

# MINUTES

Lowell City Council

Regular Meeting

Tuesday, August 11, 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 in-person were Councilmember Phil Bonham, Councilmember Ken Ervin, Councilmember Candy Funderburk, Councilmember Thomas Gillespie, City Manager Kevin Krouse, and City Attorney Jim Windham. Councilmember Shane Robinson was absent. The City Clerk Beverly Harris left the meeting due to Councilmember Candy Funderburk refusing to wear a required face covering due to COVID-19 national pandemic safety guidelines and the City Clerk felt unsafe during the meeting with the close proximity in the Council Chambers. The City Clerk Beverly Harris then dialed into the web-ex meeting conference number from her home and completed taking the minutes for the August 11, 2020 meeting. There were no members of the public present in the Council Chambers due to COVID-19 social distancing guidelines. The meeting was teleconferenced to the public and the agenda and meeting materials were made available prior on the city's website.

## 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 Funderburk made a motion to adopt the agenda with the additional of reappointment of Planning Board and Board of Adjustment members as Section 6, Item D; followed by a second on that motion. The vote was unanimous.

## IV. PUBLIC COMMENTS

There were no public comments.

## V. CONSENT AGENDA ITEMS

### A. Minutes from Council Meeting Held July 14, 2020 2020

Councilmember Ervin made a motion to adopt the minutes from the July 14, 2020 meeting, followed by a second from Councilmember Gillespie. Councilmember Bonham asked to be excused from voting due to being absent from the July 14, 2020 meeting. The vote was three in favor (Ervin, Gillespie, and Funderburk) and the motion carried with the majority being in favor.

## VI. NEW BUSINESS

### A. Public Hearing to Consider a Zoning Map Amendment Request

Description: On July 9, 2020 staff received a request from Mr. Grant Hromas to rezone two parcels located near Lineberger Rd in Lowell, NC. The two parcels have unassigned addresses and can be further identified as Property Parcel ID #'s 127779 and 127822. The request for rezoning is from the current C-2 Highway Commercial Zoning District to the I-2 General Industrial Zoning District. Mr. Hromas submitted a rezoning application and paid the applicable fee. On July 28, 2020 Planning Board review RZ20-02 and recommended approval.

Councilmember Ervin made a motion to open the Public Hearing to consider a zoning map amendment request, followed by a second on that motion. The vote was unanimous.

Scott Attaway presented all parcels in the area currently zoned C-2. Ian McDonald with Northpoint Development also spoke and gave background on the development plan. Donny Hicks with Gaston County Economic Development spoke to Council on the benefits for Lowell on this development.

The following citizens spoke during the public hearing: Scott Jensen, Tabitha Smith, and Ed Jackson.

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

Councilmember Ervin made a motion to approve rezoning parcel ID #'s 127779 and 127822 from C-2 to I-2, followed by a second from Councilmember Bonham. The vote was three in favor (Ervin, Gillespie, and Bonham), and one opposed (Funderburk). The motion carried with the majority vote being in favor.

#### B. Public Hearing for CDBG-NR Scope Revision

Description: The NC Department of Commerce has requested that we revise the scope of the CDBG-NR to reduce the number of homes rehabilitated from 14 to 10. If money remains after those 10 homes are repaired the other four homes can be added as alternates.

Councilmember Ervin made a motion to go into Public Hearing for CDBG-NR Scope Revision, followed by a second from Councilmember Gillespie. The vote was unanimous.

Mayor Railey read the script presented by Amanda Whitaker the grant administrator. There was discussion among Councilmembers and staff. There were no public comments.

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

Councilmember Ervin made a motion to revise the scope of the CDBG-NR to reduce the number of homes rehabilitated from 14 to 10 and if money remains after those 10 homes are repaired the other four homes can be added as alternates, followed by a second from Councilmember Gillespie. The vote was unanimous.

C. New Unified Land Use Development Ordinance

N-Focus has been working on the 160-D updates and the first round of changes has went through the planning board. The Planning Director and manager are amazed at the high amount of changes and issues that needed to be addressed in Lowell's ordinance. Staff requested a quote from N-Focus to change the scope to provide a new, more simplified, zoning ordinance based on Lowell (current UDO was built for the entire County). N-Focus original scope of services for the 160-D updates was \$18,685. They have proposed that we can change the scope to the development of an entire ordinance for only an additional \$8,675. Staff recommends that the quote be approved and take the \$8,675 from the Fund Balance.

Councilmember Gillespie made a motion to change the scope of services for the 160-D updates to include development of a new UDO for Lowell and to take the additional \$8,675 from the Fund Balance, followed by a second from Councilmember Ervin. The vote was unanimous.

D. Reappointment of Planning Board and Board of Adjustment Members

Scott Attaway stated the current Lowell Planning Board members would like to continue to serve on the Lowell Planning Board and are seeking reappointment. Mr. Attaway also stated staff recommended removal of Arnold Hensley from the Planning Board due to frequent absences and to replace him with Travis Smith who has expressed interest and applied by application for appointment.

The reappointed Lowell Planning Board members and term limits are as follows:

- Vieta Benson (Chair) – new term to expire 3/29/22
- John Cantrell (Vice Chair) – new term to expire 8/11/23
- Mike Harris – new term to expire 3/29/22
- Harvey Roberts – new term to expire 3/29/22
- Travis Smith – new term to expire 8/11/23 (\*New Appointment)

Mr. Attaway stated the Lowell Board of Adjustment members would like to continue to serve on the Lowell Board of Adjustment and are seeking reappointment. Staff recommends removal of Arnold Hensley from the Board of Adjustment due to frequent absences and to replace him with Travis Smith who has expressed interest and applied by application for appointment.

The reappointed Lowell Board of Adjustment members and term limits are as follows:

- Vieta Benson – new term to expires 3/29/22
- John Cantrell – new term to expire 8/11/23
- Mike Harris – new term to expire 3/29/22
- Harvey Roberts (Alternate) – new term to expire 3/29/22
- Travis Smith – new term to expire 8/11/23 (\*New Appointment)

Councilmember Funderburk made a motion to approve the reappointments presented to the Lowell Planning Board and Board of Adjustment, followed by a second from Councilmember Ervin. The vote was unanimous.

## VII. STAFF REPORTS

There were no staff reports.

## VIII. CITY ATTORNEY REPORT

Jim Windham did not have anything new to report.

## IX. CITY MANAGER REPORT

Kevin Krouse updated Council and Mayor on the following items:

- FY2019-2020 audit
- FY2019-2020 year-end financial report for 6/30/20
- Meter Replacement Project to start August 24, 2020
- Sewer Line Grant Camera Work started
- New Finance Officer (Jared Pyles) to start August 17, 2020
- Volunteer Fire Department's interest in aged police car

## X. MAYOR AND CITY COUNCIL GENERAL DISCUSSION

Councilmember Gillespie stated he had spent time researching the rezoning of the Lineberger parcels from C-2 to I-2 and found it would be in Lowell's interest to rezone.

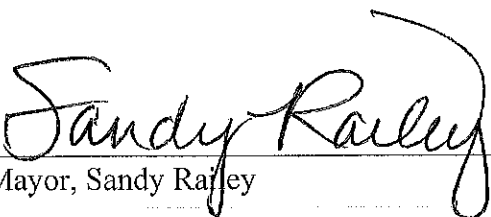
Councilmember Funderburk inquired about the following: CIA Committee, P&R, and staffing with inmates. Councilmember Ervin thanked the employees.

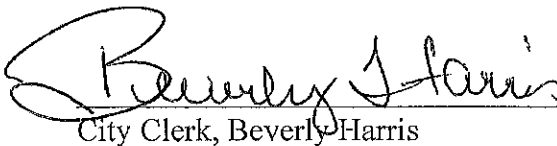
Councilmember Bonham made comments in regards to support staff by wearing masks during the Council meeting, and reminded Councilmembers who did not wish to wear a mask did have the ability to dial-in to the conference number for participation.

Mayor Railey read a note from a citizen who had recently made a donation to the city.

## XI. ADJOURN

Councilmember Ervin made a motion to adjourn the meeting, followed by a second to that motion. The vote was unanimous. The meeting ended at 8:35 pm.

  
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Mayor, Sandy Railey

  
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City Clerk, Beverly Harris