

1. Agenda Packet

Documents:

[MARCH 20, 2018 AGENDA PACKET.PDF](#)

2. Meeting Materials



Photos will be [POSTED ON FLICKR](#).



AGENDA

**CITY OF LENOIR
CITY COUNCIL MEETING
CITY/COUNTY CHAMBERS
905 WEST AVENUE
TUESDAY, MARCH 20, 2018
6:00 P.M.**



I. CALL TO ORDER

- A. Moment of Silence & Pledge of Allegiance
- B. Special Recognition

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

- A. Rezoning; Southeast Corner of Elizabeth St. & Valmead St.: A public hearing will be held to consider a rezoning request for property located at the southeast corner of Elizabeth Street and Valmead Street, west of Valmead Elementary School, NCPIN #284-074-7741 to be rezoned from R-9 Multi-Family Residential) to I-2 Heavy Industrial in order to house a Caldwell County EMS Base. The Planning Board and City Staff recommends approval of the Rezoning and adoption of the following Consistency Statement: The proposed zoning map amendment is consistent with the adopted Comprehensive Plan because it facilitates the provision of public service facilities to support future growth in an area that is already served by existing infrastructure. The proposed amendment is reasonable and in the public interest because it allows for construction of an EMS base in an industrially-zoned property, while maintaining requirements for adequate buffering and setbacks to surrounding residential properties.

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of the minutes of the City Council Meeting of Tuesday, March 6, 2018, as submitted.
- B. Minutes: Approval of minutes of the Committee of the Whole Meeting of Tuesday, February 27, 2018, as submitted.

IV. REQUESTS AND PETITIONS OF CITIZENS

V. REPORTS OF BOARDS AND COMMISSIONS

- A. Rick Oxford, Plan Administrator, Western Piedmont Council of Governments, will hold the first 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.

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

A. Items of Information

1. The Planning Board will meet on Monday, March 26 at 5:30 p.m.
2. The annual Employee Recognition Banquet will be held on Monday, March 26 at 6:00 p.m. at the J. E. Broyhill Civic Center.
3. The Committee of the Whole will meet on Tuesday, March 27 at City Hall, Third Floor, former Council Chambers.
4. The Foothills Regional Airport Authority will meet on Wednesday, March 28 at noon.
5. City offices will be closed on Friday, March 30 in observance of Good Friday.

B. Items for Council Action

1. Lenoir Bicycle Plan: City Staff recommends approval of the Lenoir Bicycle Plan which is funded through a matching grant from the NCDOT Division of Bicycle and Pedestrian Safety and is intended to be a companion plan to the Lenoir Pedestrian Plan that was funded through the same grant program and adopted in 2013. **Note:** As the City Council considers the potential feasibility for modifying one-way streets into two-way streets downtown, some proposed routes may change. A copy of the draft plan is available online at www.cityoflenoir.com/planning.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

- A. Board Appointments/Reappointments: Mayor Gibbons will present the following list of individuals for consideration of re-appointment to serve on the City's Authorities/Boards/Commissions. Notification of these re-appointments was announced at the February 20 City Council meeting.

Planning Board

Tim Scobie 4-year term

Lenoir Tourism Development Authority

Dana Clark and Glenda Wilson 4-year terms

Lenoir Business Advisory Board

Terese Almquist 2-year term

Parks & Recreation Advisory Board

Scott Barnett and Erik Rabinowitz 2-year terms

IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS

**CITY OF LENOIR
COUNCIL ACTION FORM: March 20, 2018**

I. Agenda Item:

Rezoning Application #1/18

A public hearing will be held to consider a Rezoning Request as submitted by Dino DiBernardi, Chief of Emergency Services, to rezone the property at the intersection of Valmead Street and Clark Drive from R-9 (Multi-family Business) to I-2 (Heavy Industrial) to facilitate a Caldwell County EMS Base.

II. Background Information:

In the spring of 2017, Public Service Facility was added as a permitted use to the industrial zoning districts of Lenoir. This use includes public safety facilities, schools and education, hospitals and healthcare, and the public provision of social services.

More information about this proposed change is in the attached staff report.

III. Staff and Planning Board Recommendation:

Planning Staff and Planning Board recommend that City Council approve the request and adopt the following consistency statement:

The proposed zoning map amendment is consistent with the adopted Comprehensive Plan because it facilitates the provision of public service facilities to support future growth in an area that is already served by existing infrastructure. The proposed amendment is reasonable and in the public interest because it allows for construction of an EMS base in an industrially-zoned property, while maintaining requirements for adequate buffering and setbacks to surrounding residential properties.

IV. Reviewed by:

City Attorney: _____

Finance Director: _____

Planning Director:  _____



Staff Report

Zoning Amendment

CASE NUMBER R #1/18

LOCATION MAP/AERIAL PHOTOGRAPH



NCPIN 2840747741



Right: Subject Property

N

Below: Street View of property



SUMMARY

Owner

Caldwell County

Applicant

Dino Dibernardi

Location

Located at the southeast corner of Elizabeth St and Valmead St, west of Valmead Elementary (1.75 AC)

NC PIN

2840747741

Project Planner

Hannah Williams

Updated February 5, 2018

Description of Request:

The applicant requests that the City re-zone the subject property from R-9 (Multi-Family Residential) to I-2 (Heavy Industrial), to facilitate a Caldwell County EMS Base.

Staff Recommendation:

Approval of the request, based on the consistency statement on page 7.

Planning Board Recommendation:

Approval of the request for re-zoning of the subject property based on the consistency statement on page 7.

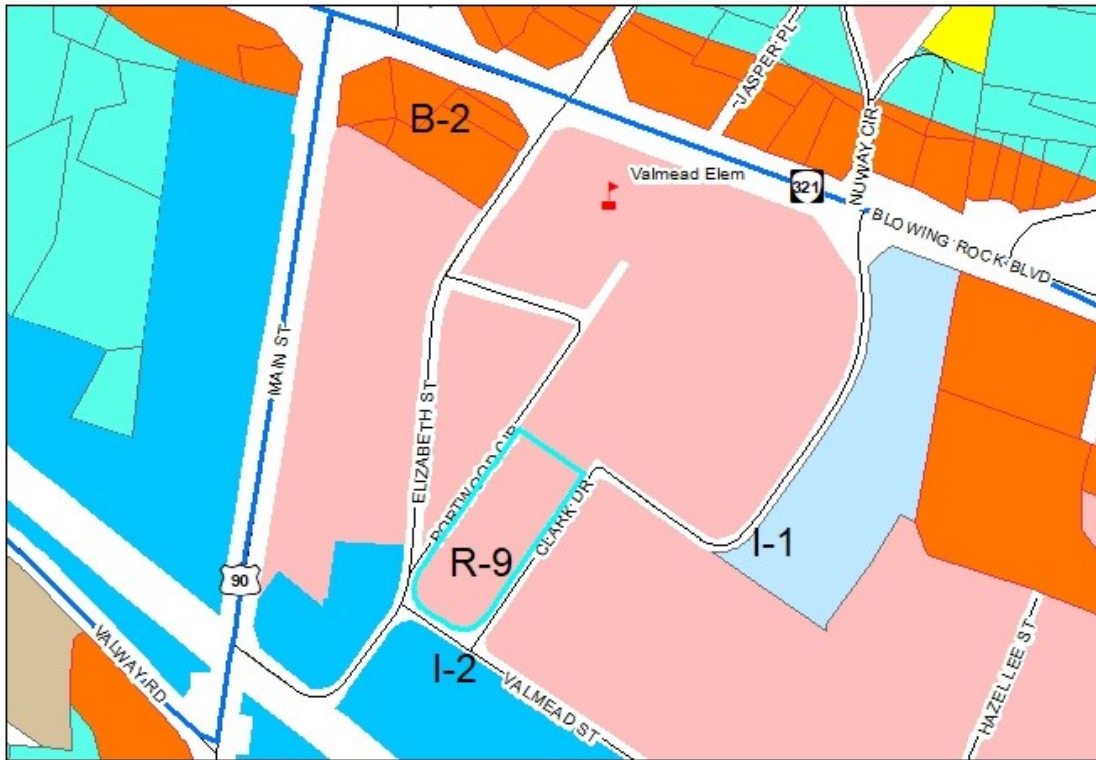
Public Comment:

Planning Board Meetings: February 26, 2018 Notices were mailed to property owners within 100 ft. of the subject property on February 16, 2018.

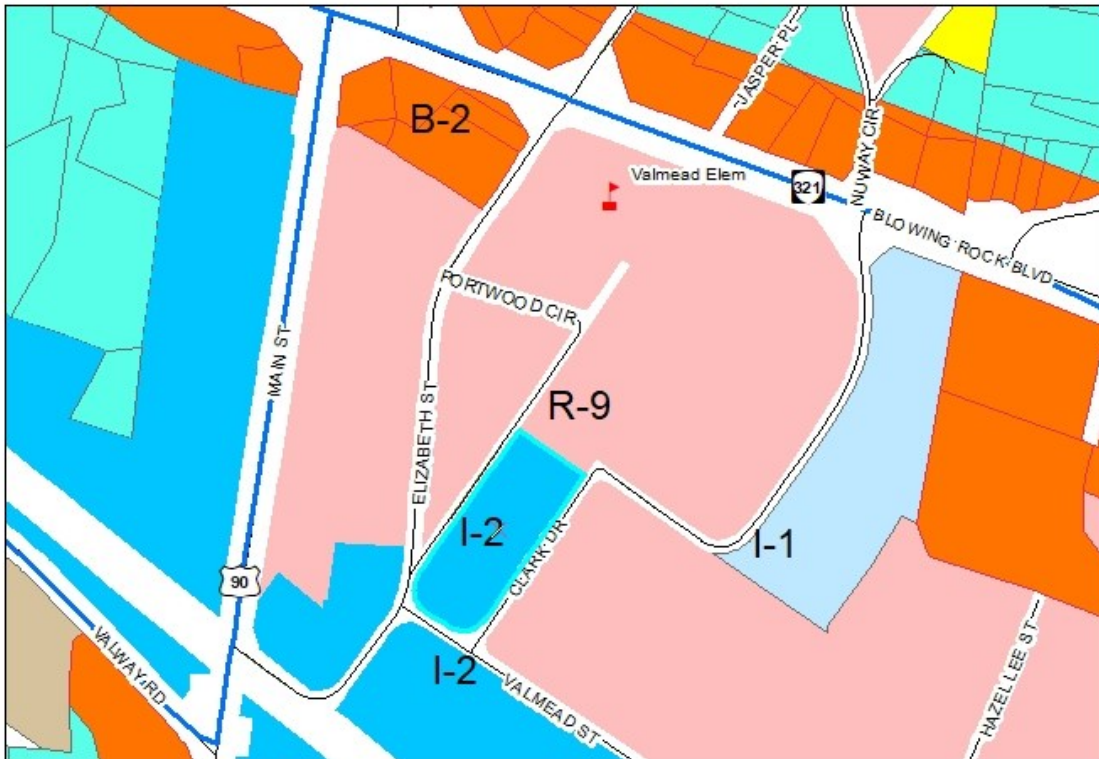
City Council (Public Hearing): Scheduled for March 20, 2018. Notices of the meeting were mailed to all property owners within 100 ft of the subject property on March 9, 2018 and notice of the hearing was published in the News Topic on March 9 and 16, 2018.

EXISTING AND PROPOSED ZONING MAPS

Existing Zoning: R-9



Proposed Zoning: I-2



BACKGROUND AND STAFF ANALYSIS

Zoning Map Amendments

The City of Lenoir Ordinance establishes an official zoning map/atlas for the City of Lenoir. The zoning map may be amended from time to time by the City Council when public necessity, convenience, general welfare, or good zoning practice justifies the amendment. The zoning map cannot be changed until the Planning Board reviews the request and makes a report to City Council on the proposed change and the City Council holds a public hearing to consider the request.

County Request

The Chief of Emergency Services for Caldwell County has requested this rezoning. The ownership of the subject lot was transferred from the County Board of Education to the County in 2017 with the purpose of building an EMS base. While re-zoning requests should be considered based on the merits of the request and not based upon the current ownership, in this case the County is far enough along in the planning phases for constructing the base that the end use is much more certain than a privately owned property. While the full range of uses permitted in the I-2 zoning districts may be intense in this location, as a transitional property between residential and educational uses and long-standing industrial uses the zoning request will facilitate an appropriate and necessary development.

Subject and Surrounding Properties

The subject property is located in the R-9 Multi-Family Residential zoning district and is currently vacant (undeveloped). Valmead Elementary School, zoned R-9, is immediately east of the subject property, and Thomasville Home Furnishings, zoned I-2 (Heavy Industrial), is to the west.

More R-9 properties are located to the south and northeast of the property, and other industrial uses are located to the northwest and southeast. It is worth noting that the property immediate north is an R-9 single family residence that is legally non-conforming due to its small setbacks and lot size. This neighborhood is located near the Overmountain Victory Trail's future Blair Fork Trailhead, northeast of the intersection at Elizabeth Street and Main Street. The trail includes a proposed pedestrian crosswalk from the Blair Fork Trailhead on the old railway's level crossing across Main Street (Creekway) parallel to the intersection with Elizabeth Street.

Intent of the Zoning Districts

The I-2 Heavy Industrial District is intended to produce areas for intensive manufacturing processing and assembly uses, controlled by performance standards to limit the effect of such uses on adjacent districts. Industrial zoning is established to provide for uses that might require location near or adjacent to major thoroughfares.

The R-9 Multi-Family Residential zoning district is intended to accommodate medium density residential, single-family residential and multi-family residential, double wide manufactured homes and compatible land uses.

Consistency with the Comprehensive Plan

All decisions of the Planning Board and City Council should be based on consistency of the proposal with the comprehensive plan and any other officially adopted plan that is applicable. The comprehensive plan establishes a future land use map, which identifies the subject property as "existing high density residential" and does not propose a different future land use. However, the comprehensive plan also encourages the development of industrial uses in areas with appropriate access and infrastructure; the subject property is undeveloped and adjacent to industrial uses. The Comprehensive plan also encourages opportunities for infill development when possible. The subject property is an undeveloped lot in the middle of a high density area, ideal for new development within the City Limits. Staff finds the proposed re-zoning to be consistent with the goals and policy concepts of the Comprehensive Plan.

Comparison of Allowable Uses

Sec. 600 of the Lenoir Zoning Ordinance establishes a chart of permitted and conditional uses for each zoning district. There is al-

BACKGROUND AND STAFF ANALYSIS CONTINUED

most no overlap in permitted and conditional uses between the residential districts and the industrial districts — they are established for very different purposes. The I-2 zoning district allows a wide range of industrial, commercial, and other non-residential uses. In the spring of 2017, Public Service Facility was added as a permitted use to the industrial zoning districts of Lenoir. This use includes public safety facilities, schools and education, hospitals and healthcare, and the public provision of social services. Meanwhile, the R-9 zoning districts allow for almost exclusively residential uses at medium intensities.

Comparison of Zoning Districts

	R-9	I-2
Development Standards	Minimum Lot Size - Single Family: 9,000 square feet Two-Family: 15,000 square feet Minimum Front Yard - Residential: 40 ft from ROW; Non-Residential: 35 ft from ROW Minimum Side Yard - Residential: 12 ft; Non-Residential: 30 ft; Side Street: 25 ft Minimum Rear Yard - Residential: 25 ft; Non-Residential: 10% of average lot depth Max Building Height - 35 ft	Minimum Lot Size - 20,000 square feet Minimum Front Yard - 25 feet from right-of-way Minimum Side Yard - Abutting residential or office: 40 ft; Abutting commercial or industrial: None; Abutting side Street: 25 ft Minimum Rear Yard - Abutting residential or office - 40 feet; Abutting commercial or industrial district - None Max Building Height - 65 feet
Summary of Permitted Uses	Accessory Apartment (preexisting) Accessory Use or Accessory Building (residential) Dwelling, Single-Family Detached and Two-Family Family Care Facility Green Houses, Private (Not to Exceed 1000 Square Feet) Kennels (Private) Class A - Manufactured Homes	Accessory Use Or Accessory Bldg. (Nonresidential) Accessory Use Or Accessory Bldg. (Residential) Small Businesses Commercial Businesses Contractors Office and Equipment Storage Furniture Manufacturing Public Service Facilities Truck Terminals **For further uses see section 814 in Lenoir Zoning Ordinance

Transportation

This property is surrounded by city roads on three sides, providing several potential access points for ingress and egress. The property has 65' of frontage on Valmead Street, and about a tenth of a mile of frontage along Clark Drive. Clark Drive is the primary access road for Valmead Elementary, providing cross-access with Blowing Rock Blvd. The third city road that the property touches is Portwood Circle. Portwood connects with Elizabeth Street in two places, but its ROW is only 25 feet wide where it borders the subject property and gravel in its entirety.

AERIAL PHOTO/SURROUNDING DEVELOPMENT



Western view from subject property towards Thomasville Plant

SITE PHOTOS



Left: Portwood Circle and Elizabeth Street. Subject property to the right.

Right: Intersection of Valmead and Elizabeth Streets. Subject property to the left.



Left: Northern view of subject property from Clark Drive.

STAFF RECOMMENDATION AND CONSISTENCY STATEMENT

Staff recommends that the Planning Board recommend approval of the request, based on the following consistency statement, and call for a Public Hearing for City Council to consider the request on March 20, 2018:

The proposed zoning map amendment is consistent with the adopted Comprehensive Plan because it facilitates the provision of public service facilities to support future growth in an area that is already served by existing infrastructure. The proposed amendment is reasonable and in the public interest because it allows for construction of an EMS base in an industrially-zoned property, while maintaining requirements for adequate buffering and setbacks to surrounding residential properties.

PLANNING BOARD RECOMMENDATION

Planning Board recommends approval of the proposed property for rezoning based on the consistency statement and staff recommendations.

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

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

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; COUNCIL & STAFF'S
FAMILY MEMBERS:**

- B. On behalf of City Council, Mayor Gibbons asked everyone to keep Donna Bean's granddaughter, Trinity, in their thoughts and prayers as she is recuperating from emergency surgery.

Mayor Gibbons also asked everyone to continue to remember Janet Conway, Todd Perdue's mother, and Lisa Rohr, spouse of Councilman Rohr, as they continue to recover from their recent illnesses.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

**SPEED LIMIT REQUEST;
FAIRLANE DRIVE:**

- A. A public hearing was held to consider amending the City's Code of Ordinances, Appendix B, Traffic (1), Section 114, Twenty mile per hour speed limit on the following streets, to extend the posted speed limit of 20 mph for the entire length of Fairlane Drive, allowing for posting at the direction of the Public Works Director.

Mayor Gibbons opened the public hearing to receive public comments regarding the speed limit request.

Police Chief Scott Brown stated a traffic study was conducted on Fairlane Drive in April 2017 at the request of several citizens with the results being the Department could not identify any traffic concerns at the time and the average speed was reported to be 27 mph. He stated the residents have asked the City to re-visit this issue and commented it was not an unreasonable request.

Mr. Paul Propst, 324 Fairlane Drive, NE, addressed Council and stated he was the one who initiated the request due to several safety concerns such as the width of the road, no shoulders on either side of the road and a speeding issue. Mr. Propst reported that four school buses travel Fairlane Drive daily and

pointed out there is not sufficient room for a bus and car to safely pass each other at the end of the street where it intersects with Meadowood Drive. In addition, Mr. Propst remarked there are two blind curves along the road and occasionally citizens may park their vehicles on the street. Mr. Propst also mentioned his mail box has been hit four times due to drivers not slowing down. He further stated he realized lowering the speed limit may not slow motorists down, but mentioned they could be ticketed for it.

Next, Mr. Propst suggested that, if Council cannot post the speed limit on Fairlane Drive, Council consider establishing a referendum citing what the speed limit is and post signage at the entrance to the neighborhood. Police Chief Brown clarified for Council that several of the surrounding streets are posted as 20 mph and some are 25 mph. He verified that Fairlane Drive is the only street that is not posted.

Several Councilmembers expressed their appreciation to Mr. Propst for his efforts in addressing these safety concerns. Chief Brown also clarified for Council that Fairlane Drive could not be widened due to the issue of not having any shoulders on the road.

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

Upon a motion by Councilmember Thomas, Council voted 7 to 0 to approve the amending the City's Code of Ordinances, Appendix B, Traffic (1), Section 114, Twenty mile per hour speed limit on the following streets, to extend the posted speed limit of 20 mph for the entire length of Fairlane Drive as requested by City Staff.

III. CONSENT AGENDA ITEMS

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

1. Minutes: Approval of minutes of the City Council Meeting of Tuesday, February 20, 2018 as submitted.
2. Minutes: Approval of closed session minutes of the City Council Meeting of Tuesday, February 20, 2018 as reviewed by the City Attorney, City Manager and City Council.
3. Minutes: Approval of minutes of the City Council Planning Retreat of Friday 23, 2018 as submitted.
4. Approval of Purchase; Virginia Street: Approval of purchase of an 0.316861 acre lot (NCPIN#274-944-0199, Parcel ID#06-43-3-11) located on Virginia Street and owned by Mrs. Clyde Miller Heirs for \$10,800.

Councilmember Perkins asked for items 5 and 6 to be removed for further discussion.

FIRST MOTION

Upon a motion by Mayor Pro-Tem Willis, Council voted 7 to 0 to approve items 1, 2, 3, and 4 as listed on the Consent Agenda and as recommended by City Manager Hildebran.

5. Amendment; Pay/Classification Plan: Approval of a Pay/Classification Plan Amendment for establishing an Assistant Fire Chief-Prevention position and an Assistant Fire Chief-Logistics position. (Copies of the amendments are hereby incorporated into these minutes by reference. Refer to pages 65-72).

Councilmember Perkins asked for additional clarification regarding the names of the employees the City would be promoting if they could be released and he also inquired if the vacancies created by the promotions would be filled.

City Manager Hildebran explained the City has to first create a new position and have it approved by City Council prior to it being filled. In addition, he related Fire Chief Ken Hair informed him these are two areas the City needs to strengthen especially due to pending construction of Fire Station No. 3. Also, additional promotion opportunities will be available upon the filling of these two positions.

Mayor Pro-Tem Willis commented these are pay classifications and the purpose is to review what the comparable salaries are for these positions across the state.

Second Motion

Upon a motion by Mayor Pro-Tem Willis, Council voted 7 to 0 to approve the amendment to the City's Pay/Classification Plan for establishing an Assistant Fire Chief-Prevention position and an Assistant Fire Chief-Logistics position as recommended by City Staff.

6. Extension of Conditional Use Permit; 205 Greenhaven Drive: Approval of a one-year extension of the Conditional Use Permit for property located at 205 Greenhaven Drive for the 60-unit multi-family senior living development in the General Business (-2) Zoning District known as Crescent Pointe and as requested by Gardner Capital. Note: The Conditional Use Permit was approved by City Council on April 16, 2016 for a 24-month period and the applicant is requesting a 1-year extension to the 2-year time limit.

Councilmember Perkins questioned why Council was considering granting a 1-year extension to Gardner Capital Development since Council accommodated them during their application process two years ago in order to help them meet their deadline.

City Manager Hildebran responded that Mr. Harris Gupton, PE, experienced several complications with the project which took longer to address than he anticipated, but noted Gardner Capital is now almost ready to begin the project.

Planning Director Wheelock verified the City did assist Gardner Capital with

moving their project forward two years ago and also reported the developer did receive funding. Director Wheelock reiterated Gardner Capital is ready to move forward with construction of the proposed apartment complex.

Third Motion

Upon a motion by Councilmember Perkins, Council voted 7 to 0 to approve a one-year extension of the Conditional Use Permit for property located at 205 Greenhaven Drive for the 60-unit multi-family senior living development in the General Business (-2) Zoning District known as Crescent Pointe as recommended by City Staff.

IV. REQUESTS AND PETITIONS OF CITIZENS

V. REPORTS OF BOARDS AND COMMISSIONS

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

A. Items of Information

ABC BOARD: 1. The ABC Board will meet on Thursday, March 8 at 2:00 p.m. at Lenoir Store #1 located at 115 ABC Court.

LENOIR TOURISM DEVELOPMENT

AUTHORITY: 2. The Lenoir Tourism Development Authority will meet on Thursday, March 8 at 3:00 p.m. at City Hall, Third Floor, former Council Chambers.

LENOIR BUSINESS ADVISORY

BOARD: 3. The Lenoir Business Advisory Board will meet on Thursday, March 8 at 6:00 p.m. at City Hall, Third Floor, former Council Chambers.

NATIONAL LEAGUE OF CITIES

CONFERENCE: 4. The National League of Cities Congressional City Conference will be held in Washington, DC, on March 11 – 14. Representing the City of Lenoir will be Mayor Pro-Tem Ben Willis and City Manager Scott Hildebran.

CITY/COUNTY SERVICES

COMMITTEE: 5. The City/County Services Committee will meet on Monday, March 12 at 11:45 a.m.

LEPRECHAUN LEAP

5-K & 10-K RACE: 6. The annual Leprechaun Leap (5-K & 10-K) race will be held on Saturday, March 17 at 9:00 a.m. at the Aquatic & Fitness Center.

PARKS & RECREATION ADVISORY

BOARD: 7. The Parks and Recreation Advisory Board will meet on Monday, March 19 at 6:00 p.m. at the Mulberry Recreation Center.

B. ITEMS FOR COUNCIL ACTION

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS

X. ADJOURNMENT

- A. There being no further business, the meeting was adjourned at 6:25 p.m.

Shirley M. Cannon, City Clerk

Joseph L. Gibbons, Mayor

JOB TITLE: Assistant Chief – Prevention

FD/29

DEPARTMENT: Fire, City of Lenoir

JOB SUMMARY: This position is responsible for performing management and supervisory duties in support of the department's fire prevention activities.

MAJOR DUTIES:

- o Manages the development and implementation of goals, objectives, policies, and priorities for all fire prevention programs; analyzes performance measurements.
- o Assumes management responsibility for assigned services and activities of the Fire Prevention Bureau including fire inspections, fire investigations, plan reviews, and fire education efforts.
- o Remains current concerning changes in fire protection, building and fire codes, NFPA standards, and other regulations.
- o Attends schools, seminars, meetings and conventions.
- o Coordinates, monitors, and evaluates the work of assigned personnel; organizes work activities, projects and programs; oversees selection process for new personnel.
- o Assists in the development of the department's budget.
- o Coordinates with Deputy Chief and Fire Chief to develop and administer standard operating procedures.
- o Conducts a variety of organizational studies, investigations, and operational studies; recommends modifications to department programs, policies, and procedures.
- o Responds to and resolves citizen inquiries and complaints.
- o Evaluates alternate methods of design for major construction projects and fire protection systems.
- o Interprets appropriate application of various building and fire codes as it relates to construction projects and the appeals process.
- o Performs other related duties as assigned.

KNOWLEDGE REQUIRED BY THE POSITION:

Assistant Chief – Prevention, Fire
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- o Knowledge of fire prevention standards, practices, strategies, tactics, and equipment.
- o Knowledge of management and supervisory techniques and practices.
- o Knowledge of local, state and federal fire codes and of the principles and practices of fire code enforcement.
- o Knowledge of fire investigation practices and associated laws.
- o Knowledge of city and departmental rules, regulations, policies, and procedures.
- o Skill in oral and written communication.
- o Skill in management and supervision of personnel.
- o Skill in budgeting.
- o Skill in interpersonal relations and problem solving.

SUPERVISORY CONTROLS: The Fire Chief assigns work in terms of department goals and objectives. The supervisor reviews work through conferences, reports, and observation of department activities.

GUIDELINES: Guidelines include National Fire Protection Association Standards, OSHA regulations, environmental laws and regulations, department policies and procedures, and local and state fire and building codes. These guidelines require interpretation, judgment, and selection in application. This position assists in the development of department guidelines.

COMPLEXITY: The work consists of varied administrative and supervisory duties. Frequent changes in fire codes and relevant guidelines contribute to the complexity of the position.

SCOPE AND EFFECT: The purpose of this position is to manage the fire prevention activities of the Fire Department. Successful performance contributes to the safety of life and property.

PERSONAL CONTACTS: Contacts are typically with Fire Department personnel, vendors, representatives of state and federal regulatory agencies, the general public, members of the business community, and city and state officials.

PURPOSE OF CONTACTS: Contacts are typically to exchange information, resolve problems, plan and provide services, and motivate/supervise personnel.

Assistant Chief – Prevention, Fire
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PHYSICAL DEMANDS: The work is performed while intermittently sitting, standing, stooping, or walking. The employee frequently lifts light objects, uses tools or equipment requiring a high degree of dexterity, and must be able to distinguish between shades of color.

WORK ENVIRONMENT: Work is primarily performed in an office, fire station, and construction and building sites, where the employee may be exposed to inclement weather.

SUPERVISORY AND MANAGEMENT RESPONSIBILITY: The position has direct supervision over all prevention and fire code enforcement activities for the department.

MINIMUM QUALIFICATIONS:

- o Knowledge and level of competency commonly associated with the completion of specialized training in the field of work, in addition to position of High School Diploma. An Associate's Degree in a course of study related to the occupational field is strongly preferred.
- o Experience sufficient to thoroughly understand the diverse objectives and functions of the subunits in the division/department in order to direct and coordinate work within the division/department, usually interpreted to require three to five years of related experience.
- o Possession of or ability to readily obtain a valid driver's license issued by the State of North Carolina for the type of vehicle or equipment operated.
- o Ability to meet current requirements set forth by the National Fire Protection Association and the North Carolina Fire and Rescue Commission.
- o Meet current requirements set forth by the National Fire Protection Association as a Certified Firefighter, Fire Officer Level I and would require Fire Officer Level II within 12 months of appointment.
- o Meet current requirements set for by the North Carolina Code Officials as a Certified Fire Inspector Level I and would require Fire inspector Level II within 24 months and Fire Inspector Level III within 36 months of appointment.

JOB TITLE: Assistant Fire Chief – Logistics, Fire

FD/29

DEPARTMENT: Fire, City of Lenoir

JOB SUMMARY: This position is responsible for consolidating the functions of fixed facility and motor fleet maintenance, equipment and supply allocation; in addition to procurement and research to facilitate efficient and effective utilization of Lenoir Fire Department resources. This position is also responsible for the department's training and fire education programs coordination.

MAJOR DUTIES:

- o Performs the duties of the Deputy Fire Chief in his or her absence.
- o Manages the facilities upkeep coordination. Work closely with station officers and Public Works department for the repairs and maintenance of the Fire Department's facilities.
- o Manages the fleet upkeep coordination. Work with the City's Fleet Management Department, station officers, and outside contractors to maintain the Fire Department's fleet of vehicles. This includes preventive maintenance, repairs and refurbishment, in addition to annual testing of fire pumps and ladders.
- o Manages equipment and supply allocation. Administer the inventory and supply distribution network to meet daily and mission critical needs of the Fire Department including office and janitorial supplies, station furnishings, fire tools and equipment, yard maintenance equipment, emergency medical supplies, fitness equipment, uniform, and protective equipment.
- o Manages research and procurement. Strive for incremental improvement and effectiveness of the department's logistical resources through a commitment to research and study in the areas of protective equipment, new fire apparatus, janitorial supplies, station wear, fleet maintenance and facility upkeep.
- o Coordinates training activities with other Chief officers in order to provide an effective management team.
- o Provide administrative and practical support for the Department's overall day-to-day operations.
- o Attends schools, seminars, meetings and conventions.
- o Provides assistance to on-duty Battalion Chief(s) during their shift, including being on-call after hours at times.

Assistant Fire Chief – Logistics, Fire
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- o Make recommendations for department policies, procedures, and equipment purchases.
- o Coordinates with Deputy Chief and Fire Chief to develop and administer standard operating procedures.
- o Responds to, manages, and resolves citizen inquiries and complaints.
- o Oversees the development of the fire department training calendar and instructor schedules.
- o Ensures the completion of required reports related to training and maintenance and kept current.
- o Ensure training is conducted in order to meet ISO recommendations and meet all Federal, State, and local training objectives.
- o Develop, coordinate, and supervise overall Department Training Program including all Fire, EMS, Rescue, and Special Operation training.
- o Provide information (e.g., test scores, in-service grade, certifications, etc.) as requested by the promotional board for verification or promotional eligibility.
- o Enforce City and Departmental procedures, policies, and regulations.
- o Coordinates with other Chiefs and Officers all public fire educations programs.
- o Manages and schedules all fire education programs for schools, day cares, and adult facilities; including City functions when fire educational opportunities are requested.
- o Performs our department's customer service questionnaires and follow-up with citizens we have had customer service contact with.
- o Manages, coordinates, and performs fire educational instructional opportunities.
- o Performs other related duties as assigned.

KNOWLEDGE REQUIRED BY THE POSITION:

- o Knowledge of firefighting standards, practices, strategies, tactics, and equipment.

Assistant Fire Chief – Logistics, Fire
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- o Knowledge of management and supervisory techniques and practices.
- o Knowledge of local, state and federal fire codes.
- o Knowledge of city and departmental rules, regulations, policies, and procedures.
- o Knowledge of facilities, fleet, and resource standards and requirements.
- o Knowledge of firefighter training standards and requirements.
- o Skill in oral and written communication.
- o Skill in management and supervision of personnel in both day-to-day and emergency situations.
- o Skill in the development and implementation of training programs..
- o Skill in the operation of job related vehicles, equipment, and tools.
- o Skill in interpersonal relations and problem solving.
- o Ability to understand and follow oral/written policies, procedures, and instructions.
- o Ability to use logical and creative thought processes to develop solutions according to written specifications and/or oral instructions.
- o Ability to perform a wide variety of duties and responsibilities with accuracy and speed under the pressure of time-sensitive deadlines.
- o Ability and willingness to quickly learn and put to use new skills and knowledge brought about by rapidly changing information and/or technology.

SUPERVISORY CONTROLS: The Fire Chief assigns work in terms of department goals and objectives. The supervisor reviews work through conferences, reports, and observation of department activities.

GUIDELINES: Guidelines include National Fire Protection Association Standards, OSHA regulations, NIMS Incident Command System guidelines, ISO guidelines, environmental laws and regulations, department policies and procedures, EMS provider guidelines, and the International Fire Prevention Code. These guidelines require interpretation, judgment, and selection in application. This position assists in the development of department guidelines.

Assistant Fire Chief - Logistics, Fire
Page 4

COMPLEXITY: The work consists of varied administrative, technical, and supervisory duties. The need to respond to emergency situations contributes to the complexity of the position.

SCOPE AND EFFECT: The purpose of this position is to manage and coordinate all aspects of logistical, training, and fire education activities of the Fire Department. Successful performance contributes to the safety of life and property.

PERSONAL CONTACTS: Contacts are typically with Fire Department personnel, vendors, Civil Defense officials, other emergency service providers, the general public, members of the business community, and city and state officials.

PURPOSE OF CONTACTS: Contacts are typically to exchange information, resolve problems, plan and provide services, and motivate/supervise personnel.

PHYSICAL DEMANDS: The work is performed while intermittently sitting, standing, stooping, or walking. The employee occasionally lifts light objects, climbs ladders, uses tools or equipment requiring a high degree of dexterity, and must be able to distinguish between shades of color.

WORK ENVIRONMENT: Work is primarily performed in an office, fire station, and at incident scenes, where the employee may be exposed to noise, smoke, machinery with moving parts, irritating chemicals, inclement weather, and other life threatening situations. Work requires the use of protective devices such as masks, goggles, and gloves.

SUPERVISORY AND MANAGEMENT RESPONSIBILITY: The position has direct supervision over all training, maintenance and logistical activities for the department.

MINIMUM QUALIFICATIONS:

- o Knowledge and level of competency commonly associated with the completion of a specialized training in the field of work, in addition to position of a High School Diploma. An Associate's Degree in a course of study related to the occupational field is strongly preferred.
- o Experience sufficient to thoroughly understand the diverse objectives and functions of the subunits in the division/department in order to direct and coordinate work within the division/department, usually interpreted to require three to five years of related experience.
- o Possession of or ability to readily obtain a valid driver's license issued by the State of North Carolina for the type of vehicle or equipment operated.

Assistant Fire Chief - Logistics, Fire
Page 5

- o Ability to meet current requirements set forth by the National Fire Protection Association and the North Carolina Fire and Rescue Commission.
- o Meet current requirements set forth by the National Fire Protection Association as a Certified Firefighter, Driver/Operator, Fire Instructor Level I and would require Fire Instructor Level II within 12 months of appointment, and Fire Officer Level I and would require Fire Officer Level II within 12 months of appointment.
- o Possession of the State of North Carolina, or National Registered EMT certification.
- o Meet current requirements set forth by the State of North Carolina Department of Insurance as a Certified Rescue Technician.

**COMMITTEE OF THE WHOLE
CITY HALL, THIRD FLOOR
TUESDAY, FEBRUARY 27, 2018
8:30 A.M.**

PRESENT: Mayor Gibbons presiding. Committee members, Beal, Perdue, Perkins, Rohr, Thomas and Stevens.

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

OTHERS: Virginia Annable, *News-Topic*, Andy Honeycutt, and Public Utilities Staff Daniel Clark, Derek Goble and Kevin Pritchard.

ABSENT: Mayor Pro-Tem Willis.

I. CALL TO ORDER

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

II. CITIZEN COMMENT PERIOD

III. COMMITTEE ITEMS

A. Public Utilities/Public Works

1. Public Utilities Director Radford Thomas introduced Andy Honeycutt, MeterSys, who presented information regarding the City's Advanced Metering Feasibility Study.

Mr. Honeycutt shared that technology has changed and the City needs a "fully leveraged project" for its meter billing process. He reviewed the following items:

- Scope of Work
- Project Background-Drivers of Evaluation
- Advanced Metering Technology Objectives
- AMR (Drive-By) and AMI (Fixed Network)
- Meter Reading Process Review
- Current versus Future State –Metering
- Current versus Future State – Customer Service
- Network Options
- Network Designs – Propagation Results
- Financial Comparisons-Cell, Retro-fit, Full Replace
- Capital/Operational Expenditure

- AMI Total Benefits – All Options
- AMI Direct Benefit Value – Retro-fit
- Key Findings –Current State Issues
- Key Findings – Future State Opportunities
- AMI Value for the City of Lenoir
- AMI Recommended Solution Requirements
- Upcoming Milestones – Draft Solution Selection & Implementation Timeline

Mr. Honeycutt stated the City has identified a goal of creating a long-term roadmap for sustainable metering investment and noted the meter functionality includes remote disconnect, data profiling, two-way communication and on-demand read. In addition, the utility operations include network add-ons, pressure monitoring and leak detection with a goal to optimize utility revenue and resource conservation. The project has an estimated timeline of two-years to implement. Mr. Honeycutt also pointed out that having a customer portal will greatly enhance customer account management.

Mr. Honeycutt explained the AMR (Drive-By) and AMI (Fixed Network) process and shared the automation of reads frees up staff for other tasks. It was clarified implementation of this system will not eliminate the need for meter readers as the City has about 200 meters that won't read so staff will continue to do drive-by readings for these particular meters.

Next, Mr. Honeycutt explained the financial comparisons as follows:

Type	Total Capital Expenditure	Payback Period	ROI*
Cellular	\$3,612,000	8-years	78.1%
Full Replace	\$4,404,000	9-years	107.0%
Retro-Fit	\$4,218,000	8-years	112.3%

*Return on Investment

Mr. Honeycutt pointed out Cellular Networks have a lower capital expenditure, higher operational expenditures and limitations on true 2-way functionalities plus 3rd party network controls. Traditional Fixed Networks have higher capital expenditures, lower operational expenditures, and up to 20-years of useful life. Utility maintains control of network. It was noted the only negative with a Retro-Fit system is the 15-year useful life span and the possibility of some functionality loss.

Director Thomas shared the City currently experiences around a 15 percent to 17 percent loss factor which is the number that Staff can account for. Previously, the City's loss factor was around 30%.

Director Thomas stated the utilities budget includes \$400,000 annually for meter replacement and commended Staff for the great job they are doing. He emphasized implementing the Smart Meter Technology would increase departmental efficiency plus allow Staff the option to do water cutoffs via their computer. This system would also eliminate the need to occasionally use Staff from the Wastewater Distribution Department to assist with meter reading.

Key Findings – Current Issues

- Limited historical data on meter age impacts ability to strategically plan for replacement due to end of useful life
- Variation of meter size, type, and age across system - lack of standardization presents variation in useful life predictions and capital planning
- Dual AMR and manual read system creates hybrid environment for billing and readings; informal and manual business processes across multiple functions
- Oldest meter in system 51 years old (ncwater.org 2016 water supply plan). Replacement of aged infrastructure internally is difficult to schedule/prioritize
- System settings, thresholds, and reporting features are not tailored to system and are not effective, necessitating manual review and potential redesign
- Slow system growth yet increasing operational costs require greater efficiencies and increased application of technology through automation

Key Findings – Future Opportunities

- Payback period is estimated to be 8 years for DCF Analysis for retro-fit implementation
- Automation and standardization of meters will reduce read labor costs; multiple re-reads and work orders alleviated through on-demand reads
- Significant internal and external communication and education will be required to gain project support and confidence
- City should revisit policies to identify opportunities to leverage AMI features and functionality
- City will gain improved customer service (leak detection, consumption monitoring, customer portal, real-time troubleshooting) and will reduce manual work
- City should revisit settings in Harris ICS for potential utilization study.
- City should engage the next phase of technology conversion, procurement, to define costs and detailed solution specifications

AMI Value for the City of Lenoir

- AMR is 30 year technology and doesn't provide as many ancillary benefits
- AMI will reduce greenhouse emissions from reduction of manual meter reading
- AMI allows for improved customer experience with direct, almost real-time access to consumption data
- AMI provides a platform for future technology (i.e. distribution leak detection, smart-city platforms, SCADA-lite functionalities)
- AMI is safe, secure, and reliable technology

AMI Recommended Solution Requirements

- Remote Disconnect Meter
- Integrated Meter/Endpoint
- Minimized Collector Count
- MDMS and Customer Portal
- Future Technology and System
- Expandability
- Installation Qualifications
- Equipment Specs/Warranty

- Vendor Qualifications/References
- Pricing Summary

Upcoming milestones are as follows:

- Final Report March 2018
- Bid Process May 2018
- Award Project August 2018
- Substantial Completion August 2020

Following a brief discussion, it was the consensus of the Council to move forward with this project.

IV. COMMUNITY DEVELOPMENT

- A. Lenoir Tourism Development Authority: The Lenoir Tourism Development Authority (LTDA) met on Thursday, January 25. Kaylynn Horn, Economic Development Director Horn, stated the Board is continuing to review several grant requests from local businesses.
- B. Lenoir Business Advisory Board: The Lenoir Business Advisory Board (LBAB) met on Thursday, February 8. Minutes of the January 11 meeting were submitted as information.

Director Horn reported the annual North Carolina Main Street Conference will be held on March 13-15 in Clayton and encouraged Councilmembers to attend. She also mentioned the Board is currently working on the upcoming Google Gravity Games to be held on Saturday, April 28 in downtown Lenoir.

Director Horn further related the Lenoir Fire Department Staff was recognized as the 2017 Main Street Champions at the annual Main Street Celebration held on Monday, February 26 at 1841 Café.

- C. Planning Board: Planning Director Jenny Wheelock reported the Board met on Monday, February 26 and reviewed the following items.
- 1) Rezoning Request for property located at the southeast corner of Elizabeth Street and Valmead Street, west of Valmead Elementary School, to be rezoned from R-9 Multi-Family residential to I-2 Heavy Industrial in order to house a Caldwell County EMS Base. A public hearing will be held on Tuesday, March 6.
 - 2) Reported a work shop will be held regarding the regulation of manufactured homes.
- D. Parks & Recreation Advisory Board: The Parks & Recreation Advisory Board met on Monday, February 19. Minutes of the meeting were submitted as information. Recreation Director Kenny Story presented the following information:
- 1) Reported the Skate Park will be open from daylight to dusk and appropriate signage will be installed.
 - 2) Registration continues for Baseball and Softball programs.
 - 3) J.E. Broyhill Park Renovations are ongoing.
 - 4) The annual Black History Month Quiz Bowl was a success and was well attended.

- 5) Declaration of Covenants, Conditions and Restrictions; Lenoir Optimist Park Property: City Staff recommends approval of a proposed Declaration of Covenants, Conditions and Restrictions Agreement for the Lenoir Optimist Park property per the Parks and Recreation Trust Fund Grant Agreement (PARTF). The property is located at 701 Mulberry Street.

Director Story explained the Parks and Recreation Trust Fund (PARTF) requires the Lenoir Optimist site to be “dedicated in perpetuity as a recreational site for the use and benefit of the public, and pursuant to a contractual requirement with PARTF, the property may not be converted to other than public recreational use whether by transfer, sale or in any other manner without approval of the North Carolina Department of Natural and Cultural Resources”.

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

Motion

Councilmember Rohr moved to approve the proposed amendment to the agreement contingent upon the language “**and or successors**” to be added at the very end of the sentence. Mr. Hildebran commented state officials would have to approve the proposed amendment before it could be changed.

Council Action

Following a brief discussion, Council voted 6 to 0 to approve Councilmember Rohr’s motion as described above.

E. Finance & Administration

1. Financial Updates: Finance Director Donna Bean reviewed the City’s Financial Summary as of January 31, 2018 and reported the over/under balance in the General Funds is \$3,428,551.27, Downtown District (\$112,735.45), and Water & Sewer Fund \$2,753,583.83. Director Bean reported the City’s revenue is on target and 52.41% of the budgeted sales tax has been collected to date. She stated the City is on target for its expenditures and there has been a slight increase in sales tax collection.

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

Next, Director Bean presented descriptions of two job classifications establishing an Assistant Fire Chief-Prevention position and an Assistant Fire Chief-Logistics position. An amendment to the City’s Pay/Classification Plan will be submitted to Council at the March 6 City Council meeting for their consideration of approval.

- F. Update; Public Communications: Joshua Harris, Public Information Officer, presented a Communications Report as of January 2018. Activity included 254 social posts, 149 photos, 8 news releases and 3 videos. In addition, he stated there are 569 new followers and the website has experienced 33,444 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, Director Harris reported the Employee Portal is under construction and he will also be working on policies. Future plans are to include all events online along with making the City

website more user friendly plus posting events in Spanish. A brief discussion was held regarding posting signage at the City's Skate Park in Spanish with Director Story asked to review any liability issues the City may have regarding its current signage.

VI. PUBLIC SAFETY

- A. Update; Fire Department: Deputy Fire Chief Hair reported the City has entered into an agreement with the North Carolina Emergency Management System to install an Early Warning Device at the Mulberry Street Bridge at no cost to the City. The data collection system detects heavy rainfall and rising creek waters. Weather alerts will be sent to the Integrated Flood Observing and Warning Systems (IFLOWS) and to the National Weather Service.

Chief Hair also reported they were experiencing some issues with the restrooms at the new Fire Station No. 2 and working to get the new facility up to code before the final inspection.

- B. Update; Police Department: Police Chief Brown stated the Department's Citizens Academy begins on Thursday, March 1. He also stated he would present the Department's Annual Report in April.

In addition, Chief Brown stated a Caldwell Women's Rights Rally is scheduled for Saturday, March 3 with 250 participants. The purpose of the march is for National Gun Control Awareness.

Chief Brown also gave an update on personnel and clarified it takes sixteen weeks of training before an Officer can begin patrol.

In conclusion, Chief Brown announced his upcoming retirement effective August 1. On behalf of City Council, Mayor Gibbons commended him for his outstanding service to the City of Lenoir and its citizens.

VII. OTHER

- A. Fire Chief Briscoe addressed Council and commented he was proud to be Fire Chief. He gave highlights of a fire last winter that was located near Fairfield Chair Company and emphasized how hard the firefighters worked to extinguish the blaze without causing any damage to Fairfield Chair. Mr. Alvin Daughtridge, President, was also on the scene and, due to the firefighters commitment, Chief Briscoe was able to assure Mr. Daughtridge his plant would be alright. He concluded by asking Council to take care of the firefighters and Department and remarked "they will work hard for you".

- B. March Calendar: By consensus of the Council, the calendar for the month of March was approved by Council listing various meetings and events.

VIII. ADJOURN

There being no further business, the meeting was adjourned at 10:20 am.

Attachments

January 2018 Financial Summary

PARTF Agreement (Declaration of Covenants, Conditions & Restrictions)



City of Lenoir
Financial Summary
As of January 31, 2018



General Fund					
	2017-2018 Budget	1/31/2018	% of Budget	Change from Previous Year	1/31/2017
Total Revenue	\$ 16,605,509.00	\$ 12,910,748.10	78%	\$ 58,913.10	\$ 12,851,835.00
Expenditures	\$ 16,605,509.00	\$ 9,482,196.83	57%	\$ 190,328.83	\$ 9,291,868.00
Over/Under	\$ -	\$ 3,428,551.27		\$ (131,415.73)	\$ 3,559,967.00

Downtown District					
	2017-2018 Budget	1/31/2018	% of Budget	Change from Previous Year	1/31/2017
Revenues	\$ 183,827.00	\$ 1,503.70	1%	\$ 70.70	\$ 1,433.00
Expenditures	\$ 183,827.00	\$ 114,239.15	62%	\$ 13,490.15	\$ 100,749.00
Over/Under	\$ -	\$ (112,735.45)		\$ (13,419.45)	\$ (99,316.00)

Water/Sewer Fund					
	2017-2018 Budget	1/31/2018	% of Budget	Change from Previous Year	1/31/2017
Revenues	\$ 8,239,307.00	\$ 6,298,907.63	76%	\$ 1,222,428.63	\$ 5,076,479.00
Expenditures	\$ 8,239,307.00	\$ 3,545,323.80	43%	\$ (370,060.20)	\$ 3,915,384.00
Over/Under	\$ -	\$ 2,753,583.83		\$ 1,592,488.83	\$ 1,161,095.00

Tax Collections					
		Collections As Of 1/31/18***	Percentage of Change	Change from Previous Year	Collections As Of 1/31/17
Ad Valorem Tax Collection - % of Budget		103%			102%
Sales Tax (January Deposits with adjustment for HB97)		\$ 1,885,282.24	3.28%	\$ 59,863.83	\$ 1,825,418.41
Sales Tax (January Deposits without adjustment for HB97)		\$ 1,772,597.83	3.13%	\$ 53,812.87	\$ 1,718,784.96
Sales Tax adjustment for HB97					
	2017- 2018 Budget	Collections As Of 1/31/18***	Percentage Collected YTD		
Sales Tax adjustment for HB97	\$ 215,000.00	\$ 112,684.41	52.41%		

***6 months collections

STATE OF NORTH CAROLINA
COUNTY OF CALDWELL

**DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS**

THIS DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR _____ (“Declaration”) is made this ____ day of _____,
2018 by the City of Lenoir, North Carolina, a North Carolina municipal corporation, whose
address is Post Office Box 958, Lenoir, North Carolina 28645(hereinafter the “City Declarant”).

WITNESSETH:

A. City Declarant is the owner and developer of certain real estate in Caldwell County, North Carolina, and more particularly described that December 28, 2015, deed from the Lenoir Optimist Club, Inc. to the Declarant, recorded in Book 1866, pages 476-478, Caldwell County Registry (the “Property”); and

B. City Declarant is developing the Property with state public assistance for public recreational use as part of the City of Lenoir Recreation Department and is utilizing a N.C. Parks and Recreation Trust Fund (“PARTF”) Project grant pursuant to an project agreement with the North Carolina Department of Parks and Recreation (the “Department”) to partially fund the costs of the said project; and

C. As part of the N.C. Parks and Recreation Trust Fund Project Agreement (“Grant Agreement”) the City Declarant is required to dedicate the Property as a recreation site for the use and benefit of the public as more specifically stated and set forth below.

THEREFORE, the Declarant hereby declares that all of the Property is and shall be held, encumbered, used, occupied and improved, subject to the following covenants, conditions and restrictions, all of which are established and agreed upon for the purpose of the development of the Property for public recreational use and to comply with above requirements of the Grant Agree. All of these restrictions shall run with the land and shall be binding upon the City Declarant as declarant and any parties having or acquiring any right, title or interest, legal or equitable in and to the Property or any part or parts thereof subject to such restrictions.

PROPERTY SUBJECT TO THIS DECLARATION: the Property, each portion thereof, and all Dwelling Units thereon shall be held, transferred, sold, conveyed, leased, mortgaged and occupied subject to the terms, provisions, covenants and conditions of this Declaration.

DECLARATION OF DEDICATION: the Property shall be, and is, hereby declared to be dedicated in perpetuity as a recreational site for the use and benefit of the public and, pursuant to a contractual requirement with PARTF, the property may not be converted to other than public recreational use whether by transfer, sale or in any other manner without approval of the North Carolina Department of Natural and Cultural Resources.

IN WITNESS WHEREOF, City Declarant has caused this instrument to be executed as of the day and year first above written.

CITY OF LENOIR,
A North Carolina Municipal Corporation

BY: _____ (SEAL)

Joseph L. Gibbons, Mayor

ATTEST:

Shirley M. Cannon, City Clerk

NORTH CAROLINA
CALDWELL COUNTY

I, _____,
a Notary Public of the County and State
aforesaid, certify that Shirley Cannon
personally appeared before me this day and
acknowledged that she is City Clerk for the
City of Lenoir, a N. C. municipal corporation,
and that by authority duly given and as the act
of the corporation, the foregoing instrument
was signed in its name by Joseph L. Gibbons
as its Mayor, sealed with its corporate seal and
attested by _____,
as its City Clerk.

Witness my hand and official stamp or seal,
this ____ day of _____, 2018.

My commission expires: _____

Notary Public

NOTICE OF PUBLIC MEETING CITY OF LENOIR

Notice is hereby given that the City of Lenoir and the Unifour HOME Consortium will hold a public meeting to receive public input and comments concerning the proposed FY-2018 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 public meeting will be held on Tuesday, March 20, 2018 at 6:00pm before the Lenoir City Council in the City/County Chambers on the bottom floor of the Caldwell County Office building located at 905 West Avenue, Lenoir, NC.

A summary of the proposed Action Plan is available for public review at the Lenoir City Hall. There will be a 30-day comment period beginning March 9, 2018, to obtain citizen input before the plan is adopted.

The City of Lenoir has received entitlement status by HUD and receives CDBG funds for carrying out community development activities as described in the Consolidated Plan. The Unifour HOME Consortium is comprised of 28 member local governments located within and including Alexander, Burke, Caldwell and Catawba Counties. The City of Lenoir serves as Lead Entity for this Consortium. The Unifour Consortium has received entitlement status by HUD, and will receive HOME funds to carrying out affordable housing activities as described in the Consolidated Plan.

This meeting is open to the public. Any person with a disability needing special accommodations or non-English speaking persons needing translation services should contact the City of Lenoir at least 48 hours prior to the meeting. For more information, contact Rick Oxford at the Western Piedmont Council of Governments at (828) 322-9191 extension 245, or 1-(800) 735-2962 TDD.

PUBLISH: March 9, 2018

Please run this ad on Friday March 9, 2018

Please run one time only

Use Small Block Ad

Use HUD and Fair Housing, EEO logos

Affidavit Required

Send Bill & Affidavit to:

Attention: **Rick Oxford**
Western Piedmont Council of Governments
Unifour HOME Program
1880 2nd Avenue NW
Hickory, NC 28601

If you need further information contact Rick Oxford at (828) 485-4245.

**CITY OF LENOIR
COUNCIL ACTION FORM: March 20, 2018**

I. Agenda Item:

Adoption of the Lenoir Bicycle Plan

II. Background Information:

See attached summary of the Lenoir Bicycle Plan. This plan was funded through a matching grant from the NCDOT Division of Bicycle and Pedestrian Safety, and is intended to be a companion plan to the Lenoir Pedestrian Plan that was funded through the same grant program and adopted in 2013.

Please note that some of the top ranked projects call for the provision of new bicycle infrastructure on several streets downtown. This plan, like most planning documents, is intended to be aspirational, and additional design and engineering work will be required to facilitate the implementation of the projects. As the City Council considers the potential feasibility for modifying one-way streets into two-way streets downtown, the way bicycle infrastructure can be accommodated will likely change. Planning staff stands by the recommendations in the plan as a *concept* to guide future improvements Downtown, rather than an exact implementation plan, and recommends that the Council adopt the plan document with that understanding.

The draft plan is available online here: www.cityoflenoir.com/planning

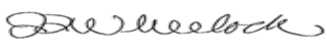
III. Staff and Planning Board Recommendation:

Adoption of Lenoir Bicycle Plan

IV. Reviewed by:

City Attorney: _____

Finance Director: _____

Planning Director: 

PLANNING DEPARTMENT MEMORANDUM

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

TO: Scott Hildebran, City Manager
FROM: Jenny Wheelock, AICP, Planning Director
DATE: February 18, 2018
SUBJECT: Lenoir Bicycle Plan

The Lenoir Bicycle Plan has been in development over the past year, working through the NCDOT consulting firm Kimley-Horn and a locally appointed Bicycle Plan Steering Committee. The plan includes recommendations on policy, programs, and infrastructure improvements to promote safe bicycling in our community, building upon previous planning efforts focused around greenways and sidewalks.

Facilities Plan

Through the analysis of the existing bicycle network and the location of key destinations, and feedback from the steering committee, focus group interviews, and public meetings, the consulting team developed a Bicycle Facilities Plan for Lenoir. Then, the recommend facilities were ranked to glean the top 12 projects most likely to gain public support (based on feedback from the public meetings and the steering committee), and then those 12 were further ranked based on a scoring matrix that weighed equally the priorities of the steering committee (20%), the priorities of the public (20%), bicycle safety considerations (20%), and quantitative data (20% – proximity to activity centers, low income population served, no car households served, etc.) to establish the top priority project recommendations.

Top Twelve Recommended Projects:

Map ID	STREET	START	END	TYPE	IMPLEMENTATION	LENGTH (MI)	COST ESTIMATE
1	Harper Avenue	Norwood Street	West Avenue	Buffered Bike Lane	Restriping	0.58	\$152,400
2a	Google Connector Phase 1	Fairview Drive	Harper Avenue	Shared Use Path	New Construction	2.36	\$2.32 million
2b	Google Connector Phase 2	Harper Avenue	Library Trail	Shared Use Path & Pedestrian Tunnel	New Construction	0.21	\$1.04 million
3	Pennton Avenue	Blowing Rock Road (US 321)	Realty Street	Shared Lane Markings & Speed Cushions	Marking	1.58	\$118,000
4	College Avenue	Norwood Street	Underdown Avenue	Bike Lanes	Restriping and Widening	0.64	\$1.07 million
5	West Avenue	Ridge Street	Harper Avenue	Bike Lanes and Shared Lane Markings	Restriping and Marking	0.59	\$192,500

6 ³⁸	Harper Avenue	Norwood Street	Blowing Rock Road (US 321)	Bike Lanes	Road Widening	0.76	\$1.77 million
7	Harper Avenue	West Avenue	Creekway Drive	Bike Lanes	Road Widening	0.83	\$2.05 million
8	Mulberry Street	Wilkesboro Boulevard (US 64)	Ashe Avenue	Shared Lane Markings	Marking	0.81	\$22,000
9	Greenhaven Drive	Zacks Fork Road	Main Street	Bike Lanes	Road Widening	1.69	\$4.25 million
10	Lower Creek Drive	Wilkesboro Boulevard (US 64)	Wilkesboro Boulevard (NC 18)	Shared Use Path	New Construction	1.69	\$1.79 million
11	Hibriten Drive	Connelly Springs Road	Starcross Road	Bike Lanes	Restriping & Road Diet (5 to 3 lanes)	1.40	\$442,000

The second-ranked project in the facilities plan is also the most expensive project – however, it is worth noting that this greenway segment overlaps with the Overmountain Victory Trail and some of this connection is already in the development phases (Google is building part of the connector). Another highly ranked project is, not surprisingly, the long-anticipated connection from the Lenoir Mall/Mulberry Rec to the existing 321 Greenway underpass. These two greenway projects (Phase 1 and Phase 2 “Google Connectors”) are challenging, expensive and lengthy segments, but are favored by the public and score well on quantitative factors as well.

While the greenway projects are great long-term projects, the priority project list also contains some more easily (and affordably) implemented projects – re-striping and/or pavement marking can implement 4/12 priority projects (Harper Avenue, Pennton Avenue, West Avenue, and Mulberry Street), offering some “visible victories” that can show a commitment to implementation in the short term. (Because the downtown is currently under consideration to change traffic patterns on streets identified as top priorities for the inclusion of bicycle infrastructure of some type, accommodation for cyclists should be included within the project scope for any traffic change downtown.)

Having an adopted Bicycle Plan, especially the Bicycle Facilities Plan, will allow us to incorporate consideration for bicycle facilities as roads are re-paved, re-striped, widened, etc., as well as to plan for the funding and implementation of key projects that deliver the most positive impact to the community.

Please see the following excerpts from the Lenoir Bicycle Plan attached to this memo – Executive Summary (pages I-III), Recommended Bicycle Facilities Plan (pages 37-8) , and lists and maps of the 12 identified priority projects (pages 41-2).

EXECUTIVE SUMMARY

Promoting and encouraging multimodal travel has become a major priority for the City of Lenoir and for communities across the region, the state, and the country. The City of Lenoir Comprehensive Plan recommended the creation of a Bicycle, Pedestrian, and Greenway Plan, and in 2012 the City completed a Comprehensive Pedestrian Plan that included sidewalks, greenway, and crossing locations. Recognizing that bicycling - both as a form of transportation and as a recreational activity - can benefit the community's mobility, safety, health, economy, environment, and livability, the City of Lenoir applied for a grant through North Carolina Department of Transportation Division of Bicycle and Pedestrian Transportation's (NCDOT-DBPT) Planning Grant Initiative. The planning grant, along with a 15% match from the City funded the creation of this Bicycle Plan.

The development of the Lenoir Bicycle Plan was spearheaded by a project team consisting of planners, engineers, and City staff. A 17-person steering committee met four times over the course of the plan's development, setting and refining the plan's direction to reflect the needs and desires of the community. Public input was a critical piece of the planning process, and public engagement strategies included two open houses, an online survey, and a public hearing. Ultimately, the overarching and aspirational vision of the Lenoir Bicycle Plan is that:

RIDING BICYCLES IN THE CITY OF LENOIR WILL BE A SAFE AND CONVENIENT WAY FOR RESIDENTS AND VISITORS TO TRAVEL FOR TRANSPORTATION AND RECREATION. THE CITY'S BICYCLE NETWORK WILL BE ACCESSIBLE, CONNECTED, AND ATTRACTIVE FOR PEOPLE OF ALL AGES, ABILITIES, AND BACKGROUNDS.

The Lenoir Bicycle Plan consists of five major elements, followed by an Appendix. The Bicycle Plan begins with an introduction of Lenoir and the impetus behind the creation of the plan, followed by a detailed look at the demographic, operational, and administrative characteristics of Lenoir. The Public Input chapter presents a synthesis of the input contributed by those who participated in the plan's public engagement activities. The Recommendations chapter details the facility, policy, and program recommendations to accomplish the Bicycle Plan's vision, and the Implementation chapter provides a framework that describes a timeline of strategies and highlights the parties who will be responsible for implementing those strategies. Summaries of each chapter are shown on the next page.

INTRODUCTION

The Introduction chapter of the Lenoir Bicycle Plan presents the timeline of the planning process, starting with NCDOT-DBPT awarding the planning grant to the City of Lenoir and ending with adoption of the plan by Lenoir City Council. This chapter also introduces the Bicycle Plan's vision statement and six supporting goals, and describes how the vision of a more bicycle friendly Lenoir would benefit residents, business owners, and visitors alike.

EXISTING CONDITIONS

The Existing Conditions chapter defines the starting point for the Bicycle Plan. The chapter begins with an explanation of the Bicycle Plan's philosophy, encapsulated by what has traditionally been called the "Five Es," now joined by a sixth E: equity. Several maps depict where undeserved populations live in Lenoir, followed by a discussion of how Lenoir residents get to work and the identification of non-work destinations. The chapter then transitions to an exploration of Lenoir's transportation network in both driving and bicycling contexts. The chapter concludes with a recognition of existing policies and programs impacting bicycling in Lenoir today and an inventory of previous planning efforts that set the stage for the Lenoir Bicycle Plan.

- » Lenoir has a strong greenway system providing connection to the Northeast quadrant of the City, but no on-street bicycle facilities.
- » Most attractive destinations in Lenoir are located along US 321 and US 64/NC 18, which bisect in the center of the City.
- » There have been many recent wins for bikeability in the City of Lenoir with an additional segment of greenway and the removal of rail for the Overmountain Victory National Historic Trail all happening during the short duration of this planning process.

PUBLIC INPUT

The Public Input chapter describes the Bicycle Plan's public engagement process and highlights some key findings. The plan's public engagement included four meetings with the steering committee, an online survey which included a questionnaire and map exercise, two open house meetings that emphasized issues identification and project prioritization, and a public hearing.

- » There was strong support for the continued expansion of the Lenoir Greenway system.
- » Participants in the public engagement sessions placed a strong emphasis on enhancing access to Downtown Lenoir. Members of the Bicycle Planning Committee expressed that the provision of bicycle facilities in Downtown Lenoir would strike a balance of practicality due to low travel speeds and ample destinations, with making the presence of bicycling apparent to the most number of residents in Lenoir.

RECOMMENDATIONS

The Recommendations chapter comprises three sections: an overview of the bicycle facility planning process, project profiles for the top five priority projects, and a compilation of program and policy recommendations. The project profiles include information about each project's purpose as well as implementation considerations, planning-level cost estimates, typical cross-sections, and conceptual images. The program and policy recommendations consist of encouragement, educational, and administrative improvements to enhance the City's bicycle friendliness.

The top 3 facility recommendations include the addition of a buffered bike lane along Harper Avenue in Downtown, the extension of the Lenoir Greenway parallel to US 64, and shared lane markings along Pennton Avenue connecting Downtown to the existing Lenoir Greenway. The map to the right displays the top 5 priority projects and renderings of each.

IMPLEMENTATION

The Implementation chapter defines actionable steps for the City of Lenoir and its partners in the short-, mid-, and long-term to accomplish the Bicycle Plan's vision. This action plan is supported by an organizational framework that indicates how the City's partners will be involved; information regarding local, state, federal, and private funding sources; suggestions for ways to measure the performance of the Bicycle Plan or its individual facility recommendations; and a listing of guidance documents for the planning and design of bicycle facilities.

1. HARPER AVENUE BIKE LANE



2. GOOGLE CONNECTOR SIDEWALK



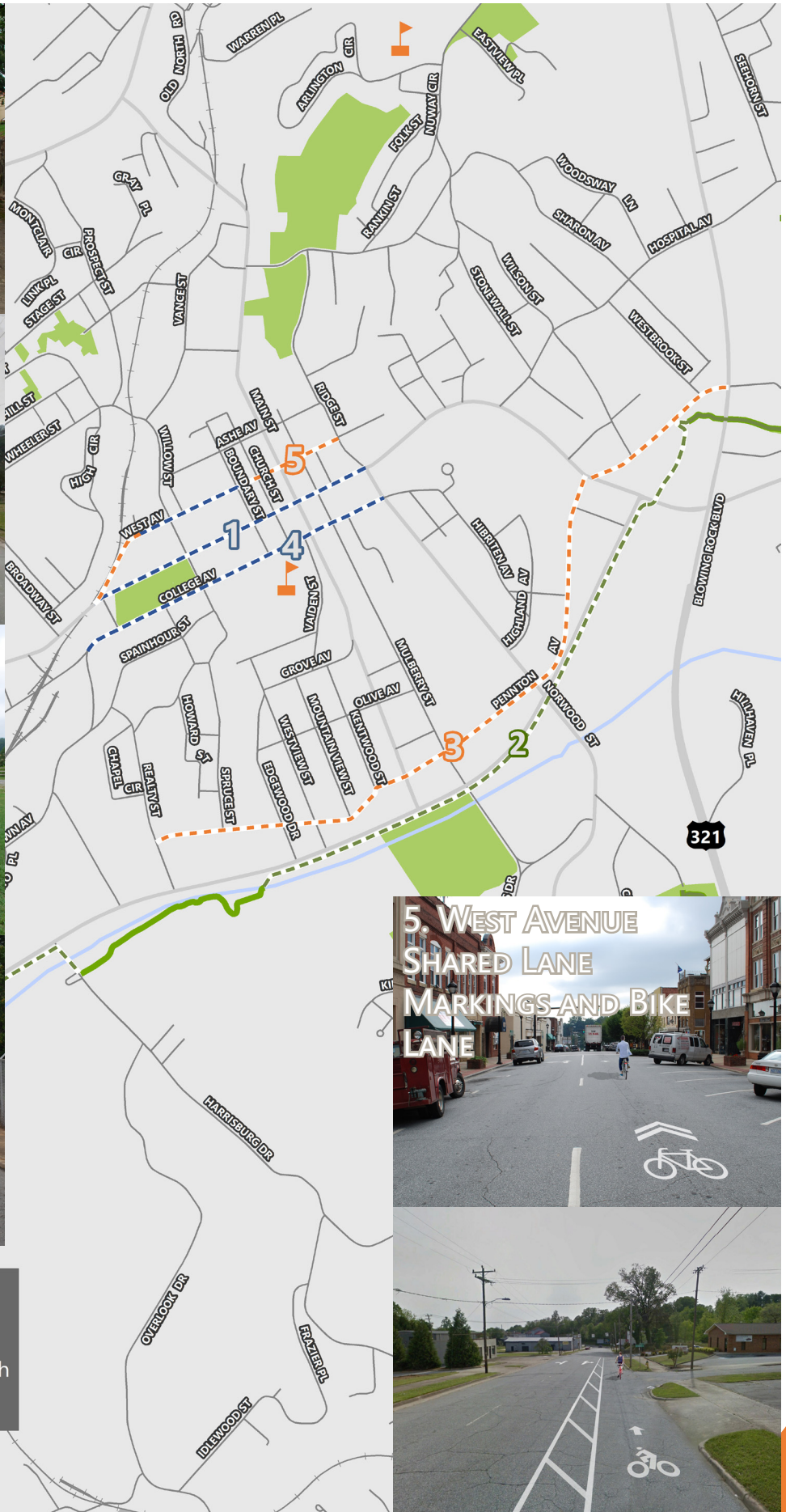
3. PENNTON AVENUE SHARED LANE MARKINGS



4. COLLEGE AVENUE BIKE LANES



5. WEST AVENUE SHARED LANE MARKINGS AND BIKE LANE



MAP 14: RECOMMENDED BICYCLE FACILITY PLAN
PAGE 37

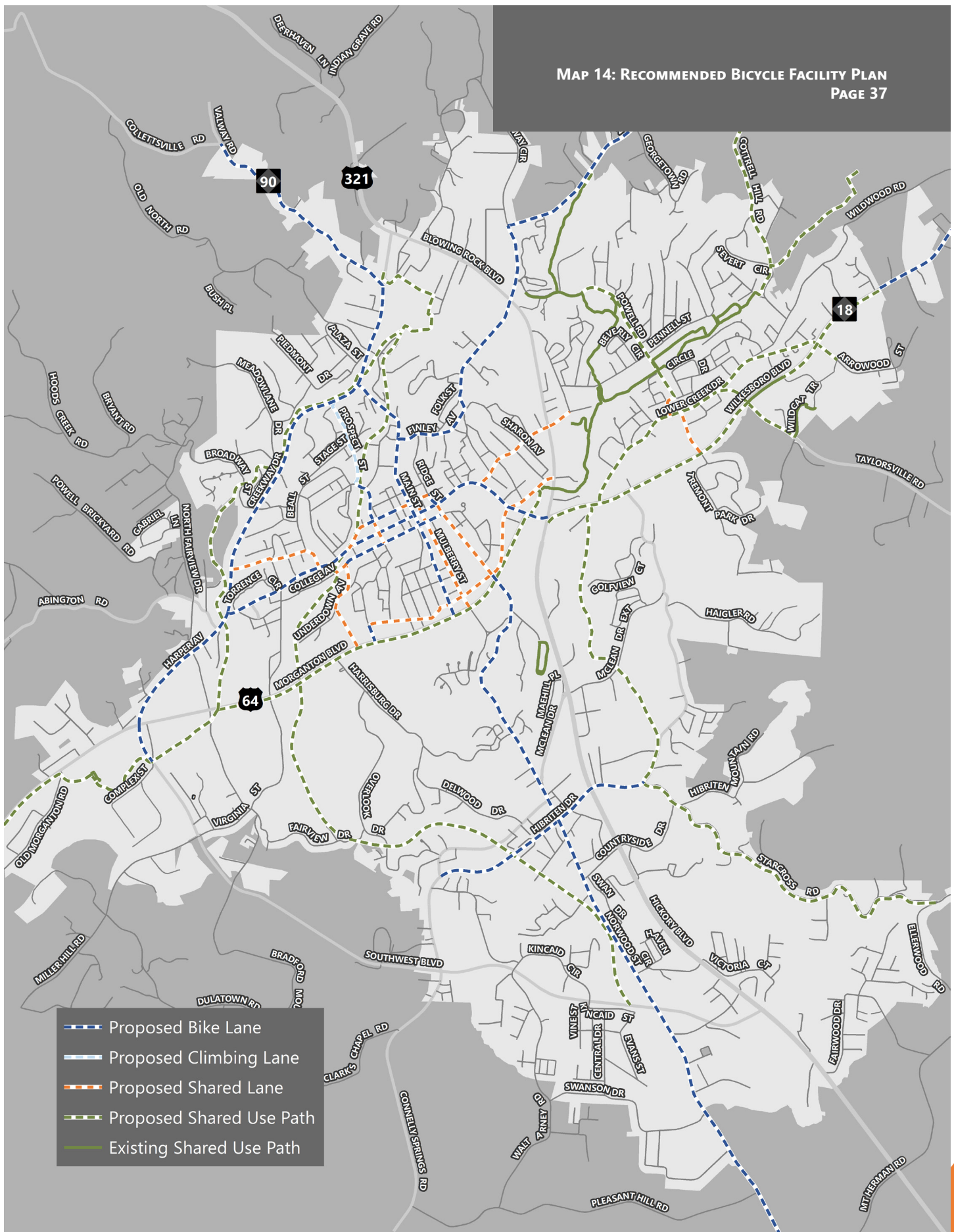


TABLE 7: ALL FACILITY RECOMMENDATIONS

*	STREET NAME	FROM	TO	FACILITY TYPE
*	Airport Extension	Sherlee Street	Lower Creek Airport	Shared Use Path
*	Cottrell Hill Road Extension	Severt Circle	Black Trail Terminus	Shared Use Path
*	Google Connector 1	Harper Avenue	Library Trail Terminus	Shared Use Path
*	Google Connector 2	Harper Avenue	Fairview Drive	Shared Use Path
*	Huntington Extension	Ellerwood Road	US 64	Shared Use Path
*	Lower Creek Extension	US 321	Tomlinson Court	Shared Use Path
*	Main Street	Morganton Boulevard	Valway Road	Bike Lane
*	Overmountain Victory National Historic Trail			Shared Use Path
*	Rails-to-Trails	US 64	Southwest Boulevard	Shared Use Path
*	Spainhour Creek Extension	Morganton Boulevard	RR Tracks North of Advent Circle	Shared Use Path
*	Valway Road	Main Street	Collettsville Road	Bike Lane
*	Zacks Fork Road	Nuway Circle	Cottrell Hill Road	Bike Lane
	Arrowood Street	NC 18	Panther Trail	Side Path
	College Avenue	Norwood Street	Underdown Avenue	Bike Lane
	College Avenue	Underdown Avenue	Light Street	Shared Lane
	Creekway Drive	Main Street	Harper Avenue	Bike Lane
	Greenhaven Drive	Zacks Fork Road	Main Street	Bike Lane
	Harper Avenue	Morganton Boulevard	US 321	Bike Lane
	Hibriten Drive	Hickory Boulevard	Connelly Springs Road	Bike Lane
	Hospital Avenue	Seehorn Street	Harper Avenue	Shared Lane
	Jennings Street	Underdown Avenue	Morganton Boulevard	Shared Lane
	Lower Creek Drive	US 64	NC 18	Side Path
	Mulberry Street	Morganton Boulevard	Ashe Avenue	Shared Lane
	Norwood Street	Harper Avenue	Pennton Avenue	Shared Lane
	Norwood Street	Pennton Avenue	Mt Herman Road	Bike Lane
	Pennton Avenue	Block Rock Boulevard	Harper Avenue	Shared Lane
	Pennton Avenue	Harper Avenue	Realty Street	Shared Lane
	Poplar Street	Creekway Drive	Beall Street	Shared Lane
	Powell Road	Lower Creek Drive	Glenview Street	Shared Lane
	Powell Road	Glenview Street	Wellington Court	Side Path
	Powell Road	Nuway Circle	Camelot Court	Side Path
	Prospect Street	Creekway Drive	Willow Street	Climbing Lane
	Realty Street	Morganton Boulevard	Pennton Avenue	Bike Lane
	Ridge Street	Harper Avenue	West Avenue	Bike Lane
	Southwest Boulevard	Morganton Boulevard	Complex Street	Bike Lane
	Taylorsville Road	Lower Creek Drive	US 64	Side Path
	Tremont Park Drive	Lower Creek Drive	Wilkesboro Boulevard	Shared Lane
	Underdown Avenue	College Avenue	Jennings Street	Shared Lane
	West Avenue	Harper Avenue	Ridge Street	Bike Lane
	Wilkesboro Boulevard (NC 18)	City Limits	Wildwood Road	Bike Lane
	Willow Street	Prospect Street	West Avenue	Bike Lane
	Willow Street	West Avenue	College Avenue	Shared Lane
* Recommendation from previous planning efforts				

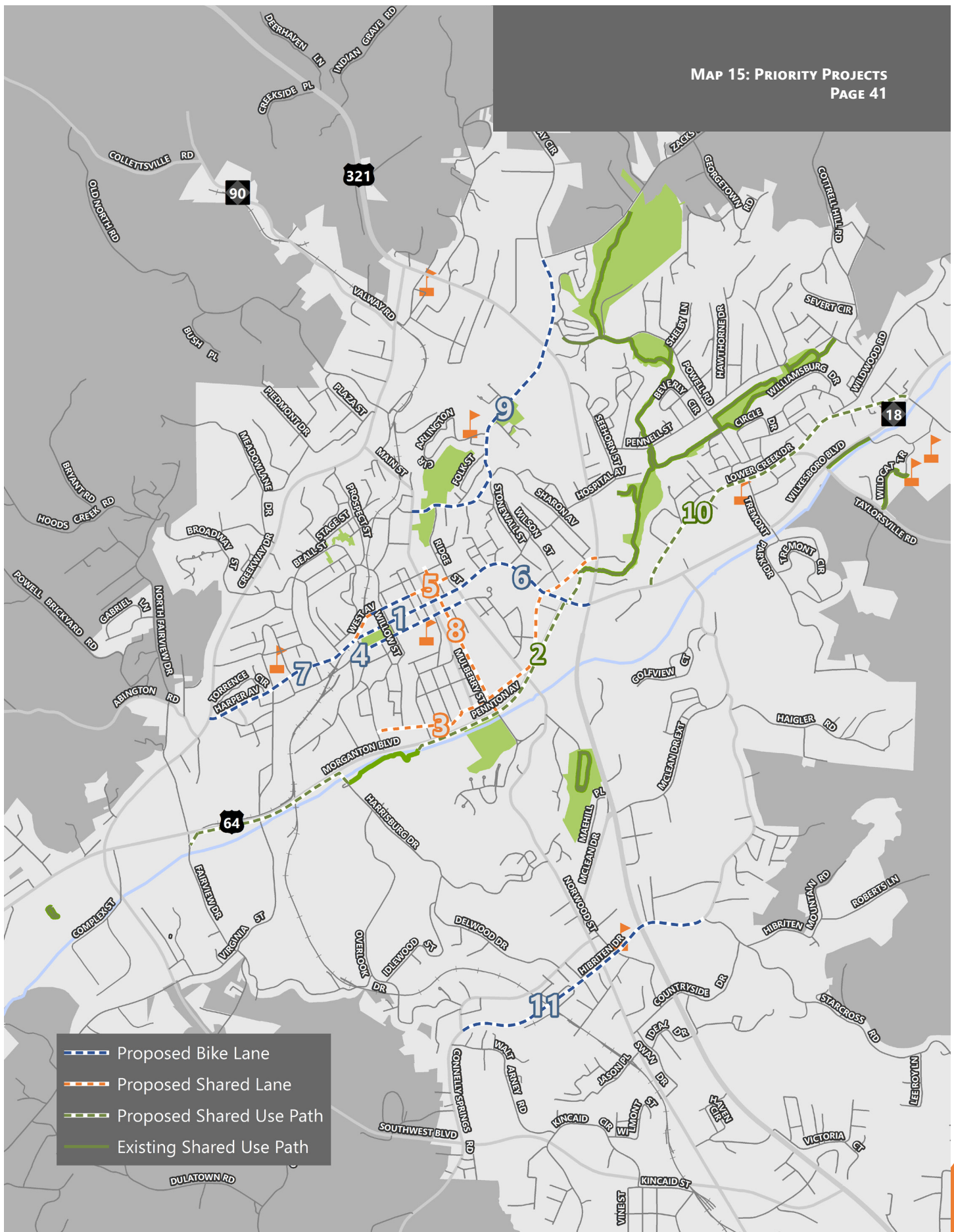
PRIORITY PROJECTS

To guide the development of the implementation plan described in the next chapter, the project team solicited feedback from the BPC and the public to identify twelve priority projects. Of the entire list of recommended bikeway projects, these twelve are the most likely to garner public support and be constructed in the next 10 years.

The priority projects and their planning-level cost estimates are shown in the table below and in the map on the next page. The cost estimates do not include utility relocation, acquisition of right-of-way, or sidewalk construction or reconstruction. More information about roadway maintenance and potential constraints can be found in the Appendix.

TABLE 8: PRIORITY PROJECTS

MAP ID	STREET	START	END	TYPE	IMPLEMENTATION	LENGTH (MI)	COST ESTIMATE
1	Harper Avenue	Norwood Street	West Avenue	Buffered Bike Lane	Restriping	0.58	\$152,000
2a	Google Connector Phase 1	Fairview Drive	Harper Avenue	Shared Use Path	New Construction	2.36	\$2.32 million
3	Pennton Avenue	Blowing Rock Road (US 321)	Realty Street	Shared Lane Markings & Speed Cushions	Marking	1.58	\$118,000
4	College Avenue	Norwood Street	Underdown Avenue	Bike Lanes	Restriping and Widening	0.64	\$1.07 million
2b	Google Connector Phase 2	Harper Avenue	Library Trail	Shared Use Path & Pedestrian Tunnel	New Construction	0.21	\$1.04 million
5	West Avenue	Ridge Street	Harper Avenue	Bike Lanes and Shared Lane Markings	Restriping and Marking	0.59	\$193,000
6	Harper Avenue	Norwood Street	Blowing Rock Road (US 321)	Bike Lanes	Road Widening	0.76	\$1.77 million
7	Harper Avenue	West Avenue	Creekway Drive	Bike Lanes	Road Widening	0.83	\$2.05 million
8	Mulberry Street	Wilkesboro Boulevard (US 64)	Ashe Avenue	Shared Lane Markings	Marking	0.81	\$22,000
9	Greenhaven Drive	Zacks Fork Road	Main Street	Bike Lanes	Road Widening	1.69	\$4.25 million
10	Lower Creek Drive	Wilkesboro Boulevard (US 64)	Wilkesboro Boulevard (NC 18)	Shared Use Path	New Construction	1.69	\$1.79 million
11	Hibriten Drive	Connelly Springs Road	Starcross Road	Bike Lanes	Restriping & Road Diet (5 to 3 lanes)	1.40	\$442,000



The primary objective of defining a list of priority projects is to score and rank the projects. The top six priority projects will be included in the City's short-term implementation plan. The remaining six projects will make up the mid-term implementation plan. Four major categories of input informed the scoring process which are listed below with their respective weights:

- Bicycle Planning Committee input (20%)
- Public input (20%)
- Bicycle safety (20%)
- Quantitative data (40%)
 - Nearby activity centers (6.67%)
 - Nearby employment centers (6.67%)
 - Population served (6.67%)
 - Low income population served (6.67%)
 - Minority population served (6.67%)
 - Percent households with no access to motor vehicles (6.67%)

More detailed results of the priority project scoring and ranking are provided in the Appendix. The following pages include a map of the top six priority projects and project profiles comprising descriptions, concept illustrations, and typical cross-sections.

TABLE 9: TOP 6 PRIORITY PROJECTS

Map ID	STREET	START	END	TYPE	IMPLEMENTATION	LENGTH (MI)	COST ESTIMATE
1	Harper Avenue	Norwood Street	West Avenue	Buffered Bike Lane	Restriping	0.58	\$152,400
2a	Google Connector Phase 1	Fairview Drive	Harper Avenue	Shared Use Path	New Construction	2.36	\$2.32 million
2b	Google Connector Phase 2	Harper Avenue	Library Trail	Shared Use Path & Pedestrian Tunnel	New Construction	0.21	\$1.04 million
3	Pennton Avenue	Blowing Rock Road (US 321)	Realty Street	Shared Lane Markings & Speed Cushions	Marking	1.58	\$118,000
4	College Avenue	Norwood Street	Underdown Avenue	Bike Lanes	Restriping and Widening	0.64	\$1.07 million
5	West Avenue	Ridge Street	Harper Avenue	Bike Lanes and Shared Lane Markings	Restriping and Marking	0.59	\$192,500



City of Lenoir Authorities/Boards/Commissions

List of Individuals for consideration of upcoming Board Appointments/Re-Appointments at the March 20, City Council Meeting.

Planning Board

Tim Scobie 4-year term

Lenoir Tourism Development Board

Dana Clark and Glenda Wilson 4-year terms

Lenoir Business Advisory Board

Terese Almquist 2-year term

Recreation Advisory Board

Scott Barnett and Erik Rabinowitz 2-year terms