

**LENOIR CITY COUNCIL
TUESDAY, SEPTEMBER 18, 2018
6:00 P.M.**

PRESENT: Mayor Gibbons presiding. Councilmembers present were Beal, Perdue, Perkins, Rohr, Thomas and Willis. Also in attendance were City Manager Hildebran, City Attorney Blair and City Clerk Cannon.

ABSENT: Councilmember Stevens.

I. CALL TO ORDER

A. The meeting was opened by a moment of silence followed by the Pledge of Allegiance led by Mayor Gibbons.

**CONGRATULATIONS;
TODD PERDUE:**

B. On behalf of City Council, Mayor Gibbons expressed congratulations to Councilman Todd Perdue upon the birth of his granddaughter, Lola Paige Perdue. The proud parents are Ben and Molly Perdue.

COMMENDED; CITY

STAFF: B. On behalf of City Council, Mayor Gibbons commended City Staff for their hard work and assistance during the recent storm, Florence.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

CLOSEOUT OF APPALACHIAN REGIONAL COMMISSION

GRANT: A. A public hearing was held to receive public comments on the closeout of an Appalachian Regional Commission (ARC) Grant Water Improvement Project. The purpose of this \$273,000 ARC Grant was to replace sewer lines located near the City of Lenoir's downtown district. Staff recommended City Council accept the closeout of the ARC grant.

A copy of the closeout report is hereby incorporated into these minutes by reference. (Refer to page 247).

Mayor Gibbons opened the public hearing to receive public comments regarding the grant.

A member of the audience asked for an explanation of the grant fund closeout process.

City Manager Hildebran stated that funds were expended for the project, and now that it is complete, the project is being closed out.

As additional information, Public Utilities Director Radford Thomas explained

the line located behind the former Bost Lumber facility at Steel Street and Harper Avenue was replaced with a slip line that tied into a manhole on College Avenue. This project also allowed Staff the opportunity to conduct some maintenance and cleaning out of the line.

There being no public participation, Mayor Gibbons closed the public hearing and asked Council for action.

Upon a motion by Mayor Pro-Tem Willis, Council voted 6 to 0 to accept the closeout of the Appalachian Regional Commission (ARC) Grant Water Improvement Project as described above and as recommended by City Staff.

III. CONSENT AGENDA ITEMS

A. Upon a recommendation by City Manager Hildebran, the following Consent Agenda items were submitted for approval:

1. Minutes: Approval of the minutes of the City Council Meeting of Tuesday, September 4, 2018, as submitted.
2. Minutes: Approval of the minutes of the Committee of the Whole Meeting of Tuesday, August 28, 2018 as submitted.
3. Minutes: Approval of the closed session minutes of Tuesday, September 4, 2018, as reviewed by the City Attorney, City Manager and City Council.

Councilmember Perkins requested that Item No. 4 Bid Award, Mulberry Optimist Park, for the construction of a new tennis court be removed for additional discussion.

Upon a motion by Perdue, Council voted 6 to 0 to approve Items 1, 2 and 3 on the Consent Agenda items as listed above and as recommended by City Manager Hildebran.

4. Bid Award; Mulberry Optimist Park Project: Staff recommends approval of the low bid of \$18,995.48 to Versacourt, LLC for the construction of a new tennis court at Mulberry Recreation Center.

Copies of the bid tabs are hereby incorporated into these minutes by reference. (Refer to page 248-250).

Councilmember Perkins stated he was not opposed to the proposed tennis court project at Mulberry Recreation, but pointed out the improvements project at T. H. Broyhill Park has been ongoing for the past 2 ½ years and still not complete. He suggested the City complete one project before moving on to another one.

City Manager Hildebran shared that bids for the paving of the parking lot and curb and gutter for the Park would be received on Friday, September 21 and a recommendation would be placed on the October 2 City Council Agenda for

consideration of approval by City Council.

Recreation Director Story stated he was trying to expend the Parks and Recreation Trust Fund Grant (PARTF) for Mulberry as reasonable as possible and mentioned he is also using City Staff whenever feasible. He pointed out the playground and picnic shelters are available for public use at the T. H. Broyhill Walking Park.

In addition, he explained the PARTF grant funds have to be expended within a three-year time period and emphasized Staff was not putting other projects ahead of the Park.

Director Story clarified that City Staff would complete the landscaping at the Park, but an outside contractor would be used for the paving of the parking lot plus the construction of curb and gutter. He estimated the project may be completed by the end of October or first of November and remarked he was trying to make the Park as presentable as possible for the public. It was also noted the project consists of Phase I and Phase II.

Upon a motion by Councilmember Perkins, Council voted 6 to 0 to award the low bid of \$18,995.48 to Versacourt, LLC for the construction of a new tennis court at Mulberry Recreation Center as recommended by City Staff.

V. REPORTS OF BOARDS AND COMMISSIONS

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

A. Items of Information

CANCELLED; NCLM'S ANNUAL FALL CONFERENCE:

1. The North Carolina League of Municipalities (NCLM) cancelled its Fall City Vision Conference due to the recent inclement weather. The conference will not be rescheduled for this year.

NCDOT'S FALL LITTER

- SWEEP:**
2. The NCDOT's Fall Litter Sweep begins on Saturday, September 15 through Saturday, September 29. Additional information is online at www.ncdot.gov.

SANITATION DIVISION'S ANNUAL TRASH BASH WEEK:

3. The Sanitation Division's Annual Trash Bash Week is scheduled for Monday, September 17 through Friday, September 21. Additional information is available on the City's website at www.cityoflenoir.com. The public is encouraged to participate in this event.

PARKS & RECREATION ADVISORY

- BOARD:**
4. The Parks and Recreation Advisory Board will meet on Monday, September 17 at 6:00 p.m. at Mulberry Recreation Center in the Multi-Purpose Room.

CANCELLED; PLANNING

BOARD: 5. The Planning Board cancelled its meeting of Monday, September 24 at 5:30 p.m.
The next meeting will be held on Monday, October 22 at 5:30 p.m.

COMMITTEE OF THE

WHOLE: 6. The Committee of the Whole will meet on Tuesday, September 25 at 8:30 a.m. at
City Hall, Third Floor, former Council Chambers.

FOOTHILLS REGIONAL AIRPORT

AUTHORITY: 7. The Foothills Regional Airport Authority will meet on Wednesday, September 26
at noon.

NATIONAL NIGHT

OUT: 8. The Police Department's National Night Out event will be held on Tuesday,
October 2 beginning at 6:00 p.m. in downtown Lenoir.

B. ITEMS FOR COUNCIL ACTION

CONSIDERATION OF REJECTION OF BIDS;

FIRE STATION NO.3:

1. Bids were received on Thursday, August 30, 2018, for the construction of Fire Station No. 3. Due to the bids exceeding budgeted amounts, Staff recommended that City Council reject all bids as submitted and further direct the City Manager to review other options.

A copy of the bid tab is hereby incorporated into these minutes by reference. (Refer to page 251).

City Manager Hildebran reported that, out of the four bids received, Brushy Mountain Builders came in as the low bidder of \$2,020,000. Mr. Hildebran noted that additional add-on items outside of the base bid are estimated at \$300,000+. The architect's opinion of the total construction project cost was estimated to be approximately \$1,720,000. He pointed out that, taking into consideration both the lowest base bid and the additional items, the total project cost would approach \$2,400,000.

In addition, Mr. Hildebran related that Staff reviewed the bids to see if any changes could be made to the project, but determined that taking steps to reduce the difference between budget and base bid/add-on items would entail the re-scoping of the project. Mr. Hildebran stated that, given the variation of over 39% and the proposed budget for this project, Staff recommends Council reject all bids and further direct the City Manager to review other options.

Upon a motion by Councilmember Rohr, Council voted 6 to 0 to formally reject the submitted bids for Fire Station No. 3 and authorized the City Manager to review additional options for this facility.

**AMENDED PROPERTY ACQUISITION;
1507 AND 1515 MORGANTON BOULEVARD:**

2. City Staff recommended approval of the purchase of a 0.634392 acre lot in the amount of \$65,300, NCPIN #274952541, PARCEL#06-130-2-8, located at 1515 Morganton Boulevard and owned by Service Distributing Co., Inc.

City Manager Hildebran advised Council the owners of Services Distributing has tendered an offer to the City to purchase an additional 0.722553 acre lot, NCPIN#2749527425 located at 1507 Morganton Boulevard for a total purchase price of \$150,000 for the two lots. Mr. Hildebran stated one lot includes the Servco Station and the other includes the car wash. In addition, Mr. Hildebran pointed out the Greenway could be extended across the lot onto the trestle bridge which ties into the Over Mountain Victory Trail project and the Rails to Trails.

Councilmember Perdue inquired whether the property had any environmental issues the City should be concerned about.

City Manager Hildebran responded the underground storage tanks on the Servco Tract were removed years ago. Based on the discussions with our Brownfield's consultant, Staff believes there are minimal environmental concerns with both tracts and repurposing the site will greatly improve beautification of the area. It was also noted that both tracts are located in the floodway.

A copy of the maps are hereby incorporated into these minutes by reference. (Refer to page 252-253).

Upon a motion by Councilmember Perdue, Council voted 6 to 0 to approve the amended property purchase for property located at 1507 and 1515 Morganton Boulevard as described above and as recommended by City Staff.

MEETING CANCELLATION:

3. Upon a motion by Councilmember Thomas, City Council voted unanimously to cancel its regular scheduled meeting of Tuesday, November 6 due to Election Day and the National League of Cities (NLC) Conference.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

**BOARD RE-APPOINTMENT;
ABC BOARD:**

- A. Mayor Gibbons recommended that Elizabeth Wilson be re-appointed to serve a three-year term on the ABC Board. This re-appointment was announced for the general public at the September 4 City Council meeting.

Upon a motion by Mayor Pro-Tem Willis, Council voted unanimously to re-appoint Elizabeth Wilson a three-year term on the ABC Board as recommended by Mayor Gibbons.

BOARD VACANCIES:

- B. Mayor Gibbons announced for the general public there was a vacancy on the Lenoir Housing Authority Board and also several vacancies on the Parks and Recreation Advisory Board.

IX. REPORT AND RECOMMENDATIONS OF COUNCIL MEMBERS

CLOSED SESSION:

- A. Pursuant to N.C.G.S. §143-318.11(a), (3), (5), and upon a motion by Mayor Pro-Tem Willis which carried unanimously, City Council entered into closed session to discuss attorney-client privilege.

OPEN SESSION:

- B. Upon a motion by Councilmember Rohr, Council voted 6 to 0 to re-enter into open session.

X. ADJOURNMENT

- A. There being no further business, the meeting was adjourned at 7:05 p.m.

Shirley M. Cannon, City Clerk

Joseph L. Gibbons, Mayor

**NORTH CAROLINA DEPARTMENT OF COMMERCE
RURAL ECONOMIC DEVELOPMENT DIVISION (REDD)
ARC**

CLOSEOUT PERFORMANCE REPORT

Grantee Name: City of Lenoir Grant Number: NC-18021

Grantee Address: 801 West Avenue NW, Lenoir, NC 28645

1. Citizens' Written Comments. (Attach the following three items unless each item was previously submitted to REDD, in which case they may be incorporated by reference.)
 - a. A copy of each written citizen comment, which was received during the reporting period on the grantee's community development performance under this grant;
 - b. The grantee's assessment of the comment; and
 - c. A description of any action taken or to be taken in response to the comment as required by 4 NCAC 19L .1002.
2. The grantee's authorized official representative must certify the following:
 - a. To the best of his/her knowledge and belief, data in this report is true and correct;
 - b. The records described in 4 NCAC 19L .0911 are being maintained and will be made available upon request.

Joseph Gibbons

Typed Name of Authorized Representative


Signature of Authorized Representative

Mayor

Title

9/19/2018

Date

Preparer Information

Name: Rick Oxford

Address: 1880 Second Avenue NW, Hickory 28601

Telephone Number: 828-485-4245



VERSACOURT.

Email: kstory@ci.lenoir.nc.us
Date: 9/6/2018
Rep: Laronda Roberts | laronda.roberts@versacourt.com

Customer Name: City of Lenoir- Kenny Story-828 757 2166
Terms: Payment before processing
P.O. #: _____

Billing

Shipping
720 Mulberry Recreation Center
Lenoir, NC 28645

Versacourt Kit: Game | 50'-8" by 119'-0"
Required concreted pad size: 50'-10" by 119'-2"
Distance from front of backboard to edge of concrete:

I hereby accept and agree to the terms of this proposal:

Customer Signature

Quantity 1	Color		Description	Unit Price	Total
	Royal Blue	Inner court	Versacourt Custom Court	\$17,833.20	\$17,833.20
	TBD		Court Outdoor		
	Olive Green	Outer court	Lane Outdoor		
	TBD		No border Border Outdoor		
	TBD		Ramp (Hook) Game Outdoor Ramp	\$0.00	\$0.00
	TBD		Ramp (Receiver) Game Outdoor Ramp	\$0.00	\$0.00
			Corner Outdoor	\$0.00	\$0.00
Quantity 1	Description Game Lines - Tennis - Full Court			Unit Price \$670.00	Total \$670.00

Shipping Quote Prices are valid for 7 days
All Other Quote Prices are valid for 30 days

Due to dimensions of our tile, painted game lines may not meet standard regulation
Customers in Georgia or Missouri are subject to sales tax which is not included on this quote

FLEX COURT International Inc.
4328 US Hwy 34
Kewanee IL 61443
United States



Lenoir Parks and Rec Dept
Kenny Story
720 Mulberry St SW
Lenoir NC 28645

Estimate # CC 8201
Estimate Date August 6, 2018
PO# Tennis Court
Estimate Total (USD) \$19,589.53

Item	Description	Unit Cost	Quantity	Line Total
ProStep Court	All Weather Outdoor Game Court By FLEX COURT Athletics (50.10x119) Pro Step Court Surface 16 Colors to Choose Includes Inlaid Lines for Tennis Play Includes Ramp Edges for Perimeter	19,192.00	1	19,192.00
Freight	Freight	397.53	1	397.53
INSTALLC	OPTIONAL: installation—Court Surface	3,670.00	0	0.00

Estimated Total (USD) \$19,589.53

Terms

50% on order / Balance on Ship - DIY Project
50% on order / 40% on Ship / Balance on Completion - Installed Terms

Notes

Pricing Includes Standard 16 Year Warranty

From: DuraplaySupport [<mailto:support@duraplaycourts.com>]
Sent: Thursday, August 02, 2018 11:47 AM
To: Story, Kenny
Subject: Re: Duraplay Tennis Court

Thanks Kenny for the response,

You can make the 99' 11" work, but there will be an area 10' on each end that will still have old concrete showing. The width of 50' 2" will work well for you.

Price for a larger court size 50' 10" X 119' is \$18,635
Shipping with the extra tiles is \$1298
Total is: \$19,933

So the 50 x 100 is a large savings, if you can make us of the size.

Thank you
Lee

From: DuraplaySupport
Sent: Wednesday, August 1, 2018 4:51 PM
To: kstory@ci.lenoir.nc.us
Subject: Duraplay Tennis Court

Kenny:
Price on a 50' 2" x 99' 11" tennis court kit is: \$15,990
Shipping to your location is: \$1048
Total price delivered is \$17,038.00

Price includes:
Shipping to your location, 7 pallets weighing 500lbs each. You will need to unload them with a fork lift.
All lines for tennis court pre-painted white unless another color is chosen.
Ramps on all four sides as well as corners.
Your choice of colors - most customers get border color and second color inside the tennis playing area. (Royal Blue/Olive Green)
We will work with you on your net placements so the playing area will match your present layout.

I have attached a picture of one of our tennis courts covering an old court; a photo showing how the tiles cover cracks; and a tennis court we built to cover a decaying court that the customer added on full basketball, volleyball, two shuffleboard courts, and pickle ball lines to.



J B PLASTER ARCHITECT
626 HARPER AVENUE LENOIR, NC 28645 828.230.1726

LENOIR FIRE DEPARTMENT STATION 3

CERTIFIED BIDS:

BID DATE 08/30/18

Firm: Brushy Mountain Builders

Contact: John Moore

Phone: 828.758.5577

Email: jmoore@brushymountaininc.com

Bid: \$2,020,000

Firm: Wilkie Construction

Contact: Brandon Harrison

Phone: 828.754.6431

Email: brandon@wilkie-const.com

Bid: \$2,182,588

Firm: Moss Marlow

Contact: David Deal

Phone: 828.328.2333

Email: ddeal@mossmarlow.com

Bid: \$2,387,000

Firm: Neill Construction

Contact: Scott Zanotti

Phone: 828.324.6774

Email: scott@neillinc.com

Bid: \$2,080,000



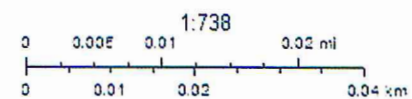
This map is NOT of land survey quality and is NOT suitable for such use.

Owner SERVICE DISTRIBUTING
P O BOX 310
ALBEMARLE, NC 28001

Acct Number 34428
Parcel ID 06130 2 8
NCPIN 2749525451

Deferred Val \$0
Assessed Val \$65,300
Calc Acreage 0.634392
Land Units 200 (FF)
Legal Desc 0811/0622 1983 0.00
Plat Ref /
Property Addr 1515 MORGANTON BV

Caldwell County



September 12, 2018



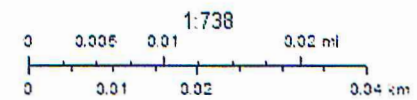
This map is NOT of land survey quality and is NOT suitable for such use.

Owner SERVICE DISTRIBUTING
P O BOX 310
ALBEMARLE, NC 28001

Acct Number 34428
Parcel ID 06130 2 7
NCPIN 2749527425

Deferred Val \$0
Assessed Val \$74,600
Calc Acreage 0.722553
Land Units 200 (FF)
Legal Desc 0811/0622 0083 250.00
Plat Ref /
Property Addr 1507 MORGANTON BV

Caldwell County



September 14, 2018