1. Agenda Packet

   Documents:

   JUNE 5, 2018 AGENDA PACKET.PDF

2. Meeting Materials

   Photos will be POSTED ON FLICKR.

   Documents:

   AFTER ACTION MEMORANDUM.PDF

AGENDA

CITY OF LENOIR
CITY COUNCIL MEETING
CITY/COUNTY CHAMBERS
905 WEST AVENUE
TUESDAY, JUNE 5, 2018
6:00 P.M.

I. CALL TO ORDER

A. Moment of Silence & Pledge of Allegiance

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

A. FY2018-2019 Annual Budget: A public hearing will be held to receive public comments regarding the annual budget for the fiscal year beginning July 1, 2018 through June 30, 2019 for the City of Lenoir. Upon conclusion of the public hearing, Council may adopt the enclosed FY2018-2019 Budget Ordinance.

III. CONSENT AGENDA ITEMS

A. Minutes: Approval of the minutes of the City Council Meeting of Tuesday, May 15, 2018 as submitted.
B. Minutes: Approval of the minutes of the City Council Budget Work Session of Thursday, May 17, 2018 as submitted.
C. Minutes: Approval of the minutes of the Committee of the Whole Meeting of Tuesday, May 22, 2018 as submitted.
D. Final Offer to Purchase Real Property; 533 Hill Street: Approval of the Final Offer to Purchase Real Property by Resolution in the amount of $250.00 as submitted by Ron Walker for property located at 533 Hill Street, Parcel ID#06-17-3-9 and NCPIN#274-957-2991. **Note:** The legal advertisement for the Notice of Offer to Purchase Real Property was published in the *News-Topic* on Sunday, May 20 and the City did not receive any upset bids.
E. Final Offer to Purchase Real Property; 533-A Hill Street: Approval of the Final Offer to Purchase Real Property by Resolution in the amount of $250.00 as submitted by Ron Walker for property located at 533-A Hill Street, Parcel ID#06-17-3-10 and NCPIN#274-957-3826. **Note:** The legal advertisement for the Notice of Offer to Purchase Real Property was published in the *News-Topic* on Sunday, May 20 and the City did not receive any upset bids.
F. Capital Project Budget Ordinance; FY2018-2019 Unifour Consortium HOME Program: Approval of the adoption of the FY2018-2019 Capital Project Budget Ordinance in the amount of $1,452,451 as submitted as submitted by Rick Oxford, Plan Administrator.
G. Capital Project Budget Ordinance; Community Development Block Grant Program: Approval of the adoption of the FY2018 Capital Project Budget Ordinance for the Community Development Block Grant Program in the amount of $137,666 as submitted by Rick Oxford, Plan Administrator.

IV. REQUESTS AND PETITIONS OF CITIZENS

V. REPORTS OF BOARDS AND COMMISSIONS

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

A. Items of Information

1. The Silvio Martinat Swing Band will perform on the square from 7:00 p.m. – 10:00 p.m. on Friday, June 8.
2. Fabulous Film Night is scheduled for Saturday, June 9 with the movie "Despicable Me 3" being shown at 8:30 p.m. on the square.
3. The City/County Services Committee will meet on Monday, June 11 at 11:45 a.m.
4. The Caldwell County Economic Development Commission will meet on Tuesday, June 12 at 8:00 a.m.
5. The Lenoir Tourism Development Authority will meet on Thursday, June 14 at 4:00 p.m.
6. The Lenoir Business Advisory Board will meet on Thursday, June 14 at 6:00 p.m. at City Hall, Third Floor, former Council Chambers.
7. The Shelby Rae Moore Band will perform on the square on Friday, June 15 from 7:00 p.m. – 10:00 p.m.

B. Items for Council Action

1. Order of Abatement; 337 Arlington Circle: City Staff recommends adoption of the submitted Ordinance directing Staff to proceed with the demolition and removal of the structure located at 337 Arlington Circle**, NC**PIN#284-0818-422, and Parcel ID#09-25-1-28.

2. Resolution; 2017 Local Water Supply Plan: City Staff recommends adoption of the submitted Resolution to approve the 2017 Local Water Supply Plan for the City of Lenoir in accordance with N.C.G.S. §143-355(1).

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS

X. ADJOURNMENT

CITY OF LENOIR

COUNCIL ACTION FORM

I. **Agenda Item: II A. FY 2018-2019 Annual Budget:** A public hearing is scheduled to receive public comments regarding the annual budget for the fiscal year beginning July 1, 2018 through June 30, 2019 for the City of Lenoir.

II. **Background Information:** The Recommended FY 2018-19 Budget is comprised of General Fund - $17,090,331, Special District - $183,736, Tourism Development - $65,000 and Water/Sewer Fund - $8,890,000, for a total budget of $26,229,067. The current property tax rate of $0.58 per $100 valuation remains unchanged, as well as the current the Rescue Readiness Tax of 0.85¢ per $100 valuation and the Downtown Municipal Service District Tax of $0.25 per $100 valuation. In addition, the budget includes a 1.5% water rate increase. All other charges/fees remain unchanged.

In accordance with NCGS 159-12, the Recommended Budget has been submitted to the Mayor and City Council and made available for public inspection and notice given that a public hearing will be held on Tuesday, June 5, 2018, beginning at 6:00 p.m., for the purpose of receiving input from citizens wishing to comment on the proposed budget.

III. **Staff Recommendation:** Upon conclusion of the public hearing, Council may adopt the enclosed FY 2018-19 Budget Ordinance.

IV. **Reviewed by:**

City Attorney:

City Manager:

City of Lenoir
Budget Ordinance
Fiscal Year July 1, 2018 – June 30, 2019

BE IT ORDAINED by the Lenoir City Council in regular session assembled on June 5, 2018.

Section 1. That the following amounts are hereby appropriated for the operation of the government of the City of Lenoir and its activities for the fiscal year beginning July 1, 2018, and ending June 30, 2019.

Fund	Estimated Revenues	Fund Balance Appropriated	Total Budget	Appropriated
General	$17,090,331		$17,090,331	$17,090,331
Water & Wastewater	$8,890,000		$8,890,000	$8,890,000
Total	**$25,980,331**		**$25,980,331**	**$25,980,331**

Section 2. That for said fiscal year there is hereby appropriated as expenditures of the General Fund the following:

Legislative	$369,360
Administrative	$568,700
Finance	$628,627
Planning/Stormwater	$427,214
Police	$5,447,507
Fire	$3,770,508
Recreation	$1,764,529
Public Works:	
Administrative	$403,312
Cemetery & Grounds	$330,466
Building Maintenance	$364,419
Sanitation	$869,151
Streets	$1,951,629
Vehicle Services	$194,909
Total	**$17,090,331**

City of Lenoir
Budget Ordinance
Fiscal Year July 1, 2018 – June 30, 2019

Section 3. That for said fiscal year there is hereby appropriated as expenditures of the Water & Wastewater Fund the following:

DEPARTMENT/DIVISIONS	APPROPRIATION
Administration & Engineering	$330,719
Utilities Maintenance	$337,035
Rhodhiss Water Treatment Plant	$2,386,499
Water Distribution	$1,993,495
Wastewater Collection	$1,193,543
Wastewater Pretreatment	$189,690
Wastewater Treatment Plants:	
Gunpowder Plant	$1,000,078
Lower Creek Plant	$1,458,941
Total	**$8,890,000**

Section 4. There is hereby levied for the fiscal year ending June 30, 2019, the following rate of taxes on each one hundred dollars of assessed valuation of taxable property listed as of January 1, 2018, and of registered vehicles in accordance with G.S. 105-330.3(a)(1) for the purpose of raising the revenues from the current year's listed and registered property as set forth in the foregoing estimates of the General Fund revenues and in order to finance the foregoing General Fund appropriations.

General Fund……..$.58 cents tax rate per one hundred dollars assessed valuation.

Rescue Readiness Tax…….$.0085 cents tax rate per one hundred dollars assessed valuation.

Said General Fund tax rates are based on an estimated total appraisal value of real and personal property for the purpose of taxation of $2,132,853,790 with an assessment ratio of one hundred percent (100%) of appraised value and estimated collection rate of 96.96%. Said collection rates are based on the actual 2016-2017 collection rates.

City of Lenoir
Budget Ordinance
Fiscal Year July 1, 2018 – June 30, 2019

Section 5. That for said fiscal year there is hereby appropriated as expenditures of the special Downtown Tax District Fund for the operation of the Economic Development/Main Street Lenoir program and Tourism Development.

Fund	Estimated Revenues	Fund Balance Appropriated	Total Budget	Appropriated
Special Downtown District	$183,736		$183,736	$183,736
Tourism Development	$65,000		$65,000	$65,000
TOTAL	**$248,736**		**$248,736**	**$248,736**

Section 6. There is hereby levied for the fiscal year ending June 30, 2019, the following rate of taxes on each one hundred dollars of assessed valuation of taxable property listed as of January 1, 2018, and of registered vehicles in accordance with G.S. 105-330.3(a)(1) for the purpose of raising the revenues from the current year's listed and registered property set forth in the foregoing estimates of Special Downtown District Fund revenues and in order to finance the foregoing Special Downtown District Fund appropriations.

Special Downtown District……$.25 cents tax rate per one hundred dollars assessed valuation.

Said Special Downtown District tax is based on an estimated total appraised value of property for the purpose of taxation of $ 13,233,944 with an assessment ratio of one hundred percent (100%) of appraised and registered real and personal property value. The estimated collection rate is 96.96%.

Section 7. It is estimated that $65,000 in revenue will be available in the Tourism Development Fund for the fiscal year beginning July 1, 2018 and ending June 30, 2019.

City of Lenoir
Budget Ordinance
Fiscal Year July 1, 2018 – June 30, 2019

Section 8. Water & Sewer rates are established to be effective July 1, 2018 according to the following schedule:

Water Inside Corporate Limits	
0-1,000 gallons	$10.42
Over 1,000 gallons	$3.30 per 1,000 gallons
Sewer Inside Corporate Rates	
1-1,000 gallons	$9.02
Over 1,000 gallons	$3.82 per 1,000 gallons
Water Outside Corporate Limits	
0-1,000 gallons	$20.85
Over 1,000 gallons	$6.60 per 1,000 gallons
Sewer Outside Corporate Limits	
0-1,000 gallons	$18.04
Over 1,000 gallons	$7.64 per 1,000 gallons
Resale Water	
$2.20 per 1,000 gallons	
Resale Sewer	
$3.78 per 1,000 gallons	

Section 9. Salaries & wages accounts provide for funding of all budgeted employee positions and City Council.

Section 10. The City Manager and Finance Director shall notify the City Council of any items of over-expenditure or shortfalls in revenue on a timely basis throughout the fiscal year. Request for appropriations not contained in the Budget Ordinance will be presented to Council after a review of the necessary revenue sources to offset the expenditure has been conducted by the Finance Director. Recommended budget amendments will be presented to the Council at the time the request for appropriation is submitted by the Finance Director.

Section 11. Copies of this Budget Ordinance shall be furnished to the Finance Director and the City Manager of the City of Lenoir, North Carolina, to be kept on file by them for their direction in the collection of revenues and the expenditures of amounts appropriated.

Section 12. The City Manager is authorized to amend the budget by transfer of appropriations within each fund. All amendments affecting revenues or total fund appropriations shall be approved by ordinance by the City Council, to be acted on at any regular or special meeting and approved by a simple majority of those present and voting, a quorum being present. Only one reading will be required and a public hearing or publication of notice is not necessary unless requested by Council.

City of Lenoir
Budget Ordinance
Fiscal Year July 1, 2018 – June 30, 2019

Adopted this 5th day of June, 2018.

SEAL

_____
Joseph L. Gibbons, Mayor

ATTEST:

_____
Shirley M. Cannon, City Clerk

CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

May 15, 2018

Honorable Mayor Gibbons and Members of the City Council:

Pursuant to Section 159-11 of the North Carolina General Statutes (Local Government Budget and Fiscal Control Act), I am pleased to submit the Recommended FY 2018-2019 Budget for your review and consideration. This document provides a financial plan for the ensuing fiscal year and was developed in accordance with the City Council's Priorities established in both the February Strategic Planning Retreat and the March Budget Retreat as well as during Council/Departmental meetings held over the past year. A work session to review the Recommended FY 2018-2019 Budget is scheduled to be held on Thursday, May 17th at 6:00 p.m. and a public hearing on the budget is scheduled on Tuesday, June 5th at 6:00 p.m.

General Fund

The proposed General Fund budget totals $17,090,331 and is balanced with the current property tax rate of 58¢ per $100 of assessed property value. This budget also includes the Rescue Readiness Tax of 0.85¢ per $100 of assessed property value. All other General Fund charges/fees are unchanged.

Water and Wastewater Fund

The proposed Water/Sewer Fund budget totals $8,890,000 and is balanced with a small 1.5% water rate increase. The proposed water rate increase would cost the average ratepayer an additional 35¢ on a monthly bill. The Consumer Price Index - South Region for All Urban Consumers over the past 12-month period is 2.3%. All other Water/Sewer Fund charges/fees are unchanged.

Budget Highlights

The key components of this budget are:

- Core services are continued with funding at adequate levels.
- Revenue projections are estimated in a realistic, conservative manner.
- Our organization-wide Customer Service Excellence Initiative "Service beyond Measure" remains a priority.
- Employee Compensation: City Council and Management recognize that our employees are vital to the delivery of quality municipal services and they continue to represent our most valuable asset. As a top strategic priority, the budget includes a 4.8% cost of living increase effective on January 1, 2019. Also, the City's group health insurance plan will include changing providers which will result in an estimated 5% decrease in premiums, while maintaining plan benefit levels.
- Street Resurfacing: Provides $375,000 in funding to continue implementation of the recent Pavement Study.
- Fire Station #3: Provides increased funding to cover the planned construction debt service.
- Downtown Housing: Provides operational funds to continue planning efforts to "Move Lenoir to 2nd Floor" and includes $30,000 in funding for grants to assist in downtown development.
- North Main Street Plan: Allocates funds from the CDBG Capital Project Fund to complete ongoing improvements to J.E. Broyhill Park and expedite work on the Greenway Rail/Trail conversion.

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- Traffic/Transportation Issues: Provides operational funding for the final phase of the Linkside Connector Project.
- Fiduciary Responsibility: Does not appropriate any fund balance proceeds and maintains a GF fund balance of 43.14%, which is above the City Council's 24% goal. Excess fund balance will be utilized for capital projects as council deems appropriate.
- Sidewalks/Greenways/Trails: Maintains funding of $75,000 in FY 2018-2019 as well as supports the Hospital Avenue Sidewalk Project.
- Code Enforcement: Maintains support of code enforcement activities of $24,000 toward building demolition.
- Technology: Continues to fund Computer/IT upgrades throughout the organization to enhance and improve operations and security. Also, the budget funds implementation of the advance metering infrastructure.
- Fairfield South Plan: Continues to provide operational funds to develop the Fairfield South Plan and to conduct area environmental assessments via EPA Brownfield Grant funding.
- The budget also funds all debt obligations, including the anticipated completion of both Bernhardt Water Treatment Plant Projects.

The following General Fund capital projects are included: Patrol Cars (5), Detective Cars (2), First Floor City Hall updates, Aquatic Center Door(s) replacement, Viper Radios, Cemetery Mower and a used Bucket Truck.

The following Water/Sewer Fund capital projects are included: US 321/Connelly Springs Road Interchange Utility Relocation (Payment #3), Grit System Improvements, Vactor Dump Station, BioSolids Improvements, Raw Water Pumps (2), Misc. Truck/SUV/Van Replacements (7), SCADA Equipment and Automated Metering Equipment.

The proposed budget does not contain any new financing package for capital items, though the budget includes $125,000 for initial debt set aside for Lenoir Fire Department #3.

Summary

In closing, this Recommended FY 2018-2019 Budget is balanced in accordance with State Statutes and attempts to address the goals and priorities that have been established by City Council for the City's future. Though the budget does not optimally fund all of the requested operating and capital needs, the Recommended FY 2018-2019 Budget represents a level of funding, which will allow the City to maintain and enhance current service levels while making organizational changes to be cost effective and more efficient. A Cost Efficiency team, with representatives from all city departments, is meeting regularly to identify new cost saving techniques which will be implemented throughout the upcoming budget year to provide resources for other budget initiatives.

Once again, I would like to acknowledge the work and dedication of Finance Director Donna Bean, as she has been instrumental in the preparation of this document. Her thoroughness and guidance are appreciated.

Finally, I would like to take this opportunity to express my sincere gratitude to the Department Directors, Team Lenoir and City Council for their patience, understanding, and dedicated work on this important policy document. Our goal, each and every day, remains to provide "Service Beyond Measure".

Respectfully submitted,

Scott E. Hildebran
City Manager

LENOIR CITY COUNCIL
TUESDAY, MAY 15, 2018
6:00 P.M.

PRESENT: Mayor Gibbons presiding. Councilmembers present were Beal, Perkins, Stevens, Thomas and Willis. Also in attendance were City Manager Hildebran, and Planning Administrative Assistant Sigmon.

ABSENT: Councilmembers Perdue, Rohr and City Attorney Blair.

I. CALL TO ORDER

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

UPDATE; CITY STAFF:

B. On behalf of City Council, Mayor Gibbons welcomed back Councilman Ike Perkins who continues to recover from recent knee surgery.

C. On behalf of City Council, Mayor Gibbons asked everyone to keep Rex Cannon, spouse of City Clerk Shirley Cannon, in their prayers as he is back in the hospital.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

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 Committee of the Whole Meeting of Tuesday, April 24, 2018 as submitted
2. Minutes: Approval of the minutes of the City Council Meeting of Tuesday, May 1, 2018 as submitted.
3. Acceptance of an Offer to Purchase Real Property; 533 Hill Street: Staff recommends Acceptance of an Offer to Purchase Real Property in the amount of $250.00 as submitted by Ron Walker for property located at 533 Hill Street, Parcel ID#06-17-3-9 and NCPIN#274-957-2991. Note: The legal advertisement for the Notice of Offer to Purchase Real Property will be published in the *News-Topic* starting a ten (10) day upset bid period as required by N.C.G.S. §160A-269 following Council's acceptance of the Offer to Purchase. (A copy of the Offer to Purchase, Deed, Appraisal and Map is hereby incorporated into these minutes by reference. Refer to pages 132-137).
4. Acceptance of an Offer to Purchase Real Property; 533-A Hill Street: Staff recommends Acceptance of an Offer to Purchase Real Property in the amount of $250.00 as submitted by Ron Walker for property located at 533 Hill Street, Parcel ID#06-17-3-10 and NCPIN#274-957-3826. Note: The legal advertisement for the Notice of Offer to Purchase Real Property will be

published in the *News-Topic* starting a ten (10) day upset bid period as required by N.C.G.S. §160A-269 following Council's acceptance of the Offer to Purchase. (A copy of the Offer to Purchase, Deed, Appraisal and Map is hereby incorporated into these minutes by reference. Refer to pages 138-143).

Upon a motion by Councilmember Mayor Pro-Tem Willis, Council voted 5 to 0 to approve the above listed items on the Consent Agenda as submitted by City Manager Hildebran.

IV. REQUESTS AND PETITIONS OF CITIZENS

V. REPORTS OF BOARDS AND COMMISSIONS

FY2017-2018 UNIFOUR CONSORTIUM CONSOLIDATED PLAN & FY2018 ACTION PLAN FOR THE CITY OF LENOIR:

A. Rick Oxford, Plan Administrator, Western Piedmont Council of Governments, held the second of two public meetings to receive public comments regarding the proposed FY2018 Action Plan of the City of Lenoir and the Unifour HOME Consortium as part of the five-year Consolidated Plan. This Plan, as required by the U.S. Department of Housing and Urban Development (DHUD), outlines goals and action plans of the City of Lenoir and the Unifour HOME Consortium and its use of Community Development Block Grant (CDBG) and HOME funds for fiscal year 2018, beginning July 1, 2018 and ending June 30, 2019. The City of Lenoir serves as the Lead Entity for the Unifour Consortium, which expands four counties consisting of twenty-eight local governments.

Mr. Oxford reviewed the FY2018-2019 Community Development Block Fund Grant (CDBG) in the amount of $137,666 that was appropriated as follows:

Construction of Section of Greenway (from Main Street through West End to Harper Avenue)	$110,133
Program Administration	$27,533
	$137,666

Mr. Oxford reported that, although some funds are already budgeted for construction of this section of the Greenway, these allocated funds will be used for engineering, design, surveying, crosswalks and signage for the project. The balance of $27,533 represents 20% of the total funds and is set aside for program administration.

Mr. Oxford stated the HOME program will receive $1,152,451 for FY2018-2019 and pointed out they anticipate program income in the amount of $300,000 for a total funding amount of 1.4 million dollars. Program income is generated as down payment assistance loans are given to first time home buyers. These loans trigger repayment if and when the owners sell, refinance, or otherwise transfer the property. Typically the loans are $5,000 and if the owner retains the loan for a ten-year period, half of the loan amount is forgiven. Mr. Oxford explained loans are also made available to multi-family housing developers who repay the loans over a twenty-year

period. The Down Payment Assistance Program will receive $500,338 which will provide down payment assistance for 87 potential homebuyers. He reported that Habitat for Humanity projects have been funded in the past few years within the four county areas and noted these non-profit organizations are currently constructing housing related projects. Mr. Oxford stated they have tried working with other non-profit groups, but pointed out they do not meet the criteria that HUD requires. Mr. Oxford further reported that the Community Housing Development Organizations will receive $172,868 which will be used to assist with the construction of six homes.

In addition, Mr. Oxford stated $664,000 will fund three multi-family housing projects. He stated low interest loans are provided to Multi-Family Housing Developers as part of their overall package. Typically these packages are around seven to eight million dollars and he noted they would provide a two hundred or three hundred thousand dollar low interest loan to be repaid over a twenty-year term. Ten percent of this will go to administration which comes to $115,245.

Councilmember Perkins asked Mr. Oxford to explain the differences between what Habitat for Humanity and HUD would provide for a low income house. He further inquired if they are they two separate entities?

Mr. Oxford responded they use the same guidelines and noted they provide around $30,000 for the construction of a house while Habitat for Humanity provides the remaining balance.

Councilmember Perkins asked what qualifies a low income person and are there areas where property values come into play?

Mr. Oxford responded that Habitat chooses the location of the property and explained the down payment assistance program assists all applicants that are below 80% of the area's medium income. He stated he thinks Habitat requires applicants to be below 60% of the median area income. Habitat does qualify applicants as far as their credit score and ability to be able to repay the loan.

Mr. Oxford asked Council for approval of the FY2018 Action Plan in order to submit the Plan to HUD as soon as possible.

Upon a motion by Mayor Pro-Tem Willis, Council voted 4 to 1 to approve the FY2018-2019 Unifour Consortium HOME Plan and FY2018 Action Plan for the City of Lenoir as presented and for submittal to HUD as recommended by Rick Oxford, Plan Administrator. Councilmember Perkins voted against this motion.

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

A. Items of Information

PEACE OFFICERS' MEMORIAL

DAY: 1. Peace Officers' Memorial Day will be observed on Tuesday, May 15. An Officer Down Memorial Service is scheduled today at 7:00 p.m. at First Baptist Church.

BUDGET WORK SESSION: 2. City Council will conduct a Budget Work Session on Thursday, May 17 at 6:00 p.m. at City Hall, Third Floor, former Council Chambers. City Council will conduct an additional Budget Work Session on Thursday, May 24 at 6:00 p.m. if necessary.

NATIONAL PUBLIC WORKS WEEK: 3. City of Lenoir will observe National Public Works Week from Sunday, May 20 through Saturday, May 26. A breakfast honoring Public Works employees will be held on Wednesday, May 23 at 7:30 a.m. at 1841 Café.

COMMITTEE OF THE WHOLE: 4. The Committee of the Whole will meet on Tuesday, May 22 at 8:30 a.m. at City Hall, Third Floor, former Council Chambers.

MEMORIAL DAY GOSPEL SINGING EVENT: 5. A Memorial Day Weekend Gospel Singing event will be held on Saturday, May 26 at 4:00 p.m. at the Martin Luther King, Jr. Center.

AFC'S OUTDOOR POOL: 6. The outdoor pool at the Aquatic & Fitness Center will open on Saturday, May 26.

HOLIDAY CLOSING:
7. City offices will be closed on Monday, May 28 in observance of Memorial Day.

MEMORIAL DAY SERVICE: 8. The American Legion will host a Memorial Day Service on Monday, May 28 at 10:00 at the Veterans Plaza on the square downtown.

RURAL DAY:
9. The NC Rural Center will host Rural Day on Tuesday, May 29 beginning at 9:00 a.m. at the NC Museum of History in Raleigh. Representing the City of Lenoir will be Mayor Gibbons, Mayor Pro-Tem Willis, City Manager Hildebran, and Councilmembers Perdue and Thomas.

NCLM'S TOWN & STATE DINNER: 10. The North Carolina League of Municipalities town and State Dinner will be held on Tuesday, May 29 beginning at 5:30 p.m.

B. ITEMS FOR COUNCIL ACTION

FY2018-2019 ANNUAL RECOMMENDED BUDGET: 1. City Manager Scott Hildebran presented the FY2018-2019 Annual Budget to City Council and recommended that Council call for a public hearing to be held on Tuesday, June 5 for consideration of adoption of the proposed budget.

Mr. Hildebran stated the proposed General Fund budget totals $17,100,331 and is balanced with the current property tax rate of 58¢ per $100 of assessed property value. This budget also includes the Rescue Readiness Tax of 0.85¢ per $100 of assessed property value. All other General Fund Charges/fees are unchanged. The General Fund includes traditional City services such as police and fire, planning and zoning, parks, recreation, and public works which includes trash pickup, streets and brush collection.

The City is required to have its budget adopted by July 1, 2018 in order to establish its legal spending limits. The budget is available in the City Clerk's office for public inspection from 8:30 a.m. until 5:00 p.m. Monday through Friday. The budget is also available online at the City's website at www.cityoflenoir.com.

The proposed Water/Sewer Fund budget totals $8,890,000 and is balanced with a small 1.5% water rate increase. The proposed water rate increase would cost the average ratepayer an additional 35¢ on a monthly bill. All other Water/Sewer Fund charges are unchanged.

The Water and Wastewater Fund includes water and sewer utilities and is separate from the General Fund. This Fund includes the following plants: Rhodhiss Water Treatment Plant, Water Distribution, Gunpowder Wastewater Treatment Plant and Lower Creek Wastewater Treatment Plant.

Mr. Hildebran reported the proposed budget addresses the goals and priorities that were established by City Council without raising taxes. He reviewed the key components of the budget as follows:

- Core services are continued with funding at adequate levels.
- Revenue projections are estimated in a realistic, conservative manner.
- Our organization-wide Customer Service Excellence Initiative "Service beyond Measure" remains a priority.
- Employee Compensation: City Council and Management recognize that our employees are vital to the delivery of quality municipal services and they continue to represent our most valuable asset. As a top strategic priority, the budget includes a 4.8% cost of living increase effective on January 1, 2019. Also, the City's group health insurance plan will include changing providers which will result in an estimated 5% decrease in premiums, while maintaining plan benefit levels.
- Street Resurfacing: Provides $375,000 in funding to continue implementation of the recent Pavement Study.
- Fire Station #3: Provides increased funding to cover the planned construction debt service.
- Downtown Housing: Provides operational funds to continue planning efforts to "Move Lenoir to 2nd Floor" and includes $30,000 in funding for grants to assist in downtown development.

- North Main Street Plan: Allocates funds from the CDBG Capital Project Fund to complete ongoing improvements to J.E. Broyhill Park and expedite work on the Greenway Rail/Trail conversion.
- Traffic/Transportation Issues: Provides operational funding for the final phase of the Linkside Connector Project.

- Fiduciary Responsibility: Does not appropriate any fund balance proceeds and maintains a GF fund balance of 43.14%, which is above the City Council's 24% goal. Excess fund balance will be utilized for capital projects as council deems appropriate.

- Sidewalks/Greenways/Trails: Maintains funding of $75,000 in FY 2018-2019 as well as supports the Hospital Avenue Sidewalk Project.

- Code Enforcement: Maintains support of code enforcement activities of $24,000 toward building demolition.

- Technology: Continues to fund Computer/IT upgrades throughout the organization to enhance and improve operations and security. Also, the budget funds implementation of the advance metering infrastructure.

- Fairfield South Plan: Continues to provide operational funds to develop the Fairfield South Plan and to conduct area environmental assessments via EPA Brownfield Grant funding.

- The budget also funds all debt obligations, including the anticipated completion of both Bernhardt Water Treatment Plant Projects.

The following General Fund capital projects are included: Patrol Cars (5), Detective Cars (2), First Floor City Hall updates, Aquatic Center Door(s) replacement, Viper Radios, Cemetery Mower and a used Bucket Truck.

The following Water/Sewer Fund capital projects are included: US 321/Connelly Springs Road Interchange Utility Relocation (Payment #3), Grit System Improvements, Vactor Pump, BioSolids Improvements, replacement vehicles (9) and Automated Metering Equipment.

The proposed budget does not contain any new financing package for capital items, though the budget includes $125,000 for initial debt set aside for Lenoir Fire Department #3.

The Recommended FY2018-2019 Budget is balanced in accordance with State Statutes and attempts to address the goals and priorities that have been established by City Council for the City's future. Though the budget does not optimally fund all of the requested operating and capital needs, the Recommended FY 2018-2019 Budget represents a level of funding, which will allow the City to maintain and enhance current service levels while making organizational changes to be cost effective and more efficient. A Cost Efficiency team, with representatives from all city departments, is meeting regularly to identify new cost saving techniques which will be implemented throughout the upcoming budget year to provide resources for other budget initiatives.

Councilmember Stevens referred to the $375,000 allocated for street paving and asked how many miles these funds will cover.

Public Works Director Jared Wright responded that, depending on the cost of asphalt, it typically ranges from 110,000 to 120,000 per linear mile. City Manager Hildebran pointed out that, during the past year, the City has completed some strategic paving at North Main Street which wasn't included in the $375,000 budget line item. He further shared the City is planning ahead for the paving of Hospital Avenue once the sidewalk construction is complete and in front of UNC Healthcare on Mulberry Street when the hospital construction is finished along with Greenhaven Street and Finley Avenue. He stated these are some of the priority streets the City is looking at and also trying to find additional funding to cover these projects.

Councilmember Stevens further inquired how long the price per ton price for asphalt was good under the City's current paving contract with Maymead, Inc.

Public Works Director Wright responded the current contract will be rebid this year and the City will have a new contract starting in FY2018-2019. The new contract will include an escalator clause based on the monthly legal asphalt index that comes out at the first of every month. He stated he expects to see some adjustment in unit price over the period of the two-year contract as asphalt is petroleum based.

City Manager Hildebran explained the current budget included a pavement study and noted the City used the study to go back and rank all streets that have been paved so far this spring. He pointed out every City street was evaluated using the new study.

Councilmember Stevens remarked he was pleased with all the paving projects he had seen around town with Public Works Director Wright reporting that twenty-nine streets have been paved so far.

City Manager Hildebran commended Finance Director Donna Bean, the Department Directors, Team Lenoir and City Council for their input regarding the annual budget in addition to their commitment to providing "Service Beyond Measure".

On behalf of City Council, Mayor Gibbons also thanked the Department Directors, City Manager Hildebran and especially Finance Director Bean for all their hard work in compiling the annual budget.

City Council will hold a Budget Work Session on Thursday, May 17, at 6:00 p.m. at City Hall to discuss the budget. A Public Hearing on the budget is scheduled for Tuesday, June 5 at 6:00 p.m. at the City/County Chambers.

Upon a motion by Mayor Pro-Tem Willis, Council voted 5 to 0 to schedule a public hearing to be held on Tuesday, June 5 for consideration of approval for the recommended FY2018-2019 Annual Budget as presented by City Manager Hildebran.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

APPOINTMENTS; AUTHORITIES, BOARDS & COMMISSIONS:

B. Mayor Gibbons recommended the individuals listed below be appointed to the City's Authorities, Boards & Commissions as presented. These new appointments were announced at the May 1st City Council meeting.

Lenoir Business Advisory Board
Jennifer Indicott 3-year term

Parks & Recreation Advisory Board
Darrell Lipford 2-year term *Mr. Lipford will be replacing Lemuel Patterson who retired off of the Board.

Planning Board
Larry Smith 4-year term *Mr. Smith will be replacing Mattie Patterson who retired off of the Board.

Upon a motion by Councilmember Thomas, Council voted 5 to 0 to appoint the above list of individuals to the City's Authorities, Boards & Commissions as recommended by Mayor Gibbons.

IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS

X. ADJOURNMENT

A. There being no further business, the meeting was adjourned at 6:37 p.m.

Shirley M. Cannon, City Clerk

Joseph L. Gibbons, Mayor

Scott Hildebran, Manager
City of Lenoir
801 West Avenue NW
Lenoir, NC 28645

Mr. Hildebran:

Please accept this letter as my official bid offer of $ 250.00 for property owned by the City of Lenoir and located at 533 HILL ST further identified by NC PIN 2749572991

Furthermore, I understand that:

- ☐ This property contains a dilapidated structure. As part of my offer, I agree to remove this structure at my own expense.
- ☐ This property contains a deteriorated structure. As part of my offer, I agree to repair the structure in accordance with the standards contained in Chapter 10 of the Lenoir City Code and all applicable state building codes.

Enclosed is a deposit of 5% of the bid in accordance with 160A-269.

Sincerely, Ron Walker
RON WALKER

DATE: 5-9-18
Phone number: (828) 729-1645 (828) 754-1917
Email:
Mailing Address: 535 HILL ST NW LENOIR, NC 28645

§ 160A-269. Negotiated offer, advertisement, and upset bids.

A city may receive, solicit, or negotiate an offer to purchase property and advertise it for upset bids. When an offer is made and the council proposes to accept it, the council shall require the offeror to deposit five percent (5%) of his bid with the city clerk, and shall publish a notice of the offer. The notice shall contain a general description of the property, the amount and terms of the offer, and a notice that within 10 days any person may raise the bid by not less than ten percent (10%) of the first one thousand dollars ($1,000) and five percent (5%) of the remainder. When a bid is raised, the bidder shall deposit with the city clerk five percent (5%) of the increased bid, and the clerk shall readvertise the offer at the increased bid. This procedure shall be repeated until no further qualifying upset bids are received, at which time the council may accept the offer and sell the property to the highest bidder. The council may at any time reject any and all offers. (1971, c. 698, s. 1; 1979, 2nd Sess., c. 1247, s. 25.)

BK 1934 PG 69 - 71 (3)
This document presented and filed:
01/16/2018 01:37:17 PM

Fee $26.00 Excise Tax: $0.00


10018665

Caldwell County North Carolina
Wayne L. Rash, Register of Deeds

Prepared by: ***Groome, Tuttle, Pike & Blair, RLLP***

STATE OF NORTH CAROLINA]
] COMMISSIONER'S DEED
COUNTY OF CALDWELL]

This deed, made this 12th day of January, 2018, by ***CARROLL D. TUTTLE***, Commissioner ("Grantor"), to ***CITY OF LENOIR***, whose address is Post Office Box 958, Lenoir, North Carolina ("Grantee");

W I T N E S S E T H;

That whereas Carroll D. Tuttle was appointed Commissioner under an Order of the District Court of Caldwell County, North Carolina, in the tax foreclosure proceeding entitled "City of Lenoir, Plaintiff, versus Toua Lee and Xia Thao, Defendants, and Wells Fargo Bank, N.A., Trustee for the Certificate Noteholders and County of Caldwell, lienholders/Defendants", Case No. 16-CvD-411, and Carroll D. Tuttle was directed by the Order as Commissioner to sell the property hereinafter described at public sale after due advertisement according to law; and

Whereas, Carroll D. Tuttle as Commissioner, did on the 28th day of July, 2017, offer the land hereinafter described at a public sale at the Caldwell County Courthouse door, in which the City of Lenoir became the last and highest bidder for said land for the sum of $389.00; and the sale having been confirmed, and Carroll D. Tuttle, Commissioner, having been ordered to execute a deed to the purchaser upon payment of the purchase money.

3

NOW, in consideration of the premises and the sum of $389.00, receipt of which is hereby acknowledged, Carroll D. Tuttle, Commissioner, does, by these presents, hereby bargain, sell, grant, and convey to the City of Lenoir, it successors and assigns, that property situated in the City of Lenoir, Lenoir Township, Caldwell County, North Carolina, and described as follows:

City of Lenoir, Caldwell County, North Carolina, Book 1550, Page 1858:

BEGINNING at a stake in the South margin of (Mt. View Street) now Hill Street, 7 feet West of Calvin Cannon's corner and in the West edge of a seven foot alley and runs with said alley South 35 deg. East 64 feet to a stake in Claude Erwin's line; thence with Erwin's line South 65 deg. West 59 feet to a stake, John Peay's line; thence with Peay's line North 35 deg. West 64 feet to a stake in the South margin of said Hill Street; thence with the part of land conveyed by Robert Corpening, widower, to Claude F. Erwin and wife, Ruby Erwin, dated May 30th, 1934 of the record in the office of the Register of Deeds for Caldwell County, in Book 160, at Page 019. There is expressly reserved and set apart as West line of the said Calvin C. Cannon's lot.

EXCEPTING from above, so much property as has been conveyed by the grantors herein the following deed; Deed in Book 207, at Page 54.

Parcel ID No. 06-17-3-9
NC PIN 2749572991

This conveyance is made subject to Caldwell County and City of Lenoir property taxes, the payment of which shall be assumed by the purchaser.

TO HAVE AND TO HOLD the aforesaid tract of land , to the City of Lenoir, its successors and assigns forever, in as full and ample manner as Carroll D. Tuttle, Commissioner, is authorized and empowered to convey the same,

IN WITNESS WHEREOF, Carroll D. Tuttle, Commissioner, has hereunto set his hand and seal.

Carroll D. Tuttle (SEAL)
Carroll D. Tuttle - Commissioner

NORTH CAROLINA

CALDWELL COUNTY

I certify that the following person(s) personally appeared before me this day, and (I have personal knowledge of the identity of the principal(s)) (I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a _____) (a credible witness has sworn to the identity of the principal's); each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: ***CARROLL D. TUTTLE, Commissioner***

Date: 1-12-2018

Kimberly J. Greene
Official Signature of Notary

Kimberly J. Greene
Notary's printed or typed name, Notary Public

(Official Seal)

My commission expires: 08-10-2021

CALDWELL COUNTY, NC 5/7/2018 1:56:23 PM

CITY OF LENOIR
633 HILL ST
19402

Return/Appeal Notes: 06- 17 - 3- 9
UNIQ ID 227802
ID NO: 2749 07 57 2991

Reval Year: 2013 Tax Year: 2019
Appraised by 03 on 11/08/2012 00031 NEIGHBORHOOD

COUNTY (100)
BK 1934 PG 69 YR 2018 ST 0.00

CARD NO. 1 of 1
59.000 FF
TW-06 C-01 EX-1

SRC=
AT-B LAST ACTION 20180122

CONSTRUCTION DETAIL

Foundation - 3	
Continuous Footing	5.00
Sub Floor System - 5	
Wood	10.00
Exterior Walls - 09	
Wood on Sheathing or Plywood	31.00
Roofing Structure - 03	
Gable	8.00
Roofing Cover - 03	
Asphalt or Composition Shingle	7.00
Interior Wall Construction - 5	
Drywall	20.00
Interior Floor Cover - 08	
Sheet Vinyl	0.00
Interior Floor Cover - 14	
Carpet	6.00
Heating Fuel - 02	
Oil Wood or Coal	0.00
Heating Type - 03	
Forced Air - Not Ducted	2.00
Air Conditioning Type - 01	
None	0.00
Unit Count - 1	
Units	0.00
Bedrooms/Bathrooms/Half-Bathrooms	
2/1/0	7.000
Bedrooms	
BAS - 2 FUS - 0 LL - 0	
Bathrooms	
BAS - 1 FUS - 0 LL - 0	
Half-Bathrooms	
BAS - 0 FUS - 0 LL - 0	
Office	
BAS - 0 FUS - 0 LL - 0	0
TOTAL POINT VALUE	82.900

BUILDING ADJUSTMENTS

Quality	2	Below Average	0.8500
Shape/Design	3	Slight Irregular	1.0000
Size	Size Adj	Size	1.1100
TOTAL ADJUSTMENT FACTOR			0.940
TOTAL QUALITY INDEX			86

MARKET VALUE

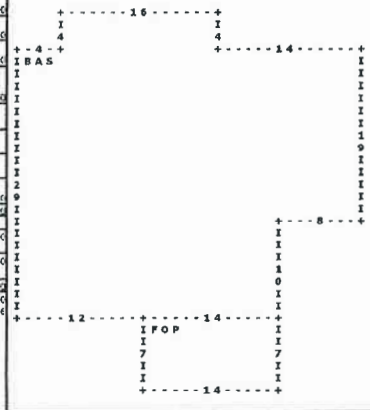
USE	MOD	Eff. Area	QUAL	BASE RATE	RCN	EYR	AYB
01	01	990	86	60.32	60736	1960	1960

DEPRECIATION

DC	Observed Condition	0.40000
	Standard	0.55000
	% GOOD	40.0

TYPE: SINGLE FAMILY RESIDENTIAL SINGLE FAMILY RESIDENTIAL

STORIES: 1 - 1.0 Story



CORRELATION OF VALUE

CREDENCE TO	MARKET
DEPR. BUILDING VALUE - CARD	24,700
DEPR. OB/XF VALUE - CARD	0
MARKET LAND VALUE - CARD	3,800
TOTAL MARKET VALUE - CARD	28,100
TOTAL APPRAISED VALUE - CARD	28,100
TOTAL APPRAISED VALUE - PARCEL	28,100
TOTAL PRESENT USE VALUE - PARCEL	0
TOTAL VALUE DEFERRED - PARCEL	0
TOTAL TAXABLE VALUE - PARCEL $	28,100

PRIOR

BUILDING VALUE	25,400
OBXF VALUE	0
LAND VALUE	3,800
PRESENT USE VALUE	0
DEFERRED VALUE	0
TOTAL VALUE	29,200

PERMIT

CODE	DATE	NOTE	NUMBER	AMOUNT
ROUT	WTRSHD			

SALES DATA

DEF. RECORD BOOK	PAGE	DATE MONTH	YEAR	DEED TYPE	V/U/I	I/V/I	INDICATE SALES PRICE
01934	0069	1	2018	CD	U	I	0
01550	1858	5	2005	WD	X	I	0
01533	0904	12	2004	WD	X	I	4500
01475	0094	10	2003	TD	X	I	21000

HEATED AREA 970

NOTES

SUBAREA

TYPE	GS AREA	%	RPL CS
BAS	970	100	58510
FOP	98	1020	1206
FIREPLACE	3 - 1 Story Single		1,020
SUBAREA TOTALS	1,068		60,736

CODE	QUALITY	DESCRIPTION	LTH	WTH	UNITS	UNIT PRICE	ORIG % COND	BLDG#	L/B	SIZE FACT	AYB	EYB	ANN DEP RATE	OVR	% COND	OB/XF DEPR VALUE
TOTAL OB/XF VALUE																0

BUILDING DIMENSIONS BAS=N29E4N4E16S4E14S19W8S10W26S PTR=E26FOP=S7W14N7E14SW26 $

LAND INFORMATION

HIGHEST AND BEST USE	USE CODE	LOCAL ZONING	FRONTAGE	DEPTH	DEPTH / SIZE	LND MOD	COND FACT	OTHER ADJUSTMENTS AND NOTES RF AC LC TO OT	ROAD TYPE	LAND UNIT PRICE	TOTAL LAND UNITS	UNT TYP	TOTAL ADJST	ADJUSTED UNIT PRICE	LAND VALUE	LAND NOTES
SFR	0100		59	64	0.6500	2	1.0000	0.65X1.00		100.00	59.000	FF	0.650	65.00	3835	
TOTAL MARKET LAND DATA															3,800	
TOTAL PRESENT USE DATA																

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

Owner	CITY OF LENOIR
	PO BOX 958 LENOIR, NC 28645
Acct Number	49402
Parcel ID	06 17 3 9
NCPIN	2749572991

Deferred Val	50
Assessed Val	328 100
Calc Acreage	0 086811
Land Units	59 (FF)
Legal Desc	BK 1934 PG 69 YR 2018 ST 0 00
Plat Ref	
Property Addr	0 633 HILL ST

Caldwell County

1 369

May 7 2018

Scott Hildebran, Manager
City of Lenoir
801 West Avenue NW
Lenoir, NC 28645

Mr. Hildebran:

Please accept this letter as my official bid offer of $ 250.00 for property owned by the City of Lenoir and located at 533A HILL ST, further identified by NC PIN 2749573826

Furthermore, I understand that:

- ☐ This property contains a dilapidated structure. As part of my offer, I agree to remove this structure at my own expense.
- ☐ This property contains a deteriorated structure. As part of my offer, I agree to repair the structure in accordance with the standards contained in Chapter 10 of the Lenoir City Code and all applicable state building codes.

Enclosed is a deposit of 5% of the bid in accordance with 160A-269.

Sincerely,

Ron Walker

DATE: 5-7-18
Phone number: (828) 729-1645 (828) 754-1917
Email:
Mailing Address: 535 HILL ST NW LENOIR, NC 28645

§ 160A-269. Negotiated offer, advertisement, and upset bids.

A city may receive, solicit, or negotiate an offer to purchase property and advertise it for upset bids. When an offer is made and the council proposes to accept it, the council shall require the offeror to deposit five percent (5%) of his bid with the city clerk, and shall publish a notice of the offer. The notice shall contain a general description of the property, the amount and terms of the offer, and a notice that within 10 days any person may raise the bid by not less than ten percent (10%) of the first one thousand dollars ($1,000) and five percent (5%) of the remainder. When a bid is raised, the bidder shall deposit with the city clerk five percent (5%) of the increased bid, and the clerk shall readvertise the offer at the increased bid. This procedure shall be repeated until no further qualifying upset bids are received, at which time the council may accept the offer and sell the property to the highest bidder. The council may at any time reject any and all offers. (1971, c. 698, s. 1; 1979, 2nd Sess., c. 1247, s. 25.)

BK 1916 PG 1469 - 1471 (3)
This document presented and filed:
04/07/2017 02:22:03 PM

Fee $26.00 Excise Tax: $4.00


10010277

Caldwell County North Carolina
Wayne L. Rash, Register of Deeds

Excise Tax: $4.00

Prepared by: *Groome, Tuttle, Pike & Blair, RLLP*

STATE OF NORTH CAROLINA	]	
	]	COMMISSIONER'S DEED
COUNTY OF CALDWELL	]	

This deed, made this 7th day of April, 2017, by ***CARROLL D. TUTTLE***, Commissioner ("Grantor"), to ***CITY OF LENOIR***, whose address is Post Office Box 958, Lenoir, North Carolina ("Grantee");

W I T N E S S E T H;

That whereas Carroll D. Tuttle was appointed Commissioner under an Order of the District Court of Caldwell County, North Carolina, in the tax foreclosure proceeding entitled "City of Lenoir, Plaintiff, versus Toua Lee and Xia Thao, Defendants, and Wells Fargo Bank, N.A., Trustee for the Certificate Noteholders and County of Caldwell, lienholders/Defendants", Case No. 16-CvD-411, and Carroll D. Tuttle was directed by the Order as Commissioner to sell the property hereinafter described at public sale after due advertisement according to law; and

Whereas, Carroll D. Tuttle as Commissioner, did on the 24th day of February, 2017, offer the land hereinafter described at a public sale at the Caldwell County Courthouse door, in which the City of Lenoir became the last and highest bidder for said land for the sum of $2,190.78; and the sale having been confirmed, and Carroll D. Tuttle, Commissioner, having been ordered to execute a deed to the purchaser upon payment of the purchase money.

3

NOW, in consideration of the premises and the sum of $2,190.78, receipt of which is hereby acknowledged, Carroll D. Tuttle, Commissioner, does, by these presents, hereby bargain, sell, grant, and convey to the City of Lenoir, it successors and assigns, that property situated in the City of Lenoir, Lenoir Township, Caldwell County, North Carolina, and described as follows:

City of Lenoir, Caldwell County, North Carolina, Book 1650, Page 201:

Beginning on an iron stake in the South Margin of Mt. View Street, Walter Powell's, now Eva Baker's corner, and runs South 35 deg. East (old bearings) 10 poles to a stake, said Powell's corner; thence South 55 deg. West with George Dula's line 4 poles to an iron stake; thence a new line North 34 deg. West and parallel to Walter Powell's line, 10 poles to a stake in the margin of Mt. View Street; thence with said street North 55 deg. East 4 poles to the Beginning, containing 1/4 of an acre, being one-half of a half acre lot conveyed to Robert Corpening from S. F. Harper, by deed dated June 8th 1904, and recorded in the Office of the Register of Deeds for Caldwell County, North Carolina, in Book 42, at Page 75. Together with improvements located thereon, said property being located at 533-A Hill Street, Lenoir, North Carolina.

Being the same property conveyed by Robert Corpening by (widower) to Claude F. Erwin and wife, Ruby Erwin by deed dated May 30, 1934, of record in the Office of the Register of Deeds for Caldwell County, in Book 160, at Page 109.

Parcel ID No. 06-17-3-10
NC PIN 2749573826

This conveyance is made subject to Caldwell County and City of Lenoir property taxes, the payment of which shall be assumed by the purchaser.

TO HAVE AND TO HOLD the aforesaid tract of land , to the City of Lenoir, its successors and assigns forever, in as full and ample manner as Carroll D. Tuttle, Commissioner, is authorized and empowered to convey the same,

IN WITNESS WHEREOF, Carroll D. Tuttle, Commissioner, has hereunto set his hand and seal.

Carroll D. Tuttle (SEAL)
Carroll D. Tuttle - Commissioner

NORTH CAROLINA

CALDWELL COUNTY

I certify that the following person(s) personally appeared before me this day, and (I have personal knowledge of the identity of the principal(s)) (I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a _____) (a credible witness has sworn to the identity of the principal's); each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: ***CARROLL D. TUTTLE, Commissioner***

Date: 4-7-2017 Kimberly J. Greene
Official Signature of Notary

KIMBERLY J. GREENE
Notary's printed or typed name, Notary Public

Official Seal
KIMBERLY J. GREENE
NOTARY PUBLIC
CALDWELL COUNTY, NC

My commission expires: 08-10-2021

CALDWELL COUNTY, NC — 5/7/2018 2:07:36 PM

CITY OF LENOIR
533 HILL ST
49991

Return/Appeal Notes: 06- 17 - 3- 10
UNIQ ID 227003
ID NO: 2749.07 57 3826

COUNTY (100), SOLID WASTE (1)
BK 1916 PG 1469 YR 2017 ST 4.00

CARD NO. 1 of 1
51.000 FF
SRC=

Reval Year: 2013 Tax Year: 2018
Appraised by 80 on 07/15/2009 00031 NEIGHBORHOOD
TV-05 C-01 EX-1 AT- LAST ACTION 20170417

Owner: CITY OF LENOIR

Parcel: 06- 17 - 3- 10

CONSTRUCTION DETAIL

Foundation - 3	
Continuous Footing	5.00
Sub Floor System - 5	
Wood	10.00
Exterior Walls - 09	
Wood on Sheathing or Plywood	21.00
Roofing Structure - 03	
Gable	8.00
Roofing Cover - 03	
Asphalt or Composition Shingle	3.00
Interior Wall Construction - 5	
Drywall	20.00
Interior Floor Cover - 09	
Pine	4.00
Heating Fuel - 01	
None	0.00
Heating Type - 01	
None	0.00
Air Conditioning Type - 01	
None	0.00
Unit Count - 1	
Units	0.00
Bedrooms/Bathrooms/Half-Bathrooms	
2/1/0	7.000
Bedrooms	
BAS - 2 FUS - 0 LL - 0	
Bathrooms	
BAS - 1 FUS - 0 LL - 0	
Half-Bathrooms	
BAS - 0 FUS - 0 LL - 0	
Office	
BAS - 0 FUS - 0 LL - 0	0
TOTAL POINT VALUE	86.000

BUILDING ADJUSTMENTS

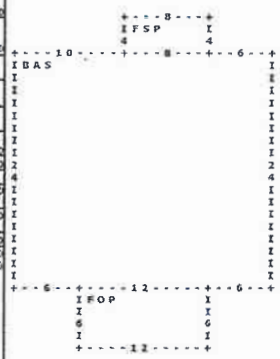
Quality	2	Below Average	0.8500
Shape/Dwelgn	3	Slight Irregular	1.0000
Size	Size	Size	1.3000
TOTAL ADJUSTMENT FACTOR			1.110
TOTAL QUALITY INDEX			96

MARKET VALUE

USE	MOD	Eff. Area	QUAL	BASE RATE	RCN	FYB	AYB
01	01	598	90	68.74	41106	1960	1960

TYPE: SINGLE FAMILY RESIDENTIAL — SINGLE FAMILY RESIDENTIAL

STORIES: 1 - 1.0 Story



DEPRECIATION

Standard	0.55000
% GOOD	45.0

CORRELATION OF VALUE

CREDENCE TO	MARKET
DEPR. BUILDING VALUE - CARD	18,500
DEPR. OB/XF VALUE - CARD	0
MARKET LAND VALUE - CARD	3,200
TOTAL MARKET VALUE - CARD	21,700
TOTAL APPRAISED VALUE - CARD	21,700
TOTAL APPRAISED VALUE - PARCEL	21,700
TOTAL PRESENT USE VALUE - PARCEL	0
TOTAL VALUE DEFERRED - PARCEL	0
TOTAL TAXABLE VALUE - PARCEL $	21,700

PRIOR

BUILDING VALUE	17,000
OBXF VALUE	0
LAND VALUE	3,200
PRESENT USE VALUE	0
DEFERRED VALUE	0
TOTAL VALUE	20,200

PERMIT

CODE	DATE	NOTE	NUMBER	AMOUNT

HOUT: WTRSHD:

SALES DATA

OFF. RECORD BOOK	PAGE	DATE MO	YR	DEED TYPE	V/U	M/I	INDICATE SALES PRICE
01916	1469	4	2017	CD	U	I	2000
01533	0892	12	2004	WD	X	I	5000
01488	1665	1	2004	TD	X	I	35000

HEATED AREA 576

NOTES

SUBAREA

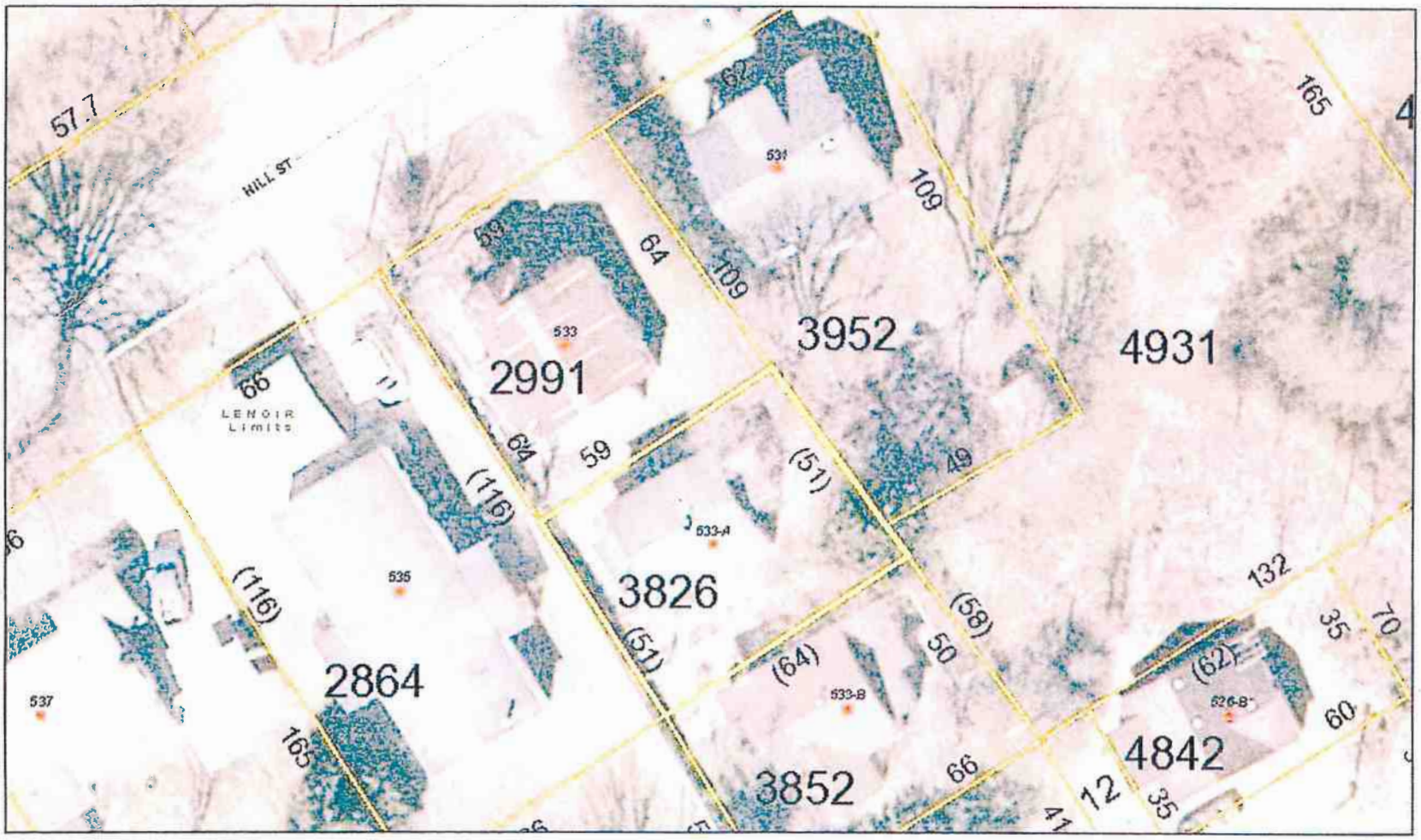
TYPE	GS AREA	%	RPL CS
BAS	576	100	39594
FOP	72	D20	962
FSP	32	D26	550
FIREPLACE	1 - None		0
SUBAREA TOTALS	680		41,106

CODE	QUALITY	DESCRIPTION	L	TH	W	TH	UNITS	UNIT PRICE	ORIG % COND	BLDG#	L/B	SIZE FACT	A	Y	B	E	Y	B	ANN DEP RATE	OVR	% COND	OB/XF DEPR. VALUE
TOTAL OB/XF VALUE																						0

BUILDING DIMENSIONS BAS=N24E24S24W24$PTR=E6FOP=S6E12N6W12$W6$PTR=N24E10FSP=N4EBS4W8$S24W10$.

LAND INFORMATION

HIGHEST AND BEST USE	USE CODE	LOCAL ZONING	FRON TAGE	DEPTH	DEPTH / SIZE	LND MOD	COND FACT	OTHER ADJUSTMENTS AND NOTES RF AC LC TO OT	ROAD TYPE	LAND UNIT PRICE	TOTAL LAND UNITS	UNT TYP	TOTAL ADJST	ADJUSTED UNIT PRICE	LAND VALUE	LAND NOTES
SFR	0100		$1	59	1.0000	0	0.6200	0.62X1.00		100.00	51.000	FF	0.620	62.00	3162	
TOTAL MARKET LAND DATA															3,200	
TOTAL PRESENT USE DATA																



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

Owner	CITY OF LENOIR
	PO BOX 958 LENOIR, NC 28645
Acct Number	49991
Parcel ID	06 17 3 10
NCPIN	2749573826

Deferred Val	$0
Assessed Val	$21,700
Calc Acreage	0.072669
Land Units	51 (FF)
Legal Desc	BK 1916 PG 1469 YR 2017 ST 4.00
Plat Ref	/
Property Addr	0 533 HILL ST

Caldwell County

1:369

0 0.003 0.006 0.012 mi

0 0.005 0.01 0.02 km

May 7, 2018

MINUTES

LENOIR CITY COUNCIL
FY2018-2019 ANNUAL BUDGET WORKSESSION
CITY HALL, THIRD FLOOR
THURSDAY, MAY 17, 2018
6:00 P.M.

PRESENT: Mayor Gibbons, Councilmember Perdue, Perkins, Stevens, Thomas and Willis.

Others present were City Manager Hildebran, Finance Director Bean, City Clerk Cannon, and Virginia Annable, *News-Topic.*

ABSENT: Councilmembers Beal and Rohr.

I. CALL TO ORDER

A. Mayor Gibbons welcomed everyone and called the meeting to order.

B. FY2018-2019 Recommended Annual Budget: City Manager Hildebran reviewed the highlights of the power point presentation of the proposed FY2018-2019 Annual Budget presented to City Council at the May 15 City Council Meeting.

The recommended budget is comprised of General Fund, $17,100,331 and Water Fund, $8,890,000, for a total budget of $25,980,331. The current property tax rate of $0.58 per $100 valuation remains unchanged. The budget also includes the Rescue Readiness Tax of $0.85 per $100 of assessed property value. The budget includes a modest 1.5% increase in water rates which would cost the average ratepayer an additional $0.35 on a monthly bill. All other Water/Sewer Fund charges are unchanged. The proposed budget also includes a 4.8% COLA for City employees effective January 1, 2019. All other General Fund charges/fees remain unchanged.

The City is required to have its budget adopted by July 1, 2018 in order to establish its legal spending limits.

Mr. Hildebran distributed handouts consisting of the 2018 Council Budget Priorities, Direct and Overlapping Property Tax Rates for a 20-year period, Solid Waste Fees from 2005-1018 and a 10-year synopsis of the CPI/COLA/Water/Sewer increases as information. (Copies of these handouts are attached to these minutes as information). Mr. Hildebran also referred to the City's low water rates in comparison to other municipalities of our size and reiterated the budget does not contain any fee increases.

A public hearing will be held on Tuesday, June 5 at 6:00 p.m. in the City/County Chambers for consideration of approval of the proposed FY2018-2019 Annual Budget.

Mr. Hildebran reminded Council that our employees are vital to the delivery of quality municipal services and they continue to represent our most valuable asset. It was noted that employee compensation is Council's top priority for FY2018-2019.

Next, Mr. Hildebran shared that Finance Director Donna Bean has established a Cost Savings Analysis Team that meets weekly to review cost savings options for the City. He noted that any savings will be applied to salary increases.

Group Health Insurance Proposals

Mr. Hildebran advised Council that Blue Cross Blue Shield has reduced their original rate increase from 10% to 6% for the City's FY2018-2019 group health coverage plan, but he asked about additional reduction possibilities, etc. as well as wellness programs. Mr. Hildebran further shared he has contacted the North Carolina League of Municipalities (NCLM) to obtain a quote on the City's health coverage and they quoted a similar package with a 5% reduction in cost. Mr. Hildebran stated BCBS has now submitted a 6.5% reduction in rates while the NCLM has submitted a 7.5% reduction. He pointed out the NCLM has become very competitive with their insurance rates over the past few years.

In addition, Mr. Hildebran gave a list of several municipalities that currently contract with the NCLM and added that beginning July 1, the Town of Hudson and the Town of Granite Falls would also join. He explained it would be a cost savings to the taxpayers should the City decide to change insurance providers and pointed out the NCLM's policy includes a beneficial wellness program, drug plan, annual screenings, cancer screenings as well as being an overall plus for employees.

Mr. Hildebran further pointed out there is a difference of $22,000 between the two (2) proposals and the City may also apply for up to $10,000 in wellness grants with the NCLM. It was noted the City would continue to use the local Robbins Medical Park/Urgent Care facility for employees should the City accept the NCLM's proposal. It was further noted the overall savings are in the $225,000 range.

Councilmember Perdue stated this decision should be made by Mr. Hildebran as Manager and not by City Council. City Council was very complimentary of Mr. Hildebran and emphasized they trusted him along with Staff to make the best possible decisions for the City.

Mr. Hildebran reiterated that any cost savings would be applied to salary increases plus be a cost savings to the local taxpayer.

Budget Highlights

- Core services are continued with funding at adequate levels.
- Revenue projections are estimated in a realistic, conservative manner.
- Our organization-wide Customer Service Excellence Initiative "Service beyond Measure" remains a priority.

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- Employee Compensation: City Council and Management recognize that our employees are vital to the delivery of quality municipal services and they continue to represent our most valuable asset. As a top strategic priority, the budget includes a 4.8% cost of living increase effective on January 1, 2019. Also, the City's group health insurance plan will include changing providers which will result in an estimated 5% decrease in premiums, while maintaining plan benefit levels.

- Street Resurfacing: Provides $375,000 in funding to continue implementation of the recent Pavement Study.

- Fire Station #3: Provides increased funding to cover the planned construction debt service.

- Downtown Housing: Provides operational funds to continue planning efforts to "Move Lenoir to 2nd Floor" and includes $30,000 in funding for grants to assist in downtown development.

- North Main Street Plan: Allocates funds from the CDBG Capital Project Fund to complete ongoing improvements to J.E. Broyhill Park and expedite work on the Greenway Rail/Trail conversion.
- Traffic/Transportation Issues: Provides operational funding for the final phase of the Linkside Connector Project.

- Fiduciary Responsibility: Does not appropriate any fund balance proceeds and maintains a GF fund balance of 43.14%, which is above the City Council's 24% goal. Excess fund balance will be utilized for capital projects as council deems appropriate.

- Sidewalks/Greenways/Trails: Maintains funding of $75,000 in FY 2018-2019 as well as supports the Hospital Avenue Sidewalk Project.

- Code Enforcement: Maintains support of code enforcement activities of $24,000 toward building demolition.

- Technology: Continues to fund Computer/IT upgrades throughout the organization to enhance and improve operations and security. Also, the budget funds implementation of the advance metering infrastructure.

- Fairfield South Plan: Continues to provide operational funds to develop the Fairfield South Plan and to conduct area environmental assessments via EPA Brownfield Grant funding.

- The budget also funds all debt obligations, including the anticipated completion of both Bernhardt Water Treatment Plant Projects.

Mr. Hildebran also related the City is planning ahead to pave a section of Hospital Avenue and Mulberry Street as well as Finley Avenue and Greenhaven Street. Council held a brief discussion regarding the issue of traffic congestion at the intersection of Hospital Avenue and US Hwy 321.

34 The following General Fund capital projects are included: Patrol Cars (5), Detective Cars (2), First Floor City Hall updates, Aquatic Center Door(s) replacement, Viper Radios, Cemetery Mower and a used Bucket Truck.

The following Water/Sewer Fund capital projects are included: US 321/Connelly Springs Road Interchange Utility Relocation (Payment #3), Grit System Improvements, Vactor Pump, BioSolids Improvements, replacement vehicles (9) and Automated Metering Equipment.

The proposed budget does not contain any new financing package for capital items, though the budget includes $125,000 for initial debt set aside for Lenoir Fire Department #3.

Mr. Hildebran commented on the following projects:

- Fund Balance – will bring Capital Improvements Projects (CIP) for Council approval to fund out of Fund Balance account.
- Greenway – budget includes $75,000 for Greenway extension.
- AFC – reported bank is washing at the Aquatic & Fitness Center (future project)
- Hospital Avenue Sidewalk Project - $1 million has been funded for this project.
- Security –reported improvements will be made to the first floor of City Hall to make the area more accessible and customer friendly. Improvements include painting, repairing the entrance doors, fixing a waiting area plus adding additional space for customer lines in order to make this department more customer friendly.
- Elevator /Equipment– discussed evaluating City equipment to address future needs.

Mr. Hildebran also reported the City will make the last payment on the Whitnel Bridge Project. Councilmember Perdue inquired about the City's status for stormwater services with Mr. Hildebran responding Staff will be meeting with an engineering consultant for further review of the issue and to develop a Capital Improvements Project (CIP).

In addition, Mr. Hildebran stated the property tax estimate does not include the new hotel and Exela's recent large expansion project. Mr. Hildebran also clarified for Council that some capital projects are funded as operational, but next year, there may be a financing package for several of the larger capital improvements projects.

Financial Summary (April 30, 2018)

Finance Director Donna Bean reviewed the financial summary as of April 30, 2018. The over/under balance in the General Fund is $2,510,308.89, Downtown District ($163,449.36), and Water & Sewer Fund $2,631,166.96. Director Bean reported the City is on track to meet revenue expectations as expected. She stated expenditures have decreased by $350,000 and the Water & Sewer Fund has increased its revenue. The City is on track with its sales tax collections which is at 104% and she reported the City is being more proactive with its collection process.

Zacks Fork Conservation Easement

Mr. Hildebran reported the City anticipates closing on the Zacks Fork property later on this month and noted the Conservation Easement has been recorded at the Caldwell County Register of Deeds. He further commented that electricity is now permitted to be extended to the firing range located on the property and emphasized the City's goal is to close on this property within this fiscal year.

35 Upcoming Expenditures

Mr. Hildebran reported the City anticipates around $600,000 in future debt which includes the following:

➢Hospital Avenue Sidewalk Project	$800,000	*received from state & $200,000 (City)
➢North Main Street Project	$100,000	
➢Linkside Connector	$100,000	
➢PARTF Grant	$100,000	

Mr. Hildebran remarked the City has great teamwork and is headed in a good direction.

Consensus for FY2018-2019 Proposed Budget

It was the consensus of City Council to move forward with the proposed FY2018-2019 Proposed Budget. A work session will be held on Thursday, May 17 at 6:00 p.m.

Councilmember Thomas mentioned she hears excitement from the Mr. Hildebran as he discusses different projects and commended him upon his leadership. She also mentioned City Council starting the Community Meetings again as it is a good opportunity to receive feedback from the citizens.

Mayor Pro-Tem Willis remarked the City has a great team and City Council. Mr. Hildebran received additional good, positive comments from Councilmembers.

Mayor Gibbons also commended Mr. Hildebran and City Staff for their efforts in making great things happen for the City of Lenoir.

Adjourn

There being no further business, the meeting was adjourned at 7:18 p.m.

Attachments

2018 Council Budget Priorities
Direct and Overlapping Property Tax Rates
Solid Waste Fees (2005-2018)
10-Year CPI/COLA/Water/Sewer
Financial Summary (April 30, 2018)

2018 Council Budget Priorities

1. **Employee Compensation:**
   - Continue efforts to offer competitive compensation and benefits for employee recruitment and retention
2. **Healthy Infrastructure:**
   - Street Paving
   - Downtown Traffic Study
   - Bike Plan (Pennton Avenue)
   - Maintain City Facilities
   - Water/Sewer Improvements
   - Stormwater
   - City Hall
   - Fire Station #3
   - Sidewalks/Greenway/OVT (also downtown sidewalks)
   - Optimist Park/Mulberry Improvements/JE Broyhill Park Improvements
   - Information Technology
3. **Housing:**
   - Minimum Housing Enforcement
   - Pursue Market Rate Housing
   - Market City-owned Properties to Sell
   - Encourage Downtown Living (Moving Lenoir to the 2nd Floor)
   - Communicate building "spec" homes in shovel-ready areas such as Hibriten Mountain, Stonecroft, Huntington Woods & Summerhill
   - Work with WPCOG Vacant & Substandard Housing Task Force
4. **US 321 Beautification**
   - Neighborhood Branding Signage
   - Work on Commercial Blight (city-wide & downtown)
   - Address Major Visibility Issues (Smith Crossroad, Old Mall, etc.)
   - Implement North Main Area Plan & Fairfield South Plan
5. **Public Engagement**
   - Neighborhood Meetings
   - Walk-through's
   - State of the City Presentations
6. **Economic Development:**
   - Explore what other local governments are doing with public/private partnerships
   - Maintain Healthy Infrastructure
   - Continue Work with EDC
   - Market Quality of Life Amenities (Greenway, OVT, Bike Plan, etc.)

City of Lenoir, North Carolina
Direct and Overlapping Property Tax Rates
Last 20 Years
(rate per $100 of assessed value)

	City Direct Rates			Overlapping Rates	
Fiscal Year	City of Lenoir	Downtown Service District	Rescue Readiness	Caldwell County	Rescue Squad
2017-18	0.58	0.25	0.0085	0.63	-
2016-17	0.58	0.25	-	0.63	0.0085
2015-16	0.58	0.25	-	0.60	0.0085
2014-15	0.58	0.25	-	0.60	0.0085
2013-14	0.58	0.25	-	0.60	0.0085
2012-13	0.56	0.25	-	0.6299	0.0085
2011-12	0.54	0.25	-	0.6599	0.0085
2010-11	0.54	0.25	-	0.6599	0.0085
2009-10	0.54	0.25	-	0.6599	0.0085
2008-09	0.54	0.25	-	0.6599	0.0085
2007-08	0.54	0.25	-	0.6599	0.0085
2006-07	0.54	0.25	-	0.5399	0.0085
2005-06	0.54	0.25	-	0.5399	0.0085
2004-05	0.54	0.25	-	0.5839	0.0071
2003-04	0.50	0.25	-	0.5839	0.0071
2002-03	0.50	0.25	-	0.5561	0.0071
2001-02	0.47	0.25	-	0.5561	0.0071
2000-01	0.49	0.19	-	0.5829	0.0071
1999-00	0.49	0.19	-	0.5829	0.0071
1998-99	0.49	0.19	-	0.5829	0.0071

City of Lenoir, North Carolina		
Solid Waste Fees		
Fiscal Year	Solid Waste Fees	Solid Waste Collections
2017-18	9.00	TBD
2016-17	9.00	699,283.00
2015-16	9.00	703,382.00
2014-15	8.00	628,144.00
2013-14	8.00	622,819.00
2012-13	8.00	627,002.00
2011-12	8.00	626,743.00
2010-11	7.00	553,866.00
2009-10	7.00	560,940.00
2008-09	7.00	525,142.00
2007-08	7.00	515,359.00
2006-07	6.00	454,131.00
2005-06	6.00	438,734.00
2004-05	-	-

10-Year CPI/COLA/Water/Sewer

	Fiscal Year	SE CPI (February)	COLA	Water	Sewer
	2009-10	0.10%	0.00%	0.00%	0.00%
	2010-11	2.30%	0.00%	2.30%	5.00%
	2011-12	2.20%	0.00%	2.20%	4.00%
	2012-13	3.30%	2.00%	3.30%	5.00%
	2013-14	1.80%	0.00%	1.80%	2.00%
	2014-15	1.20%	4.50%	1.20%	2.00%
	2015-16	-0.30%	3.00%	0.00%	3.00%
	2016-17	0.70%	2.00%	0.00%	3.00%
	2017-18	2.80%	3.25%	2.50%	1.00%
	2018-19	2.10%	4.80%	1.50%	0.00%
10-Year Totals		16.20%	19.55%	14.80%	25.00%

City of Lenoir
Financial Summary
As of April 30, 2018

General Fund	2017-2018 Budget	4/30/2018	% of Budget	Change from Previous Year	4/30/2017
Total Revenue	$ 16,605,509.00	$ 15,730,308.33	95%	$ 950,201.33	$ 14,780,107.00
Expenditures	$ 16,605,509.00	$ 13,219,999.44	80%	$ (362,902.56)	$ 13,582,902.00
Over/Under	$ -	$ 2,510,308.89		$ 1,313,103.89	$ 1,197,205.00

Downtown District	2017-2018 Budget	4/30/2018	% of Budget	Change from Previous Year	4/30/2017
Revenues	$ 183,827.00	$ 1,709.90	1%	$ (27,111.10)	$ 28,821.00
Expenditures	$ 183,827.00	$ 165,159.26	90%	$ 58,696.26	$ 106,463.00
Over/Under	$ -	$ (163,449.36)		$ (85,807.36)	$ (77,642.00)

Water/Sewer Fund	2017-2018 Budget	4/30/2018	% of Budget	Change from Previous Year	4/30/2017
Revenues	$ 8,239,307.00	$ 7,668,683.37	93%	$ 510,718.53	$ 7,157,964.84
Expenditures	$ 8,239,307.00	$ 5,037,516.41	61%	$ (938,172.37)	$ 5,975,688.78
Over/Under	$ -	$ 2,631,166.96		$ 1,448,890.90	$ 1,182,276.06

Tax Collections	2017-2018 Budget	Collections As Of 4/30/2018	Percentage of Change	Change from Previous Year	Collections As Of 4/30/2017
Ad Valorem Tax Collection - % of Budget		104%			104%
Sales Tax (with adjustment for HB97)		$ 2,811,674.69	3.50%	$ 95,103.88	$ 2,716,570.81
Sales Tax (without adjustment for HB97)		$ 2,641,834.79	3.33%	$ 85,190.48	$ 2,556,644.31

Sales Tax adjustment for HB97	2017-2018 Budget	Collections As Of 4/30/2018***	Percentage Collected YTD		
Sales Tax adjustment for HB97	$ 215,000.00	$ 169,839.90	79.00%		

***9 months collections

COMMITTEE OF THE WHOLE
CITY HALL, THIRD FLOOR
TUESDAY, MAY 22, 2018
8:30 A.M.

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

City Manager Hildebran, City Clerk Cannon, Public Information Officer Harris, Police Chief Brown, 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.

OTHERS: Virginia Annable, *News-Topic*, Greg Icenhour, Vice-President, Mid-Atlantic Associates, and Bryce Carter, Summer Intern, Public Utilities Division.

ABSENT: Councilmember Beal and Thomas.

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. EPA Brownfield Assessment Grants: Staff recommends City Council approve acceptance of two (2) EPA Brownfield Assessment Grants as follows: Hazardous Materials Assessment Grant in the amount of $200,000 and a Petroleum Assessment Grant in the amount of $100,000 for a total grant amount of $300,000. Staff further recommends Council authorize Staff to negotiate with EPA to complete the award of the two (2) grants and authorize the City Manager to execute the documents necessary to complete acceptance of the grant funds.

Public Utilities Director Radford Thomas explained the City submitted a Brownfield Assessment Grant application to the United States Environmental Protection Agency (EPA) in November 2017 in an effort to secure grant funding that would assist the City in evaluating a number of sites within the City that may have environmental issues. Director Thomas announced the City was successful with the grant writing and application process and has been approved by the EPA to receive $300,000 in funding for a hazardous materials assessment grant in the amount of $200,000 and a petroleum assessment grant in the amount of $100,000 for a total grant award of $300,000.

Director Thomas then introduced Mr. Greg Icenhour, Vice-President, Mid-Atlantic

Engineering and Environmental Associates, who has been working with the City and the Environmental Protection Agency regarding the City's Brownfields Assessment grant applications over the past several years.

Mr. Icenhour explained, in addition to addressing blight, these grants are more of an economic development tool for municipalities and stated they also help stimulate private investment and job growth. He reported the funding will be available on October 1, 2018 for a three-year period. Mr. Icenhour shared these grants are extremely competitive and stated it was important for Lenoir to have an ongoing sustainable Brownfields program. The City has identified 19 industrial and commercial facilities that encompass approximately 77 acres containing 465,025 square feet of under-utilized building space as stated in the grant application letter dated November 1, 2017. In addition, the City's area of focus is Census Tract-301, which includes Lenoir's Central Business District (CBD).

Mr. Icenhour further emphasized a major component of these grants is to have community involvement in the project and pointed out the goal is to move forward with future buyers of these properties that have no contamination which reduces the liabilities and risks for the City. It was noted that banks are also familiar with the Brownfields program. Mr. Icenhour stated a list of sites to be studied include the former Bost Lumber Facility, former Singer Furniture Plant, and the former Blue Bell site.

Public Utilities Director Thomas related that, as more properties are assessed, more community involvement is needed because applications are scored and ranked based upon this fact. He noted the City will choose which sites are selected based upon community input.

Councilmember Rohr stated he is philosophically opposed to these grants because taxpayers pay for the cleanup. He gave an example of how previous furniture industries destroyed a number of properties and prior jobs were lost. Mr. Rohr remarked the EPA does more harm than good.

Mr. Icenhour encouraged everyone to seek additional community input and thanked City Council for the opportunity to present information about the City's award.

Motion
Upon a motion by Councilmember Stevens, Council voted 4 to 1 to approve the Hazardous Materials Assessment Grant in the amount of $200,000 and a Petroleum Assessment Grant in the amount of $100,000 for a total grant amount of $300,000 and authorized Staff to negotiate with EPA to complete the award of the two (2) grants plus authorized the City Manager to execute the documents necessary to complete acceptance of the grant funds. Councilmember Rohr voted against this motion.

B. Public Utilities Director Radford Thomas reported on the following items:

1. Water Treatment Plant Improvements: Reported that two of the three filters are now operational and commended the quality of the work being done for the filter rehabilitation project. Also reported the Acti-Flow project remains on schedule.

2. Update; Sewer Leaks/Overflows: Reported Kimbrells Furniture will be the next site to

check for sewer leaks/overflows.

3. Public Works Director Jared Wright reported on the following items:
   A. Street Paving: Reported that Maymead, Inc. has paved 28 of the 29 streets on the City's list for FY2018. He stated the City will re-advertise and bid next's year paving contract. In addition, he mention the biennial bridge inspection of the City's bridges has been completed with no immediate concerns being found.
   B. Update; Hospital Avenue Sidewalk Project: A planning meeting will be held in July for this project.
   C. Update; Two-Way Traffic: Reported he currently has not received a revised plan from Ramey and Kemp regarding the signalized crosswalks project where they are revisiting the intersection at the Fire Department and Harper Avenue.
   D. National Public Works Week: Reported the City is celebrating National Public Works Week from May 20 through May 26. An Employee Appreciation Breakfast is scheduled for Wednesday, May 23 at 1841 Café.

IV. COMMUNITY DEVELOPMENT

A. Lenoir Tourism Development Authority: The Lenoir Tourism Development Authority (LTDA) cancelled its meeting on Thursday, May 10. A report was not given at this time.

B. Lenoir Business Advisory Board: The Lenoir Business Advisory Board (LBAB) last met on Thursday, May 10. Kaylynn Horn, Economic Development Director, reviewed the minutes of the April 12 meeting and reported on upcoming music events during the month of June. Director Horn also reported that Liz Parham, Director, NC Main Street Center, will make a site visit to Lenoir on Tuesday, June 5.

She also shared the first Feet off the Street event held in conjunction with the Google Gravity games was a big success as well as the annual Bloom Blast event with the downtown planters being re-planted by local master gardeners.

C. Planning Board: The Planning Board cancelled its meeting of Monday, May 28. Planning Director Jenny Wheelock reported the Board has been working on compiling neighborhood maps of historic districts and mentioned that eighty citizens gave positive feedback at the recent presentation held at First Baptist Church regarding a comprehensive architectural survey conducted by the State Historic Preservation Office (SHPO).

Director Wheelock also reported she recently received her certification as a Certified Zoning Official and learned a lot of good things about zoning issues during this course. She further mentioned it is time to conduct and gather data for the Census Bureau.

D. Financial Summary; April 2018: Finance Director Bean reported she presented the April 2018 Financial Summary during the recent Budget Work Session and asked Council if they had any questions.

A copy of the financial summary is attached to these minutes as information.

E. Update; Conservation Easement for Watershed Property: City Manager Hildebran informed Council the new appraisal of the watershed property has lowered the value of the property and may possibly impact our grant amount. The impact may be a reduction from $755,000 to +- to $345,700 +-. Mr. Hildebran stated the City had the survey of the property done and commented that Dennie Martin was working on this issue with the NC Clean Water Management Trust Fund.

Mr. Hildebran advised Council he will continue to have discussions and work toward a resolution. Councilmember Rohr mentioned possibly involving Representative Destin Hall in the matter. Mr. Hildebran stated he would follow up and keep Council apprised as things move forward.

F. Parks & Recreation Advisory Board: The Parks & Recreation Advisory Board's did not meet in May. The next meeting will be held on Monday, August 20 at Optimist Park Clubhouse. Recreation Director Kenny Story presented the following information:

1) Reported the new restrooms at the J. E. Broyhill Park should be finished by mid-June.
2) The outdoor pool opens at the Aquatic Fitness Center on Saturday, May 26.
3) Reported the back wash system is in need of repairs.
4) Ongoing rentals have increased.
5) Friday after Five music events begin on Friday, June 1 and the outdoor summer movie program will begin on Saturday, June 9.
6) The 3rd Annual Summer Music Festival will be held on Saturday, July 28 from 6:00 p.m. – 11:00 p.m. at the Martin Luther King, Jr. Center. The event is free to the public.
7) Harambee Week is coming up in August at the Martin Luther King, Jr. Center.

G. Update; Public Communications: Joshua Harris, Public Information Officer, reviewed the highlights of the Communications Report as of April 2018 and activity included 215 social posts, 224 photos, 10 news releases and 12 videos. In addition, he stated there are 866 new followers and the website has experienced 31,673 views and Facebook 14,652 views. Mr. Harris briefly reviewed a social media comparison chart and pointed out the City's information is also available on its website and Facebook account along with Instagram, Twitter and YouTube.

In addition, he stated he has added the City's Authorities/Boards/Commissions list to the website and organized these pages.

3. Public Safety

A. Fire Department; Fire Chief Ken Hair reported the Department is getting ready for the upcoming National Incident Management Training (NIMS) Training that will include City Council and Staff and stated they are in the process of rewriting the policy for this type of training.

B. Update; Weather Satellite: Chief Hair reported the satellite is not online yet at the National Weather Center where the Department will be sending data.

C. Update; Fire Station No. 3: Chief Hair reported that all of the engineers for the project have submitted their data to Jesse Plaster, Architect, for the project.

4. Police Department

A. Update; School Resource Officers: Police Chief Brown reported the Caldwell County Commission has agreed to fund six resource officers and also stated the Police Department plans to partner with the County on a grant to be used for this purpose. He stated the Department plans to ask for additional officers. In addition, Chief Brown verified that two (2) resource officers are funded by the Caldwell County School system and reported that one serves at Hibriten High School and the other officer is split between William Lenoir Middle School and Horizons Elementary School. He emphasized the goal is to have one officer in each school in Caldwell County. Chief Brown also pointed out if one grant application is successful, the City will have the first choice of placing an officer, but if both grants are funded, Granite Falls will have the second choice. It was noted that school safety is very high on the Department's priority list.

B. Update; Small Unmanned Aerial System (sUAS), aka "drone" and Draft Policy: Chief Brown explained the Department borrowed a drone from the State Highway Patrol to re-create the scene of a recent accident and secured information within a ten minute time frame that would normally take Staff ten hours to compile. He stated Staff recognized the significance of having this equipment and decided to utilize the controlled substance tax and purchase a small drone for the Police Department. Chief Brown distributed a handout listing the specs of the drone, its intended uses, training and the projected readiness date of June 2018. The drone will only be used during the following instances:

- Scene Documentation (Crash Scene, Crime Scene & Natural or Man-Made Disaster)
- Search and Rescue (Silver Alerts, Amber Alerts, other Search & Rescue Missions and to assist other City Departments where Public Safety concerns exists)

A copy of the handout is attached to these minutes as information.

Chief Brown reviewed the required training which entails:
- In house training of operators on May 23 by Yuneec
- Applicable operators to acquire proper FAA licensing
- Documented quarterly sUAS Team Training

Captain Andy Wilson reviewed the statistics of the drone which can fly in wind and rain, and document areas and reported operators can received their FAA License following five days of training. There will also be ongoing monthly training to ensure operators know how the device works and how to operate it efficiently. He clarified operators have to be certified by FAA in order to fly the drone.

Chief Brown reported that six officers are interested in taking the required training and remarked the drone will be a tremendous benefit to co-workers. He presented the draft policy and reviewed several of the key highlights which are:

- All deployments of sUAS must be specifically authorized by the Chief of Police or his/her designee.
- The Police Department will obtain applicable authorizations, permits, and/or certificates required by the Federal Aviation Administration (*FAA*) prior to deploying or operating the sUAS. All such authorizations, permits, and/or certificates shall be maintained and current at all times.
- The sUAS shall be utilized only in support of official law enforcement duties, public safety missions, and upon requests of other City of Lenoir departments when a public safety purpose exists.
- All Digital Medial Recordings (DMR) shall be handled in accordance with existing policy on data and record retention, as applicable.

A copy of the complete draft policy is attached to these minutes as information.

Chief Brown further clarified that the public will be notified when the drone is in use. He commented there are some privacy concerns, but the Department will handle these issues with care and noted they are open to any suggestions.

Councilmember Rohr expressed several concerns he has with the draft policy requirements by stating the reporting requirements need to be more specific and also for the equipment section. He also remarked the videos need to be retained for a longer period of time. In addition, Councilmember Rohr commented that City Council needs to approve what the Police Department purchases since they used federal funds for the purchase of the drone.

Councilmember Rohr further remarked he would prefer the policy to state Chief and omit his/her designee throughout the document. He also pointed out the document does not contain a non-disclosure agreement and needs to be more diversified. Councilmember Rohr also referred to the privacy section and pointed out the history of abuse with individuals using drones.

Chief Brown stated that anyone can purchase a drone.

Councilmember Rohr stated he wants to make sure that Council receives quarterly reports from the Police Department.

Councilmember Perdue expressed concern regarding property damage and mentioned there is starting to be some court cases regarding the use of drones. Mr. Perdue further stated that City Council can act as a review board when necessary. He further commented the good outweighs the bad, but the drone is a necessary tool that requires more oversight. Mr. Perdue also mentioned there were businesses the Police Department could contract with regarding use of the drone, but they need to be qualified, insured and bonded.

Mayor Pro-Tem Willis suggested there are multiple uses that may benefit all City

Departments that may require use of the drone on occasion.

Fire Chief Ken Hair commented the drone is a great emergency tool, but agreed it should be stored at the Police Department.

Following additional discussion, this item will be reviewed at a future meeting.

V. OTHER

A. June Calendar**:** By consensus of the Council, the calendar for the month of June was approved by Council listing various meetings and events.

VI. Adjourn:

There being no further business, the meeting was adjourned at 10:08 a.m.

Attachments
Financial Summary, April 2018
Drone Handout
Drone Draft Policy

City of Lenoir
Financial Summary
As of April 30, 2018

General Fund

	2017-2018 Budget	4/30/2018	% of Budget	Change from Previous Year	4/30/2017
Total Revenue	$ 16,605,509.00	$ 15,730,308.33	95%	$ 950,201.33	$ 14,780,107.00
Expenditures	$ 16,605,509.00	$ 13,219,999.44	80%	$ (362,902.56)	$ 13,582,902.00
Over/Under	$ -	$ 2,510,308.89		$ 1,313,103.89	$ 1,197,205.00

Downtown District

	2017-2018 Budget	4/30/2018	% of Budget	Change from Previous Year	4/30/2017
Revenues	$ 183,827.00	$ 1,709.90	1%	$ (27,111.10)	$ 28,821.00
Expenditures	$ 183,827.00	$ 165,159.26	90%	$ 58,696.26	$ 106,463.00
Over/Under	$ -	$ (163,449.36)		$ (85,807.36)	$ (77,642.00)

Water/Sewer Fund

	2017-2018 Budget	4/30/2018	% of Budget	Change from Previous Year	4/30/2017
Revenues	$ 8,239,307.00	$ 7,668,683.37	93%	$ 510,718.53	$ 7,157,964.84
Expenditures	$ 8,239,307.00	$ 5,037,516.41	61%	$ (938,172.37)	$ 5,975,688.78
Over/Under	$ -	$ 2,631,166.96		$ 1,448,890.90	$ 1,182,276.06

Tax Collections

	2017-2018 Budget	Collections As Of 4/30/2018	Percentage of Change	Change from Previous Year	Collections As Of 4/30/2017
Ad Valorem Tax Collection - % of Budget		104%			104%
Sales Tax (with adjustment for HB97)		$ 2,811,674.69	3.50%	$ 95,103.88	$ 2,716,570.81
Sales Tax (without adjustment for HB97)		$ 2,641,834.79	3.33%	$ 85,190.48	$ 2,556,644.31

Sales Tax adjustment for HB97

	2017-2018 Budget	Collections As Of 4/30/2018***	Percentage Collected YTD		
Sales Tax adjustment for HB97	$ 215,000.00	$ 169,839.90	79.00%		

***9 months collections

Lenoir Police Department

1035 West Avenue NW
Lenoir, North Carolina 28645
(828) 757-2121 • Fax (828) 757-2103

Lenoir All-America City 2008

Yuneec H520

DIMENSIONS 20.5 x 17.9 x 11.6 inches

FLIGHT TIME 28 Min

WEIGHT 3.6 lbs

MAXIMUM ALTITUDE 500 m

MAXIMUM FLIGHT DISTANCE 1 MILE

Capable flight in High Wind

Capable flight in rainy conditions

Neither flight data nor images, videos or log files are forwarded to external servers and remain in your possession. Thus, your data is optimally protected.

Intended Uses

- Scene Documentation ie;
  - Crash Scene
  - Crime Scene
  - Natural or Man-Made Disaster
- Critical Incident Assessment
- Search and Rescue
  - Silver Alerts
  - Amber Alerts
  - Other Search and Rescue Missions
- Other City Department Assistance where Public Safety Concern Exists

Training

- In house training of operators on 05/23/2018 by Yuneec
- Applicable Operators to acquire proper FAA Licensing
- Documented Quarterly sUAS Team Training

Projected Readiness

- June 2018

Lenoir Police Department Standard Operations Manual

Policy Number _____

Section Title: SMALL UNMANNED AIRCRAFT SYSTEMS

Effective Date: June 1, 2018

Department Policy

It is the policy of the Lenoir Police Department to utilize Small Unmanned Aircraft Systems *(sUAS)* in the safe collection of additional digital evidence, which is often made possible through elevated unmanned positions. Duly trained and authorized agency personnel may deploy sUAS when such use is appropriate in the performance of their official duties, and where such deployment and collection of any digital evidence originating from or generated by the sUAS comply with the policy provisions provided herein, as well as federal, state, and local laws and/or regulations.

Small Unmanned Aircraft Systems *(sUAS)* under the control of the Lenoir Police Department shall not be used as covert surveillance tools or for the purpose of gathering advanced intelligence related to criminal investigations, unless life-threatening situations exist, and only then with approval of the Chief of Police.

I. PURPOSE

This policy is intended to provide assigned and authorized personnel with mandates and guidelines for the proper law enforcement and public safety utilization of sUAS technology and the information it provides.

II. DEFINITIONS

Although some of these terms may not be specific to this policy, they are relevant to the understanding, operation, and management of unmanned aircraft.

Digital Media Recordings (DMR): Digital recording of images, sounds, and associated data.

Model Aircraft: A remote controlled aircraft used by hobbyists that is built, produced, manufactured, and operated for the purposes of sport, recreation, and/or competition.

Unmanned Aircraft (UA) or Unmanned Aerial Vehicle (UAV): An aircraft that is intended to navigate in the air without an on-board pilot. Also commonly referred to as Remotely Piloted Aircraft *(RPA)*, Remotely Operated Vehicle *(ROV)*, or Drone.

Unmanned Aircraft System (UAS): A system that includes the necessary equipment, network, and personnel to control an unmanned aircraft.

Small Unmanned Aircraft Systems (sUAS): UAS systems that utilize UAVs weighing less than 55 pounds and are consistent with Federal Aviation Administration *(FAA)* regulations governing model aircraft.

sUAS Flight Crewmember: A pilot, visual observer, payload operator or other person assigned duties for a sUAS for the purpose of flight or training exercise.

Unmanned Aircraft Pilot: A person exercising control over a UA/UAV/UAS/sUAS during flight.

III. PROCEDURES

A. Administration

All deployments of sUAS must be specifically authorized by the Chief of Police or his/her designee. This agency has adopted the use of sUAS to provide an aerial visual perspective when responding to emergency situations involving articulable and exigent public safety circumstances, and for the following objectives:

1. Scene Documentation: To document a crime scene, crash scene, accident scene, or other major incident scene *(e.g., natural or man-made disaster, large-scale forensic scene investigation, etc.)*.

2. Situational Awareness: To assist decision makers *(e.g., incident command staff, emergency management personnel, event planners, etc.)* in understanding the nature, scale, and/or scope of an incident or event and planning and/or coordinating a safe and effective response.

3. Search and Rescue: To assist in missing person investigations, AMBER Alerts, Silver Alerts, and other search and rescue missions.

4. To assist other City of Lenoir Departments when such requests involve a documented public safety purpose.

B. Procedures for sUAS Utilization

1. The Lenoir Police Department will obtain applicable authorizations, permits, and/or certificates required by the Federal Aviation Administration *(FAA)* prior to deploying or operating the sUAS. All such authorizations, permits, and/or certificates shall be maintained and current at all times.

2. The sUAS will be operated only by authorized personnel *(pilots and crew members)* who have been trained and certified in the operation of the Lenoir Police Department system(s).

3. sUAS-certified personnel shall conduct standardized inspections and tests on sUAS equipment prior to each deployment to verify the proper functioning of all equipment and the airworthiness of the device.

4. The sUAS equipment is the responsibility of assigned individual officers and will be used with reasonable care to ensure proper functioning. Equipment malfunctions or maintenance needs shall be brought to the attention of the appropriate Division Commander as soon as possible so that repairs and/or maintenance can be procured.

5. The sUAS equipment and all data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of the Lenoir Police Department.

6. All flights will be documented on a form or database designed for that purpose, and all flight time shall be accurately recorded. In addition, each deployment of the sUAS shall include information regarding the reason for the flight; the date, time, and location of the flight; the names of the supervisor approving the deployment and the staff assigned; and a summary of the activities covered, actions taken, and outcomes from the deployment. Documentation shall be forwarded through the chain of command to the Chief of Police for review.

7. Advanced public notification of sUAS flight shall be made in coordination with the City of Lenoir Public Information Officer. Exceptions to this requirement for instances where officer safety or investigation could be jeopardized, or where such notification is neither reasonable nor practical, must be approved by the Chief of Police or his/her designee.

8. sUAS shall not be used as a covert surveillance tool or to gather advanced intelligence related to criminal investigations. However, when authorized use involves specific and articulable grounds to believe that the sUAS will collect evidence of criminal wrongdoing and the sUAS will be used in a manner that is likely to intrude upon reasonable expectations of privacy, the agency will obtain a search warrant prior to conducting the flight.

C. Restrictions on sUAS Utilization

1. The sUAS shall be utilized only in support of official law enforcement duties, public safety missions, and upon requests of other City of Lenoir departments when a public safety purpose exists.

2. The sUAS shall not be operated in an unsafe manner or in violation of FAA rules.

3. The sUAS shall not be equipped with weapons of any kind.

4. The sUAS shall not be utilized for personal reasons.

D. Digital Media Recordings (DMR) Retention and Management

1. All DMR shall be handled in accordance with existing policy on data and record retention, as applicable.

2. All DMR shall be securely downloaded at the completion of each mission. The sUAS-certified operators will record information for each file that shall include the date, time, location, and case reference numbers or other mission identifiers, and identify all sUAS personnel involved in the mission.

3. Officers shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute, in any manner, any sUAS DMR without prior written authorization and approval of the Chief of Police or his/her designee.

4. All access to sUAS DMR must be specifically authorized by the Chief of Police or his/her designee, and all access is to be audited to ensure that only authorized users are accessing the data for legitimate and authorized purposes.

5. Files shall be securely stored in accordance with agency policy and state records retention laws.

E. sUAS Supervision and Reporting

1. sUAS supervisory personnel shall manage all deployments and uses of sUAS to ensure that officers equipped with sUAS devices utilize them in accordance with the policy and procedures defined herein.

2. An authorized sUAS supervisor or administrator will audit flight documentation at regular intervals. The results of the audit will be documented and filed. Any changes to the flight time counter will be documented.

3. The Chief of Police shall publish quarterly and annual reports documenting the agency's deployment and use of sUAS devices. These reports, at a minimum, will include deployment dates, times, general locations, specific purposes, number of officers involved, and general summaries of results and outcomes.

F. Training

1. Police personnel who are assigned sUAS must complete an agency-approved training program to ensure proper use and operations. Such training will be based on current standards and best practices as determined by professional institutions such as the Federal Aviation Administration *(FAA)*, the International Association of Chiefs of Police *(IACP)*, the Police Executive Research Forum *(PERF)*, the University of North Carolina School of Government *(UNCSOG)*, and the North Carolina Justice Academy *(NCJA),* as well as manufacturer's recommendations. Additional training shall be required at periodic intervals to ensure the continued safe and effective operation of the equipment and to incorporate changes, updates, or other revisions in policy and equipment.

2. All agency personnel with sUAS responsibilities, including command level officers, shall be trained in local, state, and federal laws and regulations, as well as policies and procedures governing the deployment and use of sUAS.

Acknowledgment

This document was developed with assistance from the International Association of Chiefs of Police (IACP) Law Enforcement Policy Center in cooperation with the IACP Aviation Committee.

CITY OF LENOIR
COUNCIL ACTION FORM

I. **Agenda Item:** Proposed acceptance of an offer of $250 to purchase the property owned by the City of Lenoir located at 533 Hill Street NW, NC PIN #2749572991.

II. **Background Information:** The City has received an offer from Ron Walker to purchase a 0.08681149 acre parcel located at 533 Hill Street NW. Mr. Walker owns the property at 535 Hill Street NW. The City acquired the property for $389.00 in foreclosure on January 12, 2018, and previously demolished the structure on the site. Caldwell County has assessed the current value of the property at $28,100, of which $3,800 is the land value.

As you are aware, this property has been historically the source of numerous nuisance complaints.

A tax map of the tract is enclosed as well as the offer, bid deposit and public notice. **Note:** The legal advertisement for the Notice of Offer to Purchase Real Property was published in the *News-Topic* on Sunday, May 20 starting a ten (10) day upset bid period as required by N.C.G.S. §160A-269. The City did not receive any upset bids.

III. **Staff Recommendation:** Approve the Final Offer to Purchase Real Property by resolution in the amount of $250, following the submission of all upset bids, and as submitted by Ron Walker for the property located at 533 Hill Street NW, NC PIN #2749572991.

IV. **Reviewed By:**

City Attorney:
City Manager:

CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

RESOLUTION

WHEREAS, the City of Lenoir owns certain property, located at 533 Hill Street NW, Lenoir, N.C., and being approximately 0.08681149 acre and being Caldwell County Tax Parcel ID#06-17-3-9 and NCPIN#274-957-2991 and more particularly described on the following page; and

WHEREAS, North Carolina General Statute §160A-269 permits the City to sell property by upset bid, after receipt of an offer for the property; and

WHEREAS, the City has received an offer to purchase the property described above, in the amount of $250.00, submitted by Mr. Ron Walker, Lenoir, N.C.; and

WHEREAS, Ron Walker has paid/will pay the required five percent (5%) deposit on their offer;

NOW, THEREFORE, BE IT RESOLVED, the LENOIR CITY COUNCIL of the City of Lenoir resolves that:

1. The City Council authorizes sale of the property described above through the upset bid procedure of North Carolina General Statute § 160A-269.
2. The City Clerk shall cause a notice of the proposed sale to be published. The notice shall describe the property and the amount of the offer, and shall state the terms under which the offer may be upset.
3. Any person may submit an upset bid to the office of the City Clerk within ten (10) days after the notice of sale is published. Once a qualifying higher bid has been received, that bid will become the new offer.
4. If a qualifying higher bid is received, the City Clerk shall cause a new notice of upset bid to be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the City Council.
5. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first $1,000.00 of that offer and five percent (5%) of the remainder of that offer.
6. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be made in cash, cashier's check, or certified check. The City will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The City will return the deposit of the final high bidder at closing.

7. The terms of the final sale are that the City Council must approve the final high offer before the sale is closed, which it will do within 30 days after the final upset bid period has passed, and the buyer must pay with cash, cashier's check or certified check at the time of closing.
8. The City reserves the right to withdraw the property from sale at any time before the final high bid is accepted and the right to reject at any time all bids.
9. If no qualifying upset bid is received after the initial public notice, the offer set forth above is hereby accepted. The appropriate City Officials are authorized to execute the instruments necessary to convey the property to Mr. Ron Walker, of Lenoir, North Carolina.

This the 5th day of June, 2018.

SEAL

_____
Joseph L. Gibbons, Mayor

ATTEST:

_____
Shirley M. Cannon, City Clerk

BEGINNING at a stake in the South margin of (Mt. View Street) now Hill Street, 7 feet West of Calvin Cannon's corner and in the West edge of a seven foot alley and runs with said alley South 35 deg. East 64 feet to a stake in Claude Erwin's line; thence with Erwin's line South 65 deg. West 59 feet to a stake, John Peay's line; thence with Peay's line North 35 deg. West 64 feet to a stake in the South margin of Hill Street; thence with the part of land conveyed by Robert Corpening, widower, to Claude F. Erwin and wife, Ruby Erwin, dated May 30th, 1934 of the record in the office of the Register of Deeds for Caldwell County, in Book 160, at Page 019. There is expressly reserved and set apart as West line of the said Calvin Cannon's lot.

EXCEPTING from above, so much property as has been conveyed by the grantors herein the following deed; Deed in Book 207, at page 54.

Parcel ID No. 06-17-3-9
NC PIN 2749572991

NOTICE OF OFFER TO PURCHASE REAL PROPERTY CITY OF LENOIR

Notice is hereby given pursuant to N.C.G.S. §160A-269 that the City of Lenoir has received an Offer to Purchase of that City-owned real property located at 533 Hill Street Lenoir, N.C., and being approximately 0.086811 acre and being Caldwell County Tax Parcel ID #06-17-3-9(NCPIN 2749572991). The offered purchase price is $250.00 for conveyance by non-warranty deed. The property shall be conveyed "as is, where is," and the purchase and sale shall be subject to all superior liens, unpaid taxes and special assessments, if any. The City Council proposes to accept said offer. Within ten (10) days of this notice any person may raise the bid by not less than ten (10%) of the first $1,000.00 and five (5%) percent of the remainder and by making a deposit of five (5%) of such increased bid with the City Clerk. Any such bid shall be subject to further advertisement as provided in N.C.G.S. §260A-169. The City Council may at any time reject any and all bids.

Notice is hereby given pursuant to N.C.G.S. §160A-269 that the City of Lenoir has received an Offer to Purchase of that City-owned real property located at 533A Hill Street Lenoir, N.C., and being approximately 0.072669 acre and being Caldwell County Tax Parcel ID #06-17-3-10 (NCPIN 2749573826). The offered purchase price is $250.00 for conveyance by non-warranty deed. The property shall be conveyed "as is, where is," and the purchase and sale shall be subject to all superior liens, unpaid taxes and special assessments, if any. The City Council proposes to accept said offer. Within ten (10) days of this notice any person may raise the bid by not less than ten (10%) of the first $1,000.00 and five (5%) percent of the remainder and by making a deposit of five (5%) of such increased bid with the City Clerk. Any such bid shall be subject to

minimum $5.00 for ph

0955 Legals

further advertisement as provided in N.C.G.S. §260A-169. The City Council may at any time reject any and all bids.

City of Lenoir
Shirley M. Cannon
MMC, NCCMC
City Clerk
801 West Avenue, NW
Lenoir, NC 28645

May 20, 2018

Scott Hildebran, Manager
City of Lenoir
801 West Avenue NW
Lenoir, NC 28645

Mr. Hildebran:

Please accept this letter as my official bid offer of $ 250.00 for property owned by the City of Lenoir and located at 533 HILL ST further identified by NC PIN 2749572991

Furthermore, I understand that:

- ☐ This property contains a dilapidated structure. As part of my offer, I agree to remove this structure at my own expense.
- ☐ This property contains a deteriorated structure. As part of my offer, I agree to repair the structure in accordance with the standards contained in Chapter 10 of the Lenoir City Code and all applicable state building codes.

Enclosed is a deposit of 5% of the bid in accordance with 160A-269.

Sincerely, Ron Walker
RON WALKER

DATE: 5-7-18
Phone number: (828) 729-1645 (828) 754-1917
Email:
Mailing Address: 535 HILL ST NW LENOIR, NC 28645

§ 160A-269. Negotiated offer, advertisement, and upset bids.

A city may receive, solicit, or negotiate an offer to purchase property and advertise it for upset bids. When an offer is made and the council proposes to accept it, the council shall require the offeror to deposit five percent (5%) of his bid with the city clerk, and shall publish a notice of the offer. The notice shall contain a general description of the property, the amount and terms of the offer, and a notice that within 10 days any person may raise the bid by not less than ten percent (10%) of the first one thousand dollars ($1,000) and five percent (5%) of the remainder. When a bid is raised, the bidder shall deposit with the city clerk five percent (5%) of the increased bid, and the clerk shall readvertise the offer at the increased bid. This procedure shall be repeated until no further qualifying upset bids are received, at which time the council may accept the offer and sell the property to the highest bidder. The council may at any time reject any and all offers. (1971, c. 698, s. 1; 1979, 2nd Sess., c. 1247, s. 25.)

BK 1934 PG 69 - 71 (3)
This document presented and filed:
01/16/2018 01:37:17 PM

Fee $26.00 Excise Tax: $0.00

10018665

Caldwell County North Carolina
Wayne L. Rash, Register of Deeds

Prepared by: ***Groome, Tuttle, Pike & Blair, RLLP***

STATE OF NORTH CAROLINA]
] COMMISSIONER'S DEED
COUNTY OF CALDWELL]

This deed, made this 12th day of January, 2018, by ***CARROLL D. TUTTLE***, Commissioner ("Grantor"), to ***CITY OF LENOIR***, whose address is Post Office Box 958, Lenoir, North Carolina ("Grantee");

W I T N E S S E T H;

That whereas Carroll D. Tuttle was appointed Commissioner under an Order of the District Court of Caldwell County, North Carolina, in the tax foreclosure proceeding entitled "City of Lenoir, Plaintiff, versus Toua Lee and Xia Thao, Defendants, and Wells Fargo Bank, N.A., Trustee for the Certificate Noteholders and County of Caldwell, lienholders/Defendants", Case No. 16-CvD-411, and Carroll D. Tuttle was directed by the Order as Commissioner to sell the property hereinafter described at public sale after due advertisement according to law; and

Whereas, Carroll D. Tuttle as Commissioner, did on the 28th day of July, 2017, offer the land hereinafter described at a public sale at the Caldwell County Courthouse door, in which the City of Lenoir became the last and highest bidder for said land for the sum of $389.00; and the sale having been confirmed, and Carroll D. Tuttle, Commissioner, having been ordered to execute a deed to the purchaser upon payment of the purchase money.

3

NOW, in consideration of the premises and the sum of $389.00, receipt of which is hereby acknowledged, Carroll D. Tuttle, Commissioner, does, by these presents, hereby bargain, sell, grant, and convey to the City of Lenoir, it successors and assigns, that property situated in the City of Lenoir, Lenoir Township, Caldwell County, North Carolina, and described as follows:

City of Lenoir, Caldwell County, North Carolina, Book 1550, Page 1858:

BEGINNING at a stake in the South margin of (Mt. View Street) now Hill Street, 7 feet West of Calvin Cannon's corner and in the West edge of a seven foot alley and runs with said alley South 35 deg. East 64 feet to a stake in Claude Erwin's line; thence with Erwin's line South 65 deg. West 59 feet to a stake, John Peay's line; thence with Peay's line North 35 deg. West 64 feet to a stake in the South margin of said Hill Street; thence with the part of land conveyed by Robert Corpening, widower, to Claude F. Erwin and wife, Ruby Erwin, dated May 30th, 1934 of the record in the office of the Register of Deeds for Caldwell County, in Book 160, at Page 019. There is expressly reserved and set apart as West line of the said Calvin C. Cannon's lot.

EXCEPTING from above, so much property as has been conveyed by the grantors herein the following deed; Deed in Book 207, at Page 54.

Parcel ID No. 06-17-3-9
NC PIN 2749572991

This conveyance is made subject to Caldwell County and City of Lenoir property taxes, the payment of which shall be assumed by the purchaser.

TO HAVE AND TO HOLD the aforesaid tract of land , to the City of Lenoir, its successors and assigns forever, in as full and ample manner as Carroll D. Tuttle, Commissioner, is authorized and empowered to convey the same,

IN WITNESS WHEREOF, Carroll D. Tuttle, Commissioner, has hereunto set his hand and seal.

Carroll D. Tuttle (SEAL)
Carroll D. Tuttle - Commissioner

NORTH CAROLINA

CALDWELL COUNTY

I certify that the following person(s) personally appeared before me this day, and (I have personal knowledge of the identity of the principal(s)) (I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a _____) (a credible witness has sworn to the identity of the principal's); each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: ***CARROLL D. TUTTLE, Commissioner***

Date: 1-12-2018

Kimberly J. Greene
Official Signature of Notary

Kimberly J. Greene
Notary's printed or typed name, Notary Public

(Official Seal)

My commission expires: 08-10-2021

CALDWELL COUNTY, NC — 5/7/2018 1:56:23 PM

CITY OF LENOIR
533 HILL ST
49402

Return/Appeal Notes: 06- 17 - 3- 9
UNIQ ID 227802
ID NO: 2749.07 57 2991

COUNTY (100)
BK 1934 PG 69 YR 2018 ST 0.00

CARD NO. 1 of 1
59.000 FF

Owner: CITY OF LENOIR — Parcel: 06- 17 - 3- 9

Reval Year: 2013 Tax Year: 2019
Appraised by 03 on 11/08/2012 00031 NEIGHBORHOOD

TW-06 C-01 EX-1 SRC= AT-B LAST ACTION 20180122

CONSTRUCTION DETAIL	
Foundation - 3 Continuous Footing	5.00
Sub Floor System - 5 Wood	10.00
Exterior Walls - 09 Wood on Sheathing or Plywood	31.00
Roofing Structure - 03 Gable	8.00
Roofing Cover - 03 Asphalt or Composition Shingle	3.00
Interior Wall Construction - 5 Drywall	20.00
Interior Floor Cover - 08 Sheet Vinyl	0.00
Interior Floor Cover - 14 Carpet	6.00
Heating Fuel - 02 Oil, Wood or Coal	0.00
Heating Type - 03 Forced Air - Not Ducted	2.00
Air Conditioning Type - 01 None	0.00
Unit Count - 1 Units	0.00
Bedrooms/Bathrooms/Half-Bathrooms 3/1/0	7.000
Bedrooms BAS - 2 FUS - 0 LL - 0	
Bathrooms BAS - 1 FUS - 0 LL - 0	
Half-Bathrooms BAS - 0 FUS - 0 LL - 0	
Office BAS - 0 FUS - 0 LL - 0	0
TOTAL POINT VALUE	92.000

BUILDING ADJUSTMENTS			
Quality	2	Below Average	0.8500
Shape/Design	3	Slight Irregular	1.0000
Size	Size1	Size	1.1100
TOTAL ADJUSTMENT FACTOR			0.940
TOTAL QUALITY INDEX			86

MARKET VALUE

USE	MOD	Eff. Area	QUAL	BASE RATE	RCN	EYB	AYB
01	01	990	86	60.32	60736	1960	1960

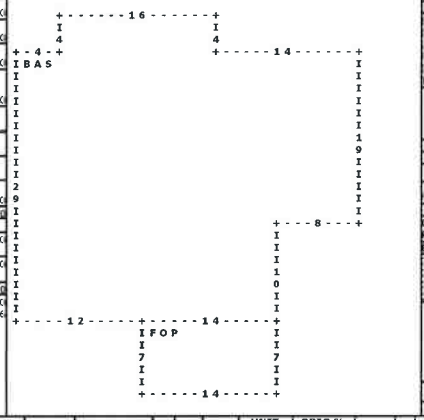
TYPE: SINGLE FAMILY RESIDENTIAL

STORIES: 1 - 1.0 Story

DEPRECIATION

OC	Observed Condition	0.40000
	Standard	0.55000
	% GOOD	40.0

SINGLE FAMILY RESIDENTIAL



CORRELATION OF VALUE

CREDENCE TO	MARKET
DEPR. BUILDING VALUE - CARD	24,300
DEPR. OB/XF VALUE - CARD	0
MARKET LAND VALUE - CARD	3,800
TOTAL MARKET VALUE - CARD	28,100
TOTAL APPRAISED VALUE - CARD	28,100
TOTAL APPRAISED VALUE - PARCEL	28,100
TOTAL PRESENT USE VALUE - PARCEL	0
TOTAL VALUE DEFERRED - PARCEL	0
TOTAL TAXABLE VALUE - PARCEL $	28,100

PRIOR

BUILDING VALUE	25,400
OBXF VALUE	0
LAND VALUE	3,800
PRESENT USE VALUE	0
DEFERRED VALUE	0
TOTAL VALUE	29,200

PERMIT

CODE	DATE	NOTE	NUMBER	AMOUNT

ROUT: WTRSHD:

SALES DATA

DEED RECORD BOOK	PAGE	DATE MO	YR	DEED TYPE	Q/U	V/I	INDICATE SALES PRICE
01934	0069	1	2018	CD	U	I	0
01550	1858	5	2005	WD	X	I	0
01533	0904	12	2004	WD	X	I	4500
01475	0094	10	0003	TD	X	I	21000

HEATED AREA 970

NOTES

SUBAREA TYPE	GS AREA	%	RPL CS
BAS	970	100	58510
FOP	98	020	1206
FIREPLACE	3 - 1 Story Single		1,020
SUBAREA TOTALS	1,068		60,736

CODE	QUALITY	DESCRIPTION	LTH	WTH	UNITS	UNIT PRICE	ORIG % COND	BLDG#	L/B	SIZE FACT	AYB	EYB	ANN DEP RATE	OVR	% COND	OB/XF DEPR VALUE
TOTAL OB/XF VALUE																0

BUILDING DIMENSIONS BAS=N29E4N4E16S4E14S19W8S10W26$ PTR=E26FOP=S7W14N7E14$W26 $.

LAND INFORMATION

HIGHEST AND BEST USE	USE CODE	LOCAL ZONING	FRONTAGE	DEPTH	DEPTH / SIZE	LND MOD	COND FACT	OTHER ADJUSTMENTS AND NOTES RF AC LC TO OT	ROAD TYPE	LAND UNIT PRICE	TOTAL LAND UNITS	UNT TYP	TOTAL ADJST	ADJUSTED UNIT PRICE	LAND VALUE	LAND NOTES
SFR	0100		59	64	0.6500	2	1.0000	0.65X1.00		100.00	59.000	FF	0.650	65.00	3835	
TOTAL MARKET LAND DATA															3,800	
TOTAL PRESENT USE DATA																

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

Owner	CITY OF LENOIR
	PO BOX 958 LENOIR, NC 28645
Acct Number	49402
Parcel ID	06 17 3 9
NCPIN	2749572991

Deferred Val	$0
Assessed Val	$28,100
Calc Acreage	0.086811
Land Units	59 (FF)
Legal Desc	BK 1934 PG 69 YR 2018 ST 0.00
Plat Ref	/
Property Addr	0 533 HILL ST

Caldwell County

1:369

0 0.003 0.006 0.012 mi

0 0.005 0.01 0.02 km

May 7, 2018

CITY OF LENOIR
COUNCIL ACTION FORM

I. **Agenda Item:** Proposed acceptance of an offer of $250 to purchase the property owned by the City of Lenoir located at 533A Hill Street NW, NC PIN #2749573826.

II. **Background Information:** The City has received an offer from Ron Walker to purchase a 0.072669 acre parcel located at 533A Hill Street NW. Mr. Walker owns the property at 535 Hill Street NW. The City acquired the property for $389.00 in foreclosure on January 12, 2018, and previously demolished the structure on the site. Caldwell County has assessed the current value of the property at $28,100, of which $3,800 is the land value.

As you are aware, this property has been historically the source of numerous nuisance complaints.

A tax map of the tract is enclosed as well as the offer, bid deposit and public notice. **Note:** The legal advertisement for the Notice of Offer to Purchase Real Property was published in the *News-Topic* on Sunday, May 20 starting a ten (10) day upset bid period as required by N.C.G.S. §160A-269. The City did not receive any upset bids.

III. **Staff Recommendation:** Approve the Final Offer to Purchase Real Property by resolution in the amount of $250, following the submission of all upset bids, and as submitted by Ron Walker for the property located at 533A Hill Street NW, NC PIN #2749573826.

IV. **Reviewed By:**

City Attorney:
City Manager:

CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

RESOLUTION

MAYOR
JOSEPH L. GIBBONS

CITY COUNCIL
J. T. BEAL
T. H. PERDUE
J. I. PERKINS
T. J. ROHR
D. F. STEVENS
C. D. THOMAS
B. K. WILLIS

WHEREAS, the City of Lenoir owns certain property, located at 533-A Hill Street NW, Lenoir, N.C., and being approximately 0.072699 acre and being Caldwell County Tax Parcel ID#06-17-3-10 and NCPIN#274-957-3826 and more particularly described on the following page; and

WHEREAS, North Carolina General Statute §160A-269 permits the City to sell property by upset bid, after receipt of an offer for the property; and

WHEREAS, the City has received an offer to purchase the property described above, in the amount of $250.00, submitted by Mr. Ron Walker, Lenoir, N.C.; and

WHEREAS, Ron Walker has paid/will pay the required five percent (5%) deposit on their offer;

NOW, THEREFORE, BE IT RESOLVED, the LENOIR CITY COUNCIL of the City of Lenoir resolves that:

1. The City Council authorizes sale of the property described above through the upset bid procedure of North Carolina General Statute § 160A-269.
2. The City Clerk shall cause a notice of the proposed sale to be published. The notice shall describe the property and the amount of the offer, and shall state the terms under which the offer may be upset.
3. Any person may submit an upset bid to the office of the City Clerk within ten (10) days after the notice of sale is published. Once a qualifying higher bid has been received, that bid will become the new offer.
4. If a qualifying higher bid is received, the City Clerk shall cause a new notice of upset bid to be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the City Council.
5. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first $1,000.00 of that offer and five percent (5%) of the remainder of that offer.
6. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be made in cash, cashier's check, or certified check. The City will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The City will return the deposit of the final high bidder at closing.

7. The terms of the final sale are that the City Council must approve the final high offer before the sale is closed, which it will do within 30 days after the final upset bid period has passed, and the buyer must pay with cash, cashier's check or certified check at the time of closing.
8. The City reserves the right to withdraw the property from sale at any time before the final high bid is accepted and the right to reject at any time all bids.
9. If no qualifying upset bid is received after the initial public notice, the offer set forth above is hereby accepted. The appropriate City Officials are authorized to execute the instruments necessary to convey the property to Mr. Ron Walker, of Lenoir, North Carolina.

This the 5th day of June, 2018.

SEAL

_____
Joseph L. Gibbons, Mayor

ATTEST:

_____
Shirley M. Cannon, City Clerk

BEGINNING on an iron stake in the South margin of Mt. View Street, Walter Powell's, now Eva Baker's corner, and runs South 35 deg. East (old bearings) 10 poles to a stake, said Powell's corner; thence South 55 deg. West with George Dula's line 4 poles to an iron stake; thence a new line North 34 deg. West and parallel to Walter Powell's line, 10 poles to a stake in the margin of Mt. View Street; thence with said street North 55 deg. East 4 poles to the Beginning, containing ¼ of an acre, being one-half of a half-acre lot conveyed to Robert Corpening from S.F. Harper, by deed dated June 8th 1904, and recorded in the Office of the Register of Deeds for Caldwell County, North Carolina, in Book 42, at page 75. Together with improvements located thereon, said property being located at 533-A Hill Street, Lenoir, North Carolina.

Being the same property conveyed by Robert Corpening by (widower) to Claude F. Erwin and wife, Ruby Erwin by deed dated May 30, 1934, of record in the Office of the Register of Deeds for Caldwell County, in Book 160, Page 109.

Parcel ID No. 06-17-3-10
NC PIN 2749573826

NOTICE OF OFFER TO PURCHASE REAL PROPERTY CITY OF LENOIR

Notice is hereby given pursuant to N.C.G.S. §160A-269 that the City of Lenoir has received an Offer to Purchase of that City-owned real property located at 533 Hill Street Lenoir, N.C., and being approximately 0.086811 acre and being Caldwell County Tax Parcel ID #06-17-3-9(NCPIN 2749572991). The offered purchase price is $250.00 for conveyance by non-warranty deed. The property shall be conveyed "as is, where is," and the purchase and sale shall be subject to all superior liens, unpaid taxes and special assessments, if any. The City Council proposes to accept said offer. Within ten (10) days of this notice any person may raise the bid by not less than ten (10%) of the first $1,000.00 and five (5%) percent of the remainder and by making a deposit of five (5%) of such increased bid with the City Clerk. Any such bid shall be subject to further advertisement as provided in N.C.G.S. §260A-169. The City Council may at any time reject any and all bids.

Notice is hereby given pursuant to N.C.G.S. §160A-269 that the City of Lenoir has received an Offer to Purchase of that City-owned real property located at 533A Hill Street Lenoir, N.C., and being approximately 0.072669 acre and being Caldwell County Tax Parcel ID #06-17-3-10 (NCPIN 2749573826). The offered purchase price is $250.00 for conveyance by non-warranty deed. The property shall be conveyed "as is, where is," and the purchase and sale shall be subject to all superior liens, unpaid taxes and special assessments, if any. The City Council proposes to accept said offer. Within ten (10) days of this notice any person may raise the bid by not less than ten (10%) of the first $1,000.00 and five (5%) percent of the remainder and by making a deposit of five (5%) of such increased bid with the City Clerk. Any such bid shall be subject to

further advertisement as provided in N.C.G.S. §260A-169. The City Council may at any time reject any and all bids.

City of Lenoir
Shirley M. Cannon
MMC, NCCMC
City Clerk
801 West Avenue, NW
Lenoir, NC 28645

May 20, 2018

Scott Hildebran, Manager
City of Lenoir
801 West Avenue NW
Lenoir, NC 28645

Mr. Hildebran:

Please accept this letter as my official bid offer of $ 250.00 for property owned by the City of Lenoir and located at 533A HILL ST, further identified by NC PIN 2749573826

Furthermore, I understand that:

- ☐ This property contains a dilapidated structure. As part of my offer, I agree to remove this structure at my own expense.
- ☐ This property contains a deteriorated structure. As part of my offer, I agree to repair the structure in accordance with the standards contained in Chapter 10 of the Lenoir City Code and all applicable state building codes.

Enclosed is a deposit of 5% of the bid in accordance with 160A-269.

Sincerely,

Ron Walker

DATE: 5-7-18
Phone number: (828) 729-1645 (828) 754-1917
Email:
Mailing Address: 535 HILL ST NW LENOIR, NC 28645

§ 160A-269. Negotiated offer, advertisement, and upset bids.

A city may receive, solicit, or negotiate an offer to purchase property and advertise it for upset bids. When an offer is made and the council proposes to accept it, the council shall require the offeror to deposit five percent (5%) of his bid with the city clerk, and shall publish a notice of the offer. The notice shall contain a general description of the property, the amount and terms of the offer, and a notice that within 10 days any person may raise the bid by not less than ten percent (10%) of the first one thousand dollars ($1,000) and five percent (5%) of the remainder. When a bid is raised, the bidder shall deposit with the city clerk five percent (5%) of the increased bid, and the clerk shall readvertise the offer at the increased bid. This procedure shall be repeated until no further qualifying upset bids are received, at which time the council may accept the offer and sell the property to the highest bidder. The council may at any time reject any and all offers. (1971, c. 698, s. 1; 1979, 2nd Sess., c. 1247, s. 25.)

BK 1916 PG 1469 - 1471 (3)
This document presented and filed:
04/07/2017 02:22:03 PM

Fee $26.00 Excise Tax: $4.00


10010277

Caldwell County North Carolina
Wayne L. Rash, Register of Deeds

Excise Tax: $4.00

Prepared by: ***Groome, Tuttle, Pike & Blair, RLLP***

STATE OF NORTH CAROLINA	]	
	]	COMMISSIONER'S DEED
COUNTY OF CALDWELL	]	

This deed, made this 7th day of April, 2017, by ***CARROLL D. TUTTLE***, Commissioner ("Grantor"), to ***CITY OF LENOIR***, whose address is Post Office Box 958, Lenoir, North Carolina ("Grantee");

W I T N E S S E T H;

That whereas Carroll D. Tuttle was appointed Commissioner under an Order of the District Court of Caldwell County, North Carolina, in the tax foreclosure proceeding entitled "City of Lenoir, Plaintiff, versus Toua Lee and Xia Thao, Defendants, and Wells Fargo Bank, N.A., Trustee for the Certificate Noteholders and County of Caldwell, lienholders/Defendants", Case No. 16-CvD-411, and Carroll D. Tuttle was directed by the Order as Commissioner to sell the property hereinafter described at public sale after due advertisement according to law; and

Whereas, Carroll D. Tuttle as Commissioner, did on the 24th day of February, 2017, offer the land hereinafter described at a public sale at the Caldwell County Courthouse door, in which the City of Lenoir became the last and highest bidder for said land for the sum of $2,190.78; and the sale having been confirmed, and Carroll D. Tuttle, Commissioner, having been ordered to execute a deed to the purchaser upon payment of the purchase money.

3

NOW, in consideration of the premises and the sum of $2,190.78, receipt of which is hereby acknowledged, Carroll D. Tuttle, Commissioner, does, by these presents, hereby bargain, sell, grant, and convey to the City of Lenoir, it successors and assigns, that property situated in the City of Lenoir, Lenoir Township, Caldwell County, North Carolina, and described as follows:

City of Lenoir, Caldwell County, North Carolina, Book 1650, Page 201:

Beginning on an iron stake in the South Margin of Mt. View Street, Walter Powell's, now Eva Baker's corner, and runs South 35 deg. East (old bearings) 10 poles to a stake, said Powell's corner; thence South 55 deg. West with George Dula's line 4 poles to an iron stake; thence a new line North 34 deg. West and parallel to Walter Powell's line, 10 poles to a stake in the margin of Mt. View Street; thence with said street North 55 deg. East 4 poles to the Beginning, containing 1/4 of an acre, being one-half of a half acre lot conveyed to Robert Corpening from S. F. Harper, by deed dated June 8th 1904, and recorded in the Office of the Register of Deeds for Caldwell County, North Carolina, in Book 42, at Page 75. Together with improvements located thereon, said property being located at 533-A Hill Street, Lenoir, North Carolina.

Being the same property conveyed by Robert Corpening by (widower) to Claude F. Erwin and wife, Ruby Erwin by deed dated May 30, 1934, of record in the Office of the Register of Deeds for Caldwell County, in Book 160, at Page 109.

Parcel ID No. 06-17-3-10
NC PIN 2749573826

This conveyance is made subject to Caldwell County and City of Lenoir property taxes, the payment of which shall be assumed by the purchaser.

TO HAVE AND TO HOLD the aforesaid tract of land , to the City of Lenoir, its successors and assigns forever, in as full and ample manner as Carroll D. Tuttle, Commissioner, is authorized and empowered to convey the same,

IN WITNESS WHEREOF, Carroll D. Tuttle, Commissioner, has hereunto set his hand and seal.

Carroll D. Tuttle (SEAL)
Carroll D. Tuttle - Commissioner

NORTH CAROLINA

CALDWELL COUNTY

I certify that the following person(s) personally appeared before me this day, and (I have personal knowledge of the identity of the principal(s)) (I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a _____) (a credible witness has sworn to the identity of the principal's); each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: ***CARROLL D. TUTTLE, Commissioner***

Date: 4-7-2017 Kimberly J. Greene
Official Signature of Notary

Kimberly J. Greene
Notary's printed or typed name, Notary Public

Official Seal

My commission expires: 08-10-2021

CALDWELL COUNTY, NC 5/7/2018 2:07:36 PM

CITY OF LENOIR
533 HILL ST
49991

Return/Appeal Notes: 06- 17 - 3- 10
UNIQ ID 227803
ID NO: 2749.07 57 3826

Owner: CITY OF LENOIR

Parcel: 06- 17 - 3- 10

COUNTY (100), SOLID WASTE (1)
BK 1916 PG 1469 YR 2017 ST 4.00

CARD NO. 1 of 1
51.000 FF
TW-06 C-01 EX-1 AT- SRC=

Reval Year: 2013 Tax Year: 2018
Appraised by 80 on 07/15/2009 00031 NEIGHBORHOOD

LAST ACTION 20170417

CONSTRUCTION DETAIL	
Foundation - 3 Continuous Footing	5.00
Sub Floor System - 5 Wood	10.00
Exterior Walls - 09 Wood on Sheathing or Plywood	31.00
Roofing Structure - 03 Gable	8.00
Roofing Cover - 03 Asphalt or Composition Shingle	3.00
Interior Wall Construction - 5 Drywall	20.00
Interior Floor Cover - 09 Pine	4.00
Heating Fuel - 01 None	0.00
Heating Type - 01 None	0.00
Air Conditioning Type - 01 None	0.00
Unit Count - 1 Units	0.00
Bedrooms/Bathrooms/Half-Bathrooms 2/1/0	7.000
Bedrooms BAS - 2 FUS - 0 LL - 0	
Bathrooms BAS - 1 FUS - 0 LL - 0	
Half-Bathrooms BAS - 0 FUS - 0 LL - 0	
Office BAS - 0 FUS - 0 LL - 0	0
TOTAL POINT VALUE	88.000

BUILDING ADJUSTMENTS			
Quality	2	Below Average	0.8500
Shape/Design	3	Slight Irregular	1.0000
Size	Size	Size	1.3000
TOTAL ADJUSTMENT FACTOR			1.110
TOTAL QUALITY INDEX			98

MARKET VALUE

USE	MOD	Eff. Area	QUAL	BASE RATE	RCN	EYB	AYB
01	01	598	98	68.74	41106	1960	1960

TYPE: SINGLE FAMILY RESIDENTIAL

STORIES: 1 - 1.0 Story

```
                    +---8---+
                    IFSP    I
                    4       4
+---10----+---8---+--6--+
IBAS                      I
I                         I
I                         I
I                         I
I                         I
I                         I
I                         I
I                         I
2                         2
4                         4
I                         I
I                         I
I                         I
I                         I
I                         I
I                         I
I                         I
I                         I
+--6--+----12-----+--6--+
      IFOP        I
      I           I
      6           6
      I           I
      +----12-----+
```

DEPRECIATION

Standard	0.55000
% GOOD	45.0

SINGLE FAMILY RESIDENTIAL

CORRELATION OF VALUE

CREDENCE TO	MARKET
DEPR. BUILDING VALUE - CARD	18,500
DEPR. OB/XF VALUE - CARD	0
MARKET LAND VALUE - CARD	3,200
TOTAL MARKET VALUE - CARD	21,700
TOTAL APPRAISED VALUE - CARD	21,700
TOTAL APPRAISED VALUE - PARCEL	21,700
TOTAL PRESENT USE VALUE - PARCEL	0
TOTAL VALUE DEFERRED - PARCEL	0
TOTAL TAXABLE VALUE - PARCEL $	21,700

PRIOR

BUILDING VALUE	17,000
OBXF VALUE	0
LAND VALUE	3,200
PRESENT USE VALUE	0
DEFERRED VALUE	0
TOTAL VALUE	20,200

PERMIT

CODE	DATE	NOTE	NUMBER	AMOUNT

ROUT: WTRSHD:

SALES DATA

OFF. RECORD BOOK	PAGE	DATE MO	YR	DEED TYPE	Q/U	V/I		INDICATE SALES PRICE
D1916	1469	4	2017	CD	U	I		2000
D1533	0892	12	2004	WD	X	I		5000
D1488	1665	1	2004	TD	X	I		35000

HEATED AREA 576

NOTES

SUBAREA TYPE	GS AREA	%	RPL CS
BAS	576	100	39594
FOP	72	020	962
FSP	32	026	550
FIREPLACE	1 - None		0
SUBAREA TOTALS	680		41,106

CODE	QUALITY	DESCRIPTION	LTH	WTH	UNITS	UNIT PRICE	ORIG % COND	BLDG#	L/B	SIZE FACT	AYB	EYB	ANN DEP RATE	OVR	% COND	OB/XF DEPR. VALUE
TOTAL OB/XF VALUE																0

BUILDING DIMENSIONS BAS=N24E24S24W24$PTR=E6FOP=S6E12N6W12$W6$PTR=N24E10FSP=N4E8S4W8$S24W10$.

LAND INFORMATION

HIGHEST AND BEST USE	USE CODE	LOCAL ZONING	FRON TAGE	DEPTH	DEPTH / SIZE	LND MOD	COND FACT	OTHER ADJUSTMENTS AND NOTES RF AC LC TO OT	ROAD TYPE	LAND UNIT PRICE	TOTAL LAND UNITS	UNT TYP	TOTAL ADJST	ADJUSTED UNIT PRICE	LAND VALUE	LAND NOTES
SFR	0100		51	59	1.0000	0	0.6200	D.62X1.00		100.00	51.000	FF	0.620	62.00	3162	
TOTAL MARKET LAND DATA															3,200	
TOTAL PRESENT USE DATA																

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

Owner	CITY OF LENOIR PO BOX 958 LENOIR, NC 28645
Acct Number	49991
Parcel ID	06 17 3 10
NCPIN	2749573826

Deferred Val	$0
Assessed Val	$21,700
Calc Acreage	0.072669
Land Units	51 (FF)
Legal Desc	BK 1916 PG 1469 YR 2017 ST 4.00
Plat Ref	/
Property Addr	0 533 HILL ST

Caldwell County

1:369

0 0.003 0.006 0.012 mi

0 0.005 0.01 0.02 km

May 7, 2018

CITY OF LENOIR
COUNCIL ACTION FORM

I. **Agenda Item:** Consideration of a Capital Project Budget Ordinance for the FY2018-2019 Unifour Consortium HOME Program in the amount of $1,452,451.

II. **Background Information:** Attached for your consideration is a Capital Project Budget Ordinance for the FY2018-2019 Unifour Consortium HOME Program in the amount of $1,452,451. The project authorized is the HOME project described in the work statement contained in the Grant Agreement (#M18-DC370208) between this unit and the United States Department of Housing and Urban Development. This project is more familiarly known as the FY 2018 Unifour Consortium HOME Program (The City of Lenoir is the lead entity).

III. **Staff Recommendation:** Request City Council to adopt the Capital Project Budget Ordinance for the FY2018-2019 Unifour Consortium HOME Program in the amount of $1,452,451.

IV. **Reviewed By:**

City Attorney:

City Manager:

CITY OF LENOIR
2018 UNIFOUR CONSORTIUM HOME PROGRAM
CAPITAL PROJECT BUDGET ORDINANCE

Be it ordained by the City Council of the City of Lenoir that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted.

Section 1. The project authorized is the HOME project described in the work statement contained in the Grant Agreement (#M18-DC370208) between this unit and the United States Department of Housing and Urban Development. This project is more familiarly known as the FY 2018 Unifour Consortium HOME Program (City of Lenoir, is the lead entity).

Section 2. The officers of this unit are hereby directed to proceed with the grant project within the terms of the grant document(s), the rules and regulations of the DHUD and the budget contained herein.

Section 3. The following revenues are anticipated to be available to complete the project:

Revenue from HOME Grant	$1,152,451
Anticipated Program Income	300,000
Total Revenues	$1,452,451

Section 4. The following amounts are appropriated for the project:

Downpayment Assistance (HOME Funds)	$200,338
Downpayment Assistance (From Program Income Funds)	300,000
HOME CHDO (From HOME Grant HOME Funds Allocation)	172,868
Multi-Family Housing	664,000
General Program Administration	115,245
Total Expenditures	$1,452,451

Section 5. The Finance Officer is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to provide the accounting to the grantor agency required by the grant agreement(s) and Federal and State

regulations.

Section 6. Funds may be advanced from the General Funds for the purpose of making payments as due. Reimbursement requests should be made to the grantor agency in an orderly and timely manner.

Section 7. The Finance Officer is directed to report quarterly on the financial status of each project element in Section 4 and on the total grant revenues received or claimed.

Section 8. The Budget Officer is directed to include a detailed analysis of past and future cost and revenues on this grant project in every budget submission made to this Board.

Section 9. Copies of this grant project ordinance shall be made available to the Budget Officer and the Finance Officer for direction in carrying out this project.

Adopted this the _____ day of _____, 2018.

SEAL

_____
Joseph L. Gibbons, Mayor

_____
Shirley M. Cannon, City Clerk

CITY OF LENOIR
COUNCIL ACTION FORM

I. **Agenda Item:** Consideration of a Capital Project Budget Ordinance for the 2018 Community Development Block Grant Program in the amount of $137,666.

II. **Background Information:** Attached for your consideration is a Capital Project Budget Ordinance for the 2018 Community Development Block Grant Program in the amount of $137,666. The project authorized is the Community Development Project described in the work statement contained in the Grant Agreement (#B-18-MC-37-0022) between this unit and the United States Department of Housing and Urban Development. This project is more familiarly known as the FY 2018 CDBG Entitlement Program.

III. **Staff Recommendation:** Request City Council to adopt the Capital Project Budget Ordinance for the 2018 Community Development Block Grant Program in the amount of $137,666.

IV. **Reviewed By:**

City Attorney:

City Manager:

CITY OF LENOIR
2018 COMMUNITY DEVELOPMENT BLOCK GRANT
CAPITAL PROJECT BUDGET ORDINANCE

Be it ordained by the City Council of the City of Lenoir that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted.

Section 1. The project authorized is the Community Development Project described in the work statement contained in the Grant Agreement (#B-18-MC-37-0022) between this unit and the United States Department of Housing and Urban Development. This project is more familiarly known as the FY 2018 CDBG Entitlement Program.

Section 2. The officers of this unit are hereby directed to proceed with the grant project within the terms of the grant document(s), the rules and regulations of the DHUD and the budget contained herein.

Section 3. The following revenues are anticipated to be available to complete the project:

Revenues

Community Development Block Grant	$137,666
Total Revenues	$137,666

Section 4. The following amounts are appropriated for the project:

Expenditures

Pubic Facilities (Greenway)	$110,133
Program Administration	27,533
Total Expenditures	$137,666

Section 5. The Finance Officer is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to provide the accounting to the grantor agency required by the grant agreement(s) and Federal and State regulations.

Section 6. Funds may be advanced from the General Funds for the purpose of making payments as due. Reimbursement requests should be made to the grantor agency in an orderly and timely manner.

Section 7. The Finance Officer is directed to report quarterly on the financial status of each project element in Section 4 and on the total grant revenues received or claimed.

Section 8. The Budget Officer is directed to include a detailed analysis of past and future cost and revenues on this grant project in every budget submission made to this Board.

Section 9. Copies of this grant project ordinance shall be made available to the Budget Officer and the Finance Officer for direction in carrying out this project.

Adopted this the _____ day of _____, 2018.

SEAL

_____
Joseph L. Gibbons, Mayor

_____
Shirley M. Cannon, City Clerk

CITY OF LENOIR

COUNCIL ACTION FORM

I. **Agenda Item:** City staff request that City Council adopt an Order of Abatement directing staff to abate the minimum housing violations by demolishing the structure on the property of 337 Arlington Cir

II. **Background Information:** The subject structure is unfit for human habitation and attempts to achieve owner abatement have been unsuccessful. See attached time line for detailed information.

III. **Staff Recommendation:** Recommend adoption of the attached ordinance, directing staff to proceed with the demolition and removal of the structure. This property is No. 6 on the minimum housing priority list.

IV. **Reviewed by:**

City Attorney: _____

Finance Director: _____

Planning Director: _____

AN ORDINANCE DIRECTING THE MINIMUM HOUSING INSPECTOR TO REMOVE OR DEMOLISH THE PROPERTY HEREIN DESCRIBED AS UNFIT FOR HUMAN HABITATION AND DIRECTING THAT A NOTICE BE PLACED THEREON THAT THE SAME MAY NOT BE OCCUPIED.

WHEREAS, the City Council of the City of Lenoir finds that the dwelling described herein is unfit for human habitation under the City Housing Standards, and that all of the procedures of the Minimum Housing Standards have been complied with; and

WHEREAS, this dwelling should be removed or demolished, as directed by the Minimum Housing Inspector, and should be placard thereon the notice prohibiting use for human habitation; and

WHEREAS, the owner of this dwelling, **Robert Lee Ferguson, C/O Courtney Ferguson**, has been given a reasonable opportunity to bring the dwelling into compliance with the Minimum Housing Standards accordance with G.S. 160A-443 (5) pursuant to an order issued by the Minimum Housing Inspector on October 11, 2017 and the owner has failed to comply with the order;

NOW THEREFORE BE IT ORDAINED BY the City Council of the City of Lenoir that:

Section 1. The Minimum Housing Inspector is hereby authorized and directed to place a placard containing the following:

"This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful."

on the building located at the following address: **337 Arlington Cir.**
Lenoir, North Carolina.
Parcel-ID 09 25 1 28
NCPIN 2840818422

Section 2. The Minimum Housing Inspector is hereby authorized and directed to proceed to remove or demolish the described above dwelling in accordance with this Order, and in accordance with the City of Lenoir Minimum Housing Code, and NCGS Chapter 160A, Article 19, Part 6.

Section 3. The cost of demolition and improvement of the lot shall be a tax lien on the real property as provided by G.S. 160A-443 (6).

Section 4. It shall be unlawful for any person to remove or cause to be removed the placard from any building to which it is affixed. It shall be likewise unlawful for any person to occupy or to permit the occupancy of any building therein declared to be unfit for human habitation.

Section 5. A copy of this ordinance shall be recorded in the Register of Deeds of Caldwell County, North Carolina, and indexed in the name of the property owner or owners in the grantor index.

Adopted this the 5th day of June, 2018.

_____
JOSEPH L. GIBBONS
MAYOR

ATTEST:

_____
SHIRLEY M. CANNON
CITY CLERK

APPROVED AS TO FORM:

_____
EDWARD H. BLAIR, JR
CITY ATTORNEY

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

Owner	FERGUSON ROBERT LEE C/O COURTNEY FERGUSON 515 UZZLE STREET DURHAM, NC 27713
Acct Number	42585
Parcel ID	09 25 1 28
NCPIN	2840818422

Deferred Val	$
Assessed Val	$9,600
Calc Acreage	0.13105011
Land Units	97 (FF)
Legal Desc	0684/1159 0086 0.00
Plat Ref	/
Property Addr	337 ARLINGTON CR

Caldwell County

1:289

0 0.00225 0.0045 0.009 mi

0 0.00375 0.0075 0 015 km

September 14, 2017

Owner: Robert Lee Ferguson
C/O Courtney Ferguson
Property: 337 Arlington Cir
NC Pin No. 2840818422

Minimum Housing Violation Time Line

Date	Description
June 2013	The first letter sent to the property owners concerning the minimum housing violations was mailed on June 28, 2013 from former Code Enforcement Officer Craig Adams. The letter requested that the owners contact the City to schedule a time for an onsite inspection. The certified mail receipt was signed and returned on July 5, 2013. No further information was available in the file and we have no way of knowing if the inspection ever took place.
January 2017	Due to numerous complaints this property rose to the top 10 on the minimum housing priority formula list. The initial inspection of the dwelling reveled deterioration in the exterior structural components including foundation, roofing, and siding. It was determined based on the buildings tax value and the amount of deterioration that the dwelling was classified as dilapidated.
September 15, 2017	Initial minimum housing violation/hearing notice was mailed to the property owner on this date. Two copies of the letter were mailed one first class and one registered. Initial minimum housing letter requested that the property owner contact the housing inspector to set up a time for an onsite hearing to discuss the housing violations and abatement procedures. Owner failed to contact the housing inspector, but the signed certified mail receipt was returned. **Certified Mail No. 7015 1520 0000 1313 0319**
October 11, 2017	Final minimum housing determination letter was mailed to the property owner on this date. Two copies of this letter were mailed one first class and one registered. Due to the severe dilapidated condition of the structure and the health/safety hazard the final order was to demolish the dwelling and remove it from the property. Owner failed to contact the housing inspector and the certified mail letter was returned. The first class letter was never returned from the post office. **Certified Mail No. 7016 2710 0001 1759 1525**
May 10, 2018	In accordance with the City of Lenoir Code of Ordinance a Notice of Order to Demolish was submitted to the Lenoir News Topic. The ad requested that any person having or claiming an interest in the property be present for the City Council meeting. The ad was submitted and ran once a week for two consecutive weeks. Ad published on Friday May 25, 2018 and June 1, 2018.
May 11, 2018	The property owners were notified by mail that an ordinance for the demolition of the structure located at 337 Arlington Circle would be submitted to the City of Lenoir Council on June 5, 2018. Two copies of the letter were mailed one first class and one registered mail. The owners have not contacted the City and the letters have not been returned. **Certified Mail No. 7016 2710 0001 1759 1693**
June 5, 2018	At this time it is requested that an ordinance be passed for the demolition of the dwelling at 337 Arlington Circle. Demolition will take place after June 11, 2018 and all fees accumulated will be placed as a lien on the property.

Minimum Housing Violation Affidavit
(337 Arlington Circle)

I, Zach Clark affirm that as the housing inspector for the City of Lenoir I have made every possible attempt to contact the property owners of 337 Arlington Circle. I have exhausted all resources in the effort to find the owners and/or heirs of the property mentioned above. The dwelling is unfit for human habitation and is a health/safety hazard for nearby neighbors. At this time the best course of action to eliminate the minimum housing violations is to demolish the structure and remove all debris from the property.

I swear that everything documented in this packet to be true and correct to the best of my information, knowledge, and belief.

5-31-18
Date

Zach Clark
Zach Clark

STATE OF NORTH CAROLINA
COUNTY OF CALDWELL

I, the undersigned Notary Public, do hereby affirm that Zach Clark personally appeared before me on the 31 day of May, 2018 and signed the above Affidavit as his free and voluntary act and deed.

Jacqueline Sigmon
Notary Public

My commission expires
October 4, 2022

June 28, 2013

Robert Lee Ferguson C/O Courtney Ferguson
515 Uzzle Street
Durham, NC 27713

RE: Inspection Request—337 Arlington Circle
Lenoir, NC 28645
NCPIN: 2840818422

Mr. and Mrs. Ferguson,
This letter is to inform you that possible violations to the City of Lenoir's Minimum Housing Ordinance may exist at the above referenced property. At this time permission is requested in order to investigate the inside of said property in an attempt to determine if in fact violations do exist. It is important that we hear from you no later than ten (10) days after the issuance of this letter concerning this matter. If no response is received, please note that an Administrative Search Warrant may be issued in order for the City to inspect the inside conditions of the dwelling unit.

The City of Lenoir has established this ordinance in order to protect public health, safety and welfare, promote the stability of neighborhoods and their property values, and prevent the development and spread of slums and urban blight. Your cooperation and understanding in this matter is greatly appreciated.

Please contact me immediately to schedule an appointment for investigation.

Regards,

Craig Adams
Interim Code Enforcement Officer
City of Lenoir
828-757-2212

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Robert Ferguson
c/o Courtney Ferguson
515 Uzzle Street
Durham, NC 27713

COMPLETE THIS SECTION ON DELIVERY

A. Signature
x Courtney Ferguson ☐ Agent ☐ Addressee

B. Received by (Printed Name) Courtney Ferguson C. Date of Delivery 10/7/13

D. Is delivery address different from item 1? ☒ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Transfer from service label) 7008 1140 0002 3131 8962

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

7008 1140 0002 3131 8962

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Postage	$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total P	

Postmark Here
10-28-13

Sent To Robert Ferguson
c/o Courtney Ferguson
Street, A 515 Uzzle Street
or PO B
City, Sta Durham, NC 27713

PS Form 3800, August 2006 See Reverse for Instructions

CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

September 15, 2017

Robert Lee Ferguson
C/O Courtney Ferguson
515 Uzzle Street
Durham, NC 27713

Certified Mail: 7015 1520 0000 1313 0319

MINIMUM HOUSING VIOLATION AND HEARING NOTICE

TO: **Robert Lee Ferguson & Courtney Ferguson**, owner (s) of property located at **337 Arlington Cir** (PIN: 2840818422) in the City of Lenoir, North Carolina.

Unsafe Buildings: General Statute 160A-426, 160A-446, 160A-429
North Carolina Code Officials Enabling Act: 160A-412

Condition of structure is determined as: **Deteriorated ____**
Dilapidated XXX

As the legal owner, you have **ten (10)** days to call the City of Lenoir Housing Inspector to establish a hearing date and location that must be held within the specified timeframe.

The following code violations have been determined: If further inspection is required, additional violations may be added.

G.S. 160A-428
That the building or structure is in a condition that appears to meet one or more of the following conditions:

- **A. Constitutes a fire or safety hazard.**
- **B. Is dangerous to life, health, or other property.**
- **C. Is likely to cause or contribute to blight, disease, vagrancy, or danger to children.**
- **D. Has a tendency to attract person(s) intent on criminal activities or other activities which would constitute a public nuisance.**

The property listed above is in violation of the City of Lenoir Minimum Housing Standards. Due to the amount of structural damage the dwelling is classified as dilapidated and unfit for human habitation. The structure is currently unsecure and is a safety hazard. In order to abate the minimum housing violations and the health/safety hazards, the dwelling must be demolished and removed from the property. Please contact me within **10 days** of receiving this notice to schedule a time for an onsite hearing. Abatement procedure and time frame in which it must be completed will be discussed at the hearing.

Stage of the investigation
Initial Investigation XXX
Final Determination ___

Failure to comply will result in actions including, but not limited to, civil penalties, posting, and city abatement. All questions about the violation or procedures to abate them will be addressed at the hearing.

Sincerely,

Zach Clark
Zoning and Housing Inspector
City of Lenoir Planning Department
(828) 757-2212

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Robert Lee Ferguson
C/O Courtney Ferguson
515 Uzzle Street
Durham, NC 27713

9590 9402 1452 5329 3829 09

2. Article Number (Transfer from service label)
7015 1520 0000 1313 0319

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A. Signature
X
☐ Agent
☐ Addressee

B. Received by (Printed Name)
C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
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☐ Adult Signature Restricted Delivery
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☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Mail
☐ Mail Restricted Delivery
(over $500)
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
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☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

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☐ Certified Mail Restricted Delivery $
☐ Adult Signature Required $
☐ Adult Signature Restricted Delivery $
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Total Postage
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Street and Ap
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9-15-17

Robert Lee Ferguson
C/O Courtney Ferguson
515 Uzzle Street
Durham, NC 27713

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 1520 0000 1313 0319

CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

10/11/2017

Robert Lee Ferguson
C/O Courtney Ferguson
515 Uzzle Street
Durham, NC 27713

Certified Mail: 7015 2710 0001 1759 1525

MINIMUM HOUSING VIOLATION AND ORDER TO ABATE

To: **Robert Lee Ferguson & Courtney Ferguson**, owner(s) of property located at **337 Arlington Cir.** (**PIN:**2840818422) in the City of Lenoir, North Carolina.

Unsafe Buildings: General Statute 160A-426, 160A-446, 160A-429
North Carolina Code Officials Enabling Act: 160A-412

Condition of structure is determined as: **Deteriorated** ○
Dilapidated ●

The following code violations have been determined: If further inspection is required, additional violations may be added.

G.S. 160A-428
That the building or structure is in a condition that appears to meet one or more of the following conditions:

A. **Constitutes a fire or safety hazard.**
B. **Is dangerous to life, health, or other property.**
C. **Is likely to cause or contribute to blight, disease, vagrancy, or danger to children.**
D. **Has a tendency to attract person(s) intent on criminal activities or other activities which would constitute a public nuisance.**

This is the final determination for the property listed above. This property is in violation of the City of Lenoir Minimum Housing Standards. The structure is currently unsecure and is a safety hazard. Due to the amount of structural damage this dwelling is classified as dilapidated. In order to abate the minimum

housing violations the dwelling must be demolished and removed from the property. Abatement of these violations must occur in a specified amount of time, not to exceed 60 days.

Failure to abate the violations by, **Wednesday, December 13th 2017** will result in actions including, but not limited to, civil penalties, postings, and city abatement. If you have any questions concerning the violations or the abatement process please contact me.

Section 1-15 Civil and Criminal Penalties

(c) Violation of any provision of this Code not corrected as provided in [this letter] shall subject the offender to a civil penalty in the amount of $50.00 to $500.00, in accordance with the citation schedule in subsection (e), to be recovered by the city in a civil action in the nature of debt if the offender does not pay the penalty within a period of 72 hours after being cited. The citation shall be in writing, signed by the authorized person issuing the citation, and shall be delivered in person or by mail to the offender.

(e) Civil Penalties Schedule
Violation of any provision of this ordinance shall subject the offender to civil penalties in the following amounts, as applicable. All Civil Penalties must be paid within 72 hours of receipt by the offender.

First Penalty	Second Penalty	Third Penalty	Fourth Penalty	Fifth Penalty	Sixth Penalty	Seventh Penalty	Eighth Penalty	Ninth Penalty	Tenth Penalty
$50.00	$50.00	$50.00	$100.00	$100.00	$100.00	$250.00	$250.00	$250.00	$250.00

* If violations continue to exist past the tenth penalty, subsequent penalties shall be $500.00 each.
(f) Unless otherwise specifically provided in this Code and authorized by state law, no single offense (as described in subsection (d), above) may be punished by a fine or civil penalty in excess of $500.00.

Stage of the investigation
Initial Investigation ○
Final Determination ●

Abatement of these violations must occur within a specified period of time, not to exceed 60 days. Failure to comply will result in actions including, but not limited to, civil penalties, posting, and city abatement.

Sincerely,

Zach Clark
Zoning and Housing Inspector
City of Lenoir Planning Department
(828) 757-2212

CERTIFIED MAIL

CITY OF LENOIR
P. O. BOX 958
LENOIR, N. C. 28645-0958

7016 2710 0001 1759 1525

U.S. POSTAGE PITNEY BOWES
ZIP 28601 $ 006.56
02 1W
0001391273

Robert Lee Ferguson
C/O Courtney Ferguson
515 Uzzle Street
Durham, NC 27713

NIXIE 276 DE 1 0012/04/17
RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD
BC: 28645095858 *0248-04869-12-42

UNC
27128645095858

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C/O Courtney Ferguson
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Durham, NC 27713

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- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage $

Total Postage and Fees $

Sent To

Street and Apt. No.

City, State, ZIP+4

Robert Lee Ferguson
C/O Courtney Ferguson
515 Uzzle Street
Durham, NC 27713

PS Form 3800, August 2006 See Reverse for Instructions

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PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

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1. Article Addressed to:

Robert Lee Ferguson
C/O Courtney Ferguson
515 Uzzle Street
Durham, NC 27713

9590 9402 1452 5329 3825 89

2. Article Number (Transfer from service label)

7016 2710 0001 1759 1525

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X ☐ Agent ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☒ Return Receipt for Merchandise
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

Mail Restricted Delivery
500)

PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt

CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

May 11, 2018

Robert Lee Ferguson
Courtney Ferguson
515 Uzzle St
Durham, NC 27713

RE: Minimum Housing Determination
337 Arlington Cir Lenoir, NC 28645
NCPIN: 2840818422

To whom it may concern:

This letter is to inform the property owner(s) that they have failed to comply with an order given by the housing inspector to abate the minimum housing violations at 337 Arlington Cir. All violations were to be abated within a specified amount of time not to exceed 60 days as instructed in the Minimum Housing Order to Abate notice sent on November 11, 2017. The inspector will be submitting an ordinance to City Council, as described below for the demolition of the dwelling located at 337 Arlington Cir. The City Council will consider this ordinance for adoption at the June 5, 2018 City Council Meeting, held in the County Chambers at 905 West Ave in Lenoir. Upon adoption of the ordinance the demolition of the dwelling will be scheduled for June 11, 2018.
All expenses acquired during this abatement process will be placed as a lien against the property.

Upon failure of the owner of the dilapidated dwelling to comply with an order of the inspector within the time specified therein, the inspector may submit to the City Council an ordinance ordering the inspector to cause such dwelling to be removed or demolished, as provided in the original order of the inspector. The amount of the cost of vacating and closing, or removal or demolition caused to be made or done by the inspector shall be a lien against the real property upon which such cost was incurred. Such lien shall be filed, have the same priority, and be enforced and the costs collected as the lien for special assessment.

Sincerely,

Zach Clark
Zoning and Housing Inspector
City of Lenoir Planning Department
(828) 757-2212

7016 2710 0001 1759 1693

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- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage ar
$

5/11/18
Postmark
Here

Sent To
Robert Lee Ferguson
Courtney Ferguson

Street and Apt. N
515 Uzzle St

City, State, ZIP+
Durham, NC 27713

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Notice of Order to Demolish

The public will hereby take notice that the Lenoir Planning Department will be submitting an ordinance to the City Council for the demolition of 337 Arlington Cir on Tuesday, June 5, 2018 at the City/County Chambers 905 West Ave, Lenoir. All attempts to make contact with property owners and/or heirs have failed. It is requested that any and all Heirs of Robert Lee Ferguson and/or Courtney Ferguson, and any other persons having or claiming an interest in the property 337 Arlington Cir, Lenoir NC 28645 NC Pin 2840818422 be present for the City Council meeting at the date listed above.

This Order set forth by the City of Lenoir Housing Inspector is issued and served pursuant to the Code of Ordinances of the City of Lenoir and the North Carolina General Statutes.

It appears to the undersigned, who is the Housing Inspector under the Code of Ordinances, from his preliminary investigation of the premises, that the property identified above is in violation of one or more of the Minimum Housing Standards in Chapter 10, of the Code of Ordinances of the City of Lenoir.

The undersigned has made attempts to contact the property owners and/or heirs to the property by first class and registered mail, all of which were returned. The property identified above has been posted with the order to abate as specified in Chapter 10, of the Code of Ordinance of the City of Lenoir.

The undersigned complaining of the afore-said property and all persons owning or having any interest therein, charges that said property fails to meet the Minimum Housing Standards prescribed in the Code of Ordinances of the City of Lenoir as more specifically set forth in the Notice of Violation.

Zach Clark
Zoning and Housing Inspector
City of Lenoir
Planning Department
Office: 828.757.2212

May 25, June 1, 2018


337


337

CITY OF LENOIR

COUNCIL ACTION FORM

I. **Agenda Item:** Consideration of a Resolution to Adopt the Lenoir 2017 Local Water Supply Plan

II. **Background Information:** The City of Lenoir is required each year to complete and submit a Local Water Supply Plan (LWSP) to the NCDEQ Division of Water Resources (DWR) in accordance with NCGS 143-355(l). The 2017 plan for the City of Lenoir has been completed and reviewed by the DWR and it has determined that the plan meets the minimum criteria established in the statute. The plan cannot be considered compliant until an adopted resolution is received by the DWR.

III. **Staff Recommendation:** Staff recommends City Council approval of the Resolution to approve the 2017 Local Water Supply Plan for the City of Lenoir.

IV. **Reviewed by:**

City Attorney: _____

Finance Director: _____

Public Works/Public Utilities Director:_____

CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

MAYOR
JOSEPH L. GIBBONS

CITY COUNCIL
J. T. BEAL
T. H. PERDUE
J. I. PERKINS
T. J. ROHR
D. F. STEVENS
C. D. THOMAS
B. K. WILLIS

RESOLUTION FOR APPROVING LOCAL WATER SUPPLY PLAN

WHEREAS, North Carolina General Statute 143-355 (l) requires that each unit of local government that provides public water service or that plans to provide public water service and each large community water system shall, either individually or together with other units of local government and large community water systems, prepare and submit a Local Water Supply Plan; and

WHEREAS, as required by the statute and in the interests of sound local planning, a Local Water Supply Plan for the City of Lenoir, has been developed and submitted to the Lenoir City Council for approval; and

WHEREAS, the Lenoir City Council finds that the Local Water Supply Plan is in accordance with the provisions of North Carolina General Statute 143-355 (l) and that it will provide appropriate guidance for the future management of water supplies for the City of Lenoir as well as useful information to the Department of Environmental Quality for the development of a state water supply plan as required by statute;

NOW, THEREFORE, BE IT RESOLVED by the Lenoir City Council of Lenoir, NC, that the Local Water Supply Plan entitled, Lenoir LWSP dated May 1, 2017, is hereby approved and shall be submitted to the Department of Environmental Quality, Division of Water Resources; and

BE IT FURTHER RESOLVED that the Lenoir City Council intends that this plan shall be revised to reflect changes in relevant data and projections at least once every five years or as otherwise requested by the Department, in accordance with the statute and sound planning practice.

This the 5th day of June, 2018.

SEAL

_____
Joseph L. Gibbons, Mayor

ATTEST:

_____
Shirley M. Cannon, City Clerk

Lenoir

2017

The Division of Water Resources (DWR) provides the data contained within this Local Water Supply Plan (LWSP) as a courtesy and service to our customers. DWR staff does not field verify data. Neither DWR, nor any other party involved in the preparation of this LWSP attests that the data is completely free of errors and omissions. Furthermore, data users are cautioned that LWSPs labeled **PROVISIONAL** have yet to be reviewed by DWR staff. Subsequent review may result in significant revision. Questions regarding the accuracy or limitations of usage of this data should be directed to the water system and/or DWR.

1. System Information

Complete

Contact Information

Water System Name:	Lenoir	PWSID:	01-14-010
Mailing Address:	P.O. Box 958 Lenoir, NC 28645	Ownership:	Municipality
Contact Person:	Radford L. Thomas	Title:	Public Utilities Director
Phone:	828-757-2219	Fax:	828-757-2112
Secondary Contact:	Kevin Matheson	Phone:	828-757-4460
Mailing Address:	P.O. Box 958 Lenoir, NC 28645	Fax:	828-757-4461

Distribution System

Line Type	Size Range (Inches)	Estimated % of lines
Asbestos Cement	6-16	49.00 %
Cast Iron	4-12	30.00 %
Ductile Iron	6-30	9.00 %
Galvanized Iron	1.5-2	4.00 %
Other	2-12	6.00 %
Polyvinyl Chloride	2-12	2.00 %

What are the estimated total miles of distribution system lines? 219 Miles
How many feet of distribution lines were replaced during 2017? 270 Feet
How many feet of new water mains were added during 2017? 60 Feet
How many meters were replaced in 2017? 875
How old are the oldest meters in this system? 52 Year(s)
How many meters for outdoor water use, such as irrigation, are not billed for sewer services? 100
What is this system's finished water storage capacity? 13.5000 Million Gallons
Has water pressure been inadequate in any part of the system since last update? No

Programs

Does this system have a program to work or flush hydrants? Yes, Quarterly
Does this system have a valve exercise program? Yes, Quarterly
Does this system have a cross-connection program? Yes
Does this system have a program to replace meters? Yes
Does this system have a plumbing retrofit program? No
Does this system have an active water conservation public education program? Yes
Does this system have a leak detection program? Yes

Water Conservation

What type of rate structure is used? Flat/Fixed
How much reclaimed water does this system use? 0.0000 MGD For how many connections? 0
Does this system have an interconnection with another system capable of providing water in an emergency? No

Interconnection is not feasible due to isolation and topography.

2. Water Use Information

Service Area

Sub-Basin(s)	% of Service Population	County(s)	% of Service Population

Catawba River (03-1)	100 %	Caldwell	100 %

What was the year-round population served in 2017? 21,917

Has this system acquired another system since last report? No

Water Use by Type

Type of Use	Metered Connections	Metered Average Use (MGD)	Non-Metered Connections	Non-Metered Estimated Use (MGD)
Residential	8,823	1.7000	0	0.0000
Commercial	726	0.9290	0	0.0000
Industrial	49	0.1030	0	0.0000
Institutional	186	0.2240	0	0.0000

How much water was used for system processes (backwash, line cleaning, flushing, etc.)? 0.2540 MGD

Upon reclassification of user type, the billing department discovered that there were 45 fewer actual Institutional metered connections in use for 2017.

Water Sales

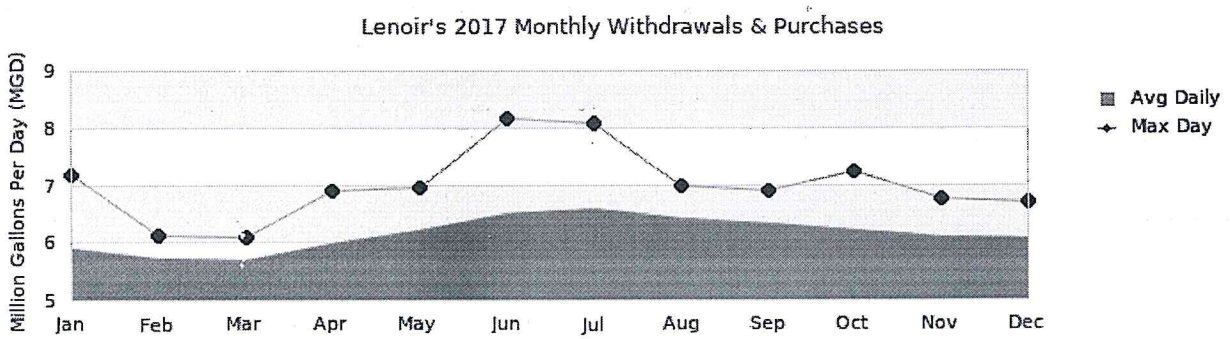
Purchaser	PWSID	Average Daily Sold (MGD)	Days Used	Contract MGD	Contract Expiration	Contract Recurring	Required to comply with water use restrictions?	Pipe Size(s) (Inches)	Use Type
Baton WC	01-14-025	0.5500	365	0.5000	2033	No	Yes	6	Regular
Caldwell County	01-14-045	0.6400	365	0.6570	2021	Yes	Yes	12	Regular
Caldwell County	01-14-047	0.7100	365	0.6920	2021	Yes	Yes	12	Regular
Caldwell County	01-14-048	0.0380	365	0.0390	2021	Yes	Yes	8	Regular
Joyceton WC	01-14-114	0.0220	365	0.3000	2018	Yes	Yes	6	Regular
Sawmills	01-14-040	0.2500	365	0.3250	2032	No	Yes	6	Regular

Contractual agreement with Caldwell County specifies a minimum required average purchase annually of 1.353 MGD total between their three systems. The contracted amount denoted for each system is a percentage breakdown of this 1.353 MGD based on current usage. The County can purchase more at the general wholesale rate, but must purchase at least 1.353 MGD.
Baton WC has a new contract in place that specifies a maximum purchase of 0.5 MGD at the general wholesale rate, but can purchase more at a higher rate.
The contract with Joyceton WC automatically renews annually at a maximum of 0.3 MGD sold.
The new contract with Sawmills specifies a maximum of 0.325 MGD sold.
The total allocations of water sold to all other systems at the general wholesale rate is 2.478 MGD.

3. Water Supply Sources

Monthly Withdrawals & Purchases

	Average Daily Use (MGD)	Max Day Use (MGD)		Average Daily Use (MGD)	Max Day Use (MGD)		Average Daily Use (MGD)	Max Day Use (MGD)
Jan	5.8800	7.1900	May	6.2210	6.9700	Sep	6.3350	6.9100
Feb	5.7180	6.1270	Jun	6.4900	8.1790	Oct	6.2020	7.2630
Mar	5.6890	6.1040	Jul	6.5860	8.0960	Nov	6.0810	6.7620
Apr	5.9850	6.9010	Aug	6.4120	7.0060	Dec	6.0700	6.7160



Surface Water Sources

Stream	Reservoir	Average Daily Withdrawal		Maximum Day Withdrawal (MGD)	Available Raw Water Supply		Usable On-Stream Raw Water Supply Storage (MG)
		MGD	Days Used		MGD	* Qualifier	
Catawba	Lake Rhodhiss	6.1410	365	8.1790	12.0000	C	15,633.0000

* Qualifier: C=Contract Amount, SY20=20-year Safe Yield, SY50=50-year Safe Yield, F=20% of 7Q10 or other instream flow requirement, CUA=Capacity Use Area Permit

Surface Water Sources (continued)

Stream	Reservoir	Drainage Area (sq mi)	Metered?	Sub-Basin	County	Year Offline	Use Type
Catawba	Lake Rhodhiss	1,090	Yes	Catawba River (03-1)	Caldwell		Regular

What is this system's off-stream raw water supply storage capacity? 0 Million gallons

Are surface water sources monitored? Yes, As Needed

Are you required to maintain minimum flows downstream of its intake or dam? No

Does this system anticipate transferring surface water between river basins? Yes

Although we do not have any IBT within our system, we sell to Caldwell County. We assessed the total potential transfer from the Catawba basin to the Yadkin basin through their systems to be approximately 0.0728 MGD.

Water Treatment Plants

Plant Name	Permitted Capacity (MGD)	Is Raw Water Metered?	Is Finished Water Ouput Metered?	Source
Lenoir - Lake Rhodhiss WTP	12.0000	Yes	Yes	Catawba River, Lake Rhodhiss

Did average daily water production exceed 80% of approved plant capacity for five consecutive days during 2017? No

If yes, was any water conservation implemented?

Did average daily water production exceed 90% of approved plant capacity for five consecutive days during 2017? No

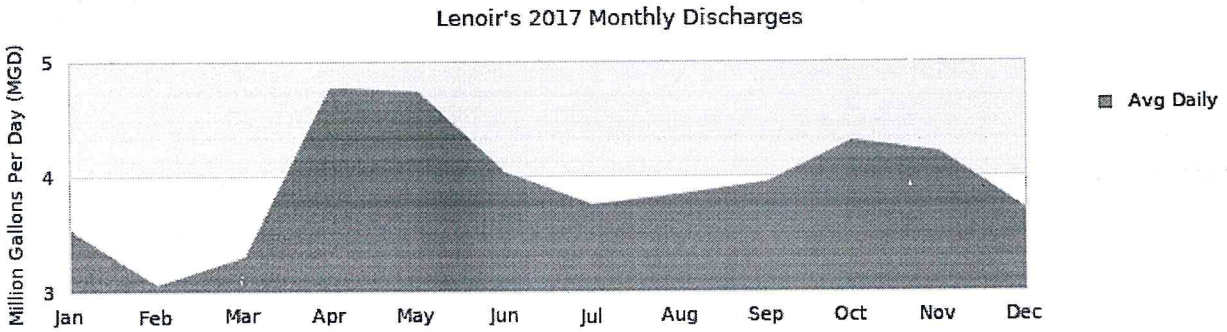
If yes, was any water conservation implemented?

Are peak day demands expected to exceed the water treatment plant capacity in the next 10 years? No

4. Wastewater Information

Monthly Discharges

	Average Daily Discharge (MGD)		Average Daily Discharge (MGD)		Average Daily Discharge (MGD)
Jan	3.5330	May	4.7380	Sep	3.9320
Feb	3.0440	Jun	4.0260	Oct	4.3060
Mar	3.2930	Jul	3.7500	Nov	4.1930
Apr	4.7700	Aug	3.8360	Dec	3.7090



How many sewer connections does this system have? 7,969

How many water service connections with septic systems does this system have? 789

Are there plans to build or expand wastewater treatment facilities in the next 10 years? No

Wastewater Permits

Permit Number	Permitted Capacity (MGD)	Design Capacity (MGD)	Maximum Day Discharge (MGD)	Receiving Stream	Receiving Basin

			Average Annual Daily Discharge (MGD)			
NC0023736	2.0000	2.0000	1.1000	5.7660	Gunpowder Creek	Catawba River (03-1)
NC0023981	6.0000	6.0000	2.7000	7.2500	Lower Creek	Catawba River (03-1)
NC0044164	0.0000	3.0000	0.1800	1.3610	Lake Rhodhiss	Catawba River (03-1)
WQ0010059	0.0000	0.0000	0.0000	0.0000	Land Application	Catawba River (03-1)

Wastewater Interconnections

Water System	PWSID	Type	Average Daily Amount		Contract Maximum (MGD)
			MGD	Days Used	
Town of Sawmills	01-14-040	Receiving	0.0150	365	0.2500

5. Planning

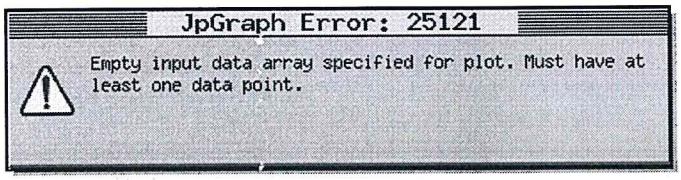
Projections

	2017	2020	2030	2040	2050	2060
Year-Round Population	21,917	21,990	22,650	23,330	24,379	25,000
Seasonal Population	0	0	0	0	0	0
Residential	1.7000	1.7010	1.7070	1.7100	1.7400	1.8000
Commercial	0.9290	0.9490	0.9500	0.9570	0.9590	0.9610
Industrial	0.1030	0.2000	0.2170	0.2200	0.2220	0.2250
Institutional	0.2240	0.2230	0.2270	0.2800	0.1800	0.1800
System Process	0.2540	0.1530	0.1540	0.1540	0.1540	0.1540
Unaccounted-for	0.7210	0.6280	0.6280	0.6340	0.6410	0.6560

Air scour mixed media filter backwash will be on line by the last quarter of 2018, reducing future system process water usage by nearly 40%. A new chemical storage building and feed system will also be in place by late 2018, further reducing system process water. Mechanical pretreatment will be online by late 2019, much closer to the sedimentation basin, therefore reducing some carrier water for treatment chemicals involved. Collectively, these process changes should account for at least a 40% reduction in process water usage in 2020 and beyond.

Demand v/s Percent of Supply

	2017	2020	2030	2040	2050	2060
Surface Water Supply	12.0000	12.0000	12.0000	12.0000	12.0000	12.0000
Ground Water Supply	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Purchases	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Future Supplies		0.0000	0.0000	0.0000	0.0000	0.0000
Total Available Supply (MGD)	12.0000	12.0000	12.0000	12.0000	12.0000	12.0000
Service Area Demand	3.9310	3.8540	3.8830	3.9550	3.8960	3.9760
Sales	2.2100	2.5810	2.5810	1.7060	1.7060	1.7060
Future Sales		0.0000	0.0000	0.0000	0.0000	0.0000
Total Demand (MGD)	6.1410	6.4350	6.4640	5.6610	5.6020	5.6820
Demand as Percent of Supply	51%	54%	54%	47%	47%	47%



The purpose of the above chart is to show a general indication of how the long-term per capita water demand changes over time. The per capita water demand may actually be different than indicated due to seasonal populations and the accuracy of data submitted. Water systems that have calculated long-term per capita water demand based on a methodology that produces different results may submit their information in the notes field.

Your long-term water demand is 78 gallons per capita per day. What demand management practices do you plan to implement to reduce the per capita water demand (i.e. conduct regular water audits, implement a plumbing retrofit program, employ practices such as rainwater harvesting or reclaimed water)? If these practices are covered elsewhere in your plan, indicate where the practices are discussed here.

Are there other demand management practices you will implement to reduce your future supply needs?

What supplies other than the ones listed in future supplies are being considered to meet your future supply needs?

How does the water system intend to implement the demand management and supply planning components above?

Additional Information

Has this system participated in regional water supply or water use planning?

What major water supply reports or studies were used for planning?

Please describe any other needs or issues regarding your water supply sources, any water system deficiencies or needed improvements (storage, treatment, etc.) or your ability to meet present and future water needs. Include both quantity and quality considerations, as well as financial, technical, managerial, permitting, and compliance issues:

CITY OF LENOIR

AFTER ACTION MEMO

To: Department Heads/Division Superintendents

From: Scott Hildebran, City Manager

Date: Monday, June 11, 2018

Subject: Action taken by City Council on Tuesday, June 5, 2018. Review all information to ensure that your department maintains action taken by City Council.

- ✓ City Council approved the minutes of the minutes of the City Council Meeting of Tuesday, May 15, 2018 as submitted.
- ✓ City Council approved the minutes of the City Council Budget Work Session of Thursday, May 17, 2018 as submitted.
- ✓ City Council approved the minutes of the Committee of the Whole Meeting of Tuesday, May 22, 2018 as submitted.
- ✓ City Council approved the Final Offer to Purchase Real Property by resolution in the amount $250.00 as submitted by Ron Walker for property located at 533 Hill Street, NCPIN#274-957-2991. The legal advertisement for the Notice of Offer to Purchase Real Property was published in the *News-Topic* on Sunday, May 20, 2018 and the City did not receive any upset bids.
- ✓ City Council approved the Final Offer to Purchase Real Property by resolution in the amount $250.00 as submitted by Ron Walker for property located at 533-A Hill Street, NCPIN#274-957-3826. The legal advertisement for the Notice of Offer to Purchase Real Property was published in the News-Topic on Sunday, May 20, 2018 and the City did not receive any upset bids.
- ✓ City Council approved a Capital Project Budget Ordinance for the Unifour Consortium HOME Program in the amount of $1,452,451 as submitted by Rick Oxford, Plan Administrator, Western Piedmont Council of Governments.
- ✓ City Council approved a Capital Project Budget Ordinance for the Community Development Block Grant Program in the amount of $137,666 as submitted by Rick Oxford, Plan Administrator, Western Piedmont Council of Governments.
- ✓ City Council approved the FY2018-2019 Annual Budget as presented. The budget is comprised of General Fund $17,090,331, Water & Sewer Fund of $8,890,000, Special Downtown District of $183,736, and Tourism Development of $65,000 for a total budget of $26,229,067. The property tax rate of $0.58 per $100 valuation remains unchanged as well as the current Caldwell County Rescue Readiness Tax of 0.85¢ per $100 of assessed property value. In addition, the budget includes a 1.5% increase in water rates. All other charges/fees remain unchanged. The budget also includes a 4.8% COLA for City employees effective January 1, 2019. Councilmember Rohr voted against this motion.

- ✓ City Council tabled an Order of Abatement Ordinance until the City Council Meeting of Tuesday, June 19, for property located at 337 Arlington Circle, NCPIN#284-0818-422 and Parcel ID#09-25-1-28 in order to allow Staff the opportunity to post a notice of the upcoming demolition on the property for the general public.
- ✓ City Council adopted a Resolution for the 2017 Local Water Supply Plan for the City of Lenoir in accordance with N.C.G.S. §143-355.
- ✓ As recommended by City Attorney Ed Blair, City Council approved acceptance of a bankruptcy settlement in the amount of $8,000 between the City of Lenoir and Furniture Brands, Inc. regarding a suit filed in 2008 to recoup part of the City's economic development incentive previously awarded to Furniture Brands.
- ✓ City Manager Scott Hildebran reported the NC Clean Water Management Trust Fund has reconsidered the prior appraisal grant amount of $755,000 for the City owned Watershed Property and an agreement should be completed soon.
- ✓ Mayor Joseph Gibbons reported several Councilmembers recently attended the North Carolina League of Municipalities' (NCLM) Town and State Dinner. He stated that 100 legislators attended along with municipal officials and the meeting with the City's representatives was very successful. In addition, Mayor Gibbons noted the group also attended the North Carolina Rural Day which was very beneficial regarding the City's issues.
- ✓ The following events for the month of June were highlighted:
    - ➢ The Silvio Martinat Swing Band will perform on the square from 7:00 p.m. – 10:00 p.m. on Friday, June 8.
    - ➢ Fabulous Film Night is scheduled for Saturday, June 9 with the movie "Despicable Me 3" being shown at 8:30 p.m. on the square.
    - ➢ The City/County Services Committee will meet on Monday, June 11 at 11:45 a.m.
    - ➢ The Caldwell County Economic Development Commission will meet on Tuesday, June 12 at 8:00 a.m.
    - ➢ The Lenoir Tourism Development Authority will meet on Thursday, June 14 at 4:00 p.m.
    - ➢ The Lenoir Business Advisory Board will meet on Thursday, June 14 at 6:00 p.m., at City Hall, Third Floor, former Council Chambers.
    - ➢ The Shelby Rae Moore Band will perform on the square on Friday, June 15 from 7:00 p.m. – 10:00 p.m.