

**CITY OF MONROE
CITY COUNCIL REGULAR MEETING
300 WEST CROWELL STREET
MONROE, NORTH CAROLINA 28112
JUNE 2, 2020 – 6:00 P.M.
AGENDA
www.monroenc.org**

RECOGNITIONS

1. Proclamation Observing June 3, 2020 as Day of Prayer and Reflection
2. Proclamation Observing National Gun Violence Awareness Day
3. Public Comment Period

CONSENT AGENDA

The City Council uses a Consent Agenda to consider items that are non-controversial and routine. The Consent Agenda is acted upon by one motion and vote of the Council. Items may be removed from the Consent Agenda and placed on the Regular Agenda at the request of a Council Member or Citizen with consent of Council. The Consent Agenda contains the following items:

4. Budget Amendments
 - A. Police Department Donation from Advanced Driver Training Services, Inc.
 - B. Re-Activate and Enhance Jet-A Fuel Tank at Charlotte-Monroe Executive Airport North Fuel Storage Area
 - C. Various Budget Adjustments for Budgetary Compliance for Fiscal Year 2020 Budget
5. Capital Project Budget Ordinance for Electric Facilities to Serve ATI Metals New Facility
6. Minutes and Reports
 - A. Disbursement of Fiscal Year 2019-2020 City Council Discretionary Funds
 - 1) Council Member Surluta Anthony
 - 2) Council Member Freddie Gordon
 - 3) Mayor Bobby Kilgore
 - 4) Council Member Franco McGee
 - B. Financial Reports for April 2020
 - C. Minutes of City Council Meetings of February 26, 2020 and May 5, 2020
 - D. Minutes of Monroe Historic District Commission Meeting of December 9, 2019
 - E. Summary of Contracts Awarded, Change Orders Approved and City Manager's Settlement of Claims
7. North Carolina Main Street Designation Annual Agreement

8. Ordinance Approving North Carolina Municipal Power Agency 1 Project Power Sales Waiver Agreement
9. Ratification of Annual Service/Purchase Contracts and Water Chemical Bids Exceeding \$100,000 for Fiscal Year 2021
10. Resolutions
 - A. Disposal by Auction Sale of 1992 Oshkosh Aircraft Fire Apparatus
 - B. Disposal by Auction Sale of 2009 International Bucket Truck
 - C. Fiscal Year 2020 Equipment Installment Financing
 - D. North Carolina Department of Transportation to Modify Slogans at Optional “Welcome To” Signs Located on Lancaster Avenue and NC 200 North to Commemorate Central Academy Technology of Arts 2019 and 2020 Division 2A State Wrestling Championship
 - E. Retiring Employee Kathy G. Henderson
 - F. Retiring Employee Patricia McClendon Huntley
11. Retiring Employee William Franklin Kilgo
 - A. Award of Service Side Arm (Surplus Equipment)
 - B. Resolution
12. Right-of-Way Dedication to North Carolina Department of Transportation at 780 Charlotte Avenue
13. Sanitary Sewer Inspection and Repair
 - A. Award of Contract to Vortex Companies
 - B. City Manager to Execute Documents
14. Tax Releases for April 2020
15. Waste Water Treatment Plant Electrical Equipment Replacement/Upgrade
 - A. Award of Contract to Philip J. Mungo Co.
 - B. City Manager to Execute Documents
16. Water Treatment Plant Electrical Equipment Replacement/Upgrade
 - A. Award of Contract to Philip J. Mungo Co
 - B. City Manager to Execute Documents

REGULAR AGENDA

Public Hearings

- City Council will only be accepting written comments from residents wishing to express their views “for” or “against” a public hearing agenda item. The Public Hearing Comment Form can be completed online at the following the link (<https://weblink.monroenc.org/Forms/Publichearing>). Please select the appropriate hearing from the drop down menu. Forms are also available for pickup outside of the front entrance

of City Hall located at 300 W. Crowell Street. A completed Public Hearing Comment Form can be placed in the locked drop box located outside of the front entrance of City Hall.

- Resident must use the Public Hearing Comment Form for any comments to be included in the official record.
 - Submitted comments will be provided to City Council prior to the Meeting.
17. Zoning Text Amendment Requests to Chapter 156: Zoning Code, Section 156.14 titled “Definitions of Basic Terms” and Section 156.110 titled “Table of Permissible Uses”
 - A. Public Hearing
 - B. Action – Resolution Approving Land Development Plan Compliance
 - C. Action – Ordinance Amending Sections 156.14 and 156.110
 18. Downtown PRONTO Grant to Pranee Loffer for Thai Tamarind
 - A. Public Hearing
 - B. Action – Resolution Awarding Incentive Grant
 - C. Action – Incentive Agreement
 - D. Action – Budget Amendment
 19. Zoning Map Amendment Request to Rezone Property Located at 1749 Williams Road from General Industrial (GI) to Conditional District “EC Customs” and Text Amendment Requests to Amend Code of Ordinances – Title XV: Land Usage, Chapter 156: Zoning Code, Section 156.106 titled “Official Zoning Map” and Section 156.98 titled “Conditional Districts Established”
 - A. Public Hearing
 - B. Action – Resolution approving Land Development Plan
 - C. Action – Ordinance Amending Section 156.106
 - D. Action – Ordinance Amending Section 156.98
 20. Annexation and Zoning Map/Text Amendment Requests for 27.14 Acres Located Along Secrest Short Cut Road to be Rezoned from City of Monroe R-40 and Union County RA-40 to Conditional District “Stewarts Crossing”
 - A. Action – Tabled to July 21, 2020 City Council Regular Meeting
 21. Zoning Map Amendment Request to Rezone Property Located Along Secrest Short Cut Road from Residential Low-Density (R-40) to Conditional District “Secrest Landing” and Text Amendment Requests to Amend Code of Ordinances – Title XV: Land Usage, Chapter 156: Zoning Code, Section 156.106 titled “Official Zoning Map” and Section 156.98 titled “Conditional Districts Established”
 - A. Public Hearing
 - B. Action – Resolution approving Land Development Plan
 - C. Action – Ordinance Amending Section 156:106
 - D. Action – Ordinance Amending Section 156:98
 22. Fiscal Year 2020-2021 Budget
 - A. Public Hearing

- B. Action – Resolution and Budget Ordinance
- C. Action – Financial Plan for Self-Insurance Fund

- 23. Downtown Commemorative Bench Program
 - A. Program Approval
 - B. Budget Amendment
- 24. Resolution Adopting Cabarrus Stanly Union Regional Hazard Mitigation Plan
- 25. Resolution Amending Interlocal Agreement for Countywide Economic Development Services
- 26. Legislative Advocacy Update from North Carolina League of Municipalities
- 27. Closed Session pursuant to North Carolina General Statute Sections §143-318.11(a)(1) and (a)(3) – *Eastwood Construction v. City of Monroe and The Estate of Donald Allen Plyler, Sr. and Donald Plyler, Jr. v. City of Monroe*

**CITY OF MONROE
CITY COUNCIL REGULAR MEETING
JUNE 2, 2020
MINUTES**

The City Council of the City of Monroe, North Carolina, met in Regular Session both electronically and in person in the City Hall Conference Room located at 300 West Crowell Street in Monroe, North Carolina at 6:00 p.m. on June 2, 2020 with Mayor Bobby Kilgore presiding.

Present: Mayor Bobby Kilgore, Mayor Pro Tem Marion Holloway *(via Zoom)*, Council Member Surluta Anthony, Council Member Freddie Gordon *(via Zoom)*, Council Member Angelia James, Council Member Lynn Keziah, Council Member Franco McGee *(via Zoom)*, City Manager E.L. Faison *(via Zoom)*, City Attorney S. Mujeeb Shah-Khan *(via Zoom)* and City Clerk Bridgette H. Robinson *(via Zoom)*.

Absent: None.

Visitors: Bruce Bounds *(via Zoom)*, Pete Hovanec *(via Zoom)*, Lisa Stiwinter *(via Zoom)* Lisa Strickland *(via Zoom)*, Keri Mendler *(via Zoom)*, Doug Britt *(via Zoom)*, Chris Platé and others.

Mayor Kilgore called the City Council Regular Meeting of June 2, 2020 to order at 6:00 p.m. and took roll call. A quorum was present.

RECOGNITION

Item No. 1. Proclamation Observing June 3, 2020 as Day of Prayer and Reflection. Mayor Kilgore read a Proclamation observing June 3, 2020 as a Day of Prayer and Reflection:

**PROCLAMATION OBSERVING
JUNE 3, 2020 AS
DAY OF PRAYER AND REFLECTION
P-2020-07**

WHEREAS, the death of George Floyd in Minneapolis on May 25, 2020, was a horrific murder, photographs of and the video of the crime were ultimately seen by millions of American citizens; and

WHEREAS, George Floyd's death was the result of police violence, and evidenced systemic racism in our country; and

WHEREAS, as citizens of Monroe, and Americans, we cannot tolerate this kind of police violence or police brutality rooted in systemic racism; and

WHEREAS, since 2007, the City of Monroe Police Department ("Department") has been nationally accredited by the Commission on Accreditation for Law Enforcement Agencies, Inc. ("CALEA"); and

WHEREAS, CALEA's continued accreditation of the Department shows national approval and support of the policies, practices of the Department, and acknowledges the positive interactions the Department has with the community; and

WHEREAS, the Department is highly invested in the community with multiple programs in the community, with an emphasis on our youth, the Union County Public Schools, and our neighborhoods; and

WHEREAS, the members of the Department live here, work here, raise their children here, and take an active role in the community; and

WHEREAS, with its training and professionalism, the Monroe Police Department has been able to work with the community to ensure that the Department's conduct reflects the standards that the citizens of Monroe expect of its law enforcement officials; and

WHEREAS, as Mayor, former Police Chief, and City Council Member, I am proud of the work of our Police Department, and know that our officers and our Department leadership abhor the racism and violence so evident in the death of George Floyd in Minneapolis; and

WHEREAS, according to the advocacy group, Mapping Police Violence, 1,098 American citizens were killed by police in 2019; and

WHEREAS, as I have worked with our Police leadership, and I know that they also will not tolerate this kind of police violence and racism within the Department that in Minneapolis led to George Floyd's death; and

WHEREAS, as acts like those that happened in Minneapolis, not only harm innocent people, but they also deeply erode trust in our police forces, despite the good work of so many officers every day; and

WHEREAS, I as well as the members of the Monroe City Council, condemn in the strongest possible terms police violence and systemic racism where it exists; and

WHEREAS, it is recognized that police officers are sometimes caught in difficult situations, that in accordance with their training causes them to initiate a de-escalation protocol where possible; and

WHEREAS, every citizen should be afforded respect, protection and lawful protection of his or her civil rights when it may be necessary to enforce the law; and

WHEREAS, in some cases, aggressive policing practices negatively impacts people of color; and

WHEREAS, I and the members of the Monroe City Council hereby acknowledge we do not support unlawful or brutal actions by any law enforcement unit; and

WHEREAS, my heart and the hearts of the members of the Monroe City Council go out to Mr. Floyd and his family, and to all of the other victims of police violence in this country; and

WHEREAS, as citizens we expect a full and fair trial of the police officers involved in Mr. Floyd's murder and at the same time support the rights of those who are peacefully protesting and honoring the memory of George Floyd and countless others that have been victims of systemic racism and police violence; and

WHEREAS, as citizens, we should work together with our fellow citizens to move forward in the pursuit of justice, fairness and freedom, which is the basis of the country we love.

NOW, THEREFORE, I, Bobby Kilgore, as the Mayor of the City of Monroe, proclaim that Wednesday, June 3, 2020 is a day for prayer and reflection over the events since Mr. Floyd's death as we work on the path forward together.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Monroe to be affixed this the 2nd day of June 2020.

Item No. 2. Proclamation Observing National Gun Violence Awareness Day. On behalf of Mayor Kilgore, Council Member Anthony read a Proclamation observing National Gun Violence Awareness Day as June 5, 2020:

**PROCLAMATION OBSERVING
NATIONAL GUN VIOLENCE AWARENESS DAY
P-2020-06**

WHEREAS, every day, more than 100 Americans are killed by gun violence and on average, there are more than 13,000 gun homicides every year; and

WHEREAS, Americans are 25 times more likely to die by gun homicide than people in other high-income countries; and

WHEREAS, in North Carolina has 1,330 gun deaths every year, with a rate of 13 deaths per 100,000 people. North Carolina has the 24th highest rate of gun deaths in the US; and

WHEREAS, gun homicides predominantly occur in cities, with more than half of all firearm related gun deaths in the nation occurring in 127 cities; and

WHEREAS, cities across the nation, including in Monroe, are working to end the senseless violence with evidence-based solutions; and

WHEREAS, protecting public safety in the communities they serve are mayors highest responsibility; and

WHEREAS, support for the Second Amendment rights of law-abiding citizens goes hand-in-hand with keeping guns away from people with dangerous histories; and

WHEREAS, mayors and law enforcement officers know their communities best, are the most familiar with local criminal activity and how to address it, and are best positioned to understand how to keep their citizens safe; and

WHEREAS, the pandemic facing America has drastically impacted communities and individuals sheltering in place which may result in situations where access to firearms result in increased risk in intimate partner violence gun deaths, suicide by gun and unintentional shootings; and

WHEREAS, in January 2013, Hadiya Pendleton, a teenager who marched in the presidential inaugural parade and was tragically shot and killed just weeks later, should be now celebrating her 23rd birthday; and

WHEREAS, to help honor Hadiya, the more than 100 Americans whose lives are cut short every day and the countless survivors who are injured by shootings every day, a national coalition of organizations has designated June 5, 2020, the first Friday in June, as the 6th National Gun Violence Awareness Day; and

WHEREAS, the idea was inspired by a group of Hadiya's friends, who asked their classmates to commemorate her life by wearing orange. They chose this color because hunters wear orange to announce themselves to other hunters when out in the woods and orange is a color that symbolizes the value of human life; and

WHEREAS, anyone can join this campaign by pledging to wear orange on June 5, 2020 to help raise awareness about gun violence; and

WHEREAS, by wearing orange on June 5, 2020, Americans will raise awareness about gun violence and honor the lives of gun violence victims and survivors; and

WHEREAS, we renew our commitment to reduce gun violence and pledge to do all we can to keep firearms out of the wrong hands and encourage responsible gun ownership to help keep our children safe.

NOW, THEREFORE, I Bobby G. Kilgore, by the virtue of the authority vested in me as Mayor of the City of Monroe, do hereby proclaim and observe June 5, 2020 as:

"NATIONAL GUN VIOLENCE AWARENESS DAY"

to encourage all citizens to support their local communities' efforts to prevent the tragic effects of gun violence and to honor and value human lives.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Monroe to be affixed this the 2nd day of June 2020.

Item No. 3. Public Comment Period. In an effort to meet and comply with guidance for social distancing from North Carolina health professionals and the Centers for Disease Control and Prevention (CDC) and mass gatherings due to COVID-19, the City of Monroe offered the public the opportunity to submit public comments for the June 2, 2020 City Council Regular Meeting.

There were no electronic public comment submissions received.

CONSENT AGENDA

Written background information was provided in advance in the Council Agenda Packet for each item on the Consent Agenda. One motion and vote was taken, which included approval of all items on the Consent Agenda.

Item No. 4. Budget Amendments.

A. Police Department Donation from Advanced Driver Training Services, Inc. Police Chief Bryan Gilliard advised by memorandum that the Police Department had received a \$200 donation from Advanced Driver Training Services, Inc. (ADTS) for the use of the Police Department's traffic cones. Mr. Gilliard advised that the funds were to be used for the Monroe Police Explorer Program.

Mr. Gilliard advised that due to the cancellation of the May 21, 2020 General Services Committee Meeting, the Chairman approved moving this matter forward under the Consent section of the June 2, 2020 City Council Regular Agenda.

Mr. Gilliard advised that it was the recommendation of Staff that Council adopt a Budget Amendment appropriating and designating the funds.

Council Member Anthony moved to adopt Budget Amendment BA-2020-15:

**BUDGET AMENDMENT
BA-2020-15**

1. Amendment necessary to designate and appropriate funds received from Advanced Driver Training Services, Inc. for the Monroe Explorer Program.

General Fund:

Revenues:

Miscellaneous \$200

Expenditures:

Public Safety \$200

Adopted this 2nd day of June, 2020.

Mayor Pro Tem Holloway seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Anthony, Gordon, James, Keziah,
McGee, Mayor Pro Tem Holloway and Mayor Kilgore
NAYS: None

B. Reactivate and Enhance Jet-A Fuel Tank at Charlotte-Monroe Executive Airport North Fuel Storage Area. Charlotte-Monroe Executive Airport Manager Peter Cevallos advised by memorandum that on February 5, 2020, Council adopt Budget Amendment BA-2020-08 re-activating and enhancing the 15,000 gallon Jet-A fuel tank in the Airport's north fuel storage area. Mr. Cevallos advised that the re-activated tank would support corporate jet operators SPX, Inc. and Charter Jet Transport. He advised that the contract scope of work for the re-activation included adding a new TCS 3000 electronic register so the tank fuel inventory could be monitored/managed in the Airport's new accounting system. Mr. Cevallos advised that as this tank was over 30 years old, the new electronic register did not fit properly on the existing meter base. To remedy this issue, he advised that a new meter base would have to be installed at a cost of \$6,025.66. Once the new meter was installed, Mr. Cevallos advised that the new electronic register could be added and the tank would be ready for use.

Mr. Cevallos advised that due to the cancellation of the May 21, 2020 General Services Committee Meeting, the Chairman approved moving this matter forward under the Consent section of the June 2, 2020 City Council Regular Agenda.

Mr. Cevallos advised that it was the recommendation of Staff that Council adopt a Budget Amendment appropriating the necessary funds to support the Change Order for the contract to procure and install an updated meter base for Jet-A fuel tank located in the Airport's north fuel storage area.

Council Member Anthony moved to adopt Budget Amendment BA-2020-17:

**BUDGET AMENDMENT
BA-2020-17**

1. Amendment necessary for the change order to the contract to reactivate and enhance to the Jet-A fuel tank located in the Charlotte-Monroe Executive Airport's north fuel storage area:

| | | |
|---------------|--|---------|
| General Fund: | | |
| Revenues: | | |
| | Appropriation from Unassigned Fund Balance | \$6,026 |
| Expenses: | | |
| | Transfer to Airport Fund | \$6,026 |
| Airport Fund: | | |
| Revenues: | | |
| | Transfer from General Fund | \$6,026 |
| Expenses: | | |
| Airport | Operations | \$6,026 |

Adopted this 2nd day of June 2020.

Mayor Pro Tem Holloway seconded the motion, which passed unanimously with the following votes:

| | |
|-------|--|
| AYES: | Council Members Anthony, Gordon, James, Keziah, McGee, Mayor Pro Tem Holloway and Mayor Kilgore |
| NAYS: | None |

C. Various Budget Adjustments for Budgetary Compliance for Fiscal Year 2020 Budget.

Finance Director Lisa Strickland advised by memorandum that the following adjustments were proposed to the Fiscal Year 2020 Budget in order to recognize activity that was unanticipated and maintain budgetary compliance:

- Due to the COVID-19, the City closed the lobby of the Customer Service Center. In an effort to encourage online payments, all fees associated with credit card payments were removed from customers. The City was absorbing these fees until the lobby was open

again. Fees during this time frame are estimated to be \$39,845 and are being divided among all of the utility funds based on total revenue.

- MD Aviation, a customer at the Charlotte Monroe Executive Airport that operated Charlotte Monroe Air Center dissolved their business. Outstanding receivables totaling \$19,318 were deemed uncollectible and were written off.
- Write off of code enforcement lien on property located at 503 Winchester Ave in the amount of \$6,650. A private owner purchased the lot and the liens were released as part of a settlement in order to collect the outstanding taxes and a portion of the code enforcement lien.
- Cost of credit card and billing fees for motor vehicle collections are passed on to the City by the NC Department of Transportation. Increased motor vehicle tax collections have resulted in higher collection fees. An amendment is needed to reflect these increased fees in the amount of \$24,000.
- Amendment for airport salaries overage in the amount of \$33,990 in budgeted amount of pooled part-time hours for both customer service and line technicians.
- Amendment to cover unemployment compensation claim paid for prior employee of the Charlotte-Monroe Executive Airport in the amount of \$2,804.
- Amendment proposed to cover higher than anticipated collections for water and sewer capacity fees in the amount of \$450,000. Water and sewer capacity fees are required by NC General Statute 162A-207(b) to be used for capital improvements related to new development and are transferred to the Capital Reserve Fund to achieve this requirement. The City has also passed Resolution R-2017-20 to transfer annually the amount in excess of the minimum fund balance policy to the Capital Reserve Fund. This calculation was performed and a budget amendment was needed to cover the transfer in the amount of \$3,816,742 per the resolution.
- Due to work on the design and environmental approvals, the police station and senior center bonds were not issued during the fiscal year. An amendment was requested to move unused debt payment for the police headquarters in the amount of \$971,296 to the project account to be used to offset the cost of the project.
- Due to the closure of the Monroe Aquatics and Fitness Center, revenue losses will need to be covered by the Monroe Aquatic and Fitness Center fund balance. The facility has been closed since March and customer membership fees have not been collected during April or May. It is unknown if the facility and/or water park will open in June. Savings were realized in unpaid salaries and decreased utility bills, but other costs still need to be covered for the fiscal year. An appropriation from fund balance in the amount of \$540,000 to cover lost revenue was recommended. This represents a worst case scenario where the center

would not re-open in June. The balance in fund balance after this budget amendment was \$2,949,823.

- Donations totaling \$482,852 have been received for both the Science Center and the Center Theatre. The donations and corresponding expense need to be adjusted with a budget amendment. Donations were designed for specific items by the donors in many cases or split between the two projects. The final amounts (net of administrative fees) were \$35,000 for Science Center Exhibits, \$391,281 for the Center Theatre Programming and \$57,031 for the Science Center programming. The budget amendment for the Center Theatre was only \$218,781 because there was already a budget of \$172,500 approved for this revenue account. The Science Center Fund was part of the Monroe Tourism Development Authority and a separate budget amendment will be proposed to the Authority.
- Due to the delayed opening of the Center Theatre, revenue losses from ticket sales and facility rentals will need to be covered by the General Fund balance. The amount of the projected loss for the fiscal year was \$105,000 and a budget amendment to cover this amount was recommended. Expenses for the facility were mostly salaries and supply costs.

Ms. Strickland advised that due to the cancellation of the May 21, 2020 General Services Committee Meeting, the Chairman approved moving this matter forward under the Consent section of the June 2, 2020 City Council Regular Agenda.

Ms. Strickland advised that it was the recommendation of Staff that Council adopt a Budget Amendment approving various budget adjustments for Fiscal Year 2020.

Council Member Anthony moved to adopt Budget Amendment BA-2020-16:

BUDGET AMENDMENT

BA-2020-16

1. Due to the COVID-19, the City closed the lobby of the Customer Service Center. In an effort to encourage online payments, all fees associated with credit card payments were removed from customers. The City is absorbing these fees until the lobby is open again. Fees during this time frame are estimated to be \$39,845 and are being divided among all of the utility funds based on total revenue.

Water & Sewer Fund:

| | |
|-------------------------------|---------|
| Revenue | |
| Appropriation of Fund Balance | \$7,058 |
| Expense | |
| Distribution System | \$7,058 |

Electric Fund:

| | |
|-------------------------------|----------|
| Revenue | |
| Appropriation of Fund Balance | \$24,090 |
| Expense | |
| Electric System Maintenance | \$24,090 |

| | | |
|-------------------|-------------------------------|---------|
| Natural Gas Fund: | | |
| Revenue | | |
| | Appropriation of Fund Balance | \$6,924 |
| Expense | | |
| | Natural Gas Maintenance | \$6,924 |

| | | |
|------------------|-------------------------------|-------|
| Stormwater Fund: | | |
| Revenue | | |
| | Appropriation of Fund Balance | \$853 |
| Expense | | |
| | Stormwater Operations | \$853 |

| | | |
|-------------------|-------------------------------|-------|
| Solid Waste Fund: | | |
| Revenue | | |
| | Appropriation of Fund Balance | \$920 |
| Expense | | |
| | Solid Waste Operations | \$920 |

- MD Aviation, a customer at the Charlotte Monroe Executive Airport that operated Charlotte Monroe Air Center dissolved their business. Outstanding receivables totaling \$19,318 were deemed uncollectible and were written off.

| | | |
|---------------|-------------------------------|----------|
| General Fund: | | |
| Revenue | | |
| | Appropriation of Fund Balance | \$19,318 |
| Expense | | |
| | Transfer to Airport Fund | \$19,318 |

| | | |
|---------------|----------------------------|----------|
| Airport Fund: | | |
| Revenue | | |
| | Transfer from General Fund | \$19,318 |
| Expense | | |
| | Airport Operations | \$19,318 |

- Write off of code enforcement lien on property located at 503 Winchester Ave in the amount of \$6,650. A private owner purchased the lot and the liens were released as part of a settlement in order to collect the outstanding taxes and a portion of the code enforcement lien.

| | | |
|---------------|-------------------------------|---------|
| General Fund: | | |
| Revenue | | |
| | Appropriation of Fund Balance | \$6,650 |
| Expense | | |
| | General Government | \$6,650 |

- Cost of credit card and billing fees for motor vehicle collections are passed on to the City by the NC Department of Transportation. Increased motor vehicle tax collections have resulted in higher collection fees. An amendment is needed to reflect these increased fees in the amount of \$24,000.

| | | |
|---------------|------------------|----------|
| General Fund: | | |
| Revenue | | |
| | Ad Valorem Taxes | \$24,000 |
| Expense | | |

| | |
|--------------------|----------|
| General Government | \$24,000 |
|--------------------|----------|

5. Amendment for airport salaries overage in the amount of \$33,990 in budgeted amount of pooled part-time hours for both customer service and line technicians.

General Fund:

| | |
|-------------------------------|----------|
| Revenue | |
| Appropriation of Fund Balance | \$33,990 |
| Expense | |
| Transfer to Airport Fund | \$33,990 |

Airport Fund:

| | |
|----------------------------|----------|
| Revenue | |
| Transfer from General Fund | \$33,990 |
| Expense | |
| Airport Operations | \$33,990 |

6. Amendment to cover unemployment compensation claim paid for prior employee of the Charlotte-Monroe Executive Airport in the amount of \$2,804.

General Fund:

| | |
|-------------------------------|---------|
| Revenue | |
| Appropriation of Fund Balance | \$2,804 |
| Expense | |
| Transfer to Airport Fund | \$2,804 |

Airport Fund:

| | |
|----------------------------|---------|
| Revenue | |
| Transfer from General Fund | \$2,804 |
| Expense | |
| Airport Operations | \$2,804 |

7. Amendment proposed to cover higher than anticipated collections for water and sewer capacity fees in the amount of \$450,000. Water and sewer capacity fees are required by NC General Statute 162A-207(b) to be used for capital improvements related to new development and are transferred to the capital reserve fund to achieve this requirement. The City has also passed Resolution R-2017-20 to transfer annually the amount in excess of the minimum fund balance policy to the Capital Reserve Fund. This calculation was performed and a budget amendment is needed to cover the transfer in the amount of \$3,816,742 per the resolution.

Water & Sewer Fund:

| | |
|--|-------------|
| Revenue | |
| Appropriation of Fund Balance | \$3,816,742 |
| Other Revenues | \$450,000 |
| Expense | |
| Transfer to Water & Sewer Capital Reserve Fund | \$4,266,742 |

Water & Sewer Capital Reserve Fund:

| | |
|----------------------------------|-------------|
| Revenue | |
| Transfer from Water & Sewer Fund | \$4,266,742 |
| Expense | |
| Reserved | \$4,266,742 |

8. Due to work on the design and environmental approvals, the police station and senior center bonds were not issued during the fiscal year. An amendment is requested to move unused debt payment for the police headquarters in the amount of \$971,296 to the project account to be used to offset the cost of the project.

General Fund:

| | |
|----------------------------------|-------------|
| Expense | |
| Debt Service | (\$971,296) |
| Transfer to General Project Fund | \$971,296 |

General Project Fund

| | |
|--|-----------|
| Revenue | |
| Transfer from General Fund | \$971,296 |
| Expense | |
| Capital Project GB1901 Police Headquarters | \$971,296 |

9. Due to the closure of the Monroe Aquatics and Fitness Center, revenue losses will need to be covered by the Monroe Aquatics and Fitness Center fund balance. The facility has been closed since March and customer membership fees have not been collected during April or May. It is unknown if the facility and/or water park will open in June. Savings were realized in unpaid salaries and decreased utility bills, but other costs still need to be covered for the fiscal year. An appropriation from fund balance in the amount of \$540,000 to cover lost revenue is recommended. This represents a worst case scenario where the center would not re-open in June. The balance in fund balance after this budget amendment is \$2,949,823.

Monroe Aquatics and Fitness Center:

| | |
|---------------------------------|-------------|
| Revenue | |
| Appropriation from Fund Balance | \$540,000 |
| Sales and Services | (\$540,000) |

10. Donations totaling \$482,852 have been received for both the Science Center and the Center Theatre. The donations and corresponding expense need to be adjusted with a budget amendment. Donations were designed for specific items by the donors in many cases or split between the two projects. The final amounts (net of administrative fees) were \$35,000 for Science Center Exhibits, \$391,281 for the Center Theatre Programming and \$57,031 for the Science Center programming. The budget amendment for the Center Theatre is only \$218,781 because there was already a budget of \$172,500 approved for this revenue account. The Science Center Fund is part of the Monroe Tourism Development Authority and a separate budget amendment will be proposed to the Authority.

Occupancy Tax Capital Project Fund:

| | |
|---|----------|
| Revenue | |
| Miscellaneous | \$35,000 |
| Expense | |
| Project Expense (Science Center Exhibits) | \$35,000 |

Center Theatre Fund:

| | |
|---------------------------------|-----------|
| Revenue | |
| Miscellaneous | \$218,781 |
| Expense | |
| Reserved for Future Programming | \$218,781 |

11. Due to the delayed opening of the Center Theatre, revenue losses from ticket sales and facility rentals will need to be covered by the General Fund balance. The amount of the projected loss for the fiscal year is \$105,000 and a budget amendment to cover this amount is recommended. Expenses for the facility were mostly salaries and supply costs.

General Fund:

| | |
|---------------------------------|-----------|
| Revenue | |
| Appropriation of Fund Balance | \$105,000 |
| Expense | |
| Transfer to Center Theatre Fund | \$105,000 |

Center Theatre Fund:

| | |
|----------------------------|-------------|
| Revenue | |
| Transfer from General Fund | \$105,000 |
| Sales and Services | (\$105,000) |

Adopted this 2nd day of June, 2020.

Mayor Pro Tem Holloway seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Anthony, Gordon, James, Keziah,
McGee, Mayor Pro Tem Holloway and Mayor Kilgore
NAYS: None

Item No. 5. Capital Project Budget Ordinance for Electric Facilities to Serve ATI Metals New Facility. Energy Services Director David Lucore advised by memorandum that Staff had plans to provide electric service to the new ATI Metals Facility. Mr. Lucore advised that it was estimated that this facility would have an ultimate electric load of approximately 14 Megawatts. He advised that the initial estimate for funds to construct facilities to serve this facility was \$650,000 which would be appropriated from the Electric Division Fund Balance.

Mr. Lucore advised that due to the cancellations of the April 16, 2020 and May 21, 2020 General Services Committee Meetings, the Chairman had approved moving this matter forward under the Consent section of the June 2, 2020 City Council Regular Agenda.

Mr. Lucore advised that it was the recommendation of Staff that Council adopt a Capital Project Budget Ordinance to appropriate \$650,000 from the Electric Division Fund Balance to the Electric Division Capital Project Fund 542-0000-443.23-01 to construct electric facilities for the ATI Metals New Facility.

Council Member Anthony moved to adopt Budget Ordinance BO-2020-06:

**CAPITAL PROJECT BUDGET ORDINANCE
ELECTRIC FACILITIES TO SERVE
ATI METALS NEW FACILITY
BO-2020-06**

WHEREAS, the City desires to provide electric facilities to serve the ATI Metals New Facility;
and

WHEREAS, it is estimated that this facility will have an ultimate electric load of approximately 14 Megawatts; and

WHEREAS, the estimate to construct electric facilities to serve this project is \$650,000.

NOW, THEREFORE, BE IT ORDAINED that the City Council of the City of Monroe establishes the capital project budget for the project entitled "ATI Metals New Facility" and appropriates the following revenues and expenses:

Electric Fund:

Revenue:

Appropriation of Fund Balance \$650,000

Expense:

Transfer to Electric Capital Project Fund \$650,000

Electric Capital Project Fund:

Revenue:

Transfer from Electric Fund \$650,000

Expense:

Project Costs \$650,000

Adopted this 2nd day of June, 2020.

Mayor Pro Tem Holloway seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Anthony, Gordon, James, Keziah,
McGee, Mayor Pro Tem Holloway and Mayor Kilgore

NAYS: None

Item No. 6. Minutes and Reports.

A. Disbursement of Fiscal Year 2019-2020 City Council Discretionary Funds.

1). Council Member Surluta Anthony. City Clerk Bridgette Robinson advised by memorandum that Staff had received a request from Council Member Surluta Anthony for disbursement of City Council Discretionary Funds to Heart for Monroe in the amount of \$89. Disbursements for Council Member Anthony follow:

| Date | Recipient | Fiscal Impact | |
|------------|---|---------------|---------|
| | | Amount | Balance |
| 07/01/2019 | Discretionary Allocation Fiscal Year 2019-2020 | | \$3,000 |
| 07/02/2019 | Community Health Services of Union County, Inc. | \$1,000 | \$2,000 |
| 07/02/2019 | Monroe High School Athletic Foundation | \$300 | \$1,700 |
| 07/02/2019 | Rotary Club of Monroe | \$1,000 | \$700 |
| 09/05/2019 | Winchester Alumni Association | \$375 | \$325 |

| | | | |
|------------|----------------------------------|-------|-------|
| 09/05/2019 | Union County Branch NAACP | \$30 | \$295 |
| 09/18/2019 | Heart for Monroe | \$145 | \$150 |
| 09/23/2019 | Union County Chamber of Commerce | \$15 | \$135 |
| 11/04/2019 | Union County Chamber of Commerce | \$25 | \$110 |
| 11/15/2019 | Sports To You | \$21 | \$89 |
| 05/05/2020 | Heart for Monroe | \$89 | \$0 |

As this item was for informational purposes only, no action was required from Council.

2). Council Member Freddie Gordon. City Clerk Bridgette Robinson advised by memorandum that Staff had received requests from Council Member Freddie Gordon for disbursement of City Council Discretionary Funds to Turning Point in the amount of \$1,000 and A Few Good Men in the amount of \$500. Disbursements for Council Member Gordon follow:

| Date | Recipient | Fiscal Impact | |
|------------|---------------------------------------|---------------|---------|
| | | Amount | Balance |
| 12/04/2020 | Discretionary Allocation FY 2019-2020 | | \$1,500 |
| 05/05/2020 | Turning Point | \$1,000 | \$500 |
| 05/05/2020 | A Few Good Men | \$500 | \$0 |

As this item was for informational purposes only, no action was required from Council.

3). Mayor Bobby Kilgore. City Clerk Bridgette Robinson advised by memorandum that Staff had received a request from Mayor Bobby Kilgore for disbursement of City Council Discretionary Funds to Union County Crime Stopper's in the amount of \$300. Disbursements for Mayor Kilgore follow:

| Date | Recipient | Fiscal Impact | |
|------------|--|---------------|---------|
| | | Amount | Balance |
| 07/07/2019 | Discretionary Allocation FY 2019-2020 | | \$3,000 |
| 08/29/2019 | Ground 40 | \$200 | \$2,800 |
| 09/09/2019 | Bridge to Recovery | \$200 | \$2,600 |
| 09/13/2019 | Union County Chamber of Commerce | \$22 | \$2,578 |
| 11/06/2019 | The Shepherd's Place | \$1,000 | \$1,578 |
| 12/12/2019 | Union County Crime Stopper's | \$500 | \$1,078 |
| 01/02/2020 | Dr. MLK, Jr. Committee | \$200 | \$878 |
| 01/02/2020 | Union Diversified Industries | \$200 | \$678 |
| 03/04/2020 | City of Monroe – Old Armory – Former Council Member Billy Jordan Reception | \$150 | \$528 |
| 05/05/2020 | Union County Crime Stopper's | \$300 | \$228 |

As this item was for informational purposes only, no action was required from Council.

4). Council Member Franco McGee. City Clerk Bridgette Robinson advised by memorandum that Staff had received requests from Council Member Franco McGee for disbursement of City Council Discretionary Funds to Open Arms Community Outreach in the amount of \$500,

Scholastic Anglers in the amount of \$250, Lynne's Haven of Hope, Inc. in the amount of \$300 and Oasis in the amount of \$15.16. Disbursements for Council Member McGee follow:

| Date | Recipient | Fiscal Impact | |
|------------|--|---------------|----------|
| | | Amount | Balance |
| 07/01/2019 | Discretionary Allocation FY 2019-2020 | | \$3,000 |
| 07/02/2019 | ShotCallers Nation Basketball Organization | \$500 | \$2,500 |
| 09/05/2019 | Heart for Monroe | \$250 | \$2,250 |
| 09/13/2019 | Community Events Foundation, Inc. | \$500 | \$1,750 |
| 02/19/2020 | Benton Heights Elementary School of the Arts | \$250 | \$1,500 |
| 05/08/2020 | Open Arms Community Outreach | \$500 | \$1,000 |
| 05/13/2020 | Scholastic Anglers | \$250 | \$750 |
| 05/27/2020 | Lynne's Haven of Hope, Inc. | \$600 | \$150 |
| 05/27/2020 | Oasis | \$15.16 | \$134.84 |

As this item was for informational purposes only, no action was required from Council.

B. Financial Reports for April 2020. Financial reports for April 2020 were received as information by Council.

C. Minutes of City Council Meetings of February 26, 2020 and May 5, 2020. Council Member Anthony moved to approve the Minutes of the City Council Meetings of February 26, 2020 and May 5, 2020. Mayor Pro Tem Holloway seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Anthony, Gordon, James, Keziah,
McGee, Mayor Pro Tem Holloway and Mayor Kilgore
NAYS: None

D. Minutes of Monroe Historic District Commission Meeting of December 9, 2019. Minutes of the Monroe Historic District Commission Meeting of December 9, 2019 were received as information by Council.

E. Summary of Contracts Awarded, Change Orders Approved and City Manager's Settlement of Claims. City Manager E.L. Faison reported by memorandum the award of contracts pursuant to Ordinance O-2001-17, change orders approved pursuant to Resolution R-2000-76 and the settlement of claims pursuant to Ordinance O-2018-50:

| Date | Name | Purpose | Fiscal Impact | |
|------------|-----------------------------|---|----------------------|----------|
| | | | Fund | Amount |
| 04/28/2020 | Green's Commercial Cleaning | Cleaning and disinfecting for COVID-19 | Facility Maintenance | *\$4,999 |
| 04/28/2020 | WaynCo Roofing | Roof repair at the WTP Control Building | Water Resources | *\$2,156 |
| 04/28/2020 | Tecta America Carolinas | Dickerson Roof replacement | Facility Maintenance | \$49,049 |

| Date | Name | Purpose | Fiscal Impact | |
|------------|--------------------------------------|--|----------------------|----------|
| | | | Fund | Amount |
| | [CO #1] | | | |
| 04/28/2020 | Green's Commercial Cleaning | Janitorial services (Dowd Center Theatre) | Facility Maintenance | \$5,400 |
| 04/28/2020 | Stewart Cooper Newell [CO #1] | Police Headquarters Design | Downtown | \$17,760 |
| 04/28/2020 | Advanced Aluminum [CO #1] | WTP Carbon System Furnish and install new white steel siding to enclose side of existing 9' x 12' canopy | Water Resources | *\$2,460 |
| 04/28/2020 | Utility Service Co., Inc. [CO #1] | Additional service for radio change out on Airport Road and Goldmine water tanks | Water Resources | *\$1,300 |
| 04/28/2020 | Campbell Brown | Provide installation, repair and calibration services to various components and equipment on or within City vehicles | Finance | \$8,000 |
| 04/28/2020 | Maser Consulting | Preliminary engineering design for Electric, Gas and Fiber for U-5764 Highway 74 widening | Energy Services | \$99,640 |
| 04/29/2020 | HM Kern [CO #9] | Monroe Science Center (new concrete cap for existing sewer collector box, north side, new slab top for existing storm drain box at canopy, provide and install fiber optic entrance box, etc.) | Downtown | \$45,918 |
| 04/29/2020 | HM Kern [CO #10] | Monroe Science Center (deduct chain link fence, north side; modify parking area; paving area, paving proposal includes additional stone to raise grade to match new C & G; asphalt demo, etc.) | Downtown | \$32,112 |
| 05/07/2020 | Walker & Whiteside | Diagnosis and repair of PAPYS | Airport | *\$2,500 |
| 05/07/2020 | Allied Universal Technology Services | Replace PTZ camera on the WTP Basin | Water Resources | *\$4,379 |
| 05/07/2020 | Jencon Builders, LLC | Addition to Facility Maintenance Shop | Facility Maintenance | \$29,850 |
| 05/07/2020 | HM Kern [CO #7] | Monroe Science Center (Pavement modifications for east drive; remove and replace asphalt on north side) | Downtown | \$76,743 |
| 05/07/2020 | Piedmont Pharmaceutical Care Network | FY2021 Health Risk Assessments, biometric | Human Resources | \$60,000 |

| Date | Name | Purpose | Fiscal Impact | |
|----------------------------------|--------------------------------------|---|----------------------|------------------|
| | | | Fund | Amount |
| | | screenings and health coaching for COM employees | | |
| 05/12/2020 | Carolina Power & Signalization, Inc. | Skyway Drive and Phifer Street signal loop repair | Engineering | *\$4,750 |
| 05/18/2020 | Lawrence Associates | Professional surveying services for 694 W. Crowell Street | Downtown | *\$3,500 |
| 5/18/2020 | Carport-Central Com., Inc. | Provide building materials and labor to erect 18 x 21 building at COM Street Division property | Engineering | *\$4,046 |
| 05/18/2020 | D.H. Griffin Wrecking [CO #1] | Scott Property Demolition | Downtown | \$194,000 |
| 05/18/2020 | Carolina Audio | Install emergency response equipment in Police vehicles | Police | \$8,500 |
| 05/18/2020 | Roberts Oxygen Company, Inc. | Service Agreement for CO2 at Winchester Pool | Parks and Recreation | \$5,100 |
| 05/18/2020 | Lawrence Associates | Professional surveying services for the Monroe Police Department Headquarter and Senior Center expansion as related to demolition of slabs and Brownfield mediation | Downtown | \$16,500 |
| 05/18/2020 | Eagle Engineering, Inc. | Conduct geotechnical investigation involving drilling test borings for design of substation equipment and structures | Energy Services | \$8,200 |
| *Approved by Department Director | | | Total | \$686,862 |

There were no settlement of claims to report at this time. This item was for informational purposes only; therefore, no action was required from Council.

Item No. 7. North Carolina Main Street Designation Annual Agreement. Assistant City Manager Brian Borne advised by memorandum that prior to Fiscal Year 2020-2021, all designated Main Street and Small Town Main Streets were now required to sign a Memorandum of Understanding with North Carolina Main Street (NCMS). Mr. Borne advised that the Agreement outlined the requirements and benefits of being designated a Main Street Community. He advised that the requirements were basic best practices for operating a Main Street program and broadly followed the National Main Street Accreditation standards. Mr. Borne advised that there was no additional financial obligation associated with the signing of the Agreement. Mr. Borne advised that Monroe had been a designated community since 1998 and had signed an annual Agreement with NCMS since 2015.

Mr. Borne advised that it was the recommendation of Staff that Council authorize the Assistant City Manager/Downtown Director and the City Manager sign the North Carolina Main Street Designation Annual Agreement.

Council Member Anthony moved to authorize the Assistant City Manager/Downtown Director and the City Manager to sign the North Carolina Main Street Designation Annual Agreement. Mayor Pro Tem Holloway seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Anthony, Gordon, James, Keziah,
McGee, Mayor Pro Tem Holloway and Mayor Kilgore
NAYS: None

Item No. 8. Ordinances Approving North Carolina Municipal Power Agency 1 Project Power Sales Waiver Agreement. Energy Services Director David Lucore advised by memorandum that the City of Monroe and the North Carolina Municipal Power Agency 1 (NCMPA1) entered into a Project Power Sales Agreement in May of 1978. Mr. Lucore advised that, among other things, required the NCMPA1 to send monthly and yearly correspondence pertaining to electric energy purchases and allocations via USPS mail.

Mr. Lucore advised that since then, accounting systems and delivery systems had been developed that allowed this information to be delivered faster and more efficiently via electronic methods. He advised that approval of a Waiver Agreement would allow the NCMPA1 to discontinue service through United States Postal Service mail and allow the electronic delivery of this information to the City of Monroe.

Mr. Lucore advised that it was the recommendation of Staff that Council adopt an Ordinance approving the NCMPA1 Waiver Agreement to allow transmission of monthly and yearly documents electronically and execute the necessary documents.

Council Member Anthony moved to adopt Ordinance O-2020-25:

**ORDINANCE DETERMINING IT IS IN THE BEST INTEREST OF
CITY OF MONROE, NORTH CAROLINA
TO APPROVE A WAIVER AGREEMENT WITH
NORTH CAROLINA POWER AGENCY NUMBER 1
AND AUTHORIZING EXECUTION AND DELIVERY OF WAIVER AGREEMENT
O-2020-25**

WHEREAS, the City of Monroe, North Carolina (the "Municipality") and North Carolina Municipal Power Agency Number 1 ("Power Agency") entered into a Project Power Sales Agreement dated as of the first day of May, 1978, (as amended in 1984 and as may be further amended or supplemented, the "Project Power Sales Agreement"), pursuant to which Power Agency sells, and the Municipality purchases and pays for, the Municipality's Participant's Share (as defined in the Project Power Sales Agreement) of Project Output (as defined in the Project Power Sales Agreement); and

WHEREAS, the Municipality and Power Agency entered into a Supplemental Power Sales Agreement also dated as of the first day of May, 1978 (as amended in 1984 and as may be further amended or supplemented, the "Supplemental Power Sales Agreement" and, together with the Project Power Sales Agreement, the "Agreements"), pursuant to which Power Agency sells, and the Municipality purchases and pays for, All Requirements Bulk Power Supply (as defined in the

Supplemental Power Sales Agreement), which consists of Project Output (as defined in the Supplemental Power Sales Agreement) and Supplemental Bulk Power Supply (as defined in the Supplemental Power Sales Agreement); and

WHEREAS, Section 5(a) of each of the Agreements provides that Power Agency shall mail to the Participant prior to each Contract Year certain budget information and, when appropriate, certain amended budget information (collectively, "Annual Budget Information"); and

WHEREAS, Section 5(b) of each of the Agreements provides that Power Agency shall mail to the Participant during each month of each Contract Year a Monthly Bill (the "Monthly Bill"); and

WHEREAS, as a result of changes to Power Agency's and the Participant's accounting systems due to improvements to and enhancements in computer technology and their respective accounting and computer systems, and (ii) the advent of and improvements to electronic means of communication since the date of the Agreements, in each case making it easier, faster and more efficient for Power Agency and the Participant to communicate and exchange information, including Annual Budget Information and Monthly Bills, Power Agency and the Participant have determined that it is more efficient and preferable for Power Agency to transmit Annual Budget Information and Monthly Bills to the Participant by electronic means as opposed to United States mail, as is required by the Agreements; and

WHEREAS, on April 24, 2020, the Board of Directors of Power Agency adopted a resolution approving waiving the provisions of Section 5(a) and 5(b) of each of the Agreements requiring the mailing of Annual Budget Information and Monthly Bills, respectively, to the Participant and permitting Power Agency to provide Annual Budget Information and Monthly Bills to the Participant by electronic means (collectively, the "Waiver"), and directed that a waiver agreement (the "Waiver Agreement") be submitted to each of the Participants for approval and execution; and

WHEREAS, Power Agency has caused to be furnished to this governing body a copy of the Waiver Agreement.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Monroe, North Carolina:

1. After due consideration to the contents of each of the preambles set forth above and of the Waiver Agreement, it is hereby found and determined that it is in the best interest of the Municipality to approve and authorize the execution and delivery of the Waiver Agreement.
2. The Municipality hereby approves the form, terms and provisions of the Waiver Agreement in the form presented to the meeting at which this Ordinance is adopted, with such changes therein as shall be approved by the officials of the Municipality executing the same, their execution thereof to constitute conclusive evidence of their approval of any and all such changes. The Mayor and the Clerk of the Municipality are hereby authorized and directed to execute, acknowledge and deliver the Waiver Agreement in the name of and on behalf of the Municipality and thereupon to cause the aforesaid Waiver Agreement to be delivered to Power Agency.
3. The officers and officials of the Municipality are hereby authorized and directed to execute such further documents and to take any and all further action as, upon the advice of the Attorney of the Municipality, shall be deemed necessary or desirable in order to effectuate the execution and delivery of the Waiver Agreement.
4. The Clerk of the Municipality is hereby directed to file with the minutes of the meeting at which this Ordinance is adopted the copy of the Waiver Agreement.

5. This Ordinance shall become effective from and after its adoption.

Adopted this 2nd day of June, 2020.

Mayor Pro Tem Holloway seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Anthony, Gordon, James, Keziah,
McGee, Mayor Pro Tem Holloway and Mayor Kilgore
NAYS: None

Item No. 9. Ratification of Annual Service/Purchase Contracts and Water Chemical Bids Exceeding \$100,000 for Fiscal Year 2021. Finance Director Lisa Strickland advised by memorandum that Chapter 34 of the Code of Ordinances dictated that it was necessary to seek Council approval on the following annual service/purchases contracts and water chemical bids in excess of \$100,000:

| FY2021 Services/Purchases Exceeding \$100,000 | | | |
|---|---------------------|---------------------|--|
| Company Name | FY2020 Expenditures | FY2021 Expenditures | Synopsis |
| US Customs and Border Protection (CPB) Agency | \$123,438 | \$123,438 | For Customs inspection and processing services by a CBP officer for an aircraft, and its passengers and cargo, entering the United States at the Charlotte-Monroe Executive Airport; per the Memorandum of Agreement between the City of Monroe and US Customs and Border Protection Agency dated July 28, 2014. |
| Data Prosc | \$162,561 | \$155,260 | Bill printing services for cycle bills, notices and tax statements (Postage is included at \$107,050) Cost increase due to increased amount of bills and postage. Anticipate postage to go down due to new e-bill service. |
| Green's Commercial Cleaning | \$275,049.99 | \$428,988 | Cleaning of city facilities. Increased amount is for estimated cost of cleaning Monroe Science Center and Center Theatre once they open later in the fiscal year. |
| Lewis Tree Service Inc. (Formerly Carolina Tree Care) | \$320,000 | \$378,520 | Tree trimming services for electric right of ways. A 3% increase is expected by the contractor in FY2021. |
| Morris Trucking | \$100,615 | \$100,500 | Hauling of residuals from the Water Treatment Plant to the Waste Water Treatment Plant for pressing. Hauling bio solids and residuals from the Waste |

| FY2021 Services/Purchases Exceeding \$100,000 | | | |
|--|----------------------------|----------------------------|--|
| Company Name | FY2020 Expenditures | FY2021 Expenditures | Synopsis |
| | | | Water Treatment Plant to the field. Amount may increase or decrease based upon need of trucking of bio-solids. |
| Hinson Services | \$120,000 | \$120,000 | For maintenance, repair, and replacement of city HVAC systems. Amount may increase or decrease based upon the need of repairs and replacements. |
| Central Square, formerly Superion | \$135,200 | \$124,000 | City Financial software maintenance. Decreased upon release of planning/building department module. |
| Interlocal Risk Financing Fund of NC | \$520,000 | \$520,000 | The Property and Liability premium for all City Departments for FY2020 was \$520,000. The amount indicated is the amount budgeted for FY2021 and will not be exceeded. |
| Dawn Development | \$1,164,951 | \$2,198,066 | Construction services for electric and gas line installation. Cost increase due to services to new subdivisions. |
| Tyler Technologies | | 157,895 | City new software maintenance fees. |
| Underground Solutions | \$119,800 | \$119,800 | The water main pipe bursting strategic initiative was implemented by the Water Resource Department in April 2014 and was designed to help close the infrastructure replacement gap for water mains. The trenchless pipe bursting technology requires fusible pipe materials. Currently, there is only one manufacturer of fusible PVC pipe (FPVC), Underground Solutions Inc., and the Water Resources Department is working with them as a sole source provider of the needed pipe materials. Pricing has been stable since April 2014. Quantities of the 6-inch and 8-inch pipe may vary slightly due to field condition encountered. Purchases will be made based on unit prices provided, and will not exceed available budgeted funds without additional approvals. |
| Club Automation LLC | | \$130,000 | Aquatic center membership and financial software. |

Ms. Strickland advised these contracts were annual service and purchase contracts that reoccurred each year. She advised that funds for these contracts were included in the Fiscal Year 2021 Budget.

Due to the cancellation of the May 21, 2020 General Services Committee Meeting, Ms. Strickland advised that the Chair approved moving this matter forward under the Consent section of the June 2, 2020 City Council Regular Agenda.

Council Member Anthony moved to approve the following annual service/purchases contracts and water chemical bids in excess of \$100,000:

| FY2021 Services/Purchases Exceeding \$100,000 | | | |
|---|----------------------------|----------------------------|--|
| Company Name | FY2020 Expenditures | FY2021 Expenditures | Synopsis |
| US Customs and Border Protection (CPB) Agency | \$123,438 | \$123,438 | For Customs inspection and processing services by a CBP officer for an aircraft, and its passengers and cargo, entering the United States at the Charlotte-Monroe Executive Airport; per the Memorandum of Agreement between the City of Monroe and US Customs and Border Protection Agency dated July 28, 2014. |
| Data Prose | \$162,561 | \$155,260 | Bill printing services for cycle bills, notices and tax statements (Postage is included at \$107,050) Cost increase due to increased amount of bills and postage. Anticipate postage to go down due to new e-bill service. |
| Green's Commercial Cleaning | \$275,049.99 | \$428,988 | Cleaning of city facilities. Increased amount is for estimated cost of cleaning Monroe Science Center and Center Theatre once they open later in the fiscal year. |
| Lewis Tree Service Inc. (Formerly Carolina Tree Care) | \$320,000 | \$378,520 | Tree trimming services for electric right of ways. A 3% increase is expected by the contractor in FY2021. |
| Morris Trucking | \$100,615 | \$100,500 | Hauling of residuals from the Water Treatment Plant to the Waste Water Treatment Plant for pressing. Hauling bio solids and residuals from the Waste Water Treatment Plant to the field. Amount may increase or decrease based upon need of trucking of bio-solids. |
| Hinson Services | \$120,000 | \$120,000 | For maintenance, repair, and replacement of city HVAC systems. Amount may increase or decrease based upon the need of repairs and replacements. |
| Central Square, formerly Superion | \$135,200 | \$124,000 | City Financial software maintenance. Decreased upon release of planning/building department module. |

| FY2021 Services/Purchases Exceeding \$100,000 | | | |
|--|----------------------------|----------------------------|--|
| Company Name | FY2020 Expenditures | FY2021 Expenditures | Synopsis |
| Interlocal Risk Financing Fund of NC | \$520,000 | \$520,000 | The Property and Liability premium for all City Departments for FY2020 was \$520,000. The amount indicated is the amount budgeted for FY2021 and will not be exceeded. |
| Dawn Development | \$1,164,951 | \$2,198,066 | Construction services for electric and gas line installation. Cost increase due to services to new subdivisions. |
| Tyler Technologies | | 157,895 | City new software maintenance fees. |
| Underground Solutions | \$119,800 | \$119,800 | The water main pipe bursting strategic initiative was implemented by the Water Resource Department in April 2014 and was designed to help close the infrastructure replacement gap for water mains. The trenchless pipe bursting technology requires fusible pipe materials. Currently, there is only one manufacturer of fusible PVC pipe (FPVC), Underground Solutions Inc., and the Water Resources Department is working with them as a sole source provider of the needed pipe materials. Pricing has been stable since April 2014. Quantities of the 6-inch and 8-inch pipe may vary slightly due to field condition encountered. Purchases will be made based on unit prices provided, and will not exceed available budgeted funds without additional approvals. |
| Club Automation LLC | | \$130,000 | Aquatic center membership and financial software. |

Mayor Pro Tem Holloway seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Anthony, Gordon, James, Keziah,
McGee, Mayor Pro Tem Holloway and Mayor Kilgore
NAYS: None

Item No. 10. Resolutions.

A. Disposal by Auction Sale of 1992 Oshkosh Aircraft Fire Apparatus. Finance Director Lisa Strickland advised by memorandum that Staff was requesting authorization to dispose of a 1992 Oshkosh Aircraft Fire Apparatus as defined by G.S. 160A-266 entitled "Methods of Sale." Pursuant to G.S. 160A-270 and Title III, Chapter 34 of the City of Monroe Code of Ordinances,

Ms. Strickland advised that Staff was required to seek Council approval when the fair market value of surplus personal property was believed to exceed \$30,000.

Ms. Strickland advised that Staff would be listing the 1992 Oshkosh Aircraft Fire Apparatus on GovDeals with a reserve amount (base bid) of \$20,000. She advised that the potential proceeds of this apparatus might be in excess of \$30,000 which would require adoption of a Resolution giving authority to dispose of the vehicle. Ms. Strickland advised that the apparatus had been evaluated by management and the City Garage and met the requirements for replacement due to the age and the inability to acquire parts to repair.

Ms. Strickland advised that due to the cancellation of the May 21, 2020 General Services Committee Meeting, the Chairman had approved moving this matter forward under the Consent section of the June 2, 2020 City Council Regular Agenda.

Ms. Strickland advised that it was the recommendation of Staff that Council adopt a Resolution authorizing the disposal of the 1992 Oshkosh Aircraft Fire Apparatus.

Council Member Anthony moved to adopt Resolution R-2020-36:

**RESOLUTION AUTHORIZING DISPOSAL BY AUCTION SALE
OF 1992 OSHKOSH AIRCRAFT FIRE APPARATUS
R-2020-36**

WHEREAS, the City of Monroe (hereinafter, "City"), has accumulated surplus personal property that has a believed fair market value in excess of \$30,000; and

WHEREAS, said personal property located at the Operations Center at 2401 Walkup Avenue in Monroe, North Carolina is no longer being utilized by the City of Monroe; and

WHEREAS, North Carolina General Statute §160A-270 permits the City to sell personal property at public auction upon approval of the City Council and after publication of a notice announcing the auction; and

WHEREAS, the electronic auction site, govdeals.com will be utilized in auctioning said piece of equipment; and

WHEREAS, the property will be transferred in its current condition, as is, and the City gives no warranty with respect to usability of the property; and

WHEREAS, title and possession of the property will be transferrable at the auction's close when the sale is completed and payment is made; and

WHEREAS, the buyer will pay the full amount of his or her bid at the conclusion of the auction, either by card or wire transfer. Failure to make payment will cancel the buyer's bid.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby declares surplus and authorizes staff to dispose of by auction sale the 1992 Oshkosh Aircraft Fire Apparatus pursuant to G.S. §160A-270.

BE IT FURTHER RESOLVED THAT the City Manager is hereby authorized to take any and all action necessary regarding the disposal of the 1992 Oshkosh Aircraft Fire Apparatus.

BE IT FURTHER RESOLVED THAT the City reserves the right to withdraw any listed property from the auction at any time before the auction sale of that property.

Adopted this the 2nd day of June, 2020.

Mayor Pro Tem Holloway seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Anthony, Gordon, James, Keziah,
McGee, Mayor Pro Tem Holloway and Mayor Kilgore
NAYS: None

B. Disposal by Auction Sale of 2009 International Bucket Truck. Finance Director Lisa Strickland advised by memorandum that Staff was requesting authorization to dispose of a 2009 International Bucket Truck as defined by G.S. 160A-266 entitled "Methods of Sale." Pursuant to G.S. 160A-270 and Title III, Chapter 34 of the City of Monroe Code of Ordinances, Ms. Strickland advised that Staff was required to seek Council approval when the fair market value of surplus personal property was believed to exceed \$30,000.

Ms. Strickland advised that Staff would be listing the 2009 International Bucket Truck on GovDeals with a reserve amount (base bid) of \$28,000. She advised that the potential proceeds of this apparatus might be in excess of \$30,000 which would require adoption of a Resolution giving authority to dispose of the vehicle. Ms. Strickland advised that the apparatus had been evaluated by management and the City Garage and met the requirements for replacement due to the age and the inability to acquire parts to repair.

Ms. Strickland advised that due to the cancellation of the May 21, 2020 General Services Committee Meeting, the Chairman had approved moving this matter forward under the Consent section of the June 2, 2020 City Council Regular Agenda.

Ms. Strickland advised that it was the recommendation of Staff that Council adopt a Resolution authorizing the disposal of the 2009 International Bucket Truck.

Council Member Anthony moved to adopt Resolution R-2020-35:

**RESOLUTION AUTHORIZING DISPOSAL BY AUCTION SALE
OF 2009 INTERNATIONAL BUCKET TRUCK
R-2020-35**

WHEREAS, the City of Monroe (hereinafter, "City"), has accumulated surplus personal property that has a believed fair market value in excess of \$30,000; and

WHEREAS, said personal property located at the Operations Center at 2401 Walkup Avenue in Monroe, North Carolina is no longer being utilized by the City of Monroe; and

WHEREAS, North Carolina General Statute §160A-270 permits the City to sell personal property at public auction upon approval of the City Council and after publication of a notice announcing the auction; and

WHEREAS, the electronic auction site, govdeals.com will be utilized in auctioning said piece of equipment; and

WHEREAS, the property will be transferred in its current condition, as is, and the City gives no warranty with respect to usability of the property; and

WHEREAS, title and possession of the property will be transferrable at the auction's close when the sale is completed and payment is made; and

WHEREAS, the buyer will pay the full amount of his or her bid at the conclusion of the auction, either by card or wire transfer. Failure to make payment will cancel the buyer's bid.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby declares surplus and authorizes staff to dispose of by auction sale the 2009 International Bucket truck pursuant to G.S. §160A-270.

BE IT FURTHER RESOLVED THAT the City Manager is hereby authorized to take any and all action necessary regarding the disposal of the 2009 International Bucket truck.

BE IT FURTHER RESOLVED THAT the City reserves the right to withdraw any listed property from the auction at any time before the auction sale of that property.

Adopted this the 2nd day of June, 2020.

Mayor Pro Tem Holloway seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Anthony, Gordon, James, Keziah,
McGee, Mayor Pro Tem Holloway and Mayor Kilgore
NAYS: None

C. Fiscal Year 2020 Equipment Installment Financing. Finance Director Lisa Strickland advised by memorandum that on April 23, 2020, Staff sent requests for proposals for the 2020 Equipment Installment Financing directly to 60 financial institutions. Ms. Strickland advised that on May 14, 2020, the City received responses from six institutions.

Ms. Strickland advised that due to the cancellation of the May 21, 2020 General Services Committee Meeting, the Chairman had approved moving this matter forward under the Consent section of the June 2, 2020 City Council Regular Agenda.

Ms. Strickland advised that based on the proposals received, Staff recommended that Council adopt a Resolution approving the Fiscal Year 2020 Equipment Installment Financing to U.S. Bancorp Government Leasing and Finance, Inc. to incur the indebtedness and authorize the execution of the respective documents.

Council Member Anthony moved to adopt Resolution R-2020-39:

**RESOLUTION APPROVING MASTER TAX-EXEMPT INSTALLMENT
PURCHASE AGREEMENT AND DELIVERY THEREOF
AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS
R-2020-39**

WHEREAS, the City of Monroe, North Carolina (the "City") is a validly existing municipal corporation, existing as such under and by virtue of the Constitution, statutes and laws of the State of North Carolina (the "State");

WHEREAS, the City has the power, pursuant to the General Statutes of North Carolina to (1) enter into installment contracts in order to purchase, or finance or refinance the purchase of, real or personal property and to finance or refinance the construction or repair of fixtures or improvements on real property and (2) create a security interest in some or all of the property financed or refinanced to secure repayment of the purchase price;

WHEREAS, the City Council of the City (the "City Council") has determined that it is in the best interest of the City to enter into a Master Tax-Exempt Installment Purchase Agreement (the "Contract") with U.S. Bancorp Government Leasing and Finance, Inc. (the "Lender") in order to pay the capital costs of the acquisition and installation of an enterprise resource planning financial (ERP) system and an airport rescue fire fighting apparatus (collectively, the "Projects"), and to put a security interest in all or a portion of the Projects in favor of the Lender in order to provide security for the City's obligations under the Contract;

WHEREAS, the City will enter into the Contract in an aggregate principal amount of not to exceed \$3,129,000;

WHEREAS, there has been made available to the City Council in the office of the City's Finance Director the forms of the Contract, the Escrow Agreement among the City, the Lender and U.S. Bank National Association, as escrow agent (the "Escrow Agreement" and together with the Contract, the "Instruments") and related agreements which the City proposes to approve, enter into and deliver, as applicable, to effectuate the proposed financing at an interest rates as specified in the Contract and in the bid summary provided to the City Council; and

WHEREAS, it appears that the Instruments are in appropriate form and are appropriate instruments for the purposes intended.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MONROE, NORTH CAROLINA, AS FOLLOWS:

Section 1. Ratification of Prior Actions. All actions of the City Manager, the Assistant City Manager, the City Attorney, the Finance Director, the Accounting Manager and the City Clerk and their respective designees in effectuating the proposed financing are hereby approved, ratified and authorized pursuant to and in accordance with the transactions contemplated by the Contract.

Section 2. Approval, Authorization and Execution of Instruments. The City hereby approves the Projects in accordance with the terms of the Contract, which will be a valid, legal and binding obligation of the City in accordance with its terms. The City hereby approves the amount advanced by the Lender to the City pursuant to the Contract in an aggregate principal amount not to exceed \$3,129,000, such amount to be repaid by the City to the Lender as provided in the Contract. The form, terms and content of the Instruments are in all respects authorized, approved and confirmed, and the City Manager, the Assistant City Manager, the City Attorney, the Finance Director, the Accounting

Manager and the City Clerk or their respective designees (each a "Designated Representative"), individually or collectively, are authorized, empowered and directed to execute and deliver the Instruments for and on behalf of the City, including necessary counterparts, in substantially the forms made available to the City Council, but with such changes, modifications, additions or deletions therein as they may deem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of their approval of any and all such changes, modifications, additions or deletions, and that from and after the execution and delivery of the Instruments, each Designated Representative is hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Instruments as executed.

Section 3. Further Actions. Each Designated Representative is hereby designated as the City's representative to act on behalf of the City in connection with the transactions contemplated by the Instruments, and the Designated Representatives are authorized and directed to proceed with the Projects in accordance with the terms of the Instruments, and to seek opinions on matters of law from the City Attorney, which the City Attorney is authorized to furnish on behalf of the City, and opinions of law from such other attorneys for all documents contemplated hereby as required by law. The Designated Representatives are hereby authorized to designate one or more employees of the City to take all actions which they are authorized to perform under this Resolution, and each is in all respects authorized on behalf of the City to supply all information pertaining to the transactions contemplated by the Instruments. The Designated Representatives, individually or collectively, are authorized to execute and deliver for and on behalf of the City any and all additional certificates, documents, opinions or other papers and perform all other acts as may be required by the Instruments or as they may deem necessary or appropriate to implement and carry out the intent and purposes of this Resolution and the Instruments.

Section 4. Repealer. All motions, orders, resolutions, ordinances and parts thereof in conflict herewith are hereby repealed.

Section 5. Severability. If any section, phrase or provision of this Resolution is for any reason declared to be invalid, such declaration will not affect the validity of the remainder of the sections, phrases or provisions of this Resolution.

Section 6. Effective Date. This Resolution is effective on the date of its adoption.

Adopted this 2nd day of June, 2020.

Mayor Pro Tem Holloway seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Anthony, Gordon, James, Keziah,
McGee, Mayor Pro Tem Holloway and Mayor Kilgore
NAYS: None

D. North Carolina Department of Transportation to Modify Slogans at Optional "Welcome To" Signs Located on Lancaster Avenue and NC 200 North to Commemorate Central Academy Technology of Arts 2019 and 2020 Division 2A State Wrestling Championship. The City of Monroe has received a request from Central Academy of Technology and Arts Head Wrestling Coach Mike Jacobus to update the current slogan signs placed on Lancaster Avenue and North Carolina 200 North (Morgan Mill Road) to include their most recent 2020 Wrestling Championship. Mr. Loyd advised that the signs currently in place commemorated CATA's 2019 Division 2A State Wrestling Championship. The suggested wording follows:

CENTRAL ACADEMY
2019 & 2020 2-A STATE
WRESTLING CHAMPIONS

Mr. Loyd advised that the practice of recognizing the accomplishments of sports teams for the local high schools started in 2010 with recognition signs placed at the corporate limits in conjunction with the optional "Welcome To" Monroe signs to recognize the Monroe High Men's 2010 Basketball Team. He advised that the recognition (slogan) signs were currently placed in conjunction with the optional "Welcome To" signs at six major entry points into the Monroe corporate limits. Mr. Loyd advised that the six locations were: US 74 West and East; US 601 North and South; NC 200 North; and, Lancaster Avenue (SR 3515).

Mr. Loyd advised that the above-identified roadways were under the jurisdiction of the North Carolina Department of Transportation (NCDOT). He advised that the NCDOT Policy W-17 – *Standard Practice for Optional "Welcome To" Signs* stipulated that signs with slogans were limited to two slogans with a maximum of three lines of copy. Due to these requirements, Mr. Loyd advised that the signs were limited to recognizing one team per location. He advised that the proposed slogans required three lines of copy for the recognition. Mr. Loyd advised that dated sign messages in accordance with NCDOT Policy W-17 had a three-year life. He advised that a Resolution approved by Council was required for placement of the slogan signs and must specify a maximum installation of three years for any dated sign message.

Mr. Loyd advised that if approved, the following sport recognitions would be in place.

| SCHOOL | LOCATION |
|---|---------------------------------|
| Union Academy 2018 Women's Soccer | US 601 North & US 601 South |
| Central Academy 2019 & 2020 Men's Wrestling | NC 200 North & Lancaster Avenue |
| Union Academy 2019 Women's Soccer | US 74 East & US 74 West |

Mr. Loyd advised that due to the cancellations of the April 16, 2020 and May 21, 2020 General Services Committee Meetings, the Chairman and City Manager had approved moving this matter forward under the Consent section of the June 2, 2020 City Council Regular Agenda.

Mr. Loyd advised that it was the recommendation of Staff that Council adopt a Resolution requesting NCDOT to allow the installation of signs on Lancaster Avenue (SR 3515) and NC 200 North (Morgan Mill Road) to commemorate the Central Academy 2019 and 2020 2A State Wrestling Champions. He advised that the slogan signs would be placed in conjunction with the existing optional "Welcome To" Monroe signs.

Council Member Anthony moved to adopt Resolution R-2020-31:

**RESOLUTION REQUESTING
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
MODIFY SLOGANS AT OPTIONAL "WELCOME TO" SIGNS
LOCATED ON LANCASTER AVENUE AND NC 200 NORTH
R-2020-31**

WHEREAS, the Central Academy of Technology and Arts Wrestling Team won the 2020 Division 2A State Wrestling Championship and previously the 2019 Division 2A State Wrestling Championship;

WHEREAS, the 2019 Central Academy Division 2A State Wrestling Championship is currently recognized by slogan signs placed with the optional "Welcome To" Monroe signs on Lancaster Avenue (SR 3515) and NC 200 North (Morgan Mill Road);

WHEREAS, the City of Monroe has received a request from Wrestling Coach Mike Jacobus to recognize the 2020 Central Academy Wrestling Champions by updating the current slogan to include both the 2019 & 2020 Wrestling Champions and the request has been endorsed by the City's General Services Committee;

WHEREAS, in accordance with North Carolina Department of Transportation (NCDOT) Policy W-17 *Standard Practice for Optional "Welcome To" Signs*, all costs associated with administration, designing, fabricating, erecting, inspection and maintaining any approved optional "Welcome To" signs will be the responsibility of the requesting party or others;

WHEREAS, the optional "Welcome To" signs may include a maximum of two slogans not to exceed three lines of copy in total;

WHEREAS, the City of Monroe and the City Council have a firm commitment to supporting our student athletes;

WHEREAS, the City of Monroe currently has signs at six entry points into the corporate limits supporting various sports teams for the local schools;

WHEREAS, the current signs on Lancaster Avenue (SR 3515) & NC 200 North (Morgan Mill Road) recognizing their 2019 State Wrestling Champions are to be removed and replaced by signs recognizing both the 2019 & 2020 Central Academy Division 2A State Wrestling Champions.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Monroe formally requests the NCDOT to allow the removal of the existing signs on Lancaster Avenue (SR 3515) and NC 200 North (Morgan Mill Road and replacement with signs commemorating the Central Academy Division 2019 and 2020 2-A State Wrestling Champions in their place.

Adopted this 2nd day of June, 2020.

Mayor Pro Tem Holloway seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Anthony, Gordon, James, Keziah,
McGee, Mayor Pro Tem Holloway and Mayor Kilgore
NAYS: None

E. Retiring Employee Kathy G. Henderson. Parks and Recreation Director Tonya Edwards advised by memorandum that Monroe Aquatics and Fitness Center Director, Kathy Henderson, retired on April 30, 2020. She advised that Ms. Henderson joined the City on November 1, 1993 and retired with over 25 years of service.

Ms. Edwards advised that it was the recommendation of Staff that Council adopt a Resolution expressing appreciation to Ms. Henderson for her service to the City of Monroe over the past 25

years and extending best wishes on her retirement. She advised that the Resolution would be presented to Ms. Henderson at a later date.

Council Member Anthony moved to adopt Resolution R-2020-38:

**RESOLUTION OF MONROE CITY COUNCIL
HONORING RETIRING EMPLOYEE
KATHY G. HENDERSON
R-2020-38**

WHEREAS, on the occasion of her retirement on April 30, 2020, the City Council wishes to express its sincere appreciation to Kathy Henderson for her loyal and dedicated service to the City of Monroe Parks and Recreation Department; and

WHEREAS, Kathy Henderson joined the City of Monroe in the Parks and Recreation Department on November 1, 1993 as the Recreation Program Coordinator; and

WHEREAS, Kathy Henderson was promoted to the Director of the Monroe Aquatics and Fitness Center on September 1, 1997; and

WHEREAS, she has dutifully guided the staff of this facility in providing aquatic, fitness and specialty programs to enhance the lives of both City of Monroe and Union County residents as well as those in surrounding Counties; and

WHEREAS, during Kathy's tenure as the Director of the Monroe Aquatics and Fitness Center, she has lead this facility through six major expansions totaling in excess of ten million dollars; and

WHEREAS, she has implemented numerous improvements to the operations and program offerings that have enhanced member's experiences with customer service always remaining a top priority; and

WHEREAS, as Kathy's duties and responsibilities continually grew in this role, she worked diligently to meet the growing needs of both the staff and members; and

WHEREAS, the Monroe City Council is extremely proud of the contributions made by Kathy Henderson and her dedicated service and professionalism to the Monroe Aquatics and Fitness Center and our City. She is an asset that we are proud to claim.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council publicly express their sincere appreciation to Kathy Henderson for her outstanding performance of duty to Monroe Aquatics and Fitness Center and the City of Monroe and extend very best wishes in her retirement and future endeavors.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Monroe to be affixed this the 2nd day of June, 2020.

Mayor Pro Tem Holloway seconded the motion, which passed unanimously with the following votes:

| | |
|-------|--|
| AYES: | Council Members Anthony, Gordon, James, Keziah, McGee, Mayor Pro Tem Holloway and Mayor Kilgore |
| NAYS: | None |

F. Retiring Employee Patricia McClendon Huntley. Parks and Recreation Director Tonya Edwards advised by memorandum that Parks and Recreation Center Supervisor Patricia Huntley retired at the end of April 2020. She advised that Ms. Huntley joined the City in June of 1991 and retired with over 29 years of service.

Ms. Edwards advised that it was the recommendation of Staff that Council adopt a Resolution expressing appreciation to Ms. Huntley for her service to the City of Monroe over the past 29 years and extending best wishes on her retirement. She advised that the Resolution would be presented to Ms. Huntley at a later date.

Council Member Anthony moved to adopt Resolution R-2020-33:

**RESOLUTION OF MONROE CITY COUNCIL
HONORING RETIRING EMPLOYEE
PATRICIA McCLENDON HUNTLEY
R-2020-33**

WHEREAS, on the occasion of her retirement on April 30th, 2020, Monroe City Council wishes to express its sincere appreciation to Patricia M. Huntley for her loyal and dedicated service to the City of Monroe Parks and Recreation Department; and

WHEREAS, Patricia Huntley has been employed by the City of Monroe Parks and Recreation Department since June of 1991 dutifully serving as a Recreation Center Supervisor providing excellent customer service; and

WHEREAS, the City of Monroe is extremely proud of the contributions of Patricia Huntley and her dedicated service and professionalism to the families that utilize the J. Ray Shute Community Center and our City and is an asset that we are proud to claim; and

WHEREAS, she has selflessly provided programs that have enriched the lives of families and children while promoting their mental, physical and social wellbeing and has made a positive impact on the families of our community; and

WHEREAS, the City Council of the City of Monroe wishes to acknowledge and express its appreciation to Patricia Huntley for her 29 years of distinguished service, noting that she will be missed both professionally and personally as a coworker and friend to many.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council publicly express their sincere appreciation to Patricia McClendon Huntley for her outstanding performance of duty to the City of Monroe and extend very best wishes in her retirement and future endeavors.

BE IT FURTHER RESOLVED that this Resolution be entered upon the permanent Minutes of the City Council.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Monroe to be affixed this the 2nd day of June, 2020.

Mayor Pro Tem Holloway seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Anthony, Gordon, James, Keziah,
McGee, Mayor Pro Tem Holloway and Mayor Kilgore
NAYS: None

Item No. 11. Retiring Employee William Franklin Kilgo. Police Chief Bryan Gilliard advised by memorandum that Police Lieutenant William Franklin Kilgo would be retiring from the City. Mr. Gilliard advised that the General Assembly of North Carolina recognized the importance and the symbolism of a Police Officer's service side arm. He advised that General Statute §20-187.2 authorized municipalities, at the discretion of the governing board, to honor retiring Police Officers by awarding them their service side arms. Mr. Gilliard shared that §20-187.2 stated that the City Council might "award to a retiring member ... upon request, the service side arm of such retiring member[,], at a price determined by such governing body, upon determining that the person receiving the weapon is not ineligible to own, possess, or receive a firearm." He advised that recognizing the importance of this side arm to Mr. Kilgo, Staff felt it was fitting and proper to honor him by awarding him his side arm to cherish during retirement.

In accordance with General Statute §20-187.2, Mr. Gilliard advised that it was the recommendation of Staff that Council set the price of the service side arm at \$ 0.01 (one cent), and find that Mr. Kilgo was eligible to own, possess, or receive his service side arm. In addition, he advised that Staff further recommended that Council adopt a Resolution in appreciation for Mr. Kilgo's service to the citizens of Monroe to be presented at a later time.

A. Award of Service Side Arm (Surplus Equipment). Council Member Anthony moved to find Police Lieutenant William Franklin Kilgore eligible to own, possess, or receive his service side arm and sets the cost of his service side arm (surplus equipment) at \$ 0.01 (one cent). Mayor Pro Tem Holloway seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Anthony, Gordon, James, Keziah,
McGee, Mayor Pro Tem Holloway and Mayor Kilgore
NAYS: None

B. Resolution. Council Member Anthony moved to adopt Resolution R-2020-28:

**RESOLUTION OF MONROE CITY COUNCIL
HONORING RETIRING EMPLOYEE
WILLIAM FRANKLIN KILGO
R-2020-28**

WHEREAS, on the occasion of his retirement on June 1, 2020, the City Council wishes to express its sincere appreciation to William Franklin Kilgo for his loyal and dedicated service to the City of Monroe Police Department; and

WHEREAS, he has diligently served the City as a police officer, sergeant, and lieutenant; and

WHEREAS, for 26 years and 5 months, William Franklin Kilgo has focused on the safety and protection of the residents of the City of Monroe; and

WHEREAS, William Franklin Kilgo has faithfully and loyally discharged his duties and has represented the Monroe Police Department and the City of Monroe with honor, integrity and the utmost professionalism; and

WHEREAS, the City of Monroe is most grateful for the specialized and personal contributions and sacrifices William Franklin Kilgo has made to the City of Monroe; and

WHEREAS, the City Council of the City of Monroe wishes to acknowledge and express its appreciation to him for the years of distinguished service to the residents of Monroe, noting that William Franklin Kilgo will be missed both professionally and as a friend.

NOW, THEREFORE BE IT RESOLVED, I, Bobby G. Kilgore, by the virtue of the authority vested in me as Mayor of the City of Monroe, do hereby proclaim William Franklin Kilgo a vital part of the City of Monroe community and encourage all citizens to express appreciation and support for his accomplishments.

BE IT FURTHER RESOLVED that this Resolution be entered upon the permanent Minutes of the City Council.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Monroe to be affixed this the 2nd day of June 2020.

Mayor Pro Tem Holloway seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Anthony, Gordon, James, Keziah,
McGee, Mayor Pro Tem Holloway and Mayor Kilgore
NAYS: None

Item No. 12. Right-of-Way Dedication to North Carolina Department of Transportation at 780 Charlotte Avenue. Parks and Recreation Director Tonya Edwards advised by memorandum that at the July 16, 2019 City Council Strategic Planning Meeting, Council approved funds in the amount of \$163,533 for the design and construction for Phase I-A of the Belk Tonawanda Park expansion project located at 780 Charlotte Avenue. Ms. Edwards advised that this phase included the construction of a parking lot and pedestrian path into the park and signage. As a part of the permitting process for this project, she advised that the North Carolina Department of Transportation had requested a 30-foot right-of-way dedication along the road frontage of this property.

Ms. Edwards advised that Staff along with the consultant providing the design and bidding services for this project have reviewed the right-of-way request and felt that granting this request would have no negative impacts to this project or future phases of this development.

Ms. Edwards advised that City Departments that have existing utilities in the requested right-of-way have been consulted and were in agreement with granting this request.

Ms. Edwards advised that due to the cancellation of the May 19, 2020 Public Enterprise Committee Meeting, the Chairman approved moving this matter forward under the Consent section of the June 2, 2020 City Council Meeting.

Ms. Edwards advised that it was the recommendation of Staff that Council approve the dedication of a 30-foot right-of-way to the North Carolina Department of Transportation along the road frontage of 780 Charlotte Avenue with the Mayor being authorized to sign the Certificate of Ownership and Dedication on behalf of the City of Monroe on the plat as prepared by F. Donald Lawrence for the right-of-way dedication along Charlotte Avenue.

Council Member Anthony moved to approve the dedication of a 30-foot right-of-way to the North Carolina Department of Transportation along the road frontage of 780 Charlotte Avenue and authorization for the Mayor to sign the Certificate of Ownership and Dedication on behalf of the City of Monroe on the plat as prepared by F. Donald Lawrence for the right-of-way dedication along Charlotte Avenue. Mayor Pro Tem Holloway seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Anthony, Gordon, James, Keziah,
McGee, Mayor Pro Tem Holloway and Mayor Kilgore
NAYS: None

Item No. 13. Sanitary Sewer Inspection and Repair. Water Resources Director Russ Colbath advised by memorandum that Staff received informal bid proposals on April 27, 2020 for the sanitary sewer inspection and repair work. Mr. Colbath advised that the project consisted of cleaning and inspection for 27,489 linear feet of sewer main, 6,996 linear feet of cured-in-place pipe lining, 315 vertical feet of sanitary sewer manhole rehabilitation, rehabilitation of the Dry Fork pump station wet well and valve vault and 24 sanitary sewer main cured-in-place point repairs. He advised that the project was part of the on-going Sewer Asset Management Program. Mr. Colbath advised that the project would occur at many locations throughout the City of Monroe. He advised that specific locations were listed in the contract documents.

Mr. Colbath advised that proposals were received from the following contractors:

| Contractor | Proposal |
|--------------------------------|-----------------|
| Vortex Companies | \$468,168.69 |
| Bio-Nomic Services, Inc. | \$576,377.56 |
| BLD | No Bid Received |
| Compliance Envirosystems (CES) | No Bid Received |
| Dun-Right Services | No Bid Received |
| Engineered Lining Systems | No Bid Received |
| Insituform | No Bid Received |
| United Sewer Services, Inc. | No Bid Received |

Because budgeted funds were available and based on the Mayoral Committee Principals dated November 19, 2019, Mr. Colbath advised that this contract award was coming directly to Council without a Committee recommendation.

Mr. Colbath advised that it was the recommendation of Staff that Council award the contract to Vortex Companies in the amount of \$468,168.69 which included a 2.5% contingency and authorize the City Manager to execute all necessary documents.

A. Award of Contract to Vortex Companies. Council Member Anthony moved to award the contract for the Sanitary Sewer Inspection and Repair to Vortex Companies in the amount of \$468,168.69 which included a 2.5% contingency. Mayor Pro Tem Holloway seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Anthony, Gordon, James, Keziah,
McGee, Mayor Pro Tem Holloway and Mayor Kilgore
NAYS: None

B. City Manager to Execute Documents. Council Member Anthony moved to authorize the City Manager to execute any and all necessary documents with regard to the contract for the Sanitary Sewer Inspection and Repair. Mayor Pro Tem Holloway seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Anthony, Gordon, James, Keziah,
McGee, Mayor Pro Tem Holloway and Mayor Kilgore
NAYS: None

Item No. 14. Tax Releases for April 2020. Finance Director Lisa Strickland advised by memorandum that the refunds and releases of taxes pursuant to North Carolina General Statute §105-381 for April 2020 were \$1,562.41. Ms. Strickland advised that the releases were created by a change or reduction in value for the City of Monroe by the Union County Tax Assessor.

Ms. Strickland advised that the Union County Commissioners had previously approved these releases and Staff was now requesting that Council approve the tax releases for April 2020 in the amount of \$1,562.41.

Council Member Anthony moved to approve tax refunds and/or releases for April 2020 in the amount of \$1,562.41. Mayor Pro Tem Holloway seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Anthony, Gordon, James, Keziah,
McGee, Mayor Pro Tem Holloway and Mayor Kilgore
NAYS: None

Item No. 15. Waste Water Treatment Plant Electrical Equipment Replacement/Upgrade. Water Resources Director Russ Colbath advised by memorandum that Staff received informal bid proposals on May 28, 2020 for the replacement/upgrade of electrical equipment at the Waste Water Treatment Plant (WWTP). Mr. Colbath advised that the project would involve replacing/installing electrical breakers, transformers, transfer switches, and conduit and wiring, etc. to improve

reliability of the WWTP and waste water service to the City. He advised that it would also improve Arc Flash safety considerations. Mr. Colbath advised that the contract stipulated that all work must be completed in 150 consecutive calendar days.

Mr. Colbath advised that proposals were received from the following contractors:

| Contractor | Proposal |
|--------------------------------|-----------|
| McCarter Electric | No Bid |
| Phillip J. Mungo Co. | \$237,572 |
| Sanford Electrical Contractors | No Bid |
| Page Power Systems | \$268,065 |
| JT Yates Electric | No Bid |

Because budgeted funds were available and based on the Mayoral Committee Principals dated November 19, 2019, Mr. Colbath advised that this contract award was coming directly to Council without a Committee recommendation.

Mr. Colbath advised that it was the recommendation of Staff that Council award the contract to Phillip J. Mungo Co. in the amount of \$237,572 and authorize the City Manager to execute all necessary documents.

A. Award of Contract to Phillip J. Mungo Co. Council Member Anthony moved to award the contract for the Waste Water Treatment Plant Electrical Equipment Replacement/Upgrade to Phillip J. Mungo Co. in the amount of \$237,572. Mayor Pro Tem Holloway seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Anthony, Gordon, James, Keziah,
McGee, Mayor Pro Tem Holloway and Mayor Kilgore
NAYS: None

B. City Manager to Execute Documents. Council Member Anthony moved to authorize the City Manager to execute any and all necessary documents with regard to the contract for the Waste Water Treatment Plant Electrical Equipment Replacement/Upgrade. Mayor Pro Tem Holloway seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Anthony, Gordon, James, Keziah,
McGee, Mayor Pro Tem Holloway and Mayor Kilgore
NAYS: None

Item No. 16. Water Treatment Plant Electrical Equipment Replacement/Upgrade. Water Resources Director Russ Colbath advised by memorandum that Staff received informal bid proposals on May 28, 2020 for the replacement/upgrade of electrical equipment at the Water Treatment Plant (WTP). Mr. Colbath advised that the project would involve replacing/installing electrical breakers, transformers, transfer switches, and conduit and wiring, etc. to improve reliability of the WTP and water supply to the City. He advised that the contract stipulated that all work must be completed in 120 consecutive calendar days.

Mr. Colbath advised that bid proposals were received from the following qualified electrical contractors:

| Contractor | Proposal |
|--------------------------------|-----------|
| McCarter Electric | No Bid |
| Phillip J. Mungo Co. | \$168,364 |
| Sanford Electrical Contractors | No Bid |
| Page Power Systems | \$190,283 |
| JT Yates Electric | No Bid |

Because budgeted funds were available and based on the Mayoral Committee Principals dated November 19, 2019, Mr. Colbath advised that this contract award was coming directly to Council without a Committee recommendation.

Mr. Colbath advised that it was the recommendation of Staff that Council award the contract to Phillip J. Mungo Co. in the amount of \$168,364 and authorize the City Manager to execute all necessary documents.

A. Award of Contract to Phillip J. Mungo Co. Council Member Anthony moved to award the contract for the Water Treatment Plant Electrical Equipment Replacement/Upgrade to Phillip J. Mungo Co. in the amount of \$168,364. Mayor Pro Tem Holloway seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Anthony, Gordon, James, Keziah,
McGee, Mayor Pro Tem Holloway and Mayor Kilgore
NAYS: None

B. City Manager to Execute Documents. Council Member Anthony moved to authorize the City Manager to execute any and all necessary documents with regard to the contract for the Water Treatment Plant Electrical Equipment Replacement/Upgrade. Mayor Pro Tem Holloway seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Anthony, Gordon, James, Keziah,
McGee, Mayor Pro Tem Holloway and Mayor Kilgore
NAYS: None

REGULAR AGENDA

Item No. 17. Zoning Text Amendment Requests to Chapter 156: Zoning Code, Section 156.14 titled "Definitions of Basic Terms" and Section 156.110 titled "Table of Permissible Uses."

A. Public Hearing. Mayor Kilgore opened the duly advertised public hearing.

Senior Planner Doug Britt advised that this was a consideration of zoning text amendments to Section 156.14 entitled "Definitions of Basic Terms" and Section 156.110 of the Unified Development Ordinance titled "Table of Uses."

Mr. Britt advised that Staff received a request from the Monroe-Union County Economic Development Department to add a definition and use for Vocational Schools to the Unified Development Ordinance. Specifically, he advised that this text amendment would allow Vocational Schools that met the definition in the General Industrial (GI) and General Business (GB) zoning districts by right.

Mr. Britt advised that Staff presented this matter to the Planning Board on February 12, 2020.

Mr. Britt advised that it was the recommendation of the Planning Board that Council approve the requests by adopting a Resolution approving Land Development Plan Compliance and adopting an Ordinance amending Section 156.14 titled "Definitions of Basic Terms" and Section 156.110 of the Unified Development Ordinance titled "Table of Permissible Uses."

There being no other speakers, Mayor Kilgore closed the public hearing.

B. Action – Resolution Approving Land Development Plan Compliance. Council Member Anthony moved to adopt Resolution R-2020-26:

**RESOLUTION APPROVING LAND DEVELOPMENT PLAN COMPLIANCE
VOCATIONAL SCHOOLS
R-2020-26**

WHEREAS, in accordance with the provisions of North Carolina General Statute 160A-383, the City Council does hereby find and determine that the adoption of the zoning text amendment to add Vocational Schools to the Table of Uses as well as add a definition of Vocational Schools is consistent with the adopted Land Development Plan. The vision of the Land Development Plan is that Monroe will be a dynamic and progressive City that promotes growth that boosts our economy, protects our neighborhoods, and enhances our downtown. Our vibrant community will be a great place to live and work, highlighted by safe and attractive neighborhoods, quality parks and open spaces, and transportation options that make it easy to travel throughout the City. The proposed use is a reasonable use and in the public interest because by adding this use and definition, we will be allowing additional development opportunities for uses that will make Monroe a great place to live and work.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Monroe adopts the Resolution approving Land Development Plan Compliance for the addition of Vocational Schools to the Table of Uses and Definitions.

Adopted this 2nd day of June, 2020.

Council Member Keziah seconded the motion, which passed unanimously with the following votes:

| | |
|-------|--|
| AYES: | Council Members Anthony, Gordon, James, Keziah, McGee, Mayor Pro Tem Holloway and Mayor Kilgore |
| NAYS: | None |

C. Action – Ordinance Amending Code of Ordinances – Section 156.14 titled “Definitions of Basic Terms” and Section 156.110 of the Unified Development Ordinance titled “Table of Permissible Uses.” Council Member Anthony moved to adopt Ordinance O-2020-17:

**ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE XV: LAND USES
CHAPTER 156: ZONING CODE
O-2020-17**

Preamble

Pursuant to authority conferred by Chapter 160A-381 of the North Carolina General Statutes, as amended and for the purpose of promoting the health, safety, morals, or general welfare of the inhabitants of the City by lessening congestion in and around the streets; securing safety; preventing the overcrowding of land; avoiding undue congestion; and facilitating the adequate provision of transportation,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONROE THAT TITLE XV, CHAPTER 156: ZONING CODE OF THE CITY OF MONROE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

TEXT AMENDMENT

Section 1. Amend §156.14: “DEFINITIONS OF BASIC TERMS” as follows:

SCHOOLS, VOCATIONAL (also called trade school, career center or vocational college/institution). A type of educational institution designed to provide vocational education, or technical skills required to perform the tasks of a particular and specific job. Vocational Schools that provide specialized training in one of the following specific career fields, trade, or profession: computer technology, electronics, aviation/avionics, commercial automotive technology, CDL training, welding and specialized metal working, and utility profession (water and sewer specialists, electric lineman, natural gas lineman, and telecommunication specialists) trades.

Section 2. Amend §156.110: “TABLE OF PERMISSIBLE USES” as follows:

| <i>DESCRIPTION</i> | <i>R-40/ R-20</i> | <i>R-10</i> | <i>R-MF</i> | <i>R-MH</i> | <i>OT</i> | <i>CBD</i> | <i>GB</i> | <i>GI</i> | <i>C</i> |
|---------------------------|------------------------------|--------------------|--------------------|--------------------|------------------|-------------------|------------------|------------------|-----------------|
| Vocational Schools | | | | | | | <i>Z</i> | <i>Z</i> | |

Adopted this 2nd day of June, 2020.

Council Member Keziah seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Anthony, Gordon, James, Keziah,
McGee, Mayor Pro Tem Holloway and Mayor Kilgore
NAYS: None

Item No. 18. Downtown PRONTO Grant to Pranee Loffer for Thai Tamarind.

A. Public Hearing. Mayor Kilgore opened the duly advertised public hearing.

Assistant City Manager Brian Borne advised by memorandum that this was a consideration of a PRONTO Downtown economic development incentive grant to Pranee Loffer, the owner of the Thai Tamarind, located at 109 S. Main Street. Mr. Borne advised that Ms. Loffer had entered into a lease agreement to operate her current restaurant business. He advised that the new business totaled approximately 1,752 square feet of restaurant space and was in the Downtown Master Plan area.

Mr. Borne advised that Staff presented this matter to the Downtown Advisory Board on February 25, 2020.

Mr. Borne advised that it was the recommendation of the Downtown Advisory Board and Staff that Council approve the Downtown incentive as outlined with the following stipulations: grant funds for the PRONTO was to not exceed \$8,760 payable over a one-year period based on rent paid per quarter; the City would not advance grant funds until proof of rent payment had been completed each quarter; and, once the applicant had submitted the required documents as proposed, funds would be made available.

Mr. Borne advised that it was the recommendation of the Downtown Advisory Board and Staff that Council approve the award of the PRONTO Downtown economic development incentive grant by adopting a Resolution approving the award of an incentive agreement, approving an Incentive Agreement and adopting a Budget Amendment.

There being no other speakers, Mayor Kilgore closed the public hearing.

B. Action – Resolution Awarding Incentive Grant. Council Member Anthony moved to adopt Resolution R-2020-44:

**RESOLUTION OF MONROE CITY COUNCIL
TO AWARD DOWNTOWN INCENTIVE TO
THAI TAMARIND
R-2020-44**

WHEREAS, the City of Monroe has adopted a Downtown Incentive Grants Program, hereinafter "Program"; and,

WHEREAS, Thai Tamarind, has duly applied for a Downtown Incentive Grants under said program; and,

WHEREAS, a public hearing was conducted by the City Council on June 2, 2020, at which hearing testimony was given by Mr. Brian J. Borne, Assistant City Manager; Director, Downtown Monroe for the City of Monroe; and,

WHEREAS, the City Council makes the following findings with respect to said application:

1. Thai Tamarind located at 109 S. Main Street is approximately 1,752 square feet of restaurant space and is within the Downtown Monroe Master Plan area.
2. The applicant has a new restaurant business at street level in accordance with the Downtown Master Plan.
3. The restaurant has had a significant effect on revitalization of the City's Central Business District as indicated in the Downtown Master Plan.
4. That the applicant meets all other applicable requirements of the Program set forth by the City Council.
5. The business (a) stimulates the local economy, (b) promotes business, and (c) results in creation of job(s) that pay at or above the median wage.

WHEREAS, based on the above findings and other documentation in the file the City Council concludes that the applicant qualifies for the Program for an amount not to exceed \$8,760 with rent subsidy funds available over a year period (one installment per quarter, \$2,190). With qualification for the incentive established and the economic benefits accrued to the City in the form of new employment, increased tax base and property value, downtown revitalization, and increased City utility revenues, the grant application should be approved subject to compliance with the Program and subject to appropriation; and,

WHEREAS, the City of Monroe and Thai Tamarind seek to enter into an Economic Incentive Agreement under the terms and conditions stated therein.

NOW, THEREFORE, BE IT RESOLVED THAT the incentive application of Thai Tamarind for Downtown Incentive Grants Program is hereby approved pursuant to the terms and conditions set out in the attached Incentive Agreement, the Incentive Agreement with Thai Tamarind is approved and the Mayor and other staff, as necessary, are authorized to execute any and all documents and instruments necessary to carry out said approval. The appropriation of any funds is reserved for future action consistent with the terms of the Incentive Agreement.

Adopted this 2nd day of June 2020.

Council Member Keziah seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Anthony, Gordon, James, Keziah,
McGee, Mayor Pro Tem Holloway and Mayor Kilgore
NAYS: None

C. Action – Incentive Agreement. Council Member Anthony moved to approve the Incentive Agreement:

INCENTIVE AGREEMENT

This **INCENTIVE AGREEMENT** made and entered this 2nd day of June, 2020 between Thai Tamarind (the "Company") and the **CITY OF MONROE** (the "City").

WHEREAS, The North Carolina General Statute 158-7.1 and 160A-458.3 authorizes a municipality to undertake an economic development project by extending assistance to a company as an incentive to cause the company to renovate and rehabilitate a downtown historic structure thereby expanding the tax base of the City and providing jobs for its citizens; and

WHEREAS, the Monroe City Council adopted a Downtown Incentive Grants Program to provide such assistance as an incentive for new investments in the downtown, City of Monroe; and

WHEREAS, City Council adopted a Downtown Master Plan which calls for increased investment and private development in Downtown Monroe; and

WHEREAS, the Downtown Master Plan identified and emphasized the importance of developing restaurant and retail for increased downtown development; and

WHEREAS, the Company plans to make certain improvements and renovations at 109 S. Main Street for restaurant use; and

WHEREAS, the Company intends to use preservation/rehabilitation as an economic development tool by its expansion and anticipates creating new job(s); and

WHEREAS, such business expansion qualifies for assistance through the Downtown Incentive Grants Program by the City, and the City Council of the City of Monroe, after public hearing, approved granting up to \$8,760.00 (Eight Thousand Seven Hundred Sixty Dollars) to the Company as rent subsidy under the terms and conditions stated herein based on the qualifying investment of the Company; and

WHEREAS, the Company and the City enter into this agreement to describe the incentives to be provided by the City in connection with the Company's investments and renovation in the City's downtown central business district.

NOW THEREFORE, in consideration of the foregoing premises and the mutual covenants contained in this agreement, the parties agree as follows:

1. **Capital Investments:** Up-fit improvements and new investment shall be made to the Property as described herein. The Company shall provide the City with all necessary documentation and access to the Property to inspect improvements necessary to confirm compliance by the Company prior to the City's advance of grant funds at completion of construction.
2. **City Grant:** The City agrees to grant to the Company up to \$8,760.00 rent subsidy over a one (1) year period (payable quarterly) upon completion of rehabilitation, renovations, and improvements pursuant to the plans submitted to the City.
3. **Limitations:** The grant is subject to the Company meeting the minimum qualifications required by the City of Monroe Downtown Incentive Grants Program (the terms of which are incorporated herein by reference) and upon the terms and conditions set out in attached Exhibit A which are incorporated as if fully set out herein.
4. **Assignments:** No party shall sell or assign any interest in or obligation under this Agreement without the prior expressed written consent of all the parties, no reasonable approval withheld.
5. **E-Verify Requirement.** The Contractor shall comply with the requirements of Article 2 of Chapter 64 of the General Statutes. Further, if the Contractor utilizes a subcontractor, the Contractor shall require the subcontractor to comply with the requirements of Article 2 of Chapter 64 of the General Statutes.

6. **Limitation of Obligation by the City: NO PROVISION OF THIS AGREEMENT SHALL BE CONSTRUED OR INTERPRETED AS CREATING A PLEDGE OF THE FAITH AND CREDIT OF THE CITY WITHIN THE MEANING OF ANY CONSTITUTIONAL DEBT LIMITATION.** No provision of this Agreement shall be construed or interpreted neither as delegating governmental powers nor as a donation or the lending of the credit of the City within the meaning of the North Carolina constitution. This Agreement shall not directly or indirectly or contingently obligate the City to make any payments beyond those appropriated in the City's sole discretion for any fiscal year in which this Agreement shall be in effect. No provision of this agreement shall be construed to pledge or create a lien on any class or source of the City's moneys, nor shall any provision of this Agreement restrict to any extent prohibited by law, any action or right of action on the part of any future City governing body. To the extent of any conflict between this paragraph and any other provision of this Agreement, this paragraph shall take priority.

7. **Miscellaneous:**

- a. This Agreement shall be governed by and interpreted by the laws of the State of North Carolina.
- b. Nothing contained in this Agreement shall be deemed or construed so as to in any way estop, limit, or impair the City from exercising or performing any regulatory, policing, legislative, governmental, or other powers or functions.
- c. Any Communication required or permitted by this Agreement must be in writing and shall be deemed given when delivered by hand for mailing first-class mail, postage paid, and addressed as follows:

If to the Company: Thai Tamarind
109 S. Main Street
Monroe, NC 28112
Attn: Pranee Loffer

If to the City: City of Monroe
PO Box 69
Monroe, NC 28111-0069
Attn: E.L. Faison, City Manager

- d. If any provision of this Agreement shall be determined to be unenforceable, that provision shall be severable and shall not affect any other provisions of this Agreement.
- e. This Agreement constitutes the entire agreement between the parties, and this Agreement shall not be changed or modified except in writing signed by all the parties.
- f. Subject to the specific provisions of this Agreement, this Agreement shall be binding upon and inure to the benefit of and be enforceable by the parties and their respective successors and assigns.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in their corporate names by their duly authorized officers, all as of the date first above written.

Council Member McGee seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Anthony, Gordon, James, Keziah,
McGee, Mayor Pro Tem Holloway and Mayor Kilgore
NAYS: None

D. Budget Amendment. Council Member Anthony moved to adopt Budget Amendment BA-2020-11:

**BUDGET AMENDMENT
BA-2020-11**

1. Amendment necessary to appropriate funds for Downtown Incentive Programs for Thai Tamarind.

General Fund:

Revenues:

Appropriation of Fund Balance \$8,760

Expenses:

Transfer to Downtown Monroe Fund \$8,760

Downtown Monroe Fund:

Revenues:

Transfer from General Fund \$8,760

Expenses:

Downtown Incentive Programs \$8,760

Adopted this 2nd day of June, 2020.

Council Member Keziah seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Anthony, Gordon, James, Keziah,
McGee, Mayor Pro Tem Holloway and Mayor Kilgore
NAYS: None

Item No. 19. Zoning Map Amendment Request to Rezone Property Located at 1749 Williams Road from General Industrial (GI) to Conditional District "EC Customs" and Text Amendment Requests to Amend Code of Ordinances – Title XV: Land Usage, Chapter 156: Zoning Code, Section 156.106 titled "Official Zoning Map" and Section 156.98 titled "Conditional Districts Established."

A. Public Hearing. Mayor Kilgore opened the duly advertised public hearing.

Planner Keri Mendler advised that this was a consideration of zoning map and text amendment requests by James Helms (current tenant) for the property located at 1749 Williams Road to be rezoned from General Industrial (GI) to Conditional District (CD) "EC Customs" in order to allow retail sales on this site. Ms. Mendler advised that the applicant would also like to retain all uses allowed within the GI zoning district.

Ms. Mendler advised that the property currently had a 9,600 square foot building and a paved parking area in front of the building. With regard to area characteristics, she advised that existing uses and zoning districts were Century Fire Protection – GI, Union Baptist Association – CD “Union Baptist Association,” vacant – GI and Automotive Repair/Distribution – CD “1717 Williams Road.”

In discussing density and dimensional standards, Ms. Mendler advised that the applicant was not proposing any changes to the current ten foot setbacks.

With regard to parking, Ms. Mendler advised that the property had an existing paved parking area in front of the building.

Ms. Mendler advised that there was no landscaping on site and the applicant was not proposing any additional landscaping.

Ms. Mendler advised that the Land Development Plan indicated that this property was located in the Manufacturing, Logistics and Aerospace/Industrial Area. She advised that these areas supported manufacturing and production at a variety of scales, including assembly and processing, warehousing and distribution, bulk storage, and utilities. Ms. Mendler advised that clusters of uses that supported or served similar industrial uses typically located nearby.

Ms. Mendler advised that the proposed use was consistent with the Land Development Plan. She advised that Staff was of the opinion that the proposed use was reasonable and in the public interest.

With regard to public notification, Ms. Mendler advised a rezoning notification sign was posted on the property and an official rezoning notification letter was sent to the adjacent property owners located within at least 150 feet ten days prior to this public hearing.

Ms. Mendler advised that Staff presented this matter to the Planning Board on March 4, 2020.

Ms. Mendler advised that it was the recommendation of the Planning Board that Council approve the zoning map and text amendment requests.

There being no other speakers, Mayor Kilgore closed the public hearing.

B. Action –Resolution Approving Land Development Plan Compliance. Council Member Keziah moved to adopt Resolution R-2020-30:

**RESOLUTION APPROVING LAND DEVELOPMENT PLAN COMPLIANCE
CONDITIONAL DISTRICT “EC CUSTOMS”
R-2020-30**

WHEREAS, in accordance with the provisions of North Carolina General Statute 160A-383, the City Council does hereby find and determine that the adoption of the zoning map amendment for Conditional District “EC Customs” further described below property is consistent with the adopted Land Development Plan because commercial is listed as a priority use and retail sales would fall under that

classification. The proposed development is a reasonable use and in the public interest because the proposed use is less intense than the surrounding uses and will not disrupt the area.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Monroe adopts the Resolution Approving Land Development Plan Compliance for property with Union County Tax Parcel Number: 09-261-005G.

Adopted this 2nd day of June, 2020.

Council Member Anthony seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Anthony, Gordon, James, Keziah,
McGee, Mayor Pro Tem Holloway and Mayor Kilgore
NAYS: None

C. Action – Ordinance Amending Code of Ordinances – Chapter: 156, Section 156:106 titled “Official Zoning Map.” Council Member James moved to adopt Ordinance O-2020-20:

**ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE XV: LAND USES
CHAPTER 156: ZONING CODE
O-2020-20**

Preamble

Pursuant to authority conferred by Chapter 160A-381 of the North Carolina General Statutes, as amended and for the purpose of promoting the health, safety, morals, or general welfare of the inhabitants of the City by lessening congestion in and around the streets; securing safety; preventing the overcrowding of land; avoiding undue congestion; and facilitating the adequate provision of transportation,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONROE THAT TITLE XV, CHAPTER 156 ZONING CODE OF THE CITY OF MONROE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

Section 1. Amend §156.106 OFFICIAL ZONING MAP as follows:

Rezone the property located at 1749 Williams Road (Tax Parcel #09-261-005G) from General Industrial (GI) to Conditional District (CD) “EC Customs.”

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 2nd day of June, 2020.

Council Member Anthony seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Anthony, Gordon, James, Keziah,
McGee, Mayor Pro Tem Holloway and Mayor Kilgore

NAYS: None

D. Action – Ordinance Amending Code of Ordinances – Chapter: 156, Section 156:98 titled “Conditional Districts Established.” Council Member James moved to adopt Ordinance O-2020-21:

**ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE XV: LAND USES
CHAPTER 156: ZONING CODE
O-2020-21**

Preamble

Pursuant to authority conferred by Chapter 160A-381 of the North Carolina General Statutes, as amended and for the purpose of promoting the health, safety, morals, or general welfare of the inhabitants of the City by lessening congestion in and around the streets; securing safety; preventing the overcrowding of land; avoiding undue congestion; and facilitating the adequate provision of transportation,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONROE THAT TITLE XV, CHAPTER 156 ZONING CODE OF THE CITY OF MONROE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

Section 1. Amend §156.98 **CONDITIONAL DISTRICTS ESTABLISHED** as follows:

Conditional District (CD) “EC Customs”

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 2nd day of June, 2020.

Council Member Anthony seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Anthony, Gordon, James, Keziah,
McGee, Mayor Pro Tem Holloway and Mayor Kilgore

NAYS: None

Item No. 20. Annexation and Zoning Map/Text Amendment Requests for 27.14 Acres Located Along Secrest Shortcut Road to be Rezoned from City of Monroe R-40 and Union County RA-40 to Conditional District “Stewarts Crossing.” Senior Planner Doug Britt advised that the applicant had requested that this matter be tabled to the City Council Regular Meeting of July 21, 2020 without further advertising.

A. Action – Tabled to July 21, 2020 City Council Regular Meeting. Council Member Keziah moved to table this matter to the July 21, 2020 City Council Regular Meeting without further advertising. Council Member Anthony seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Anthony, Gordon, James, Keziah,
McGee, Mayor Pro Tem Holloway and Mayor Kilgore
NAYS: None

Item No. 21. Zoning Map Amendment Request to Rezone Property Located Along Secrest Short Cut Road from Residential Low-Density (R-40) to Conditional District "Secrest Landing" and Text Amendment Request to Amend Code of Ordinances – Title XV: Land Usage, Chapter 156: Zoning Code, Section 156.106 titled "Official Zoning Map" and Section 156.98 titled "Conditional Districts Established."

A. Public Hearing. Mayor Kilgore opened the duly advertised public hearing.

Planner Keri Mendler advised that this was a consideration of zoning map and text amendment requests by MI Homes for the 30.48 acres located along Secrest Short Cut Road to be rezoned from Residential Low-Density (R-40) to Conditional District "Secrest Landing" in order to develop 172 townhomes.

With regard to area characteristics, she advised that existing uses and zoning districts were Carillon Assisted Living/vacant – R-40 (Residential, City), Single-Family Residential – R-40 (Residential, City) and Single-Family Residential – R-40 (Indian Trail).

In discussing density and dimensional standards, Ms. Mendler advised that the density of the proposed project was 5.64 units per acre. She advised that the minimum lot size for the townhomes was 2,050 square feet.

Ms. Mendler advised that street trees would be provided at a rate of three per building and each building would also have two trees outside of the right-of-way. She advised that landscaping would also be provided along the frontage of Secrest Short Cut Road.

Insofar as open space, Ms. Mendler advised that the project was required to provide at least 50% open space which would equal 15.24 acres. She advised that the total area of open space was 15.73 acres or 51.6%. Ms. Mendler advised that that open space included a walking trail with benches around one of the stormwater ponds.

Ms. Mendler advised that the developer was proposing the townhomes would be a minimum of 1,300 heated square feet. She advised that the proposed exterior building materials would include a mix, as shown on submitted building elevations, of fiber cement, stone, stucco, or brick. Ms. Mendler advised that vinyl would only be used for trim work including soffits.

With regard to parking, Ms. Mendler advised that the townhomes would have a mix of one and two car garages; all interior units would have at least a one car garage while the end units would have a two car garage. She advised that all front load garages would have carriage style trim and/or hardware that mimicked carriage style doors. Ms. Mendler advised that driveways would be able to accommodate at least two vehicles.

Ms. Mendler advised that a five-foot-wide sidewalk would be provided along both sides of the interior roads throughout the development with an eight-foot-wide sidewalk being provided along Secrest Short Cut Road.

In discussing stormwater, Ms. Mendler advised that the applicant would be required to provide stormwater management to treat the stormwater runoff for the project. She advised that if approved, the stormwater would be evaluated and reviewed at the building permit stage of the process.

Ms. Mendler advised that all blue line streams on the site had been provided with a 50-foot buffer on both sides as required by the Ordinances.

Ms. Mendler advised that this project fell within the Poplin Elementary/Porter Ridge Middle/Porter Ridge High School attendance areas.

With regard to transportation, Ms. Mendler advised that the development would have two full access entrances. Due to the number of proposed lots, she advised that the North Carolina Department of Transportation did not require a Traffic Impact Analysis for this project. Ms. Mendler advised that the City's Engineering Department also did not require a Traffic Impact Analysis for this project either; however, left turn lanes would be added at both entrances.

Ms. Mendler advised that the Land Development Plan indicated that this property fell within the Regional Mixed-Use Center. She advised that the Regional Mixed-Use Centers attracted people beyond Monroe for shopping, entertainment, employment, or recreation. Ms. Mendler advised that these centers were usually large-scale, measuring one mile in diameter that represented approximately a 20-minute walking distance. She advised that the centers were master-planned areas that were built in phases with a mix of non-residential, residential, and civic uses. Ms. Mendler advised that it was likely that Regional Mixed-Use Centers would support the most intense concentrations of retail, employment, high-density residential and other mixed uses. She advised that these areas typically located near major highways to ensure ease of access for longer trips. Ms. Mendler advised that single-family residential should typically be discouraged within the center, but could be located to the periphery of the center as a transitional use. She advised that the Future Land Use Map designated two future interchanges of the Monroe Expressway as Regional Mixed Use Centers; however, the Future Land Use Map did not specify a dominant land use (or uses) for the center to respect market conditions and allow flexibility.

Ms. Mendler advised that the proposed project was consistent with the future Land Use Plan. She advised that the project was a reasonable use and in the public interest because it would add a mix of housing types in the Mixed-Use Centers.

Ms. Mendler advised that the applicant held a neighborhood meeting on September 11, 2019 at the Carillon Assisted Living Facility with approximately six households in attendance.

With regard to public notification, Ms. Mendler advised a rezoning notification sign was posted on the property and an official rezoning notification letter was sent to the adjacent property owners located within at least 150 feet ten days prior to this public hearing.

Ms. Mendler advised that Staff presented this matter to the Planning Board on March 4, 2020.

Ms. Mendler advised that it was the recommendation of the Planning Board that Council approve the zoning map and text amendment requests with the condition that no vinyl would be used except for trim work. She advised that the applicant had voluntarily agreed to this condition and a note had been provided on the site plan.

Council Member Anthony asked if on-street parking would be submitted.

Ms. Mendler advised that there would be a couple of on-street parking spaces.

Council Member James asked if the applicant had a builder.

Ms. Mendler advised that at this time, the builder was MI Homes.

Council Member McGee asked for the average purchase price of the townhomes.

City Attorney Shah-Khan advised that the price point of potential units could not be considered in the approval consideration.

Council Member Anthony advised that for informational purposes, she would like to hear the answer.

Council Member James asked for Staff's position on the proposal.

Ms. Mendler advised that the project was consistent with the Land Use Plan and Staff was in support.

Council Member Anthony advised that Council was ready to move forward with a vote. Electronic comment submissions in favor of the project were received and provided to Council from the following: Cynthia Hinson, Jess Perry and George Larry and Virginia Tyson.

There being no other speakers, Mayor Kilgore closed the public hearing.

Said submissions are hereby incorporated as a part of these Minutes as "Exhibit A."

B. Action –Resolution Approving Land Development Plan Compliance. Council Member Keziah moved to adopt Resolution R-2020-29:

**RESOLUTION APPROVING LAND DEVELOPMENT PLAN COMPLIANCE
CONDITIONAL DISTRICT "SECREST LANDING"
R-2020-29**

WHEREAS, in accordance with the provisions of North Carolina General Statute 160A-383, the City Council does hereby find and determine that the adoption of the zoning map amendment for Conditional District "Secrest Landing" further described below property is consistent with the adopted Land Development Plan. The Land Development Plan identifies this area as a Regional Mixed-Use Center. These centers support high density residential. The proposed development is consistent because it is a higher density multi-family residential project, at 5.64 units per acre, in the Regional Mixed-Use Center. The proposed development is reasonable and in the public interest because it will add a mix of housing types in the Mixed-Use Centers.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Monroe adopts the Resolution Approving Land Development Plan Compliance for property with Union County Tax Parcel Numbers: 07-027-007 and 07-027-007A.

Adopted this 2nd day of June, 2020.

Council Member James seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Anthony, Gordon, James, Kcziah,
McGee, Mayor Pro Tem Holloway and Mayor Kilgore
NAYS: None

C. Action – Ordinance Amending Code of Ordinances – Chapter: 156, Section 156:106 titled "Official Zoning Map." Council Member Anthony moved to adopt Ordinance O-2020-18:

**ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE XV: LAND USES
CHAPTER 156: ZONING CODE
O-2020-18**

Preamble

Pursuant to authority conferred by Chapter 160A-381 of the North Carolina General Statutes, as amended and for the purpose of promoting the health, safety, morals, or general welfare of the inhabitants of the City by lessening congestion in and around the streets; securing safety; preventing the overcrowding of land; avoiding undue congestion; and facilitating the adequate provision of transportation,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONROE THAT TITLE XV, CHAPTER 156 ZONING CODE OF THE CITY OF MONROE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

Section 1. Amend §156.106 OFFICIAL ZONING MAP as follows:

Rezone the properties located along Secrest Short Cut Road further identified with parcel ID numbers 07-027-007 and 07-027-007A from R-40 (Residential-Low Density) to Conditional District (CD) "Secrest Landing."

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 2nd day of June, 2020.

Council Member McGee seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Anthony, Gordon, James, Keziah,
McGee, Mayor Pro Tem Holloway and Mayor Kilgore
NAYS: None

D. Action – Ordinance Amending Code of Ordinances – Chapter: 156, Section 156:98 titled “Conditional Districts Established.” Council Member Anthony moved to adopt Ordinance O-2020-19:

**ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE XV: LAND USES
CHAPTER 156: ZONING CODE
O-2020-19**

Preamble

Pursuant to authority conferred by Chapter 160A-381 of the North Carolina General Statutes, as amended and for the purpose of promoting the health, safety, morals, or general welfare of the inhabitants of the City by lessening congestion in and around the streets; securing safety; preventing the overcrowding of land; avoiding undue congestion; and facilitating the adequate provision of transportation,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONROE THAT TITLE XV, CHAPTER 156 ZONING CODE OF THE CITY OF MONROE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

Section 1. Amend §156.98 **CONDITIONAL DISTRICTS ESTABLISHED** as follows:

Conditional District (CD) “Secrest Landing”

Section 2. This Ordinance shall be effective upon adoption.
Adopted this 2nd day of June, 2020.

Council Member McGee seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Anthony, Gordon, James, Keziah,
McGee, Mayor Pro Tem Holloway and Mayor Kilgore
NAYS: None

Item No. 22. Fiscal Year 2020-2121 Budget.

A. Public Hearing. Mayor Kilgore opened the duly advertised public hearing.

Following a brief period of discussion concerning general questions on the financials from Council Member James and there being no other speakers, Mayor Kilgore closed the public hearing.

B. Action – Resolution and Budget Ordinance Approving Fiscal Year 2020-2021 Budget.
Council Member Keziah moved to adopt Resolution R-2020-40 and Budget Ordinance BO-2020-05:

**RESOLUTION TO ADOPT ANNUAL
BALANCED BUDGET FOR FISCAL YEAR 2020-2021
R-2020-40**

WHEREAS, the City of Monroe is required by the North Carolina Local Government Budget and Fiscal Control Act to adopt an annual balanced budget; and

WHEREAS, a balanced budget has been prepared for the City of Monroe for fiscal year 2020-2021 under the provisions set forth in the above referenced legislation.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Monroe adopts the following budget ordinance:

**BUDGET ORDINANCE
BO-2020-05**

BE IT ORDAINED by the City Council of the City of Monroe, North Carolina:

Section 1A The following amounts are hereby appropriated in the General Fund for the operation of the City government and its activities for the fiscal year beginning July 1, 2020, and ending June 30, 2021:

| | |
|-----------------------------------|--------------|
| General Government | \$5,949,454 |
| Economic and Physical Development | 900,866 |
| Transportation | 3,721,291 |
| Public Safety | 22,143,044 |
| Cultural and Recreational | 5,065,337 |
| Debt Service | 3,255,895 |
| Transfers out to Other Funds | 2,933,247 |
| | <hr/> |
| | \$43,969,134 |

Section 1B It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 2020, and ending June 30, 2021:

| | |
|--------------------------------|--------------|
| Ad Valorem Taxes | \$22,750,646 |
| Other Taxes and Licenses | 948,075 |
| Unrestricted Intergovernmental | 10,679,518 |
| Restricted Intergovernmental | 1,356,587 |
| Sales and Services | 2,814,103 |
| Investment Earnings | 678,166 |
| Miscellaneous | 655,003 |
| Other Financing Sources | 3,264,771 |
| Transfers in from Other Funds | 822,265 |
| | <hr/> |
| | \$43,969,134 |

Section 1C There is hereby levied a tax at the rate of sixty-one and point six three cents (\$0.6163) per one hundred dollars (\$100) valuation of property as listed for taxes as of January 1, 2020, for the purpose of current year property taxes listed under "Ad Valorem Taxes" in the General Fund in Section 1B. This rate is based on an estimated total valuation of property for the purposes of taxation of \$3,396,502,285 and an estimated rate of collection of ninety-seven and nine tenths percent (97.9%).

Section 1D There is hereby levied a tax of thirty dollars (\$30.00) per motor vehicle residing in the City of Monroe, for the purpose of current year taxes listed under "Other Taxes and Licenses" in the General Fund in Section 1B. This rate is based on an estimated total of twenty-seven thousand seven hundred ninety (27,790) vehicles.

Section 2A The following amounts are hereby appropriated in the Governmental Capital Project Fund for the fiscal year beginning July 1, 2020, and ending June 30, 2021:

| | |
|----------------|-----------|
| Capital Outlay | \$799,999 |
|----------------|-----------|

Section 2B It is estimated that the following revenues will be available in the Governmental Capital Project Fund for the fiscal year beginning July 1, 2020 and ending June 30, 2021:

| | |
|-------------------------------|------------------|
| Transfers in from Other Funds | <u>\$799,999</u> |
|-------------------------------|------------------|

Section 3A The following amounts are hereby appropriated in the Governmental Capital Reserve Fund for the construction of Greenways for the fiscal year beginning July 1, 2020, and ending June 30, 2021:

| | |
|----------|---------|
| Reserved | \$3,993 |
|----------|---------|

Section 3B It is estimated that the following revenues will be available in the Governmental Capital Reserve Fund for the fiscal year beginning July 1, 2020, and ending June 30, 2021:

| | |
|---------------------|---------|
| Investment Earnings | \$3,993 |
|---------------------|---------|

Section 4A The following amounts are hereby appropriated in the Downtown Monroe Fund to record the activities related to economic and physical development for the fiscal year beginning July 1, 2020, and ending June 30, 2021:

| | |
|-----------------------------------|---------------|
| Economic and Physical Development | \$276,008 |
| Transfers out to Other Funds | <u>82,265</u> |
| | \$358,273 |

Section 4B It is estimated that the following revenues will be available in the Downtown Monroe Fund for the fiscal year beginning July 1, 2020, and ending June 30, 2021:

| | |
|--------------------------------|----------------|
| Municipal Service District Tax | \$55,928 |
| Repayment of Loan | 82,265 |
| Transfers in from Other Funds | <u>220,080</u> |
| | \$358,273 |

Section 4C There is hereby levied a tax at the rate of twenty (\$0.219) cents per one hundred dollars (\$100) valuation of property as listed for taxes as of January 1, 2020, for the purpose of "Municipal Service District Tax" in the Special Revenue Funds in Section 4B. This rate is based on an estimated total valuation of property in the Municipal Service District for the purposes of taxation of \$23,532,519 and an estimated rate of collection of ninety-seven and five tenths percent (97.5%).

Section 5A The following amounts are hereby appropriated in the Monroe Union County Economic Development Fund to record the activities related to economic and physical development for the fiscal year beginning July 1, 2020, and ending June 30, 2021:

| | |
|-----------------------------------|-----------|
| Economic and Physical Development | \$787,712 |
|-----------------------------------|-----------|

Section 5B It is estimated that the following revenues will be available in the Monroe Union County Economic Development Fund for the fiscal year beginning July 1, 2020, and ending June 30, 2021:

| | |
|-------------------------------|-----------|
| Restricted Intergovernmental | \$420,000 |
| Investment Earnings | 7,580 |
| Transfers in from Other Funds | 315,000 |
| Other Financing Sources | 45,132 |
| | <hr/> |
| | \$787,712 |

Section 6A The following amounts are hereby appropriated in the Water and Sewer Fund for the operation of the water and sewer facilities for the fiscal year beginning July 1, 2020, and ending June 30, 2021:

| | |
|------------------------------|--------------|
| Distribution System | \$7,970,211 |
| Debt Service | 2,436,664 |
| Water Filter Plant | 3,967,658 |
| Waste Treatment Plant | 3,294,110 |
| Increase in Fund Balance | 313,123 |
| Transfers out to Other Funds | 1,149,233 |
| | <hr/> |
| | \$19,130,999 |

Section 6B It is estimated that the following revenues will be available in the Water and Sewer Fund for the fiscal year beginning July 1, 2020, and ending June 30, 2021:

| | |
|-------------------------|--------------|
| Charges for Water | \$7,371,469 |
| Charges for Sewer | 9,589,313 |
| Investment Income | 705,215 |
| Water and Sewer Taps | 77,603 |
| Other Revenues | 1,037,399 |
| Other Financing Sources | 350,000 |
| | <hr/> |
| | \$19,130,999 |

Section 7A It is estimated that the following amounts are hereby appropriated in the Water and Sewer Capital Projects Fund for improvements to the City's water and sewer system for the fiscal year beginning July 1, 2020, and ending June 30, 2021:

| | |
|---------|-----------|
| Capital | \$350,000 |
|---------|-----------|

Section 7B It is estimated that the following revenues will be available in the Water and Sewer Capital Projects Fund for the fiscal year beginning July 1, 2020, and ending June 30, 2021:

| | |
|-------------------------------|-----------|
| Transfers in from Other Funds | \$350,000 |
|-------------------------------|-----------|

Section 8A The following amounts are hereby appropriated in the Electric Fund for the operation of the City's electrical system for the fiscal year beginning July 1, 2020, and ending June 30, 2021:

| | |
|--------------------------------|------------------|
| Purchases of Electricity | \$50,659,962 |
| Energy Services Administrative | 3,127,544 |
| Electric System Maintenance | 5,764,246 |
| Electric System Improvements | 1,320,000 |
| Debt Service | 1,400,188 |
| Transfers out to Other Funds | 2,402,333 |
| Increase in Fund Balance | <u>2,164,223</u> |
| | \$66,838,496 |

Section 8B It is estimated that the following revenues will be available in the Electric Fund for the fiscal year beginning July 1, 2020, and ending June 30, 2021:

| | |
|-------------------------|---------------|
| Charges for Electricity | \$65,432,439 |
| Investment Earnings | 989,170 |
| Other Revenues | 348,540 |
| Other Financing Sources | <u>68,347</u> |
| | \$66,838,496 |

Section 9A The following amounts are hereby appropriated in the Electric Capital Projects Fund for improvements to the City's electric system for the fiscal year beginning July 1, 2020, and ending June 30, 2021:

| | |
|---------|-------------|
| Capital | \$2,750,000 |
|---------|-------------|

Section 9B It is estimated that the following revenues will be available in the Electric Capital Projects Fund for the fiscal year beginning July 1, 2020, and ending June 30, 2021:

| | |
|-------------------------------------|----------------|
| Transfers in from Other Funds | \$1,825,000 |
| Reserve for Future Capital Projects | <u>925,000</u> |
| | \$2,750,000 |

Section 10A The following amounts are hereby appropriated in the Natural Gas Fund for the operation of the City's natural gas system for the fiscal year beginning July 1, 2020, and ending June 30, 2021:

| | |
|---------------------------------|-------------|
| Natural Gas Purchases | \$9,227,855 |
| Natural Gas Maintenance | 4,756,894 |
| Natural Gas System Improvements | 425,000 |
| Debt Service | 2,746,124 |

| | |
|------------------------------|----------------|
| Transfers out to Other Funds | 2,680,000 |
| Increase in Fund Balance | <u>499,125</u> |
| | \$20,334,998 |

Section 10B It is estimated that the following revenues will be available in the Natural Gas Fund for the fiscal year beginning July 1, 2020, and ending June 30, 2021:

| | |
|-------------------------|------------------|
| Charges for Natural Gas | \$17,270,938 |
| Investment Earnings | 574,060 |
| Other Financing Sources | <u>2,490,000</u> |
| | \$20,334,998 |

Section 11A The following amounts are hereby appropriated in the Natural Gas Capital Projects Fund for improvements to the City's natural gas system for the fiscal year beginning July 1, 2020, and ending June 30, 2021:

| | |
|---------|-------------|
| Capital | \$2,490,000 |
|---------|-------------|

Section 11B It is estimated that the following revenues will be available in the Natural Gas Capital Projects Fund for the fiscal year beginning July 1, 2020, and ending June 30, 2021:

| | |
|-------------------------------|-------------|
| Transfers in from Other Funds | \$2,490,000 |
|-------------------------------|-------------|

Section 12A The following amounts are hereby appropriated in the Airport Fund for the operation of the City's municipal airport for the fiscal year beginning July 1, 2020, and ending June 30, 2021:

| | |
|--------------------|------------------|
| Airport Operations | \$2,589,112 |
| Debt Service | <u>1,200,599</u> |
| | \$3,789,711 |

Section 12B It is estimated that the following revenues will be available in the Airport Fund for the fiscal year beginning July 1, 2020, and ending June 30, 2021:

| | |
|-------------------------------|------------------|
| Sales and Services | \$2,136,877 |
| Transfers in from Other Funds | <u>1,652,834</u> |
| | \$3,789,711 |

Section 13A The following amounts are hereby appropriated in the Aquatics and Fitness Center Fund for the operation of the Aquatics and Fitness Center for the fiscal year beginning July 1, 2020, and ending June 30, 2021:

| | |
|--------------------------|---------------|
| Operations | \$4,262,940 |
| Debt Service | 17,910 |
| Increase in Fund Balance | <u>38,573</u> |
| | \$4,319,423 |

Section 13B It is estimated that the following revenues will be available in the Aquatics and Fitness Center Fund for the fiscal year beginning July 1, 2020, and ending June 30, 2021:

| | |
|--------------------|-------------|
| Sales and services | \$4,131,100 |
|--------------------|-------------|

| | |
|-------------------------|--------------------|
| Investment Earnings | 67,323 |
| Other Financing Sources | 121,000 |
| | <u>\$4,319,423</u> |

Section 14A The following amounts are hereby appropriated in the Stormwater Fund for the operation of the stormwater facilities for the fiscal year beginning July 1, 2020, and ending June 30, 2021:

| | |
|--------------------------|--------------------|
| Operations | \$2,531,381 |
| Debt Service | 122,017 |
| Increase in Fund Balance | 13,935 |
| | <u>\$2,667,333</u> |

Section 14B It is estimated that the following revenues will be available in the Stormwater Fund for the fiscal year beginning July 1, 2020, and ending June 30, 2021:

| | |
|--------------------------|--------------------|
| Stormwater Receipts | \$2,468,501 |
| Other Operating Revenues | 25,050 |
| Investment Earnings | 36,782 |
| Other Financing Sources | 137,000 |
| | <u>\$2,667,333</u> |

Section 15A The following amounts are hereby appropriated in the Solid Waste Fund for the operation of refuse collection for the fiscal year beginning July 1, 2020, and ending June 30, 2021:

| | |
|--------------------------|--------------------|
| Operations | \$660,565 |
| Refuse Collection | 2,269,685 |
| Debt Service | 9,221 |
| Increase in Fund Balance | 0 |
| | <u>\$2,939,471</u> |

Section 15B It is estimated that the following revenues will be available in the Solid Waste Fund for the fiscal year beginning July 1, 2020, and ending June 30, 2021:

| | |
|---------------------------------------|--------------------|
| Refuse Collection Fees | \$2,623,970 |
| Other Sales & Services | 2,000 |
| Restricted Intergovernmental Revenues | 23,000 |
| Investment Earnings | 13,465 |
| Other Financing Sources | 277,036 |
| | <u>\$2,939,471</u> |

Section 16A The following amounts are hereby appropriated in the Water Resources Capital Reserve Fund for future construction of a new wastewater treatment plant for fiscal year beginning July 1, 2020, and ending June 30, 2021:

| | |
|----------|-----------|
| Reserved | \$771,900 |
|----------|-----------|

Section 16B It is estimated that the following revenues will be available in the Water Resources Capital Reserve Fund for the fiscal year beginning July 1, 2020, and ending June 30, 2021:

| | |
|-------------------------------|-----------|
| Transfers In from Other Funds | \$771,900 |
|-------------------------------|-----------|

Section 17A The following amounts are hereby appropriated in the Occupancy Tax Project Fund for capital projects to promote tourism in the city for the fiscal year beginning July 1, 2020, and ending June 30, 2021:

| | |
|--------------|-----------|
| Debt Service | \$254,293 |
|--------------|-----------|

Section 17B It is estimated that the following revenues will be available in the Occupancy Tax Project Fund for the fiscal year beginning July 1, 2020, and ending June 30, 2021:

| | |
|------------------------------|-----------|
| Restricted Intergovernmental | \$237,650 |
| Other Financing Sources | 4,492 |
| Investment Earnings | 12,151 |
| | <hr/> |
| | \$254,293 |

Section 18 The Budget Officer is hereby authorized to transfer appropriations as contained herein under the following conditions:

- a. He/she may transfer amounts between line item expenditures within a department without limitation and without a report being required. These changes should not result in increases in recurring obligations such as salaries.
- b. He/she may transfer between departments within the same fund. He must make an official report on such transfers at the next regular meeting of City Council.
- c. He/she may not transfer any amounts between funds, except as approved by the City Council in the Budget Ordinance as amended.

Section 19 Encumbrances. Appropriations herein authorized and made shall have the amount of outstanding encumbrances as of June 30, 2020, added to each appropriation as it appears in order to account for the expenditures in the fiscal year they are paid.

Section 20 A copy of this Budget Ordinance shall be furnished to the Director of Finance for the City of Monroe to be kept on file for direction in the disbursement of funds.

Adopted this 2nd day of June, 2020.

Mayor Pro Tem Holloway seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Anthony, Gordon, James, Keziah,
McGee, Mayor Pro Tem Holloway and Mayor Kilgore

NAYS: None

C. Financial Plan for Self-Insurance Funds for Fiscal Year 2021. Council Member Anthony moved to approve the Financial Plan for Self-Insurance Funds for Fiscal Year 2021. Council Member Keziah seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Anthony, Holloway, Jordan, Keziah,
McGee, Mayor Pro Tem Anderson and Mayor Kilgore

NAYS: None

Said Financial Plan for Self-Insurance Funds is hereby incorporated as a part of these Minutes as "Exhibit B."

Item No. 23. Downtown Commemorative Bench Program. Assistant City Manager Brian Borne advised that the City had received a request from Matthew Belk of Better Car People to name a bench in memory of an employee who died suddenly. Mr. Borne advised a donation in the amount of \$1,650 covering the cost of the bench would be made.

In anticipation of other requests, Mr. Borne advised that Staff would like to establish a Downtown Commemorative Bench Program so that future donations and naming could be accepted as prescribed in the City's Naming of Public Facilities and Lands in Recognition of Individuals Policy (GA-06).

Mr. Borne advised that the Naming of Public Facilities and Lands in Recognition of Individuals Policy required a process including public input before Council could approve a program/naming for a facility.

Mr. Borne advised that due to the cancellation of the May 21, 2020 General Services Committee Meeting, the Chairman approved moving this matter forward to Council for Consideration.

Mr. Borne advised that it was the recommendation of Staff that Council approve the Downtown Commemorative Bench Program for five years and adopt a Budget Amendment accepting the donation of \$1,650 for the naming of a bench in memory of Brenden Faassen.

Council Member Anthony asked if a program had been designed as she felt that a recommendation of this nature should not be brought before Council for consideration until the program was designed so that Council would know what they were voting on.

Mr. Brian advised that the program was placing a plaque in memory of a person on a bench Downtown.

Council Member Anthony asked if this would be one bench or several benches.

Mr. Borne advised that it would be for any bench currently in Downtown or any new bench that was provided or sponsored.

Council Member Anthony asked if there was any criteria as Council did not have any information about the program.

Council Member James advised that when she served on the City's Parks and Recreation Commission, paperwork was assembled about naming of benches, trees, etc. in memory of others.

Council Member Keziah asked if this was in honor of a deceased person.

Council Member James advised that was correct.

Mr. Borne advised that the Downtown Program would simply entail a small plaque that had a statement along the lines of "In Memory of" He advised that the plaque would be 3" x 5" or 3" x 6" and the wording would only contain 50 characters or less. Mr. Borne stated that this Program would be the same as seen in other cities.

Council Member Anthony asked if there was criteria to be met to place a plaque on a bench. She stated that this was too general.

Mr. Borne stated that the person would pay for the bench as a sponsor and place it with the plaque on it and anyone could participate.

Mayor Pro Tem Holloway asked how the benches would be spaced out. He asked if the future plan for benches was to be named for people or not named for people.

Mr. Borne stated that benches were currently located in front of areas where the City owned the property. He advised that some of the benches were located in the common areas, pocket parks and in front of the parking courts/lots. Mr. Borne advised that this would expand because he felt if a merchant was sponsoring a bench in memory of a deceased employee or if they wanted to make a donation on behalf of their company and put the name on the bench, he felt they would want it in front of their place of business.

Mayor Pro Tem Holloway agreed.

Mr. Borne stated that this was a simple program that did not require a list of accomplishments or deeds that had been done. He advised it was simply a commemoration of the memory of someone who had died.

Council Member James asked if this was similar to the bench program for Parks and Recreation.

Mr. Borne advised that it was similar if Council wished to consider using the same criteria as Parks and Recreation.

Council Member James advised that she would consider it as such.

Council Member Gordon asked if there was a certain design for the benches or could a person select any bench they desired.

Mr. Borne advised that the bench would be specific to match the existing benches currently in Downtown and the Main Street Plaza. In addition, he advised that all plaques would be the same and conform to a single design standard.

Mr. Borne advised that a new bench would have the plaque applied at the manufacturer. He advised that Staff was researching information on adding plaques to existing benches. Mr. Borne advised that if plaques could not be added to existing benches, new benches would be required to be purchased.

Mr. Borne advised that the donation before Council tonight was a new bench and it would be located within the vicinity of the Better Car People's office.

Council Member Anthony advised that moving forward, when items were presented to Council for consideration that Staff do the courtesy of bringing enough information about a program. She advised that she was not against this program; however, she did not like to vote blind and liked to understand how something had been done or what the criteria was because she never wanted the City to get into a pickle where someone could come in later and not know what the criteria was.

Mr. Borne advised that he would be glad to develop the criteria and provide it to Council.

A. Program Approval. Mayor Pro Tem Holloway moved to approve the Downtown Commemorative Bench Program for five years. Council Member McGee seconded the motion, which passed unanimously with the following votes:

| | |
|-------|--|
| AYES: | Council Members Anthony, Gordon, James, Keziah, McGee, Mayor Pro Tem Holloway and Mayor Kilgore |
| NAYS: | None |

B. Budget Amendment. Council Member McGee moved to adopt Budget Amendment BA-2020-18:

**BUDGET AMENDMENT
BA-2020-18**

1. Amendment necessary to designate donated funds for the purchase of a Downtown commemorative bench.

Downtown Monroe Fund:

| | |
|-----------------------------------|---------|
| Revenues: | |
| Miscellaneous | \$1,650 |
| Expenses: | |
| Economic and Physical Development | \$1,650 |

Adopted this 2nd day of June, 2020.

Council Member Anthony seconded the motion, which passed unanimously with the following votes:

| | |
|-------|--|
| AYES: | Council Members Anthony, Gordon, James, Keziah, McGee, Mayor Pro Tem Holloway and Mayor Kilgore |
| NAYS: | None |

Item No. 24. Resolution Adopting Cabarrus Stanly Union Regional Hazard Mitigation Plan.

Fire Chief Ron Fowler advised that Monroe was a participating municipality in a Multi-Jurisdictional Hazard Mitigation Plan with Cabarrus, Stanly and Union Counties and various municipalities within those counties. Mr. Fowler advised that the Plan had recently been updated. He advised that State and Federal regulations required jurisdictions to have Hazard Mitigation Plans to be eligible for Hazard Mitigation Grant Program Funds.

Mr. Fowler advised that due to meeting schedules, Staff did not present this matter to the Public Safety Committee.

Mr. Fowler advised that it was the recommendation of Staff that Council adopt a Resolution approving the Cabarrus Stanly Union Regional Hazard Mitigation Plan.

Council Member Anthony moved to adopt Resolution R-2020-43:

**RESOLUTION ADOPTING
CABARRUS STANLY UNION REGIONAL HAZARD MITIGATION PLAN
R-2020-43**

WHEREAS, the City of Monroe is vulnerable to an array of natural hazards that can cause loss of life and damages to public and private property; and

WHEREAS, the City of Monroe desires to seek ways to mitigate situations that may aggravate such circumstances; and

WHEREAS, the development and implementation of a hazard mitigation plan can result in actions that reduce the long-term risk to life and property from natural hazards; and

WHEREAS, it is the intent of the Monroe City Council to protect its citizens and property from the effects of natural hazards by preparing and maintaining a local hazard mitigation plan; and

WHEREAS, it is also the intent of the Monroe City Council to fulfill its obligation under North Carolina General Statutes, Chapter 166A: North Carolina Emergency Management Act and Section 322: Mitigation Planning, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act to remain eligible to receive state and federal assistance in the event of a declared disaster affecting the City of Monroe; and

WHEREAS, the City of Monroe, in coordination with Cabarrus, Stanly and Union Counties and the participating municipalities within those Counties has prepared a multi-jurisdictional hazard mitigation plan with input from the appropriate local and state officials;

WHEREAS, the North Carolina Division of Emergency Management and the Federal Emergency Management Agency are reviewing the Cabarrus Stanly Union Regional Hazard Mitigation Plan for legislative compliance and will approve the plan pending the completion of local adoption procedures.

NOW, THEREFORE, BE IT RESOLVED that the Monroe City Council of the City of Monroe hereby adopts the Cabarrus Stanly Union Regional Hazard Mitigation Plan and agrees to take such other official action as may be reasonably necessary to carry out the proposed actions of the Plan.

Adopted this 2nd day of June, 2020.

Council Member James seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Anthony, Gordon, James, Keziah,
McGee, Mayor Pro Tem Holloway and Mayor Kilgore
NAYS: None

Item No. 25. Resolution Amending Interlocal Agreement for Countywide Economic Development Services. Economic Development Executive Director Chris Platé advised that in 2013, the City and Union County agreed to enter into an Interlocal Agreement which established Monroe-Union County Economic Development as a joint county-wide economic development program. Mr. Platé advised that the initial Interlocal Agreement expired in June of 2015 and the City and County agreed to enter a new Interlocal Agreement which would continue the joint program.

Mr. Platé advised that the 2015 Interlocal Agreement had a three-year term with up to two automatic one-year renewals. He advised that ultimately, the 2015 Interlocal Agreement would expire on June 30, 2020.

Mr. Platé advised that the City Manager and the Union County Manager believed that it was appropriate to enter into an amendment to the 2015 Interlocal Agreement to extend the Agreement for an additional year. He advised that the extension would be under the same terms and same funding levels for both the City and Union County. Mr. Platé advised that the City and Union County noted that this was a time-sensitive matter requiring action without a recommendation from the Monroe-Union Economic Development Board of Advisors or any other City or Union County Committee.

Mr. Platé advised that it was the recommendation of Staff that Council adopt a Resolution amending the Monroe-Union County Economic Development Interlocal Agreement.

Council Member Keziah moved to adopt Resolution R-2020-45:

**RESOLUTION ADOPTING AMENDED MONROE-UNION COUNTY ECONOMIC
DEVELOPMENT INTERLOCAL AGREEMENT
R-2020-45**

WHEREAS, pursuant to the provisions of Section 160A-461 of the General Statutes of North Carolina, the City of Monroe ("City") is authorized to enter into contracts or agreements with other units of local government to execute any undertaking; and

WHEREAS, in 2013, the City of Monroe and Union County ("County") by Interlocal Agreement established Monroe-Union County Economic Development as a joint county-wide economic development program; and

WHEREAS, as the 2013 Interlocal Agreement would expire on June 30, 2015, the City and County approved a new Interlocal Agreement to continue the work of Monroe-Union County Economic Development beginning July 1, 2015; and

WHEREAS, the 2015 Interlocal Agreement was for a three (3) year term, with two (2) automatic one (1) year extensions beginning on July 1, 2015, with the initial term expiring in June of 2018, and the automatic renewal terms being triggered and used by the City and County to extend the 2015 Interlocal Agreement through June 30, 2020; and

WHEREAS, in 2017, the City and County made minor amendments to the 2015 Interlocal Agreement; and

WHEREAS, the City and County believe it is appropriate to further amend the 2015 Interlocal Agreement to extend its term through June 30, 2021; and

WHEREAS, the extension requires both the City and County to approve an Amended Interlocal Agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Monroe, North Carolina at its regularly assembled meeting of June 2, 2020, that the Council hereby approves the amended Monroe-Union County Economic Development Interlocal Agreement, which is attached as "Exhibit A" to this Resolution and made a part hereof.

Adopted this 2nd day of June, 2020.

**EXHIBIT A
AMENDED MONROE-UNION COUNTY ECONOMIC DEVELOPMENT
INTERLOCAL AGREEMENT**

STATE OF NORTH CAROLINA

AMENDMENT # 2

COUNTY OF UNION

This AMENDMENT, made and entered into this ____ day of June 2020, by and between UNION COUNTY, a political subdivision of the State of North Carolina (hereafter "County"), and CITY OF MONROE, a municipal corporation chartered under the law of the State of North Carolina (hereafter "City"), shall modify and supersede as indicated that Interlocal Agreement between the parties dated July 29, 2015, as amended by an amendment dated February 7, 2017 (the "Agreement").

WITNESSETH:

WHEREAS, the Initial Term of the Agreement became effective as of July 1, 2015, and continued through June 30, 2018; and

WHEREAS, the Agreement renewed for two additional one-year terms on July 1, 2018, and July 1, 2019; and

WHEREAS, the current term of the Agreement is set to expire on July 1, 2020; and

WHEREAS, City and County mutually desire to extend the Agreement for an additional one-year term to run from July 1, 2020, through June 30, 2021.

NOW, THEREFORE, in consideration of the parties' continuing obligations under the Agreement and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto do each contract and agree with the other as follows:

1. Section 9, **TERM AND RENEWALS**, of the Agreement shall be modified by amending the fourth sentence of the first paragraph of that Section as follows:

If neither party terminates this Agreement by providing the requisite notice before expiration of the Initial Term, this Agreement shall automatically renew and continue for three (3) one-year terms under the same terms and conditions as amended.

This sentence shall now read as follows:

If neither party terminates this Agreement by providing the requisite notice before expiration of the Initial Term, this Agreement shall automatically renew and continue for three (3) one-year terms under the same terms and conditions as amended.

2. Except as herein amended, the terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto acting under the authority of their respective governing bodies, have caused this Amendment to be duly executed in duplicate counterparts, each of which shall constitute an original, this the day and year first above written.

Council Member Anthony seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Anthony, Gordon, James, Keziah,
McGee, Mayor Pro Tem Holloway and Mayor Kilgore
NAYS: None

Item No. 26. Legislative Advocacy Update from North Carolina League of Municipalities.

City Attorney Mujeeb Shah-Khan advised that this was a request by Council Member McGee and Council Member Anthony to have a recent North Carolina League of Municipalities' (NCLM) presentation shared with Council and discuss advocacy options for Council. City Attorney Shah-Khan advised that this matter was in line with Council's Legislative Agenda approved on May 5, 2020.

NCLM Grassroots Associate Christine Heubusch provided a brief but holistic legislative update, concerning federal and state developments over the past few months in light of the COVID-19 virus, a condensed version of what the NCLM's Public and Government Affairs Team had been conveying through the Advancing Advocacy series, weekly Bulletin, and last week's CityVision update.

Ms. Heubusch highlighted several key strategies for reaching out to legislators that could be taken collectively by the Council, including writing a letter to federal and state legislators, passing a Resolution, composing an op-ed and collecting and sharing pertinent data.

City Attorney Shah-Khan requested that if Council wished to take steps to help the City, to please keep Staff informed so that Staff could ensure that they were aware of all of the efforts taking place on behalf of the City and that all messaging was consistent.

Council Member McGee asked Council if they wished to mobilize, unify and come up with something that could be presented to the legislation. He felt this would be a great step to take.

Council Member Gordon stated that this would be an effort that would not cost a lot of money but could bring some benefit; therefore, he felt that Council should move forward with this effort.

Mayor Pro Tem Holloway agreed and requested that City Attorney Shah-Khan help this effort move forward.

Item No. 27. Closed Session pursuant to N.C.G.S. §143-318.11(a)(1) and (a)(3) – Eastwood Construction v. City of Monroe and The Estate of Donald Allen Plyler Sr. and Donald Plyler, Jr. v. City of Monroe. Council Member Anthony moved to go into Closed Session pursuant to North Carolina General Statutes Sections 143-318.11(a)(1) and (a)(3) to prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes to preserve the attorney-client privilege between the City's attorneys and the City Council and to consider and give instructions to the City's attorneys concerning the handling of judicial actions, specifically in the cases of *Eastwood Construction, LLC and Eastwood Construction, LLC d/b/a Eastwood Homes v. City of Monroe* and *The Estate of Donald Alan Plyler, Sr. and Donald Plyler, Jr. v. City of Monroe*. Council Member James seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Anthony, Gordon, James, Keziah,
McGee, Mayor Pro Tem Holloway and Mayor Kilgore
NAYS: None

Upon return from Closed Session, Council Member Anthony moved to return to Regular Session. Council Member Keziah seconded the motion, which passed unanimously with the following votes:

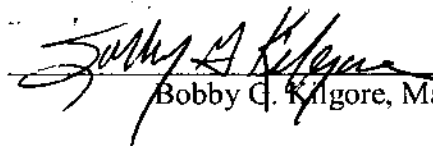
AYES: Council Members Anthony, Gordon, James, Keziah,
McGee, Mayor Pro Tem Holloway and Mayor Kilgore
NAYS: None

There being no further business, Council Member Anthony moved to adjourn the City Council Regular Meeting of June 2, 2020 at 8:10 p.m. Council Member James seconded the motion, which passed unanimously with the following votes:

AYES: Council Members Anthony, Gordon, James, Keziah,
McGee, Mayor Pro Tem Holloway and Mayor Kilgore
NAYS: None

Attest:

Bridgette H. Robinson
Bridgette H. Robinson, City Clerk


Bobby C. Kilgore, Mayor



SECRET LANDING
PUBLIC COMMENTS
CITY COUNCIL MEETING
06/02/2020

Dropped into box 5/31/20

Public Hearing Comment Submission



Submitter's Name *

Cynthia A. Hinson

Submitter's Email *

cindyhinson@gmail.com

Telephone Number

704-292-1069, home phone

Hearing *

Rezoning: Secrest Landing – Rezoning of 30.48 acres on Secrest Short Cut Rd ▼

Your Comment is: *

☒ For ☐ Against ☐ Undecided

Address *

Street Address

5205 Secrest Shortcut Rd

Address Line 2

City

MONROE

State / Province / Region

NC

Postal / Zip Code

28110-9172

Country

USA

Date of Submission

Date captured on form submission

Time

Time captured on form submission

Comment

2000 character limit

My husband, Rich Ansie and I are the property owners beside the property noted above as Secrest Landing. We are in favor of this project and ask that be noted in your records.
Thank you! Cynthia A. Hinson

Upload

Upload

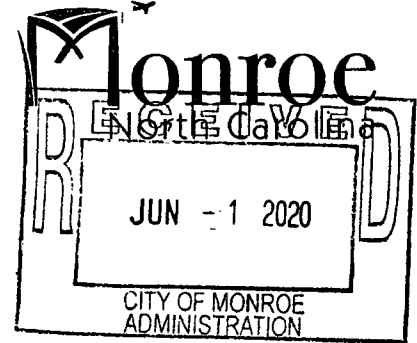
City Council Regular Meeting

Exhibit "A"

June 2, 2020

Page 2 of 4

Public Hearing Comment Submission



Submitter's Name * George Larry & Virginia Tyson

Submitter's Email * VTyson9@Carolina.rr.com

Telephone Number 704-283-6607

Hearing * Rezoning: Secrest Landing - Rezoning of 30.48 acres on Secrest Short Cut Rd ▾

Your Comment is: * ☒ For ☐ Against ☐ Undecided

Address *

Street Address

5107 Myers Road

Address Line 2

City

Monroe

State / Province / Region

N.C.

Postal / Zip Code

28110

Country

U.S.A.

Date of Submission Date captured on form submission May 31, 2020

Time Time captured on form submission 9:00 AM

Comment

2000 character limit

We have property in this area and we feel this would be a beginning to the improvement of the property in this area and the development of property in the future

Upload

Upload

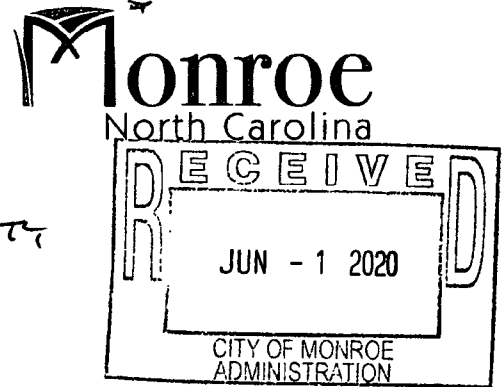
City Council Regular Meeting

Exhibit "A"

June 2, 2020

Page 3 of 4

Public Hearing Comment Submission



Submitter's Name *

JESS PERRY - WALT PERRY REALTY

Submitter's Email *

jperry@waltperryrealty.com

Telephone Number

764 283 8181

Hearing *

Rezoning: Secrest Landing - Rezoning of 30.48 acres on Secrest Short Cut Rd

Your Comment is: *

☒ For ☐ Against ☐ Undecided

Address *

Street Address

1661 WALKUP AVE, STE B

Address Line 2

City

MONROE

State / Province / Region

NC

Postal / Zip Code

28110

Country

USA

Date of Submission

Date captured on form submission

6/1/2020

Time

Time captured on form submission

11:37 AM

Comment

2000 character limit

WE ARE THE BROKER REPRESENTING THE FUNDERBARK FAMILY, OWNERS OF THIS PROPERTY. WE RESEARCHED M/I HOMES, THEY HAVE BEEN HONORABLE AND FAIR IN OUR DEALINGS WITH THEM, AND WE BELIEVE THEY WILL BUILD A PRODUCT THAT WILL BENEFIT THE COMMUNITY AND THE CITY OF MONROE

[Signature]

e Upload

Upload

City Council Regular Meeting

Exhibit "A"

June 2, 2020

Page 4 of 4

FY21 FINANCIAL PLAN - INTERNAL SERVICE FUNDS

SIF HEALTH & DENTAL

Revenues

Contributions from Departments
Investment Earnings
Miscellaneous
Appropriations Fund Balance
Total Revenues

Expenditures

Operations
Unreserved
Allocations
Total Expenditures

Net Revenues/ (Exp.)

| | FY 2019 Actual | FY 2020 Financial Plan | FY 2021 Financial Plan |
|----|----------------|------------------------|------------------------|
| | | | |
| \$ | 7,211,593 | \$ 7,826,139 | \$ 8,474,050 |
| | 147,876 | 46,162 | 37,767 |
| | 1,138,828 | 120,000 | 1,266,530 |
| | | 427,265 | |
| \$ | 8,498,297 | \$ 8,419,566 | \$ 9,778,347 |
| \$ | 8,562,361 | \$ 8,294,677 | \$ 9,678,573 |
| | 113,857 | 124,889 | 99,774 |
| \$ | 8,676,218 | \$ 8,419,566 | \$ 9,778,347 |
| \$ | (177,921) | \$ - | \$ - |

SIF PROPERTY CASUALTY

Revenues

Contributions from Departments
Investment Earnings
Miscellaneous
Appropriations Fund Balance
Total Revenues

Expenditures

Operations
Unreserved
Allocations
Total Expenditures

Net Revenues/ (Exp.)

| | FY 2019 Actual | FY 2020 Financial Plan | FY 2021 Financial Plan |
|----|----------------|------------------------|------------------------|
| \$ | 732,036 | \$ 767,150 | \$ 774,436 |
| | 41,931 | 10,402 | 10,181 |
| | 38,888 | 20,003 | 20,003 |
| \$ | 812,855 | \$ 797,555 | \$ 804,620 |
| \$ | 631,885 | \$ 697,500 | \$ 721,202 |
| | | 5,952 | |
| | 86,787 | 94,103 | 83,418 |
| \$ | 718,672 | \$ 797,555 | \$ 804,620 |
| \$ | 94,183 | \$ - | \$ - |

SIF WORKERS' COMP.

Revenues

Contributions from Departments
Investment Earnings
Miscellaneous
Appropriations Fund Balance
Total Revenues

Expenditures

Operations
Allocations
Total Expenditures

Net Revenues/ (Exp.)

| | FY 2019 Actual | FY 2020 Financial Plan | FY 2021 Financial Plan |
|----|----------------|------------------------|------------------------|
| \$ | 200,000 | \$ 300,000 | \$ 300,549 |
| | 70,142 | 20,312 | 20,033 |
| | 248 | | |
| | | 77,532 | 59,605 |
| \$ | 270,390 | \$ 397,844 | \$ 380,187 |
| \$ | 165,410 | \$ 284,782 | \$ 284,814 |
| | 104,054 | 113,062 | 95,373 |
| \$ | 269,464 | \$ 397,844 | \$ 380,187 |
| \$ | 826 | \$ - | \$ - |

City Council Meeting

Exhibit 2B

June 2, 2020

Page 1 of 1