**

**(C-14-06)**

Steve Peeler, Director of PW&U, said as a part of SB 512 the Electricities Public Power members who interface with Rutherford Electric Membership

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Corporation is signing line extension request agreements. He said the agreement identifies the procedure to be followed by the City and REA should either desire to extend their electric facilities within three miles of the existing corporate limits.

Upon conclusion of Mr. Peeler's review, Councilman Hovis made the motion unanimously approved to enter into the agreement as recommended by the Director of Public Works & Utilities.

Councilman Cloninger made the motion unanimously approved to recess the meeting until 7:30 p.m.

Mayor Huitt reconvened the meeting at 7:30 p.m.

### **APPOINTMENTS (3) TO THE LINCOLNTON RECREATION COMMISSION:**

**(APPT-07-06)**

Mayor Bobby Huitt called for nominees for appointment to the Lincoln Recreation Commission. Councilman Hovis nominated John Cloninger III, Margaret Schrum and Brian Beal to serve a three year term beginning October 2006, through October 2009.

Upon notification and acceptance of the appointment, these individuals would replace George Smith, Beth Wise and Ann Anderson who have completed their second three year term. Councilman Cloninger noted that if these individuals did not wish to accept the nomination, other potential nominees were discussed.

After some brief discussion, Councilman Hovis made the motion unanimously approved to approve and contact the above named individuals to serve on the Recreation Commission.

### **APPOINTMENT (1) TO THE LINCOLNTON PLANNING BOARD:**

**(APPT-08-06)**

Mayor Huitt asked Council for nominees for the Lincoln Planning Board, to fill one position which will replace Billy Lentz who will complete his second three-year term in October 2006.

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Councilman Cloninger nominated Siegfried Hegewald. Being no other nominations Councilman Cloninger made the motion unanimously approved to appoint “Siggy” Hegewald to the Lincolnnton Planning Board. His term will begin October 2006 and expire October 2009.

### **APPOINTMENT (1) TO THE LINCOLNTON AIRPORT AUTHORITY: (APPT-09-06)**

Mayor Huitt said Mr. Johnny James will complete his second three-year term in October 2006, on the Lincolnnton Airport Authority. The Mayor called for nominations for this appointment. Councilman Hovis nominated Mr. Kenny Finger. Being no other nominations, Councilman Hovis made the motion unanimously approved to appoint Kenny Finger to the Lincolnnton Airport Authority. His first term will begin October 2006 and expire October 2009.

### **UPDATE ON STATUS OF MARCIA H. CLONINGER RAIL/TRAIL EXPANSION:**

Steve Gurley, Planning Director, provided an update on the recent progress and status of the construction of Phase II of the rail trail between Government Street and Motz Avenue. He said most of the major work has been completed and he anticipates Lawndale Sand will finish up the project with some final landscaping and general project cleanup in the very near future.

Steve said the City is in the process of requesting reimbursement of \$ 26,650 from the Congestion Mitigation/Air Quality (CMAQ) funding program. A total of \$ 72,000 is available in CMAQ funding to assist with the completion of this phase of the project.

Steve told Council that he has been contacted by the local media about potential plans for a ceremony celebrating the opening of Phase II of the trail. He questioned Council as to their thoughts for planning a ceremony.

After some discussion, Councilman Hovis made the motion unanimously approved to wait until the City completes Phase III, the proposed northern section of the trail, and have one big celebration of the opening of both Phase II and Phase III of the trail.

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**PUBLIC COMMENT:**

No one spoke during the public comment portion of the meeting.

**CLOSED SESSION:**

Councilman Cloninger made the motion unanimously approved to enter into Closed Session to discuss Legal Matters in accordance with NCGS 143-318.11(3).

Councilman Hovis made the motion unanimously approved to return to REGULAR SESSION.

**NEWS MEDIA:**

There was no questions form the News Media.

**ADJOURNMENT:**

Councilman Cloninger made the motion unanimously approved to adjourn the meeting at 8:40 p.m.

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**DONNA C. FLOWERS, CMC  
CITY CLERK**

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**BOBBY G. HUITT  
MAYOR**