

**COMMITTEE OF THE WHOLE
CITY HALL, THIRD FLOOR
TUESDAY, JANUARY 22, 2019
8:30 A.M.**

PRESENT: Mayor Pro-Tem Willis presiding. Committee members Gibbons, Perdue, Perkins, Stevens and Thomas.

City Manager Hildebran, City Clerk Cannon, Public Information Officer Harris, Police Chief Phelps, Fire Chief Hair, Economic Development Director Horn, Finance Director Bean, Recreation Director Story, Planning Director Wheelock, Public Utilities Director Thomas, and Public Works Director Wright.

ABSENT: Councilmembers Jonathan Beal and T.J. Rohr.

OTHERS: Virginia Annable, *News-Topic*, Andy Honeycutt, MeterSys, and Andy Lovingood and Joel Whitford, McGill Associates.

I. CALL TO ORDER

A. Mayor Pro-Tem Willis welcomed everyone and called the meeting to order.

II. CITIZEN COMMENT PERIOD

III. COMMITTEE ITEMS

A. Public Utilities/Public Works

1. Presentation; Biosolids Project: Mr. Joel Whitford, McGill Associates, presented a power point presentation regarding the Gryphon Dryer System for the City's Biosolids Facility Improvements Project. Mr. Whitford discussed the equipment replacement and upgrades and shared the advantages of the Gryphon Dryer which are the start-up & shut-down times, unique evaporative & pressure differential process, safety & maintenance and the equipment scale & cost. In addition, Andy Lovingood stated the dryer has five (5) patents, including various thermodynamic and mechanical advancements. These patented systems and components make it unique, less expensive to purchase and install, and more economic to operate.

Mr. Whitford shared the City of Lenoir considered four (4) belt dryers, and selected the Pressure Differential Dryer by Gryphon. It was noted that thermal belt drying was selected by the City as the best technology to meet current and future biosolids management needs.

Public Utilities Director Thomas reminded Council the City was approved for a Clean Water State Revolving Fund (SRF) loan in the amount of \$6,600,000 at 1.53% interest to finance the project. The NC Division of Water Infrastructure (DWI) administers the

project funding and reviews all project documents. Director Thomas shared the City plans to negotiate a direct purchase for the Gryphon dryer prior to the construction bidding process. The DWI indicated that pre-procurement is acceptable when performed in accordance with N.C.G.S. §143-129(e),(6). Since the Gryphon Dryer falls under the category of a need product and is available from only one source, the City may proceed with pre-procurement of the equipment purchase. The major steps in the pre-procurement process involve (1) the submittal of dryer equipment information and design calculations to the DWI, and (2) the approval of the purchase by City Council in an open meeting. **Note:** This item will be placed on the February 5 Agenda for consideration of approval by City Council.

2. Presentation; MeterSys Water Metering Project: Director Thomas introduced Mr. Andy Honeycutt, MeterSys, who presented a power point presentation regarding Advanced Metering Infrastructure (AMI) Bid Summary and Recommendations. The City previously contracted with MeterSys to undertake a complete analysis of its metering practices and the feasibility of utilizing advanced metering technology.

Mr. Honeycutt reviewed the Procurement Timeline to Date; Vendor Bid Financial Comparison Summary; AMI's Comparison Matrix-Key Offerings; Remote Disconnect Meter Comparison; Network Comparison; Customer Portal Comparison; Vendor Shortlist Comparison Scoring Matrix-Final; Pricing Shortlist Best and Final; and the Vendor Recommendations Basis. Based on their findings, Mr. Honeycutt stated the City review committee recommends the City award the bid of \$272.21 per meter (price includes node) to Mueller Systems. The estimated cost of ownership through year ten is \$4,385,980. It was noted customers will be given notice if the City is going to cut off their water meter. The key offerings of Muller include the following options:

- a) Real-Time Two-Way Communication – Demand Reads
- b) Remote Disconnect Meter
- c) Utility Billing Integration with Customer Portal
- d) Utilizes Existing Meter Lids and Boxes
- e) Distribution Leak Detection
- f) Smart City Capabilities – LoRa (Long Range is a patented digital wireless data communication technology).
- g) Accelerated Installation Schedule (12-month)

Mr. Honeycutt shared Staff will be able to detect if water is going through the meter while it is cutoff. **Note:** This item will be placed on the February 19 Agenda for consideration of approval by City Council.

2. Radford Thomas, Public Utilities Director, updated City Council on the following item:
 - a) Director Thomas stated the second filter has been installed at the Water Treatment Plant and weather conditions continue to delay the timeline of this project.

B. Public Works

1. Public Works Director Jared Wright updated City Council on the following projects:

- a) Commended Staff for all their hard work during the large snow removal in December, recent flooding events, and for the removal of brush/leaf debris. He reported that residents should now begin to bag any leaves they need picked up and place them at the curb.
- b) Reported the Hospital Avenue Sidewalk Design Project is 90% complete and noted there will be one to two right-of-way impacts on the property, but City Staff will take care of the right-of-way acquisition.
- c) Will present an update on the downtown two-way traffic study at an upcoming meeting.
- d) Reported Staff will be completing the grading and paving on the northern section of the Railtrail to Robbins Street at a cost savings to the City. Director Wright shared that a consultant with Google is designing the Greenway project behind the car wash that is being demolished on Morganton Boulevard. The Greenway route will be from Harrisburg Road to North Main to Harper Avenue. It was also noted the City is working on the east section of the Greenway off of Sherlee Street.
- e) Reported some flooding recently occurred on Powell Road and Pennell Street.

IV. COMMUNITY DEVELOPMENT

- A. Lenoir Tourism Development Authority: The Lenoir Tourism Development Authority (LTDA) did not meet in December. Minutes of the November 8, 2018 meeting were submitted as information. Kaylynn Horn, Economic Development Director, reported the Board's next meeting will be held on Thursday, February 14.

Director Horn shared the Board held a strategic planning session on December 13 which went very well. She also reported that several board members will be attending the 365 Conference in Wilmington on March 31 through April 2.

- B. Lenoir Business Advisory Board: The Lenoir Business Advisory Board met on Thursday, January 10. Minutes of the November 8 meeting were submitted as information. Kaylynn Horn, Economic Development Director, reported the barbeque festival was a success along with the "Command Center" that was staffed by volunteers during the event.

Note: Councilmember Perdue left the meeting at 9:47 a.m.

- C. Planning Board: The Planning Board met on Monday, January 21. Planning Director Jenny Wheelock presented a report of current projects.

1. Update; Historic Preservation Commission: Director Wheelock presented a report on Development Activity for 2018 and Enforcement Activity for 2018 as information. (A copy of the report is attached to these minutes as information).

Next, she introduced Lauren McKinny, the City's new Planning Technician, who was in attendance at the meeting. In addition, Director Wheelock presented a memorandum outlining the steps for establishing a Historic Preservation and Designating Local landmarks.

Director Wheelock explained the City doesn't currently have a Historic Preservation Committee (HPC), and therefore, is not able to designate local historic districts or local landmarks. She stated in order to move forward with designating certain properties as local landmarks, City Council would need to adopt an ordinance establishing an HPC. It was noted the existing Planning Board can be identified as the body to fill this role, and then the newly created HPC can initiate the landmark process.

It was the consensus of City Council to move forward with this process and Director Wheelock stated she would follow-up with an application.

2. Update; Environmental Protection Agency (EPA): Director Wheelock reminded Council the City took over Stormwater Management from Caldwell County in 2007. The City has stormwater agreements with the surrounding municipalities. Director Wheelock reported the City has been audited by the Environmental Protection Agency (EPA) and it was discovered the City is currently operating under the County's ordinance. The City also received a notice of violation. She explained the City would be restructuring its stormwater program in the near future.

Public Works Director Jared Wright stated the City is currently working with EPA officials and will be presenting a plan for Council's consideration of approval.

- D. Financial Summary: Finance Director Bean reviewed the Financial Summary as of December 31, 2018. The over/under balance in the General Fund is \$3,170,458.74, Downtown District (\$85,727.29), and Water & Sewer Fund \$1,403,600.43. Director Bean stated revenue remains above expenditures and reported the City collected \$1,657,739.58 in sales tax as of December 31 for a change of 7.61%. (A copy of the December financial summary is attached to these minutes as information).
- E. Recommended Staffing Changes; Fire Department & Public Works: Director Bean presented a proposed Staffing recommendation in order to accommodate the new Fire Station No. III and a recommendation for the Street Department. (A copy of the recommendation changes is attached to these minutes as information).

Director Bean stated the Department will promote three Lieutenants to Captains and three Firefighter II's to Driver/Operators in order to maintain the current chain of command. These changes will be effective when Station III is operational. It was noted this reorganization will allow a staffing level of nine (9) Captains and six (6) Lieutenants.

Currently only one (1) person is assigned to the Rescue Truck at all times. When Station III is operational, it is recommended to re-organize and maintain a minimum of two (2) personnel on the Rescue Truck at Headquarters to ensure the safety of personnel during responses. This will allow for the Rescue Truck to function like the rest of the apparatus when there is an assigned Officer and an assigned Driver/Operator for each apparatus. This re-organization will require

promoting three (3) Firefighters II's to the ranks of Driver/Operator for the Rescue Truck at Headquarters.

In addition, Director Bean presented a recommendation from Staff to reclassify the position of Master Equipment Operator to Labor Supervisor due to the individual performing Labor Supervisor tasks due to the work load shift when the Street Department required the responsibility of the Brush Truck. She further shared the individual has taken the responsibility of supervising the Street Crew and has experienced an increase in the after hour call backs.

Motion

Upon a motion by Councilmember Stevens, Council voted 5 to 0 to approve the above described Staffing Changes for the Fire Department and the Street Department as recommended by Finance Director Bean.

- F. **Proposed Amendments/Personnel Resolution Policy:** Director Bean presented Staff's recommendation (as highlighted) to the City's Personnel Resolution in order to clarify policies and align with the City's current pay plan. (A copy of the proposed changes is attached to these minutes as information).

Director Bean presented the following changes for the Personnel Resolution:

- The current Personnel Resolution uses percentages as guidelines for employee salaries rather than referring to the classifications used in the Pay Plan (hiring, minimum and maximum). The revisions will align the Resolution with the Pay Plan. (Page 11, Section 5)
- Add clarifying information regarding garnishments. (Page 14, Section 14)
- Remove terminology "Applicant Interest Card" as this form is no longer used in hiring practices. (Page 15, Section 3)
- Revert back to the previous Resolution allowing internal candidates to complete a supplemental form to accompany their original application rather than being required to complete an entirely new application packet. This change will reduce redundancy and be more efficient. (Page 16, Section 5)
- Update the Employment of Relatives Section to add clarifying information. (Page 19, Section 5)
- Add outside reference information to the Substance Abuse Policy. (Page 20, Section 10)
- Add Retiree Health Insurance Policy to the Personnel Resolution. There is no change in the policy only the addition to the Resolution. (Page 21, Section 3)

Motion

Upon a motion by Councilmember Perkins, Council voted 5 to 0 to approve the proposed amendments to the City's Personnel Policy and described above and as recommend by Finance Director Bean.

- G. **Parks & Recreation Advisory Board:** The Parks & Recreation Advisory Board's next meeting is Monday, February 18. Kenny Story, Recreation Director, presented the following report.

- 1) All current programs are going well.
- 2) February is Black History Month and all scheduled activities are listed on the February calendar. This information is also available on the City's website at www.cityoflenoir.com.
- 3) Areas of the J. E. Broyhill Park are being graded and seeded as part of the ongoing improvements project.

H. Update; Public Communications: Joshua Harris, Public Information Officer, reviewed the highlights of the Communications Reports for December. Activity included 224 social posts, 19 photos, 9 news releases, and 3 videos. In addition, he stated there are 166 new followers and the website has experienced 27,624 views. The City's Facebook account experienced 18,300 views and YouTube 107 views.

Director Harris stated his goal is to launch the City's new website on July 1. He also mentioned he may create a page about stormwater issues on the website.

VI. PUBLIC SAFETY

- A. Police Department; Proposed Golf Cart Ordinance: Police Chief Brent Phelps informed Council the Department has received a request from Jon Thomson in support of legalizing golf carts in the City of Lenoir. Chief Phelps stated this issue was previously brought before Council by former Police Chief Scott Brown in April 2017, but City Council was not in favor of moving forward with this project due to a number of safety issues.

Chief Phelps pointed out the town of Maiden, Morganton and Newton have ordinances, but commented he does have some safety concerns. Chief Phelps stated N.C.G.S. §20-121.1 authorizes the operation of a low speed vehicle on certain streets and highways with the following restrictions:

- a) posted speed limit is 35 mph
- b) vehicle shall be registered and insured
- c) vehicle shall be equipped with headlamps, stop lamps, turn signal lamps, tail lamps, reflectors, parking brakes, rearview mirrors, windshields, windshield wipers, speedometer, seat belts and a vehicle identification number
- d) vehicle has to pass inspection with the local DMV office along with proof of insurance plus pay a registration fee

Chief Phelps reported if Council wishes to adopt an ordinance regulating golf carts, they would need to place restrictions in an ordinance along with language regarding liability. Following a brief discussion by City Council, Chief Phelps stated he would submit a draft ordinance for review at the February Committee of the Whole meeting.

- B. Fire Department: Fire Chief Ken Hair reported everything is on track regarding Fire Station III and stated the water line has been installed.

V. OTHER

- A. February Calendar: By consensus of the Council, the calendar for the month of February was approved by Council listing various meetings and events. The following event was highlighted:

VI. Adjourn:

There being no further business; the meeting was adjourned at 10:27 a.m.

Attachments

2018 Development Activity and 2018 Enforcement Activity Report
Memorandum-Establishment of Historic Preservation Committee
Financial Summary
Proposed Staffing Changes

2018 **DEVELOPMENT ACTIVITY**

ZONING PERMITS

(2017 = 97)

113

STORMWATER PERMITS

(2017 = 5)

CITY: 9 OTHER: 3

12

FLOODPLAIN DEVELOPMENT

(2017 = 1)

3

DISCRETIONARY LAND USE

(2017 = 2)

CUP = 2

Variance = 1

3

ZONING MAP AMENDMENTS

(2017 = 7)

4

TEXT AMENDMENTS

(2017 = 4)

3

ANNEXATIONS

(2017 = 3)

0

MAJOR SUBDIVISIONS

(2017 = 3)

0

TEMPORARY ADVERTISING

(banners & wind-blown devices) (2017 = 8)

11

BACKYARD HEN PERMITS

(2017 = 1)

2

2018

ENFORCEMENT ACTIVITY

SIGN VIOLATIONS

(2017= 29)

23

STORMWATER VIOLATIONS

(2017 = 3)

4

MINIMUM HOUSING ABATEMENT

(2017 = 34) CITY ABATED: 5 OWNER ABATED: 24

29

STRATEGIC FORECLOSURES REFERRED TO ATTORNEY

7

COMPLETED FORECLOSURES

1

SOLD TO PRIVATE OWNERS

1

MOBILE HOME PARK PERMITS

PASSED INSPECTION

17

TOTAL SPACES

242

PARKS CLOSED

0

PLANNING DEPARTMENT MEMORANDUM

CITY OF LENOIR, 801 WEST AVENUE, LENOIR, NC 28645

TO: Scott Hildebran, City Manager
FROM: Jenny Wheelock, Planning Director
DATE: January 10, 2019
SUBJECT: Establishing a Historic Preservation Commission and Designating Local Landmarks

The City of Lenoir currently does not have a local Historic Preservation Commission (HPC), and as such, is not able to designate local historic districts or local landmarks. Should the Council want to move forward with designating certain properties as local landmarks, they would first have to adopt an ordinance establishing an HPC (the existing Planning Board can be identified as the body to fill this roll), and then the newly created HPC can initiate the landmark process.

Below is an outline of what this process could look like, with potential dates for completion, subject to modification by the City Council and the State Historic Preservation Office (please note these dates assume the various decision making bodies take action on the same night the item is presented to them, and as such this represents a "best case" scenario):

A. Establishing the Planning Board as the HPC

1. City Council briefed on process; timeline (January 22, 2019 – Committee of the Whole)
2. Planning Board considers the Historic Preservation Ordinance, makes a recommendation to City Council about adoption, and calls for a public hearing (January 28, 2019)
3. Notice of the Hearing: Publication in the Lenoir News-Topic (February 8 and 15, 2019)
4. Public Hearing (at Council) and Adoption of the Historic Preservation Ordinance, designating the Planning Board as Lenoir's Historic Preservation Commission (February 19, 2019)
5. Adoption of Rules of Procedure and Design Guidelines by the HPC (February 25, 2019 – Planning Board meeting)

B. Establishing a Local Landmark

1. A report on the historical significance is prepared, including an assessment of the "special significance" of the property (January/February 2019 – mostly complete already)
2. Lenoir HPC reviews report, directs staff to submit the report to the State Historic Preservation Office for review and comment, and calls for a public hearing (February 25, 2019 Planning Board meeting)

3. State comment period – 30 days (during this time, an ordinance will be drafted in anticipation of moving forward with adoption)
4. Notice of the HPC Hearing: Publication in the Lenoir News-Topic (March 15 and 22, 2019), letters mailed to property owners within 125 ft. of the subject property (March 15, 2019), sign posted on the property (March 15, 2019).
5. Public Hearing of the landmark ordinance before the HPC. HPC hears public comment, considers state comments, and the report. Makes a recommendation to the City Council on the ordinance, and calls for a public hearing (March 25, 2019*)
6. Notice of the Council Hearing: Publication in the Lenoir News-Topic (April 5 and 12, 2019), letters mailed to property owners within 125 ft. of the subject property (April 5, 2019), sign posted on the property (April 5, 2019).
7. Public Hearing and adoption of the landmark ordinance by the City Council (April 16, 2019)
8. Ordinance recordation, notice to the local tax office (April 17, 2019)

*Please note that this hearing date is scheduled to occur just shy of the 30 days allotted to the SHPO by state statute for review. SHPO staff's familiarity with the properties, as well as the fact that they are already engaged with the City of Lenoir in this process, gives me good reason to believe we will have comments earlier than 30 days. However, this cannot be guaranteed and failure to have comments back by the hearing will necessitate that the HPC table the item to a later date, which would impact the remainder of the time line presented.