

**CITY OF MONROE - GENERAL SERVICES COMMITTEE
CITY HALL CONFERENCE ROOM
300 W. CROWELL STREET, MONROE, NC 28112
Thursday, September 7, 2023 - 4:00 PM**

**AGENDA
www.monroenc.org**

1. Minutes of General Services Committee Meeting of August 3, 2023
2. Fiscal Year 2023 Financial Report on Fees from Building Code Enforcement Program
3. Interlocal Agreement with Union County Historic Preservation Commission
4. Senior Center Crosswalk on Jefferson Street
5. Parks and Recreation Department Health Promotion and Disease Prevention Grant from Centralina Area Agency on Aging
6. Consider Request from Union County Community Arts Council
7. Economic Development Directors Report and Recommendation on Proposed Uses of Main Street Parcel(s) and the Resulting Economic Benefit.
8. City-Owned Facility Use Guidelines and Policy Discussion
9. Amendment to Ordinance 32.201(E) to Clarify Member Service on Appointed Boards.

Other Items



**CITY OF MONROE
GENERAL SERVICES COMMITTEE MEETING**

City Hall Conference Room
300 W. Crowell Street
Monroe, NC 28112
August 3, 2023 4:00 PM

MINUTES

Present: Committee Member Lynn Keziah (Chairman), Committee Member Julie Thompson

Absent: Committee Member Mayor Pro Tem Gary Anderson

Staff: Lisa Strickland, Finance Director; Ashley Ivey, Assistant Finance Director; Angela Duncan, Senior Budget Analyst; Camden Baucom, Budget Analyst; Lisa Kerner, Grants Administrator; Pete Hovanec, Director of Communications and Tourism; Bradley Lucore, Communications Specialist; Lisa Stiwinter, Director of Planning and Development; Debra Chestnut Reed, Director of Human Resources; Ryan Jones, Director of Parks & Recreation; Sarah McAllister, Director of Engineering; Sharon Jones, Human Resources Analyst IV

Visitor(s): Mayor Marion Holloway; Attorney Ken Honeycutt; Sushanth Charabodd, Eagle I Property Group; Stephen Bennett, Arnold R. Smith, PLLC

The General Services Committee met in the City Hall Conference Room at 4:00 p.m. on August 3, 2023. A quorum was present. Chairman Lynn Keziah presided.

Item 1. General Services Committee Meeting Minutes from June 1, 2023.

The minutes from the June 1, 2023 General Services Committee meeting were presented for the Committee's approval.

Committee Member Julie Thompson moved to approve the minutes of the General Services Committee Meeting of June 1, 2023.

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

AYES: Chairman Keziah, Committee Member Thompson

NAYS: None

Item 2. Annual Settlement of Tax Collector for 2022.

Finance Director, Lisa Strickland requested the Committee consider a full settlement for all taxes for collection made for the preceding tax/fiscal year 2022-2023.

N.C.G.S. 105-373(a) states the tax collector shall make full settlement with the governing body of the taxing unit for all taxes in hand for collection for the preceding fiscal year. The settlement, together with the action of the governing body with respect thereto, shall be entered in full upon the minutes of the governing body.

Below is the "Annual Settlement of Tax Collector for 2022". This settlement shows the collection rate at 99.30 percent.

		<u>Tax</u>	<u>Value</u>
2022 Tax Scroll		23,460,634	4,657,174,103
2022 Certifications		443,312	88,220,207
2022 Discoveries		98,101	16,926,452
Total Taxes Billed		24,002,046	4,762,320,762
Less 2022 Releases		-34,665	-6,525,114
2022 Adjustments		<u>3,642</u>	
2022 Tax Levy		23,971,023	4,755,795,648
Total Taxes Collected		23,802,179	4,446,017,381
Taxes to be Collected		<u>168,844</u>	
Total 2022 Levy		23,971,023	
Percent Collected: %		99.30%	
2022 MSD Tax		57,111	29,220,154
2022 MSD Certifications		7,587	3,890,897
2022 Discoveries		<u>0</u>	0
Total Taxes Billed		64,699	33,111,051
Less MSD 2022 Releases		0	0
2022 MSD Adjustments		<u>-11</u>	
2022 MSD Tax Levy		64,688	33,111,051
2022 MSD Collected		64,686	
MSD Tax to be Collected		<u>2</u>	
Total 2022 MSD Levy		64,688	
Percent Collected: %		100.00%	
Taxes released for 2022 under \$5.00 total amount is \$1,485.27.			

City of Monroe Tax Collection History		
	General City of Monroe	Monroe Downtown MSD
2022	99.30%	100.00%
2021	99.34%	98.26%
2020	99.33%	99.83%
2019	99.11%	99.25%
2018	99.14%	99.23%
2017	99.02%	99.10%
2016	98.76%	99.23%

2015	98.53%	99.85%
2014	97.91%	98.42%
2013	96.07%	95.43%
2012	98.05%	95.24%

Committee Members commended the Tax Collector, Bethany Hawver and the Cash Collections staff members for their hard work to achieve such a high collection rate each year.

No action required. For informational purposes only.

Item 3. Budget Ordinance to Close Capital Projects.

Finance Director, Lisa Strickland, presented a budget ordinance that is necessary to amend the fiscal year 2024 budget in order to close various projects.

Capital projects have been completed and are ready to be closed. Funding that is remaining in the following projects as unspent, netted against any project overruns, can be transferred back to fund balance in the corresponding fund. Projects are as follows:

- AP2102 – Quonset Hangar Reactivation (\$18,959)
- AP2001 – Airport Layout Plan Update \$46,602
- SR0704 – Dry Fork Upgrade \$117,869
- SR0705 – Sewer Master Plan Upgrade \$10,000
- WR1937 – Lake Lee Dam Repairs \$81,760

The funding for the airport projects listed above were originally funded from the formal assignment for airport grant acceptance. The remainder of unspent funding in these projects will be returned to the formal assignment for airport grant acceptance in the City's general fund. The water and sewer project balances will be transferred back to the Water & Sewer Fund.

Staff recommends that the General Services Committee forward to full Council the recommendation for approval of the proposed budget ordinance to close projects for Fiscal Year 2024.

Committee Member Thompson moved to accept the recommendation and forward to full Council for approval of the proposed budget ordinance to close projects for Fiscal Year 2024.

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

AYES: Chairman Keziah, Committee Member Thompson

NAYS: None

Item 4. Budget Amendment for Unspent Appropriations.

Lisa Strickland, Finance Director presented a budget amendment that is necessary to the fiscal year 2024 budget in order to re-appropriate incomplete items from fiscal year 2023. Details are outlined below.

It is necessary to re-appropriate items that have been approved, but are not complete at the end of the fiscal year. The nature of these items is projects that are only partially complete, grants that have not been spent in their entirety and unspent drug seizure money. Incomplete items from fiscal year 2023 are as follows:

General Fund:

- \$26,172 Water & Sewer Connection Fee Assistance – program approved by Council to assist low income families with utility connection fees
- 16,594 Down payment Assistance – program approved by Council to assist low income families with house purchase

335,540	Paving/Street Marking not completed
18,101	State Equitable Sharing – Money received from seizures – restricted to law enforcement expenditures.
11,894	Explorer Program - Police (Donations)
25,459	US DOJ Bureau of Justice Grant
3,500	FM Global Grant (Sparky Costume)
5,344	Youth Programs – Fire (Donations)
500	Senior Center Grant
1,000	Recreation Center Beautification Grant
995	Tree donation to be used in planting
<u>\$445,099</u>	Total General Fund

Downtown Monroe Fund:

\$50,665	Façade Grants
<u>13,277</u>	Downtown Incentive Program
<u>\$63,942</u>	

Police Department Forfeiture Fund:

\$212,251	U S Justice - Federal Equitable Sharing– Money received from seizures – restricted to law enforcement expenditures.
<u>(18,621)</u>	U S Treasury – Federal Equitable Sharing– Money received from seizures – restricted to law enforcement expenditures.
<u>\$193,630</u>	

Staff requests General Services Committee recommendation of approval of the proposed budget amendment for appropriation of unspent items from Fiscal Year 2023 to Fiscal Year 2024.

Committee Member Thompson motioned to approve the proposed budget amendment for appropriation of unspent items from Fiscal Year 2023 to Fiscal Year 2024.

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

AYES: Chairman Keziah, Committee Member Thompson

NAYS: None

Item 5. Approval of Fiscal Year 2024 Property and Casualty Contract with Travelers Insurance.

Debra Chestnut Reed, Director of Human Resources, presented a request to review the FY2023-2024 Property and Casualty Program Option Analysis. Staff is requesting approval of a contract with Travelers Insurance for property and liability coverage and authorization for the City Manager to execute necessary documents.

Previously the City was insured for property damage and liability insurance by the Interlocal Risk Financing Fund of North Carolina property and liability fund which is managed by the North Carolina League of

Municipalities. Due to a large premium increase, staff requested our consultant, Arthur J. Gallagher & Co. to evaluate insurance options. A quote was submitted by Travelers Insurance which includes a \$28,968.00 savings as compared to the North Carolina League of Municipalities renewal quote. Staff is requesting approval of the new contract with Travelers Insurance with a premium amount of \$643,438 and is requesting authorization for the City Manager to execute the necessary documents. The fiscal year 2024 budget is sufficient to cover this cost.

Staff is recommending that the General Services Committee recommend approval of the contract proposal from Travelers Insurance and authorize the City Manager to execute the necessary documents. If the General Services Committee is in agreement, the item will be presented to City Council on the August 8, 2023 consent agenda.

Committee Member Thompson asked if staff would be getting a quote for worker's compensation premium at some point as well. Debra Reed stated that the premiums haven't changed significantly for that, but that staff was going to ask if the City added more programs to Traveler's if there would be more savings for the future in premiums. Staff is still working with them to get all the items handled for the switch in carriers.

Committee Member Thompson motioned to approve the recommendation and forward to the City Council consent agenda of the August 8, 2023 meeting.

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

AYES: Chairman Keziah, Committee Member Thompson

NAYS: None

Item 6. Senior Nutritional Program – Bazemore Active Adult Center.

Ryan Jones, Director of Parks and Recreation, presented a request to recommend Council to consider and approve an interlocal agreement with the Union County Human Service Agency ("UCHSA") to allow the City to assist UCHSA by providing access to the Bazemore Active Adult Center as a site for the Senior Nutrition program.

Parks and Recreation staff and officials representing the UCHSA met to establish the potential for partnership providing Senior Nutrition services at the Bazemore Active Adult Center. It was determined that a partnership regarding a comprehensive service to citizens aged 60 and older, where they can receive a nutritious lunch time meal was one that was mutually beneficial.

Parks and Recreation staff and UCHSA staff have put together a plan of action that would provide UCHSA with access to the multi-purpose room at the Bazemore Active Adult Center to provide nutritious meals to the community. The multi-purpose room is a room located within the Bazemore Active Adult Center, but is located in an area separate from the area utilized by Active Adult Center members. The facility is designed to provide separation from areas that are commonly utilized by members and the multi-purpose room which is available for rental by the public.

The city would like to provide access to UCHSA from 7:30 am – 12:00 pm, Monday – Friday to provide this important service to the community.

General Services is requested to recommend that Council consider a resolution allowing the City to enter into an interlocal agreement with the Union County Human Service Agency for the provision of a Senior Nutrition Program to serve our residents at the Bazemore Active Adult Center and authorize the City Manager to execute any and all required documents.

Committee Member Thompson motioned to approve the recommendation and forward to Council to approve the resolution allowing the City to enter into an interlocal agreement with the Union County Human Service Agency for to provision of a Senior Nutrition Program to serve our residents at the Bazemore Active Adult Center and authorize the City Manager to execute any and all required documents.

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

AYES: Chairman Keziah, Committee Member Thompson

NAYS: None

Item 7. Discussion of Offer to Purchase Real Property

Stephen Bennett with Arnold Smith, PLLC spoke to the Committee about the offer to purchase real property by Eagle I Property Group. Eagle I is interested in doing several development projects in the City of Monroe. There are 2 parcels listed in their offer to purchase. These parcels are the gravel lots used for parking currently. He gave the Committee information on what they envision for the property. Lisa Strickland stated that there will be more discussion at the City Council level during a closed session meeting because there were multiple offers received on the property.

Chairman Keziah stated that the project that was presented before by this firm was one of the best projects he had ever seen in Monroe. Attorney Bennett thanked Mr. Keziah for his comment.

No action required. For informational purposes only.

Item 8. City-Owned Facility Use Guidelines and Policy Discussion.

Committee Member Thompson made a motion to direct staff to review existing usage policies for City facilities, buildings, parking lots, streets, etc. and ask staff to present information back to the General Services Committee at the September 7, 2023 meeting.

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

AYES: Chairman Keziah, Committee Member Thompson

NAYS: None

There being no further business the meeting adjourned at 4:15 p.m.

Committee Chairman, Lynn Keziah



CITY OF MONROE

STAFF REPORT

TO: General Services Committee

FROM: Mark Watson, City Manager

VIA: Lisa Strickland, Finance Director

DATE: September 7, 2023

PREPARED BY: Ashley Ivey, Assistant Finance Director

SUBJECT: Fiscal Year 2023 Financial Report on Fees from Building Code Enforcement Program

SUMMARY STATEMENT

The General Services Committee is requested to consider a report of fees collected and expenses charged for building permits for Fiscal Year 2023 as required by Senate Bill 372 and North Carolina General Statute 160D-402(d).

REVIEW

Senate Bill 372 states that no later than October 1 of 2023, 2024, and 2025, every local government shall publish an annual financial report on how it used fees from the prior fiscal year for the support, administration, and implementation of its building code enforcement program as required by G.S. 160D-402(d). This report is in addition to any other financial report required by law. N.C.G.S. 160D-402(d) states that a local government may appropriate for the support of staff any funds that it deems necessary. It shall have power to fix reasonable fees for support, administration, and implementation of programs authorized, and all such fees shall be used for no other purposes.

Attached is the “Annual Financial Report for Fiscal Year 2023 for the Building Inspections Division”.

RECOMMENDATION

No action required. For informational purposes only.

City of Monroe
Building Inspections Division
Annual Financial Report
Fiscal Year 2023

Beginning Restricted Fund Balance as of June 30, 2022 \$ 1,378,317.96

<u>Revenue</u>	<u>Description</u>	<u>Amount</u>
1101000	354101 Building Permit Fees	\$ -
1101000	354102 Interlocal Reimb Fees	-
1101000	354103 Homeowner Recovery Fund	1,891.50
1101000	354112 Technology Fee	132,353.60
1101000	354201 Inspections-Building	433,279.40
1101000	354202 Inspections-Electrical	319,356.99
1101000	354203 Inspections-Mechanical	277,582.90
1101000	354204 Inspections-Plumbing	256,945.20
1101000	354205 Inspections-Other	43,638.65
1101000	354208 Plan Review	3,150.00
	Total Annual Revenue	\$ 1,468,198.24

<u>Expenditures</u>	<u>Description</u>	<u>Amount</u>	
1103530	411010 Salary	\$ 434,193.59	Salaries and benefits
1103530	411020 Overtime	8,578.91	Salaries and benefits
1103530	412010 Social Security Taxes	32,656.99	Salaries and benefits
1103530	412020 Life Insurance	853.68	Salaries and benefits
1103530	412030 Employer Share Insurance	91,812.00	Salaries and benefits
1103530	412040 Retirement	56,041.28	Salaries and benefits
1103530	412050 401(k)	18,827.60	Salaries and benefits
1103530	412500 Workers Compensation	7,072.00	Salaries and benefits
1103530	424010 Capitalized Motor Vehicles	151,279.62	Capital Outlay
1103530	434040 Technical Contracted Services	8,698.38	Operating
1103530	443050 Software License & Support	39,702.95	Operating
1103530	446010 Vehicle Fuel	8,054.05	Operating
1103530	446030 Vehicle Maintenance	6,966.00	Operating
1103530	452300 Wellness & Clinic Cost	3,671.00	Operating
1103530	452500 Property Damages	2,163.00	Operating
1103530	453010 Telecommunications	7,363.84	Operating
1103530	456010 Uniforms and Shoes	3,253.05	Salaries and benefits
1103530	458020 Training and Travel Exp	13,327.36	Operating
1103530	461010 General Supplies	3,226.07	Operating
1103530	461500 Small Equipment	6,768.69	Operating
1103530	461510 PC's Peripherals	5,095.51	Operating
1103530	464030 Organizational Dues	866.88	Operating
1103530	464050 Subscriptions & Publications	3,096.98	Operating
1103530	467010 Bad Debt Expense	242.00	Operating
1103530	468010 Other Operating Expense	831.39	Operating
	Total Annual Expenditures	\$ 914,642.82	

Total Annual Net Revenue \$ 553,555.42
Restricted Fund Balance as of June 30, 2023 **\$ 1,931,873.38**



STAFF REPORT

TO: General Services Commission

VIA: Mark Watson, City Manager

DATE: September 7, 2023

FROM: Teresa V. Campo, Community Development Coordinator

PREPARED BY: Teresa V. Campo, Community Development Coordinator

SUBJECT: Union County Historic Preservation Commission Interlocal Agreement

SUMMARY STATEMENT

The General Services Committee is requested to consider a budget recommendation of up to Twenty Thousand Dollars (\$20,000) to the Union County Historic Preservation Commission and authorize the City Manager to execute the Interlocal Agreement and all subsequent related documents and communications.

REVIEW

The Union County Board of Commissions adopted a joint ordinance on November 2, 1992 as amended on October 3, 2005 forming the Union County Historic Preservation Commission. The joint ordinance includes the City of Monroe, Town of Indian Trail, Town of Marshville, Town of Stallings, Town of Waxhaw, Town of Weddington, and the Town of Wingate. The City of Monroe adopted an Ordinance O-2002-46 establishing the Union County Joint Historic Preservation Commission. The Union County Historic Preservation Commission (UCHPC) was funded through an informal outside agency process, in the past. In Fiscal Year 2022 City Council adopted policies and authorized processes in regards to outside agency funding. The fact finding discovery led the City to determine that a formal process was required for the funding of the UCHPC. The City Manager met with UCHPC and is recommending up to Twenty Thousand Dollars (\$20,000) through the annual budget process. A Budget Amendment is recommended for the current fiscal year since funding was not included due to finalizing the interlocal agreement. The UCHPC serves as an advisory board and is a valuable agency in the regards to historical resources, historical record safekeeping, the State of North Carolina Historic Preservation requirements, and environmental compliance for programmatic agreements and/or memorandum of understandings. Staff has included a copy of the interlocal agreement for your review.

RECOMMENDATION

Staff recommends that the General Services Committee recommend to Council to appropriate \$20,000 from the Unassigned General Fund Balance and authorize the City Manager to execute the Interlocal Agreement with the Union County Historic Preservation Commission and all subsequent revisions, correspondence, and written agreements.

Attachment: Union County Historic Preservation Commission Interlocal Agreement;
City of Monroe, Ordinance O-2002-46
Budget Amendment BA-2023-20

**CITY OF MONROE
AN ORDINANCE CREATING THE
UNION COUNTY HISTORIC PRESERVATION COMMISSION
O-2002-46**

1.0 Purpose

The historical heritage of Union County is one of its most valued and important assets. Conservation of historic districts and landmarks will stabilize and increase the values in their areas and strengthen the overall economy of the County and State. By means of listing, regulation and acquisition of historic districts and landmarks, Union County, Monroe, Marshville, and Wingate seek within their respective zoning jurisdictions:

- (a) To safeguard its heritage by preserving any district or landmark therein that embodies elements of its culture, history, architectural history or prehistory; and
- (b) To promote the use and conservation of such district or landmark for the education, pleasure, and enrichment of the residents of the County and state as a whole.

2.0 Historic Preservation Commission

2.1 Creation

There is hereby established by authority of Chapter 160A, Article 19, Part 3C of the North Carolina General Statutes, the Union County Joint Historic Preservation Commission, hereafter referred to as the Historic Preservation Commission or Commission, to consist of up to thirteen (13) members with four (4) appointed by the Union County Commissioners, three (3) appointed by the Monroe City Council, and one (1) appointed by the Town Councils of each of Marshville and Wingate.

The Historic Preservation Commission members shall serve without monetary compensation. In establishing the Historic Preservation Commission and making appointments to it, the above-named Board and Councils may seek the advice of such State or local historical agencies, societies, or organizations as it may deem necessary.

2.2 Joint Ordinance

Pursuant to the provisions of G.S. 160A-400.7, Union County, the City of Monroe, and the Towns of Marshville and Wingate do hereby adopted this ordinance as a joint ordinance. It is the intent of this ordinance that Union County and each city or town subscribing to this ordinance shall have complete

control of all historic districts or landmarks located within its incorporated municipal limits, at the present and in the future, except to the extent that any functions are specifically delegated to the Historic Preservation Commission. Any references in this ordinance to all of the subscribing parties shall be construed to be in the disjunctive rather than the conjunctive, it not being the intent of this ordinance that any governmental entity have any authority beyond its municipal limits. At the present time, the City of Monroe, and the Towns of Stallings, Waxhaw and Weddington exercise zoning jurisdiction independent of Union County. The Towns of Indian Trail, Marshville and Wingate do not exercise independent zoning jurisdiction, with all zoning matters within those towns being administered by Union County. To the extent that this ordinance requires acts to be performed incident to a zoning ordinance, Union County shall perform those functions on behalf of Indian Trail, Marshville, and Wingate, until such time as those towns shall adopted their own zoning ordinances. It is the intent of this ordinance that upon the adoption of zoning ordinances by Indian Trail, Marshville, and Wingate that those towns would assume full authority as to all acts required under this ordinance.

To the extent that any prior ordinances adopted by any governmental entity is inconsistent with this ordinance, then such prior ordinances are hereby repealed.

2.3 Representation

All members of the Historic Preservation Commission shall be residents of Union County and each shall reside within the jurisdiction of the Board or Council appointing them representative. A majority of the members shall have demonstrated special interest, experience or education in history, architecture, archaeology, or related fields.

2.4 Tenure

Members of the Historic Preservation Commission shall serve overlapping terms of four (4) years. Initially, two (2) appointees by the County, and one (1) appointee each from Monroe and Marshville, and shall be for two (2) years. Thereafter, all appointments shall be for a term of four (4) years. A member may be reappointed for a second consecutive term, but after two (2) consecutive terms a member shall be ineligible for reappointment until one (1) calendar year has elapsed from the date of termination of his or her second term.

Appointments to any vacancy shall be for the remainder of the term of the vacant position for which the appointment is made. For purposes of reappointment to the Historic Preservation Commission, an initial two-year term, or serving the balance of an unexpired term of two years or less shall not be considered to be one of the two (2) consecutive terms, and such person would be eligible to serve two consecutive full terms in addition to the partial term.

2.5 Attendance at Meetings

Any member of the Historic Preservation Commission who misses more than three (3) consecutive regular meetings or one-half (1/2) the regular meetings in a calendar year without excuse granted by the Historic Preservation Commission shall lose his or her status as a member of the Historic Preservation Commission and shall be replaced or reappointed by the appropriate governing Board or Council to Sections 2.1 and 2.3 of this ordinance.

2.6 Meetings

The Historic Preservation Commission shall hold meetings regularly at least once each quarter, and more often as it shall determine and require. All meetings shall be held in accordance with the North Carolina Open Meetings Law, G.S. Chapter 143, Article 33C. Reasonable notice of the time and place thereof shall be given to the public.

2.7 Rules of Procedure

The Historic Preservation Commission shall adopt rules of procedure for the conduct of its business, and an annual written report shall be prepared and submitted to the Union County Board of Commissioners, the Monroe City Council, and the Town Councils of Marshville and Wingate. Such report shall include a comprehensive and detailed review of the activities, problems, and actions of the Historic Preservation Commission as well as any budget requests or recommendations. The Historic Preservation Commission shall keep a record of its members' attendance, and of its resolutions, findings, and recommendations, which record shall be a public record.

2.8 Quorum and Vote Required for Recommendation

Seven (7) members of the Historic Preservation Commission shall constitute a quorum. The concurrence of at least a majority of those members present will be required before any recommendation or action is made on any matter considered.

2.9 Private Interest of Members

No member of the Historic Preservation Commission may discuss, advocate, or vote on any matter in which he has a separate, private, or monetary interest, either direct or indirect, and no member may discuss before a governing Board or Council any matter which has been, is, or will be considered by the Historic Preservation Commission on which he serves, and in which he has a separate, private, or monetary interest, either direct or indirect. Any member who violates this provision may be subject to removal from the Historic Preservation Commission.

Commission Powers

The Historic Preservation Commission is authorized and empowered to undertake such actions reasonably necessary to the discharge and conduct of its duties and responsibilities as outlined in this ordinance:

- (a) Undertake an inventory of properties of historical, prehistorical, architectural, and/or cultural significance;
- (b) Recommend to the Union County Board of Commissioners, the Monroe City Council, and the Town Councils of Marshville and Wingate, areas to be designated by ordinance as "Historic Districts"; and individual structures, buildings, sites, areas or objects to be designated by ordinance as "Landmarks";
- (c) Acquire by any lawful means the fee or any lesser included interest, including options to purchase, to properties within established districts or to any such properties designated as landmarks, to hold, manage, preserve, restore and improve the same, and to exchange or dispose of the property by public or private sale, lease or otherwise, subject to covenants or other legally binding restrictions which will secure appropriate rights of public access and promote the preservation of the property;
- (d) Restore, preserve, and operate historic properties;
- (e) Recommend to the Board or Council that designation of any area as a historic district or part thereof, or designation of any building, structure, site, area, or object as a landmark, be revoked or removed for cause;
- (f) Conduct an educational program with respect to historic properties and districts within its jurisdiction;
- (g) Cooperate with the state, federal, and local governments in pursuance of the purposes of this ordinance. The Historic Preservation Commission when authorized by the local governing Board and Councils may contract with the State, or the United States of America, or any agency of either, or with any other organization, provided the terms are not inconsistent with state or federal law;
- (h) Enter, solely in performance of its official duties and only at reasonable times, upon private lands for examination or survey thereof. However, no members, employee or agent of the Historic Preservation Commission may enter any private building or structure without the express consent of the owner or occupant thereof;
- (i) Prepare and recommend the official adoption of a preservation element as part of the comprehensive plan of Union County, the City of Monroe, and the Towns of Marshville and Wingate;

- (j) Review and act upon proposals for alterations, demolitions, or new construction within historic districts, or for the alteration or demolition of designated landmarks, pursuant to this ordinance;
- (k) Negotiate at any time with the owner of a building, structure, site, area, or object for its acquisition or its preservation, when such action is reasonably necessary or appropriate;
- (l) Accept funds granted to the Historic Preservation Commission for preservation purposes from private individuals and organizations;
- (m) Organize itself and conduct its business.
- (n) Any other powers as allowed by law.

3.0 Designation of Historic Districts

3.1 Adoption of an Ordinance of Designation of an Historic District

Upon compliance with the procedures set out in Section 3.3 of this ordinance, the Union County Board of Commissioners, the Monroe City Council, or the Marshville or Wingate Town Councils may as part of a zoning or other ordinance enacted or amended pursuant to this ordinance designate and from time-to-time amend one or more historic districts within the area subject to the ordinance. Such ordinance may treat historic districts either as a separate use district classification or as districts that overlay other zoning districts. Where historic districts are designated as separate use districts, the zoning ordinance may include as uses by right or as conditional or special uses those uses found by the Historic Preservation Commission to have existed during the period sought to be restored or preserved, or to be compatible with the restoration or preservation of the district.

3.2 Definition of Character of an Historic District

Historic Districts established pursuant to this ordinance shall consist of areas which are deemed and found by the Historic Preservation Commission to be of special significance in terms of their history, prehistory architecture, and/or culture, and to possess integrity of design, setting, materials, feeling and association.

3.3 Required Procedures

No historic district or districts shall be designated until:

- (a) An investigation and report describing the significance of the buildings, structures, features, sites or surroundings located in any such proposed district, and a description of the boundaries of such district has been prepared, and

- (b) The Department of Cultural Resources, acting through the State Historic Preservation Officer or his or her designee, shall have made an analysis of and recommendations concerning such report and description of proposed boundaries. Failure of the department to submit its written analysis and recommendations to the governing board within 30 calendar days after a written request for such analysis has been received by the Department of Cultural Resources shall relieve the governing board of any responsibility for awaiting such analysis, and said board may at any time thereafter take any necessary action to adopt or amend its zoning ordinance.

The governing board may also, in its discretion, refer the report and the proposed boundaries to any other interested body for its recommendation prior to taking action to amend the zoning ordinance. With respect to any changes in the boundaries of such district subsequent to its initial establishment, or the creation of additional districts within the jurisdiction, the investigative studies and reports required by subdivision (a) of this section shall be prepared by the commission and shall be referred to the local planning agency for its review and comments according to procedures set forth in the zoning ordinance. Changes in the boundaries of an initial district or proposal for additional districts shall also be submitted to the Department of Cultural Resources in accordance with the provisions of subdivision (b) of this section.

On receipt of these reports and recommendations, the governing board may proceed in the same manner as would otherwise be required for the adoption or amendment of any appropriate zoning ordinance provisions.

4.0 Designation of Landmarks

4.1 Adoption of an Ordinance of Designation of Landmarks

Upon complying with the landmark designation procedures as set forth in this ordinance, the Union County Board of Commissioners, the Monroe City Council, or the Marshville or Wingate Town Councils may adopt and from time-to-time amend or repeal an ordinance designating one or more historic landmarks. No property shall be recommended for designation as a landmark unless it is deemed and found by the Historic Preservation Commission to be of special significance in terms of its historical, prehistorical, architectural, or cultural importance and to possess integrity of design, setting, workmanship, materials, feeling and/or association.

The ordinance shall describe each property designated in the ordinance, the name or names of the owner or owners of the property, those elements of the property that are integral to its historical, architectural, or prehistorical value, including the land areas of the property so designated and any other information the governing board deems necessary. For each building, structure, site, area or

object so designated as a historic landmark, the ordinance shall require that the waiting period set forth in Part 3C of the General Statutes be observed prior to its demolition. For each designated landmark, the ordinance may also provide for a suitable sign on the property indicating that the property has been so designated. If the owner consents, the sign shall be placed upon the property. If an owner objects, the sign shall be placed on a nearby public right-of-way.

4.2 Inventory of Landmarks

As a guide for the identification and evaluation of landmarks, the Historic Preservation Commission shall undertake at the earliest possible time and consistent with the resources available to it, an inventory of properties of historical, architectural, prehistorical and culture significance within its jurisdiction. Such inventories and any additions or revisions thereof shall be submitted as expeditiously as possible to the Division of Archives and History.

4.3 Required Procedures

No ordinance designating a historic building structure, site, area, or object as a landmark nor any amendment thereto may be adopted, nor may any property be accepted or acquired by the Historic Preservation Commission or the Union County Board of Commissioners, the Monroe City Council, or the Marshville or Wingate Town Councils until all of the following procedural steps have been taken:

- (a) The Historic Preservation Commission shall prepare and adopt rules of procedure and principles and guidelines for altering, restoring, moving, or demolishing properties designated as landmarks.
- (b) The Historic Preservation Commission shall make or cause to be made an investigation and report on the historic, architectural, prehistorical, educational or cultural significance of each building, structure, site, area, or object proposed for designation or acquisition. The investigation and report shall be forwarded to the Division of Archives and History, North Carolina Department of Cultural Resources.
- (c) The Department of Cultural Resources, acting through the State Historic Preservation Officer, shall either upon request of the department or at the initiative of the Historical Preservation Commission be given an opportunity to review and comment upon the substance and effect of the designation of any landmark. Comments shall be provided in writing within 30 days following receipt by the Department of the investigation and report. The Union County Board of Commissioners, the Monroe City Council, or the Marshville or Wingate Town Councils shall be relieved of any responsibility to consider Department comments if such comments are not received within 30 days.

- (d) The owners of the property proposed to be designated as a Landmark shall have filed an application with the Historic Preservation Commission requesting that the property be designated as a Landmark.
- (e) The Historic Preservation Commission and the Local Board or Council shall hold a joint public hearing or separate public hearings on the proposed ordinance. Notice of the time, place, and purpose of the public hearing shall be mailed to all adjoining property owners (including the owners of properties located across any street or road from the property proposed to be a Landmark) at least two (2) weeks prior to the hearing, by first class mail. Notice of the public hearing shall be published in a newspaper having general circulation in the area once a week for two (2) successive weeks, the first notice to be published not less than ten (10) days nor more than twenty-five (25) days prior to the date established for the hearing. In computing such time, the date of publication is not to be included, but the date of the hearing shall be included.
- (f) Following the public hearing, the local Board or Council may adopted the ordinance as proposed, adopted the ordinance with any amendments it deems necessary, or reject the proposed ordinance.
- (g) Upon adoption of the ordinance, the owners and occupants of each designated landmark shall be given written notification of such designation insofar as reasonable diligence permits. One copy of the ordinance and all amendments thereto shall be filed by the Historic Preservation Commission in the office of the Register of Deeds for Union County. Each designated landmark shall be indexed according to the name of the owner of the property in the grantee and grantor indexes in the Register of Deeds office. The Historic Preservation Commission shall pay a reasonable fee for filing and indexing. In case of any property lying in Union County, a second copy of the ordinance and all amendments thereto shall be kept on file in the office of the Union County Clerk and shall be available for public inspection at any reasonable time. In case of any property lying within the cities or municipalities of Monroe, Marshville, or Wingate, a second copy of the ordinance and each amendment thereto shall be kept on file in the Office of the City or Town Clerk, and be made available for public inspection at any reasonable time. A third copy of the ordinance and all amendments thereto shall be given to the Union County Building Inspector. The fact that a building, structure, site, area, or building has been designated a landmark shall be clearly indicated on all tax maps maintained by Union County for such time as the designation remains in effect.
- (h) Upon the adoption of the landmarks ordinance or any amendment thereto, it shall be the duty of the Historic Preservation Commission to give notice thereof to the tax supervisor of Union County. The designation and any recorded restrictions upon the property limiting

its use for preservation purposes shall be considered by the tax supervisor in appraising it for tax purposes.

5.0 Alteration or Demolition of Designated Landmark or Historic District

5.1 Certificate of Appropriateness

From and after the designation of a landmark or a historic district, no exterior portion of any building or other structure (including masonry walls, fences, light fixtures, steps and pavement, or other appurtenant features), nor any above-ground utility structures, nor any type of outdoor advertising sign shall be erected, altered, restored, moved or demolished on such landmark (or within such districts) until after an application for a certificate of appropriateness as to exterior features has been submitted to and approved by the Commission. Such a certificate is required to be issued by the Commission prior the issuance of a building permit or other permit granted for the purposes of constructing, altering, moving or demolishing structures, which certificate may be issued subject to reasonable conditions necessary to carry out the purposes of this ordinance. A certificate of appropriateness shall be required whether or not a building or other permit is requested.

For purposes of this ordinance, “exterior features” shall include the architectural style, general design, and general arrangement of the exterior of a building or other structure, including the kind and texture of the building material, the size and scale of the building, and the type and style of all windows, doors, light fixtures, signs and other appurtenant features. In the case of outdoor advertising signs, “exterior features” shall be construed to mean the style, material, size and location of all such signs. Such “exterior features” may, in the discretion of the Union County Board of Commissioners, the Monroe City Council, or the Marshville or Wingate Town Councils include historic signs, color and significant landscape, archaeological and natural features of the area.

Except as provided in Section 5.2 below, the Historic Preservation Commission shall have no jurisdiction over interior arrangements and shall take no action under this section except to prevent the construction, reconstruction, alteration, restoration, moving or demolition of buildings, structures, appurtenant features, outdoor advertising signs or other significant features in the district or the landmark which would be incongruous with the special character of the landmark or district.

5.2 Limitation on Jurisdiction Over Interior Spaces

Notwithstanding Section 5.1 above, the jurisdiction of the Historic Preservation Commission over interior spaces shall be limited to specific interior features of architectural, artistic or historical significance in publicly owned landmarks; and of privately owned historic landmarks for which consent for interior review has

been given by the owner. Said consent of any owner for interior review shall bind future owners and/or successors in title, provided such consent has been filed in the office of the Register of Deeds of Union County and indexed according to the name of the owner of the property in the grantee and grantor indexes. The landmark designation shall specify the interior features to be reviewed and the specific nature of the Historic Preservation Commission's jurisdiction over the interior.

5.3 Application for Certificate of Appropriateness

An application for a Certificate of Appropriateness shall be obtained from the Historic Preservation Commission, and when completed, filed with the Historic Preservation Commission.

5.4 Contents of an Application for Certificate of Appropriateness

The application for a Certificate of Appropriateness shall, in accordance with the Historic Preservation Commission's rules of procedure, contain data that is reasonably necessary to determine the nature of the application. An application for a Certificate of Appropriateness shall not be considered complete until all required data has been submitted.

5.5 Time for Hearing Applications of Certificate of Appropriateness

Applications shall be considered by the Historic Preservation Commission at its next regular meeting, provided they have been filed, complete in form and content, at least thirty (30) calendar days before the regularly scheduled meeting of the Commission. Otherwise, they shall be deferred until the next meeting or considered at a special called meeting of the Commission. Nothing shall prevent the applicant from filing with the application additional relevant information bearing on the application.

5.6 Notification by Historic Preservation Commission of Affected Property Owners

Upon receipt of an application for a Certificate of Appropriateness, the Historic Preservation Commission shall notify the owners of any property likely to be materially affected by the application, in writing at least ten (10) days before the regularly scheduled meeting at which the application is to be heard. Notice to property owners likely to be material affected by the application shall include all adjoining property owners and the owners of properties located across any roadway from the affected property. Such owners shall be given an opportunity to be heard.

5.7 Public Hearing

When an application for a Certificate of Appropriateness is presented to the Historic Preservation Commission, a public hearing shall be held. All meetings of the Commission shall be open to the public in accordance with the North Carolina Open Meetings Law, Chapter 143, Article 33C of the General Statutes.

5.8 Action on an Application for a Certificate of Appropriateness

The action on an application for a Certificate of Appropriateness shall be approval, approval with modification, or denial.

Prior to any final action on an application, the review criteria in Section 5.9 shall be used to make findings of fact indicating the extent to which the application for a Certificate of Appropriateness is or is not congruous with the historic aspects of the district or landmark.

All applications for Certificates of Appropriateness shall be reviewed and acted upon within a reasonable time as defined by the rules of procedure, and not exceeding 60 days from the date the application is filed. As part of its review procedure, the Commission may view the premises and seek the advice of the Department of Cultural Resources or other such experts as it may deem necessary under the circumstances.

5.9 Review Criteria for Certificates of Appropriateness

It is the intent of these criteria, and the design guidelines, to insure, insofar as possible, that changes to a designated landmark (or structures in a historic district) shall be in harmony with the reasons for designation.

When considering a Certificate of Appropriateness, the Historic Preservation Commission shall take into account the historic or architectural significance of the structure under consideration and the exterior form and appearance of any proposed additions or modifications to that structure, as well as the effect of such change or additions upon other structures in the vicinity. In a historic district, it is not the intention of these criteria or the guidelines to require the reconstruction or restoration of individual or original buildings or prohibit the demolition or removal of same or to impose architectural styles from particular historic period. In considering new construction in a historic district, the Historic Preservation Commission shall encourage contemporary design which is harmonious with the character of the district.

The following criteria shall be considered, when relevant, along with companion design guidelines and the guidelines of the Secretary of the Interior in reviewing for a Certificate of Appropriateness:

- (a) Lot coverage, defined as the percentage of lot area covered by primary structures;

- (b) Setback, defined as the distance from the lot lines the building;
- (c) Building height;
- (d) Spacing of buildings, defined as the distance between adjacent buildings;
- (e) Building materials;
- (f) Proportion, shape, positioning, location, pattern and sizes of any elements of fenestration;
- (g) Surface textures;
- (h) Roof shapes, form and materials;
- (i) Use of local or regional architectural traditions;
- (j) General form and proportions of buildings and structures, and relationship of any additions to the main structure;
- (k) Expression of architectural detailing, such as lintels, cornices, brick bond, and decorative elements;
- (l) Orientation of the building to the street;
- (m) Scale, determined by the size of the units of construction and architectural details in relation to the human scale and also by the relationship of the building mass to adjoining open space and nearby buildings and structures;
- (n) Proportion of width to height of the total building façade;
- (o) Archaeological sites and resources associated with standing structures;
- (p) Major landscaping efforts that would impact known archaeological sites;
- (q) Appurtenant features and other features such as lighting; and
- (r) Structural condition and soundness.

5.10 Minor Work

A Certificate of Appropriateness application when determined to involve minor work, may be reviewed and approved by an administrative official according to specific review criteria and guidelines. Minor work is defined as those exterior changed that do not involve substantial alterations, additions or removals that could impair the integrity of the property (and/or the district as a whole). Such minor works shall be limited to those listed in the Commission's rules of procedure. No application involving a minor work may be denied without the formal action of the Historic Preservation Commission.

5.11 Certain Changes Not Prohibited

Nothing in this ordinance shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature of a historic landmark or in a historic district which does not involve a change in design, materials, or outer appearance therefore, not to prevent the construction, reconstruction, alteration, restoration, or demolition of any such feature which the building inspector or similar official shall certify is required by the public safety because of an unsafe

or dangerous condition. Nothing herein shall be construed to prevent a property owner from making any use of this property non-prohibited by other statutes, ordinances, or regulations. Nothing in this ordinance shall be construed to prevent the maintenance or in the event of an emergency, the immediate restoration of any existing aboveground utility structure without approval by the Commission.

5.12 Appeals

An appeal may be taken to the appropriate Board of Adjustment of from the Historic Preservation Commission's actions in granting or denying any certificate. Appeals from decisions of the Historic Preservation Commission for properties lying in the towns having no Board of Adjustments shall lie to the Union County Board of Adjustment. The appeals may be take by an aggrieved party, shall be taken within times prescribed by the Commission in the rules of procedures, and shall be in the nature of certiorari. Any appeal from the appropriate Board of Adjustment's decision in any such case shall be heard by the Superior Court of Union County.

5.13 Submission of New Applications

If a Certificate of Appropriateness is denied, a new application affecting the same property may be submitted only if substantial change is made in plans for the proposed construction, reconstruction, alteration, restoration or moving.

6.0 Delay in Demolition of Landmarks and Buildings within Historic Districts

6.1 Delay by Historic Preservation Commission

An application for a Certificate of Appropriateness authorizing the demolition or destruction of a designated landmark or a building, structure, or site within the district may not be denied except as provided in Section 6.3 below. However, the effective date of such a Certificate may be delayed for a period up to 180 days from the date of approval. The maximum period of delay authorized by this section shall be reduced by the Historic Preservation Commission where it finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use or return from such property by virtue of the delay. During such period, the Historic Preservation Commission shall negotiate with the owner and with any other parties in an effort to find a means of preserving the buildings or site. If the Historic Preservation Commission finds that a building or site within the historic district has no special significance or value toward maintaining the character of the district, it shall waive all or part of such period and authorize earlier demolition or removal.

6.2 Delay Pending Designation as District or Landmark

If the Historic Preservation Commission has voted to recommend designation of a property proposed by an owner to be so designated as a landmark or designation of an area as a district, and final destination has not been made by the Union County Board of Commissioners, the Monroe City Council, or the Town Councils of Marshville or Wingate for a period of up to 180 days or until the Union County Board of Commissioners, the Monroe City Council, or the Town Councils of Marshville or Wingate take final action on the designation, whichever occurs first.

6.3 Prevention of Demolition by Neglect

The Union County Board of Commissioners, the Monroe City Council, or the Town Councils of Marshville or Wingate may enact an ordinance to prevent the demolition by neglect of any designated landmark or any building or structure within an established historic district. Such ordinance shall provide appropriate safeguards to protect property owners from undue economic hardship

6.4 Structures Having Statewide Significance

An application for a Certificate of Appropriateness authorizing the demolition or destruction of a building, site, or structure determined by the State Historic Preservation Office as having statewide significance as defined in the criteria of the National Register of Historic Places may be denied except where the Commission finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use or return by virtue of the denial.

7.0 Records of Commission

7.1 Record of Action Taken by the Commission

The Historic Preservation Commission shall maintain a file containing records of all written notices of proposed actions submitted to the Historic Preservation Commission, reasons underlying all actions, drawings submitted for review, and subsequent amendments.

8.0 Receipt and Expenditure of Funds

The Town, City or County governing body is authorized to make appropriations to the Historic Preservation Commission established pursuant to this ordinance in any amount that it may determine necessary for the expenses of the operation of the Historic Preservation Commission, and may make available any additional amounts necessary for the acquisition, restoration, preservation, operation, and management of historic buildings, structures, sites, areas, or objects designated as historic properties, or of land on which historic buildings or structures are located, or to which they may be removed.

9.0 Staff and Technical Services

The Historic Preservation Commission may recommend to the local governing board suitable arrangements for the procurement or provision of staff or technical services to the Historic Preservation Commission.

10.0 Ownership of Property

All lands, buildings, structures, sites, areas or objects acquired by funds appropriated by a governing Board or Council shall be acquired in the name of the governing Board or Council. So long as owned by a City, Town, or the County, historic properties may be maintained by or under the supervision and control of the City, Town or the County. However, all lands, buildings or structures acquired by the Union County Joint Historic Preservation Commission from funds other than those appropriated by a City, Town of the County, may be acquired and held in the name of the Union County Joint Historic Preservation Commission, the City, Town or the County, or both.

11.0 Ordinance to Apply to Publicly Owned Buildings and Structures

All of the provisions of this ordinance are applicable to the construction, alteration, moving and demolition by the State of North Carolina, its political subdivisions, agencies and instrumentalities, provided, however, that they shall not apply to interiors of buildings or structures owned by the State of North Carolina. The State and its agencies shall have a right of appeal to the North Carolina Historical Commission or any successor agency assuming its responsibilities under GS 121-12(a) from any of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings shall be the sole principles and guidelines used in reviewing applications of the State for Certificates of Appropriateness. The decision of the Historical Commission shall be binding upon both the State and the Historic Preservation Commission.

12.0 Conflict with Other Laws

Whenever any ordinance adopted for the designation of landmarks or districts requires a longer waiting period or imposes higher standards with respect to a designated landmark (or district) than are established under any other statute, charter provision, or regulation, this ordinance shall govern. Whenever the provisions of any other statute, charter provision, or regulation require a longer waiting period or impose higher standards than are established under this ordinance, such other statute, charter provision, ordinance, or regulation shall govern.

13.0 Remedies

Compliance with the terms of the Certificate of Appropriateness shall be enforced by the designated zoning enforcement officer of Union County, or the zoning enforcement officer of the cities and municipalities having in effect zoning ordinances. Enforcement as to landmarks or districts in municipalities not having zoning ordinances shall be by the zoning enforcement officer of Union County.

Failure to comply with the Certificate of Appropriateness shall be a violation of the applicable zoning ordinance and is punishable according to established procedures and penalties for such violations. A Certificate of Appropriateness shall expire twelve (12) months after the date of issuance if the work authorized by the Certificate has not been commenced. If after commencement the work is discontinued or a period of six (6) months, the permit therefor shall immediately expire. No work authorized by any Certificate which has expired shall thereafter be performed until a new Certificate has been secured.

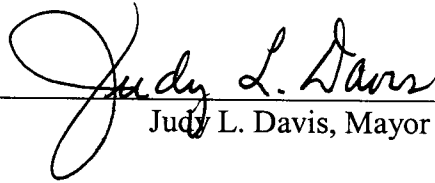
In case any building, structure, site, area, or objects designed an historic property is about to be demolished whether as the result of deliberate neglect or otherwise, materially altered, remodeled or removed, except in compliance with an ordinance, a city, town or the county, may institute an appropriate action or proceedings to prevent such unlawful demolition, material alteration, remodeling or removal, and may restrain, correct or abate such violation, or to prevent such illegal act or conduct with respect to such historic property.

In case any building, structure, site, area, or objects designated as a historic landmark (or located within a historic district established) pursuant to this ordinance is about to be demolished, whether as a result of deliberate neglect or otherwise, materially altered, remodeled, removed or destroyed, except in compliance with the ordinance, Union County, the applicable city or municipality may institute any appropriate action or proceeding to prevent such unlawful demotion, destruction, material alteration, remodeling or removal, to restrain, correct or abate such violation, or to prevent any illegal act or conduct with respect to such a building structure, site, area, or object. Such remedies shall be in addition to any other authorized for violation of a county or municipal ordinance.

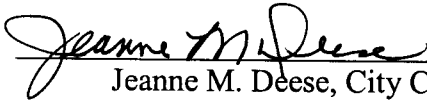
14.0 Effective Date

This ordinance shall become effective on the date of its adoption.

Adopted this 5th day of August, 2002.


Judy L. Davis, Mayor

Attest:


Jeanne M. Deese, City Clerk



O-2002-46

STATE OF NORTH CAROLINA)
) INTERLOCAL AGREEMENT
UNION COUNTY)

THIS AGREEMENT is made and entered as of the latest date of the signatures set forth below (“Effective Date”), by and between the Union County Historic Preservation Committee, a North Carolina municipal commission (“Historic Preservation Commission”) and the City of Monroe, a North Carolina municipal corporation (“City”). Historic Preservation Commission and City shall be collectively referred to herein as the “Parties.”

RECITALS:

WHEREAS, pursuant to N.C.G.S. § 160D-942, Historic Preservation Commissions provide for historic preservation services; and

WHEREAS, pursuant to N.C.G.S. § 160D-303, on August 5, 2002, the City adopted an ordinance 0-2002-46 Creating the Union County Historic Preservation Commission; and

WHEREAS, the Historic Preservation Commission is able to provide landmark designation and protection services for the City; and

WHEREAS, the City desires to protect and preserve the historic buildings, structures, districts, sites, objects, and archaeological sites within the City; and

WHEREAS, the City and the Historic Preservation Commission are permitted by Article 20 of Chapter 160A of the North Carolina General Statutes to execute a joint undertaking through interlocal cooperation, such as through this interlocal agreement.

WITNESSETH:

NOW, THEREFORE, subject to and for and in consideration of the terms, covenants and provisions set forth herein below, and the recitals set forth herein above, the City and the Historic Preservation Commission agree and resolve as follows:

1. **Purpose and Services.** At the request of the City, the Historic Preservation Commission shall provide landmark designation and protection services using the required criteria and procedures as set forth below:
 - a) The Historic Preservation Commission shall maintain documents and report annually regarding newly designated historic resources and identify any historic resources that may be subject to neglect; and
 - b) The Historic Preservation Commission shall process all landmark designation applications and conduct planning, training, and public information tasks necessary to support land-marking activities in the City of Monroe; and

- c) The Historic Preservation Commission shall assist the City in compliance with Section 106 of The National Historic Preservation Act as required for environmental review compliance; and
 - d) The Historic Preservation Commission shall assist the City with research of historically significant properties and/or research projects including surveys, as needed; and
 - e) The Historic Preservation Commission will hold quarterly scheduled meetings annually.
2. **Duration and Termination.** The duration of this Agreement shall automatically continue, commencing on each fiscal year. It may be terminated in writing, with a thirty (30) day notice by either party in accordance with state and/or local laws, regulations, and/or ordinances.
3. **Insurance.** The Historic Preservation Commission through Union County shall maintain insurance policies at all times with minimum limits as follows:

<u>COVERAGE</u>	<u>MINIMUM LIMITS</u>
Workers' Compensation	Statutory Limits
Employers' Liability	\$500,000
General Liability	\$1,000,000 per occurrence/ \$2,000,000 aggregate
Automobile Liability	\$1,000,000
Professional Liability (E & O)	\$1,000,000 per occurrence/ \$2,000,000 aggregate

The Historic Preservation Commission shall provide the City with a Certificate of Insurance for review. This should be an ACORD form. All Certificates of Insurance will require thirty (30) days written notice by the insurer in the event of cancellation, reduction or other modifications of coverage. In addition to the notice requirement above, the Historic Preservation Commission shall provide the City with immediate written notice of cancellation, reduction, or other modification of coverage of insurance. The insurance certificate shall be for an initial period of one (1) year and shall be renewed by the for each subsequent renewal period of the Agreement.

The City shall be named as an additional insured and it is required that coverage be placed with "A" rated insurance companies acceptable to the City. Statement should read, "City of Monroe is to be added as an additional insured as evidenced by an endorsement attached to this certificate." Failure to maintain the required insurance in force may be cause for termination of this Agreement. In the event that the Historic Preservation Commission through Union County fails to maintain and keep in force the insurance herein required, the City has the right to cancel and terminate this Agreement without notice.

a)

4. **Personnel.** The personnel necessary for the execution of this undertaking shall be assigned by and be employees of the Historic Preservation Commission. The Historic Preservation Commission will be responsible for ensuring that personnel assigned to perform the duties described in Section 1 above are properly qualified in accordance with the North Carolina Department of Natural Cultural Resources, State Historic Preservation Office.
5. **Financing.** All of the Historic Preservation Commission's actual costs for the provision of the services pursuant to this Agreement, including, without limitation, payment of overtime and related fringe benefits to employees, as well as all other costs, will be the responsibility of the Historic Preservation Commission. The Historic Preservation Commission shall submit a budget request through the City's Planning and Development Department, Community Development Division annually. The Budget Request should include the complete budget and sources of funding. The City shall, in its discretion provide up to TWENTY THOUSAND DOLLARS (\$20,000) to the Historic Preservation Commission not including rent and/or utilities and/or insurance, upon review by the City Council during the annual budgeting process.
6. **Property.** Nothing in this Agreement shall be interpreted as to change or transfer any ownership in real property;
7. **Communications.** The Historic Preservation Commission and the City will cooperate and work together to communicate the services to the public. The Historic Preservation Commission shall provide a bi-annual report and end of the year report of activities.
8. **Amendments.** This Agreement may be amended at any time upon mutual agreement by the Parties in a signed, written document.

IN WITNESS WHEREOF, the City and the Historic Preservation Commission, acting under authority of their respective governing bodies, have caused this Agreement to be duly executed as of the latest date set forth below.

ATTEST:

UNION COUNTY HISTORIC
PRESERVATION COMMISSION:

BY: _____

BY: _____

Date: _____

ATTEST:

CITY OF MONROE:

BY: _____
Bridgette Robinson, City Clerk

BY: _____
Mark Watson, City Manager

Date: _____

**BUDGET AMENDMENT
BA-2023-20**

An amendment to appropriate \$20,000 for funding the Union County Preservation Commission as outlined in the interlocal agreement with Union County.

General Fund:

Revenue

Appropriation of Fund Balance

\$20,000

Expense

General Government

\$20,000

Adopted this 12th day of September, 2023.

Marion L. Holloway, Jr., Mayor

Attest:

Bridgette H. Robinson, City Clerk



STAFF REPORT

TO: General Services Committee

VIA: Mark Watson, City Manager

DATE: September 7, 2023

FROM: Sarah McAllister, P.E., Engineering Director

PREPARED BY: Sarah McAllister, P.E. – Engineering Director

SUBJECT: Senior Center Crosswalk on Jefferson Street

SUMMARY STATEMENT

The General Services Committee is requested to consider a proposal to add a mid-block pedestrian crossing on Jefferson Street near the new Phil Bazemore Active Adult Center.

REVIEW

The Phil Bazemore Active Adult Center opened on June 21, 2023. Ryan Jones, Director of Parks & Recreation reached out to Engineering not long after the opening concerning the need for a crosswalk on Jefferson Street from the center to the additional parking lot across the street. Since this would be a mid-block crossing, Engineering would recommend a high visibility raised crosswalk. Please find attached information from the Federal Highway Administration (FHWA) on raised crosswalks and a table from NCDOT's guidelines on the application of pedestrian crash countermeasures by roadway feature.

Installation of a raised crosswalk will include a short section of new curb and gutter and sidewalk along Jefferson Street. Pedestrian crossing signs will be installed along with steel plates to allow for positive storm drainage in the area. Total material costs to install this raised crosswalk is estimated to be \$5,000. Parks & Recreation has the funds available in the project account for the center.

Since the Public Safety Committee meeting was cancelled due to it falling on a holiday, the Chair recommended this item to be brought before the General Services Committee. This item is for informational purposes only.

RECOMMENDATION

Engineering and Parks & Recreation staff are recommending the installation of a raised mid-block crosswalk at the new Phil Bazemore Active Adult Center.

Attachments:

FHWA Raised Crosswalk Info

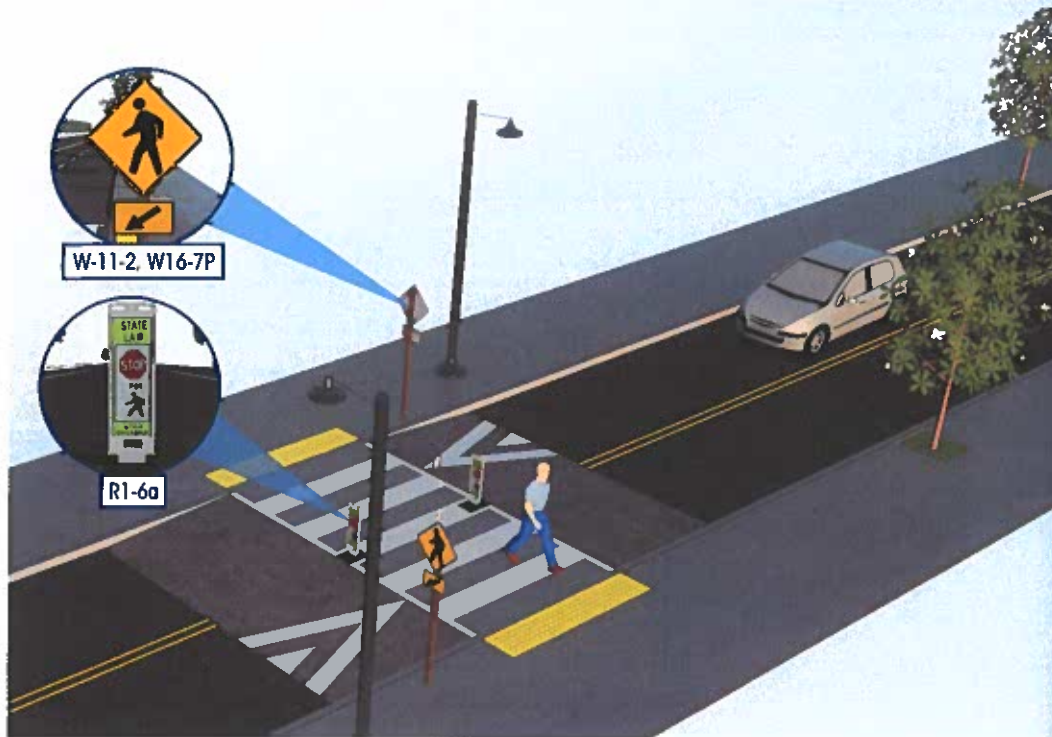
NCDOT table

Raised Crosswalk Location Map

Raised Crosswalk

SAFE TRANSPORTATION FOR EVERY PEDESTRIAN

COUNTERMEASURE TECH SHEET



Raised crosswalks are ramped speed tables spanning the entire width of the roadway, often placed at midblock crossing locations. The crosswalk is demarcated with paint and/or special paving materials. These crosswalks act as traffic-calming measures that allow the pedestrian to cross at grade with the sidewalk.

In addition to their use on local and collector streets, raised crosswalks can be installed in campus settings, shopping centers, and pick-up/drop-off zones (e.g., airports, schools, transit centers).

Raised crosswalks are flush with the height of the sidewalk. The crosswalk table is typically at least 10 feet wide and designed to allow the front and rear wheels of a passenger vehicle to be on top of the table at the same time. Detectable warnings (truncated domes) and curb ramps are installed at the street edge for pedestrians with impaired vision.

⚠ Local and collector roads with high speeds pose a significant challenge for pedestrians crossing the roadway.

💡 A raised crosswalk can reduce vehicle speeds and enhance the pedestrian crossing environment.

.....

Raised crosswalks can reduce pedestrian crashes by

45%

.....



FEATURES:

- Elevated crossing makes the pedestrian more prominent in the driver's field of vision, and allows pedestrians to cross at grade with the sidewalk
- Approach ramps may reduce vehicle speeds and improve motorist yielding

OFTEN USED WITH:

- Crosswalk visibility enhancements

Raised Crosswalk

EDC-4 STEP: https://www.fhwa.dot.gov/innovation/everydaycounts/edc_4/step.cfm



CONSIDERATIONS

Raised crosswalks are typically installed on 2-lane or 3-lane roads with speed limits of 30 mph or less and annual average daily traffic (AADT) below about 9,000. Raised crossings should generally be avoided on truck routes, emergency routes, and arterial streets.

Drainage can be an issue. Raised crosswalks may be installed with curb extensions where parking exists. They may also be used at intersections, particularly at the entrance of the minor street.

Since this countermeasure can cause discomfort and noise (especially with larger vehicles), it may be appropriate to get public buy-in. Raised crosswalks may not be appropriate for bus transit routes or primary emergency vehicle routes. For States that experience regular snowfall, snowplowing can be a concern.

COST

The cost associated with a raised crosswalk ranges from \$7,110 to \$30,880 each, with the average cost estimated at \$8,170.

References

- Federal Highway Administration. (2013). "Raised Pedestrian Crossings" in PEDSAFE: Pedestrian Safety Guide and Countermeasure Selection System. Available: http://www.pedbikesafe.org/PEDSAFE/countermeasures_detail.cfm?CM_NUM=7
- Thomas, L., Thirsk, N. J., & Zegeer, C. (2016). NCHRP Synthesis 498: Application of Pedestrian Crossing Treatments for Streets and Highways. Transportation Research Board, Washington D.C.
- Bushell, M., Poole, B., Zegeer, C., & Rodriguez, D. (2013). Costs for Pedestrian and Bicyclist Infrastructure Improvements: A Resource for Researchers, Engineers, Planners, and the General Public. Pedestrian and Bicycle Information Center.
- Elvik, R., Christensen, P., and Amundsen, A. (2004). "Speed and Road Accidents An Evaluation of the Power Model." Transportøkonomisk Institutt, Oslo, Norway.

NCDOT has a policy to install high visibility marked crosswalks at mid-block crossing locations based on language in TEPL. They are also recommended at some legs of an uncontrolled locations based on the Complete Streets Guide.

RECOMMENDATION #12: NCDOT will assess its current policies for installing high visibility marked crosswalks which currently supports them under many circumstances. Language from the Complete Streets Guide recommending the application of high visibility crosswalks should also be assessed and folded into a recommended comprehensive

Table 2. Application of pedestrian crash countermeasures by roadway feature.

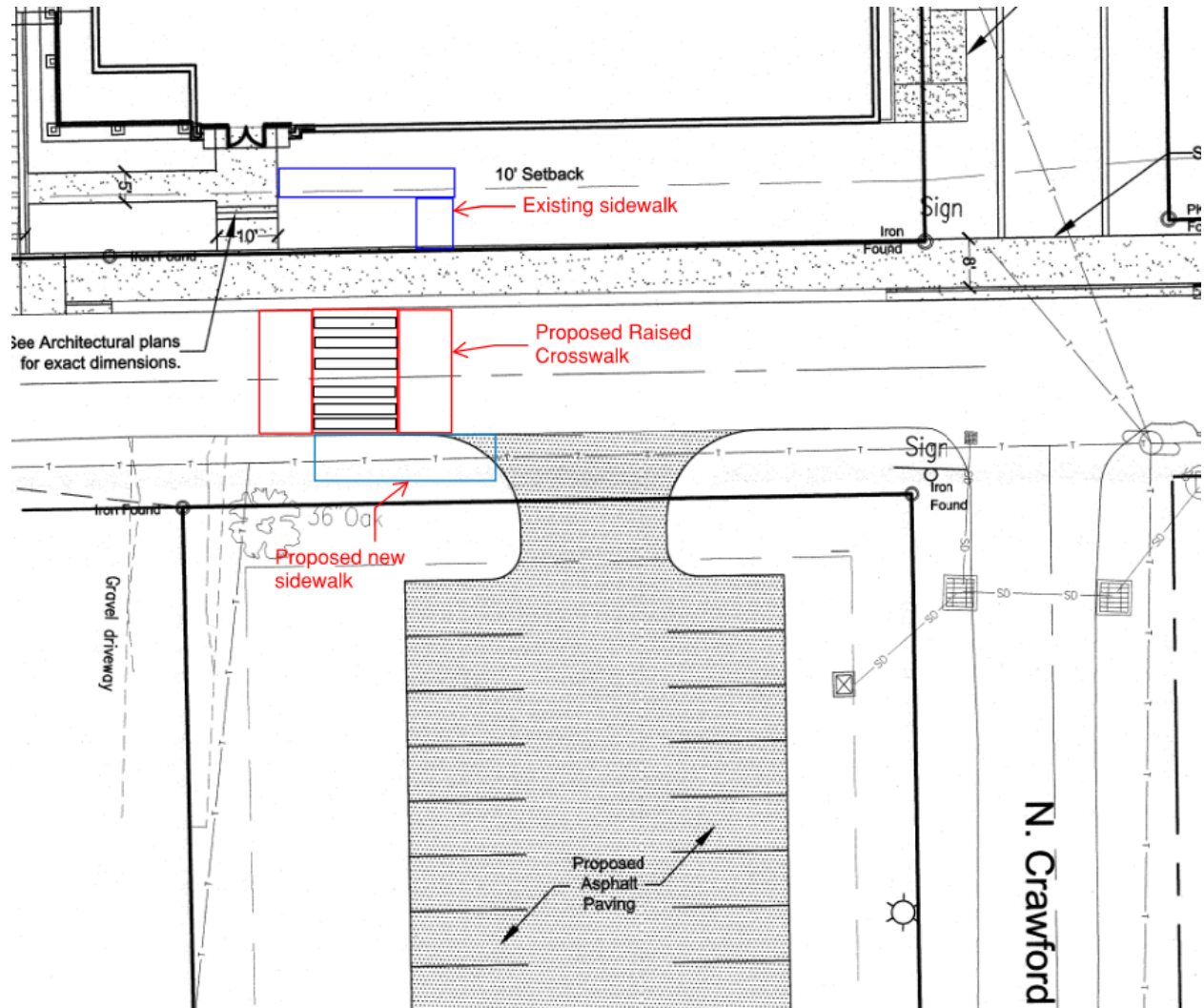
Roadway Configuration	Posted Speed Limit and AADT								
	Vehicle AADT <9,000			Vehicle AADT 9,000–15,000			Vehicle AADT >15,000		
	≤30 mph	35 mph	≥40 mph	≤30 mph	35 mph	≥40 mph	≤30 mph	35 mph	≥40 mph
2 lanes (1 lane in each direction)	① 2 4 5 6	① 5 6 7 9	① 5 6 7 9	① 4 5 6 7 9	① 5 6 7 9	① 5 6 7 9	① 4 5 6 7 9	① 5 6 7 9	① 5 6 9
3 lanes with raised median (1 lane in each direction)	① 2 3 4 5	① 3 5 7 9	① 3 5 7 9	① 3 4 5 7 9	① 3 5 7 9	① 3 5 7 9	① 3 4 5 7 9	① 3 5 7 9	① 3 5 9
3 lanes w/o raised median (1 lane in each direction with a two-way left-turn lane)	① 2 3 4 5 6 7 9	① 3 5 6 7 9	① 3 5 6 9	① 3 4 5 6 7 9	① 3 5 6 7 9	① 3 5 6 9	① 3 4 5 6 7 9	① 3 5 6 9	① 3 5 6 9
4+ lanes with raised median (2 or more lanes in each direction)	① 3 5 7 8 9	① 3 5 7 8 9	① 3 5 8 9	① 3 5 7 8 9	① 3 5 7 8 9	① 3 5 8 9	① 3 5 7 8 9	① 3 5 8 9	① 3 5 8 9
4+ lanes w/o raised median (2 or more lanes in each direction)	① 3 5 6 7 8 9	① 3 5 6 7 8 9	① 3 5 6 8 9	① 3 5 6 7 8 9	① 3 5 6 7 8 9	① 3 5 6 8 9	① 3 5 6 7 8 9	① 3 5 6 8 9	① 3 5 6 8 9
Given the set of conditions in a cell, # Signifies that the countermeasure is a candidate treatment at a marked uncontrolled crossing location. ● Signifies that the countermeasure should always be considered, but not mandated or required, based upon engineering judgment at a marked uncontrolled crossing location. ○ Signifies that crosswalk visibility enhancements should always occur in conjunction with other identified countermeasures.* The absence of a number signifies that the countermeasure is generally not an appropriate treatment, but exceptions may be considered following engineering judgment.									
1 High-visibility crosswalk markings, parking restrictions on crosswalk approach, adequate nighttime lighting levels, and crossing warning signs 2 Raised crosswalk 3 Advance Yield Here To (Stop Here For) Pedestrians sign and yield (stop) line 4 In-Street Pedestrian Crossing sign 5 Curb extension 6 Pedestrian refuge island 7 Rectangular Rapid-Flashing Beacon (RRFB)** 8 Road Diet 9 Pedestrian Hybrid Beacon (PHB)**									

*Refer to Chapter 4, 'Using Table 1 and Table 2 to Select Countermeasures,' for more information about using multiple countermeasures.

**It should be noted that the PHB and RRFB are not both installed at the same crossing location.

This table was developed using information from: Zegeer, C.V., J.R. Stewart, H.H. Huang, P.A. Lagerwey, J. Feaganes, and B.J. Campbell. (2005). Safety effects of marked versus unmarked crosswalks at uncontrolled locations: Final report and recommended guidelines. FHWA, No. FHWA-HRT-04-100. Washington, D.C.; FHWA. Manual on Uniform Traffic Control Devices, 2009 Edition. (revised 2012). Chapter 4E, Pedestrian Hybrid Beacons. FHWA, Washington, D.C.; FHWA. Crash Modification Factors (CMF) Clearinghouse. <http://www.cmfclearinghouse.org/>; FHWA. Pedestrian Safety Guide and Countermeasure Selection System (PEDSAFE). <http://www.pedbikesafe.org/PEDSAFE/>; Zegeer, C., R. Srinivasan, B. Lan, D. Carter, S. Smith, C. Sundstrom, N.J. Thirsk, J. Zegeer, C. Lyon, E. Ferguson, and R. Van Houten. (2017). NCHRP Report 841: Development of Crash Modification Factors for Uncontrolled Pedestrian Crossing Treatments. Transportation Research Board, Washington, D.C.; Thomas, Thirsk, and Zegeer. (2016). NCHRP Synthesis 498: Application of Pedestrian Crossing Treatments for Streets and Highways. Transportation Research Board, Washington, D.C.; and personal interviews with selected pedestrian safety practitioners.

Proposed Raised Crosswalk Location





STAFF REPORT

TO: General Services Committee

VIA: Mark Watson, City Manager

DATE: September 7, 2023

FROM: Ryan Jones, Parks and Recreation Director

PREPARED BY: Ryan Jones, Parks and Recreation Director

SUBJECT: Health Promotion and Disease Prevention Grant Acceptance

SUMMARY STATEMENT

The Parks and Recreation Department seeks to accept the Health Promotion and Disease Prevention Grant for older adults' allocation from Centralina Area Agency on Aging in the amount of \$4,500.00 and requests a budget amendment.

REVIEW

The Parks and Recreation Department has received a grant in the amount of \$4,500.00 from the Centralina Area Agency of Aging. These funds will allow staff the opportunity to equip and provide active adult programs within the community specific to health promotion and disease prevention. This grant will allow our department the ability to provide members of the community the opportunity to enjoy programs and facilities at a high quality level that include, but is not limited to, workshops that focus on living healthy with diabetes, living healthy with chronic pain and living healthy with chronic disease. Funds from this grant must be utilized on materials and supplies, promotional items, participant attendant incentives and volunteer stipends (if applicable) related to these types of classes. There is a 10% match associated with this grant that can be funded through the operational budget of the Active Adult Center.

The objectives of the Health Promotion and Disease Prevention program are as follows:

- 1.) Help older persons secure and maintain maximum independence and dignity in the community.
- 2.) Remove barriers to independence for older persons.
- 3.) Provide a continuum of care of the vulnerable elderly.

In June of 2023, the Bazemore Active Adult Center met all requirements to attain Multipurpose Senior Center status which made our department eligible to request this funding at the local level. Operation of a multipurpose senior center provides a broad spectrum of services and activities for older adults. The primary objectives of a multipurpose senior center are centralized provision of services which address the special needs of older adults; opportunities for adults to be more involved in the community; and the prevention of loneliness and premature institutionalization by promoting personal independence and wellness. The Bazemore Active Adult Center met all necessary requirements to become eligible to request and receive this funding.

RECOMMENDATION

Staff requests the General Services Committee recommend City Council approval to accept funds associated with the Health Promotion and Disease Prevention Grant and approve the budget amendment.

Attachment: BA-2023-21
Centralina Area Agency on Aging Award Notification

BUDGET AMENDMENT
BA-2023-21

1. Amendment necessary to designate and appropriate funds received from the Home Promotion and Disease Prevention Grant from the Centralina Area Agency of Aging to be used for the programming needs related to senior and adult activities.

General Fund:

Revenues:

Restricted Revenue	\$ 4,500
--------------------	----------

Expenditures:

Parks and Recreation	\$ 4,500
----------------------	----------

Adopted this 12th day of September, 2023.

Marion L. Holloway, Jr., Mayor

Attest:

Bridgette H. Robinson, City Clerk

Centralina Area Agency on Aging

TO: Aleshia Holland



CENTRALINA
Area Agency on Aging

FROM: Kristen Scarano, Aging
Program Manager

RE: FY24 OAA Title III-D Health Promotion Disease Prevention Awards

DATE: July 27, 2023

CFDA# 93.043 23/24 AANCT3PH

Proposals for the FY24 OAA Title III-D Health Promotion Disease Prevention funding have been reviewed and approved for 48 evidence-based health programs (EBHP) throughout the nine county Centralina region. Bazemore Active Adult Center has been approved for (5) EBHP as listed in the chart below. Contracts will follow within 10 business days. All contracts will be executed electronically via Adobe DocuSign in FY24. If your organization is unable to fully execute the contract virtually, please contact Evelyn Pressley as soon as possible at epressley@centralina.org.

County	Agency	Approved	Amount Including Match
Union	Bazemore Active Adult Center	5	5,000

Approved:

(Program)	(Number of workshops)	(Delivery type)	(Reimbursement Amount)
MOB	2	In-person	2,000
DSMP	1	In-person	1,000
CDSMP	1	In-person	1,000
CPSMP	1	In-person	1,000



August 22, 2023

Mark Watson
City of Monroe
300 W. Crowell St.
Monroe, NC 28112

Dear Mark:

On behalf of the Union County Community Arts Council and our Board of Directors, I would like to formally request an adjustment to our current lease agreement with the City of Monroe, which originally began on October 3, 1995, and was renewed in 10-year increments in 2005 and 2015 respectively. We are currently in the latter part of Year 7 in our current lease, which is set to expire in October 2025.

In May 2023, termite damage was discovered in the floor of our office on 120 N. Main St. We were informed repairs would begin in June, and we would need to relocate temporarily for approximately 2-4 weeks. We secured an alternate office space for \$500 per month and vacated the premises on June 8. The repair process was initiated shortly thereafter by the City's Facilities Department, but our return was delayed due to various factors within that repair process.

At the meeting you and I had on July 13 with Michelle Lancaster and Eric Purser, you shared the vision of performing extensive renovations to 120 N. Main St., including the building façade, which would take a considerable amount of time and result in changes that would eliminate the one office within the space and potentially reduce the overall usable square footage. As a result, we visited the vacant Ellen Fitzgerald Center, which you suggested UCCAC could utilize for a period of approximately 18 months while working with the City of Monroe and community partners on a permanent space.

We would like to formally move forward with your suggestion and request that due to the current repairs, alterations, and improvements to 120 N. Main St., which have unfortunately caused interference and interruption to our use of the premises, the City of Monroe and UCCAC fulfill our current lease agreement by UCCAC's relocation into the Ellen Fitzgerald Center for the remainder of our lease term. We were also made aware by Frontier Communications on August 16 that phone and internet lines to 120 N. Main St. had already been permanently removed at the City's direction, which makes our future ability to conduct business at that location no longer possible.

It is our understanding that upon your acceptance of moving forward, we will be part of the next General Services Committee meeting and then the request would move to the City Council. Michelle Lancaster and I are prepared to attend the Sept 7 committee meeting. We understand additional provisions to the lease will need to be negotiated due to the substantial change in footprint and usage capabilities within the Ellen Fitzgerald Center and look forward to working with the appropriate parties within the City to facilitate a swift and mutually beneficial arrangement.

We are thrilled to partner with the City, local businesses, and economic development initiatives to support, develop, and draw patrons into downtown for the myriad of opportunities this agreement can provide. We are extremely grateful for the City of Monroe's decades-long partnership and commitment to the arts and look forward to hearing from you soon.

Kind regards,

A handwritten signature in dark ink, appearing to read "Melanie Miller". The script is fluid and cursive.

Melanie Miller
Executive Director

STAFF REPORT

TO: General Services Committee

VIA: William Mark Watson, City Manager

DATE: Thursday, September 7, 2023

FROM: Ryan Jones, Parks and Recreation Director

PREPARED BY: Ryan Jones, Parks and Recreation Director

SUBJECT: Facility Use Application Revision

SUMMARY STATEMENT

The Parks and Recreation Department recommends revision of the facility use application regarding community center and park usage.

REVIEW

City owned facilities and parks exist to provide recreational opportunities to the public, particularly City of Monroe citizens. This revision provides better opportunity for access to parks and community centers by the general public without interruption. In the past, parks and facilities have been available for full park rental for private and public events. Understanding that these facilities exist for the public, these revisions provide appropriate usage by the public.

RECOMMENDATION

Staff requests approval from the General Services Committee to accept this revision and forward to the City Council for approval.

Attachments: Park Use Application
Community Center Use Application



PARK SHELTER USE APPLICATION

Date of Event _____ **Time of Event** _____ ☐ am ☐ pm until _____ ☐ am ☐ pm

Type of Event_____ **# Attending**_____

Park Shelter Requested (Circle one):

Belk Tonawanda Park	Don Griffin Park	Creft Park
Sherrod Park (Old Armory)	Dickerson Park	Sutton Park

Contact Person	City Resident	Non-City Resident
-----------------------	----------------------	--------------------------

Address _____ **City/State** _____ **Zip** _____

Email Address _____ **Driver's License #** _____

Home Phone_____ **Cell Phone/Business Phone**_____

Name of Group/Event/Company_____

☐ Internal Organization ☐ Organization with valid Non-Profit status (Proof of Non-Profit required) (Check if applicable only)

Charges: 50% of rental fee due at time of reservation. Balance is due 30 days prior to rental.

Shelter	\$ _____
Community Center Shelter	\$ _____
Total Amount Paid	\$ _____
Total Amount Due	\$ _____

Cancellations are subject to a 10% administration fee. Full refunds, minus administration fee, if cancelled 30 days prior to use. After that date, 50% (minus administration fee) will be issued.

I hereby certify that I am the authorized and responsible representative of the petitioning group, that the above statements are true to be the best of my knowledge, that I have received and read a copy of the rules and regulations governing the use of the facilities; and that our group will comply with the regulations, policies and fee schedule governing the use of the facility.

The undersigned applicant hereby agrees to indemnify and save harmless the City of Monroe from and against any and all loss, costs, damages, expense and liability causes by any accident, illness (communicable diseases such as MRSA, influenza and COVID-19) or other occurrence causing bodily injury or property damage or damage for libel or slander to any person or property arising from or out of the use or occupancy of the premises by the undersigned applicant, its agents, employees, or invitees.

The person to whom this facility use permit is issued is the contact person and must be on the premises during the entire event and have the approved permit in his/her possession during the time of approved use. I understand that any special arrangements must be made in advance. Failure to disclose all information and failure to comply with regulations will mean forfeiture of my deposit and/or other charges. Cancellations are subject to a 10% administration fee. Full refunds, minus administration fee, if cancelled 30 days prior to use. After that date, 50% (minus administration fee) will be issued. I certify that the undersigned is at least 21 years of age.

Today's Date_____ **Signature**_____

ADMINISTRATIVE USE ONLY: Permit#: _____

Certificate of Insurance (If applicable): _____ Temporary Use City Permit (If applicable): _____ Receipt#: _____

Payee: _____ Cash/Credit Card/Ck# _____ Amount _____ Date _____

PARK SHELTER FEES AND REGULATIONS*

Type of Space	Occupancy	Time Frame	City Resident Fee	Non-City Resident Fee
Park Shelter	75	Daily (8 hours)	\$75.00	\$95.00
Community Center Shelter**	75	Daily (8 hours)	\$120.00	\$150.00
Community Center Shelter**	75	½ Day (4 hours)	\$70.00	\$95.00

* Entire Park rentals are not available to the public. All rentals must be considered private events and are not available as events open to the public.

** Community Center Shelters include shelters located at Sutton Park, Dickerson and Old Armory Community Centers. Meeting room within the community center is included for restroom access.

1. Any outside vendor (DJ, caterer etc) associated with your rental must be approved by the appropriate department and included in the rental. Additional permits and a certificate of insurance may apply.
2. Any flyers advertised for any private event cannot contain the City of Monroe logo.
3. Large rental items or large items used during the rental (smokers, large grills etc) must be approved by the appropriate department. Most park facilities have grills on site. Inflatables are only allowed at facilities that offer outdoor rentable spaces (outdoor picnic shelters). Please check with specific facility to ensure inflatables are allowed at that particular facility. Inflatables, including bounce houses, require additional permits, including a certificate of insurance listing the City of Monroe as additionally insured, if permitted. Additional equipment, including generators, may be required at the expense of the renter.
4. Parks and Recreation facilities are available for private rentals only. Rentals or events that are advertised or open to the public are not allowed.
5. No admission fees may be charged at the door or entry; no concessions may be sold; no admission fees shall be used for personal financial gain. Fundraising events permitted only for approved non-profit (501c3) organizations. Any fundraising event must be a private event and invitation only.
6. Individuals listed on rental forms are responsible for the facility during the rental period. Please provide adequate supervision of guests.
7. Renter must leave the facility as it was found. Trash should be placed in receptacles. Tables and chairs must be cleaned and left as the renter found them.
8. Confetti, streamers and water balloons are not allowed at any rental event. No tape, staples or glue is to be used on the walls.
9. Failure to leave any park facility or amenity as you found it could result in suspending the responsible parties ability to reserve for future functions.
10. All functions must begin at the designated time listed on the facility use application. SET UP AND BREAK DOWN TIME MUST BE INCLUDED IN THE RENTAL TIME. INDIVIDUALS WILL NOT BE ALLOWED TO ACCESS THE BUILDING BEFORE THE TIME STIPULATED ON THE FACILITY USE APPLICATION. ADDITIONAL FEES WILL BE CHARGED TO INDIVIDUALS WHO STAY PASSED THE TIME STIPULATED ON THE FACILITY APPLICATION FEE.
11. Renter must have a copy of the approved permit at the time of their event.
12. Person listed on Usage Application must be present at the facility for the duration of their rental.

8/16/2023

13. Outdoor space, including parking lots, at City Community Centers are not available for rental for special events.
14. Use of alcohol and tobacco products are strictly prohibited.
15. No stages of any kind are permitted unless prior authorization is given and noted on your rental form.
16. Reservations cannot be made outside of a year in advance.

Specific regulations require certain permits in addition to the parks and recreation facility permit. Checking yes to all or some of these items may require more action before the application can be approved.

Do any of the following items pertain to your request?

The use of amusement attractions including inflatables: YES NO

Large items of equipment, including rental equipment: YES NO

Fee associated with reservation?:* YES NO
 *(Permitted for Non-Profit Use Only; i.e. Tickets sold, sponsors, donations)

ADMINISTRATIVE USE ONLY:

Permit required:	Health Department	City Permit	Parks and Rec Permit ONLY
Appropriate Permit Received	YES _____	NO _____	N/A _____
Certificate of Insurance	YES _____	NO _____	N/A _____
Staff Signature _____	Date _____		



COMMUNITY CENTER USE APPLICATION

Date of Event _____ Time of Event _____ ☐ am ☐ pm until _____ ☐ am ☐ pm

Type of Event _____ # Attending _____

Facility Requested (Circle one): J. RAY SHUTE WINCHESTER DICKERSON
OLD ARMORY (OACC) SUTTON PARK BAZEMORE ACTIVE ADULT (PBAAC)

Contact Person _____ City Resident _____ Non-City Resident _____

Address _____ City/State _____ Zip _____

Email Address _____ Driver's License # _____

Home Phone _____ Cell Phone/Business Phone _____

Name of Group/Event/Company _____

☐ Internal Organization ☐ Organization with valid Non-Profit status (Proof of Non-Profit required) (Check if applicable only)

Charges: 50% of rental fee due at time of reservation. Balance is due 30 days prior to rental.

Meeting Room	\$ _____
Multi-Purpose Room (OACC and PBAAC)	\$ _____
Hourly Fee	\$ _____
Community Center Shelter	\$ _____
Total Amount Due	\$ _____

Cancellations are subject to a 10% administration fee. Full refunds, minus administration fee, if cancelled 30 days prior to use. After that date, 50% (minus administration fee) will be issued.

I hereby certify that I am the authorized and responsible representative of the petitioning group, that the above statements are true to be the best of my knowledge, that I have received and read a copy of the rules and regulations governing the use of the facilities; and that our group will comply with the regulations, policies and fee schedule governing the use of the facility.

The undersigned applicant hereby agrees to indemnify and save harmless the City of Monroe from and against any and all loss, costs, damages, expense and liability causes by any accident, illness (communicable diseases such as MRSA, influenza and COVID-19) or other occurrence causing bodily injury or property damage or damage for libel or slander to any person or property arising from or out of the use or occupancy of the premises by the undersigned applicant, its agents, employees, or invitees.

The person to whom this facility use permit is issued is the contact person and must be on the premises during the entire event and have the approved permit in his/her possession during the time of approved use. I understand that any special arrangements must be made in advance. Failure to disclose all information and failure to comply with regulations will mean forfeiture of my deposit and/or other charges. Cancellations are subject to a 10% administration fee. Full refunds, minus administration fee, if cancelled 30 days prior to use. After that date, 50% (minus administration fee) will be issued. I certify that the undersigned is at least 21 years of age.

Today's Date _____ Signature _____

ADMINISTRATIVE USE ONLY: Permit#: _____	
Certificate of Insurance (If applicable): _____	Temporary Use City Permit (If applicable): _____ Receipt#: _____
Payee: _____	Cash/Credit Card/Ck# _____ Amount _____ Date _____

8/16/2023

FACILITY FEES AND REGULATIONS***

Type of Space	Occupancy	Time Frame	City Resident Fee	Non-City Resident Fee
Meeting Room	50	Daily (4 hours)	\$50.00	\$75.00
Meeting Room	50	Hourly (After 4 hours)	\$10.00	\$20.00
Multi-Purpose*	135	Daily (6 hours)	\$400.00	\$500.00
Multi-Purpose*	135	½ Day (4 hours)	\$300.00	\$400.00
Community Center Shelter**	75	Daily (8 hours)	\$120.00	\$150.00
Community Center Shelter**	75	½ Day (4 hours)	\$70.00	\$95.00

* Multi-Purpose Rooms are located at the Old Armory Community Center and the Phil Bazemore Active Adult Center

** Community Center Shelters include shelters located at Sutton Park, Dickerson and Old Armory Community Centers. Meeting room within the community center is included for restroom access.

*** Community Centers are not available for events that are open to the public.

Facility Rental Regulations

- Any outside vendor (DJ, caterer etc) associated with your rental must be approved by the appropriate department and included in the rental. Additional permits and a certificate of insurance may apply.
- Any flyers advertised for any private event cannot contain the City of Monroe Logo.
- Large rental items or large items used during the rental (smokers, large grills etc) must be approved by the appropriate department. Most park facilities have grills on site. Inflatables are only allowed at facilities that offer outdoor rentable spaces (outdoor picnic shelters). Please check with specific facility to ensure inflatables are allowed at that particular facility. Inflatables, including bounce houses, require additional permits, including a certificate of insurance listing the City of Monroe as additionally insured, if permitted. Additional equipment, including generators, may be required at the expense of the renter.
- Parks and Recreation facilities are available for private rentals only. Rentals or events that are advertised or open to the public are not allowed.
- No admission fees may be charged at the door or entry; no concessions may be sold; no admission fees shall be used for personal financial gain. Fundraising events permitted only for approved non-profit (501c3) organizations. Any fundraising event must be a private event and invitation only.
- Individuals listed on rental forms are responsible for the facility during the rental period. Please provide adequate supervision of guests.
- Renter must leave the facility as it was found. Trash should be placed in receptacles. Tables and chairs must be cleaned and left as the renter found them.
- Confetti, streamers and water balloons are not allowed at any rental event. No tape, staples or glue is to be used on the walls.
- Failure to leave any park facility or amenity as you found it could result in suspending the responsible parties ability to reserve for future functions.
- All functions must begin at the designated time listed on the facility use application. SET UP AND BREAK DOWN TIME MUST BE INCLUDED IN THE RENTAL TIME. INDIVIDUALS WILL NOT BE ALLOWED TO ACCESS THE BUILDING BEFORE THE TIME STIPULATED ON THE FACILITY USE

APPLICATION. ADDITIONAL FEES WILL BE CHARGED TO INDIVIDUALS WHO STAY PASSED THE TIME STIPULATED ON THE FACILITY APPLICATION FEE.

11. Renter must have a copy of the approved permit at the time of their event.
12. Person listed on Usage Application must be present at the facility for the duration of their rental.
13. Outdoor space, including parking lots, at City Community Centers are not available for rental for special events.
14. Use of alcohol and tobacco products are strictly prohibited.
15. No stages of any kind are permitted unless prior authorization is given and noted on your rental form.
16. Reservations cannot be made outside of a year in advance.

Specific regulations require certain permits in addition to the parks and recreation facility permit. Checking yes to all or some of these items may require more action before the application can be approved.

Do any of the following items pertain to your request?

The use of amusement attractions including inflatables: YES NO

Will concessions be made available: YES NO

Large items of equipment, including rental equipment: YES NO

Fee associated with reservation?:* YES NO
*(Permitted for Non-Profit Use Only; i.e. Tickets sold, sponsors, donations)

ADMINISTRATIVE USE ONLY:

Permit required: Health Department City Permit Parks and Rec Permit ONLY

Appropriate Permit Received YES _____ NO _____ N/A _____

Certificate of Insurance YES _____ NO _____ N/A _____

Staff Signature _____ Date _____



STAFF REPORT

TO: General Services Committee

VIA: Mark Watson, City Manager

DATE: September 7, 2023

FROM: Richard G. Long, Jr., City Attorney

PREPARED BY: Richard G. Long, Jr., City Attorney

SUBJECT: Amendment to the City Code of Ordinances titled Section 32 titled General Provisions

SUMMARY STATEMENT

The General Services Committee is requested to consider an amendment to Section (E) titled Terms of Chapter 32 titled General Provisions of the City Code of Ordinances.

REVIEW

The purpose of the amendment is to clarify member service on appointed boards and resolve any potential conflict or expectation created by appointment term limits and members serving at the pleasure of Council.

RECOMMENDATION

Staff recommends that City Council adopt an Ordinance approving the amendment.

Attachment: Ordinance O-2023-45

ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE III: ADMINISTRATION
CHAPTER 32: BOARDS, COMMISSIONS AND DEPARTMENTS
O-2023-45

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONROE THAT TITLE III, CHAPTER 32: BOARDS, COMMISSIONS, AND DEPARTMENTS OF THE CITY OF MONROE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

TEXT AMENDMENT

Section 1. Amend §32.201 GENERAL PROVISIONS, (E) TERMS to read as follows:

- (E) *Terms.* A term of service on all boards and commissions shall be four (4) years unless otherwise provided by law or ordinance. Reappointment to a second term is not automatic and will be based on circumstances at the discretion of the City Council in each individual case. In addition, all members serve at the pleasure of City Council and may be removed at any time with or without cause at the discretion of City Council.

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 12th day of September, 2023.

Attest:

Marion L. Holloway Jr., Mayor

Bridgette H. Robinson, City Clerk