

**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:

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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.

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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.

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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.

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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.

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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.

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- 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.