

1. Agenda Packet

Documents:

[OCTOBER 17, 2017 AGENDA PACKET.PDF](#)

2. Meeting Materials



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

Documents:

[AFTER ACTION MEMORANDUM.PDF](#)

AGENDA



**CITY OF LENOIR
CITY COUNCIL MEETING
CITY/COUNTY CHAMBERS
905 WEST AVENUE
TUESDAY, OCTOBER 17, 2017
6:00 P.M.**



I. CALL TO ORDER

- A. Moment of Silence & Pledge of Allegiance
- B. Presentation; Comprehensive Economic Development Strategy: Mr. Anthony Starr, Western Piedmont Council of Governments, will present a presentation regarding the published Comprehensive Economic Development Strategy.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

- A. Rezoning; 675 Blowing Rock Boulevard: A public hearing will be held to consider a Rezoning Request as submitted by John Moore, MGM Properties, to re-zone property located at 675 Blowing Rock Boulevard, including NCPIN#285-02-01324, NCPIN#285-01-09427, and NCPIN#285-02-01163 from CZ-3 (Conditional Zoning District #3) to B-2 General Business. Staff further recommends approval of the rezoning request based on the following consistency statement: The proposed zoning map amendment is consistent with the adopted Comprehensive Plan because it will facilitate sensible, straight-forward development standards for future development of the subject properties. The proposed amendment is reasonable and in the public interest because it will facilitate the development of one of the last remaining large tracts available adjacent to US Hwy 321, contributing to local shopping and dining opportunities, creating jobs, and growing the tax base, while the existing buffering and design standards of the B-2 district will ensure attractive, compatible development that doesn't cause undue harm to the adjacent residential areas.
- B. Code Amendment; Appendix A, Article VI., Section 600: A public hearing will be held to consider amending Appendix A, Article VI., Section 600 of the Lenoir City Code to allow Studios/Specialty Schools in Industrial Districts (I-1 & I-2), providing for Codification, and an Effective Date.

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of minutes from the City Council Meeting of Tuesday, October 3, 2017 as submitted.
- B. Final Offer to Purchase Real Property; 823 Connelly Springs Road SW: Approval of the Final Offer to Purchase Real Property by resolution in the amount of \$8,000.00 as submitted by Larry Wayne Shook for property located at 823 Connelly Springs Road SW. **Note:** The legal advertisement for the Notice of Offer to Purchase Real Property was published in the *News-Topic* on Friday, September 8 and again on Friday, October 6 starting the second notice of a ten (10) day upset bid period as required by N.C.G.S. §160A-269. Staff recommends Council

approve the final Offer to Purchase because the City did not receive any additional upset bids.

- C. Change Order No. 1; Bost Lumber Sewer Line Replacement Project: Staff recommends approval of Change Order No. 1 in the amount of \$24,352.06 as recommended by McGill Associates for the Bost Lumber Sewer Line Replacement Project. **Note:** The additional cost is within the 10% construction contingency approved for the project and the changes do not result in an increase to the overall funds approved for the project.
- D. Bid Award; Mulberry Recreation Center/Optimist Park Addition Improvements: Staff recommends City Council award the low bid in the amount of \$22,126.00 to Mitchell Fence Company for the fencing project at the Mulberry Recreation Center Baseball Fields and Optimist Park Baseball Fields as submitted.
- E. Proclamation; Red Ribbon Week: Approval of a proclamation proclaiming October 23 – 31 as “*Red Ribbon Week*” throughout the City of Lenoir and Caldwell County. The Red Ribbon Campaign was established by Congress in 1988 to encourage a drug-free lifestyle and involvement in drug prevention and reduction efforts.

IV. REQUESTS AND PETITIONS OF CITIZENS

V. REPORTS OF BOARDS AND COMMISSIONS

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

A. Items of Information

1. November Calendar: The calendar for the month of November will be submitted to Council listing various committee meetings and events.
2. The Sanitation Division’s Fall Leaf Collection will begin on Monday, October 16 through January 12, 2018. Additional information may be found on the City’s website at www.cityoflenoir.com.
3. The annual “Smoking in the Foothills” Barbeque Event will be held on Friday, October 20 from 5:00 p.m. – 10:30 p.m. and again on Saturday, October 21 from 10:00 a.m. – 10:30 p.m. in the downtown area. The public is encouraged to attend.
4. One Stop Voting is scheduled from Thursday, October 19 through Friday, November 3 from 8:00 a.m. – 5:00 p.m. at the County Office Building, Lower Level. Early voting is also scheduled on Saturday, November 4 from 8:00 a.m. – 1:00 p.m.
5. The Planning Board will meet on Monday, October 23 at 5:30 p.m.
6. The Committee of the Whole will meet on Tuesday, October 24 at 8:30 a.m. at City Hall, Third Floor, former Council Chambers.
7. The annual Caldwell is Hiring event will be held on Wednesday, October 25 from 8:30 a.m. – noon at the J. E. Broyhill Civic Center. The public is encouraged to attend.
8. The Foothills Regional Airport Authority will meet on Wednesday, October 25 at noon.
9. The Pumpkin Patch Parade is scheduled from 3:00 p.m. – 6:00 p.m. on Friday, October 27 in downtown Lenoir.
10. The Meleah Mikeal Half-Marathon will be held on Saturday, November 4 at 9:00 a.m. at the Aquatic & Fitness Center.

11. The City Council meeting of Tuesday, November 7 has been **cancelled** due to Election Day. **City Council will meet on Tuesday, November 14 at 6:00 p.m. at the City/County Chambers. Please note date change.**
12. The Lenoir Business Advisory Board will meet on Thursday, November 9 at 6:00 p.m. at City Hall, Third Floor, former Council Chambers.
13. City offices will be closed on Friday, November 10 in observance of Veterans Day. City offices will also be closed on Thursday, November 23 & Friday, November 24 in observance of the Thanksgiving holiday.
14. A Veterans Day Memorial Service will be held on Saturday, November 11 at 11:00 a.m. at the Veterans Plaza on the square.
15. The City/County Services Committee will meet on Monday, November 13 at 11:45 a.m.
16. The Caldwell County Economic Development Commission will meet on Tuesday, November 14 at 8:00 a.m.

B. Items for Council Action

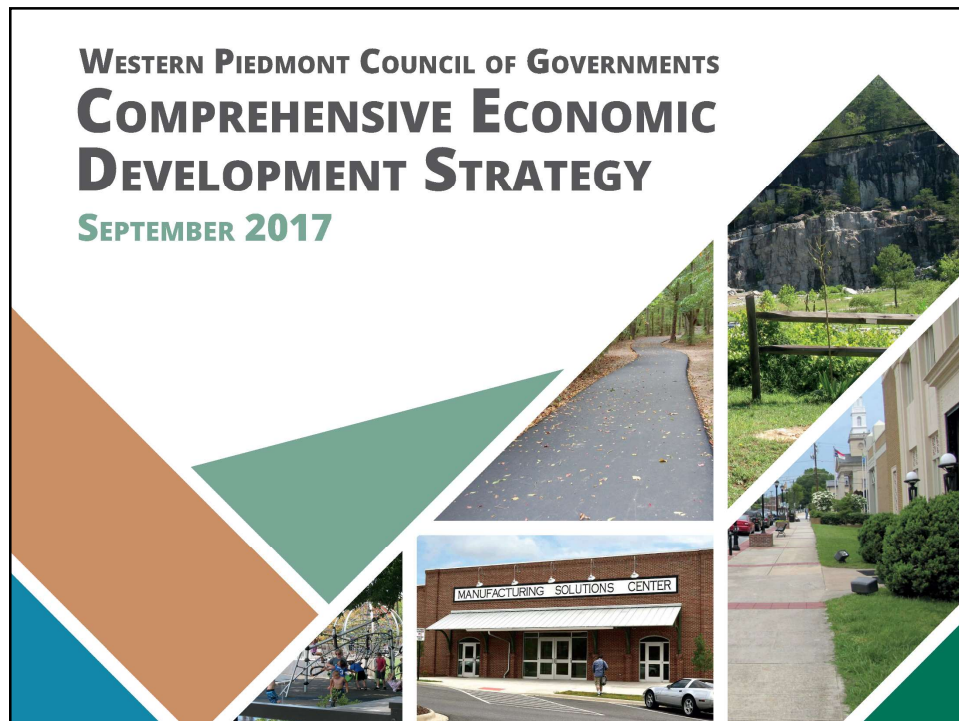
VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS

- A. Closed Session: Pursuant to N.C.G.S. §143-318.11(a) (4), (3): City Council will enter into closed session to discuss an economic development agreement and to receive attorney/client advice.

X. ADJOURNMENT



CEDS Update

- The WPCOG serves as the region's U.S. Economic Development Administration's designated Economic Development District (EDD)
- As the EDD, we are required to create and maintain a Comprehensive Economic Development Strategy (CEDS) with updates every 5 years
- The CEDS provides a regional framework to identify economic opportunities, challenges and goals
- The current CEDS was approved in 2012 and an update must be completed in 2017



CEDS Update

- The WPCOG is but one of the organizations that implement the CEDS and many local governments, agencies and the business sector contribute to our region's success
- The Policy Board appointed the 15-member CEDS Committee in November
- The Policy Board appointed a diverse group of people to CEDS Committee (geography, age, employment background, race, ethnicity, gender)



CEDS Committee

- 75% of the committee was under age 50
- 50% of the committee was under age 40
- 53% female, 47% male
- All four counties represented



CEDS Committee

- **Chair Tommy Luckadoo**, Vice President, Adams Commercial Real Estate Services, LLC
- **Vice Chair Nancy Taylor**, Executive Director, The Community Foundation of Burke County
- **Christopher Todd**, Town of Sawmills Administrator
- **Crissy Thomas**, Branch Manager, Wells Fargo
- **Elle Fulenwider Engstrom**, Marketing Coordinator, Fulenwider Enterprises
- **Gary Herman**, Alexander EDC Small Business Coordinator
- **Jeremy Ku**, Senior Supply Chain Consultant, Transportation Insight
- **Lindsay Keisler**, President, Catawba County Chamber of Commerce
- **Lisa Miller**, Director of Grant Development & Administration, Western Piedmont Community College
- **Malla Vue**, District Manager, Goodwill Industries
- **Rocky Brooks**, Community Development, Caldwell-UNC Health Care
- **Sara Black**, Broker, RE/MAX Southern Lifestyles
- **Stacey Rash**, Tax Manager, Martin Starnes and Associates
- **Trish Johnson**, Assistant Superintendent for Human Resources, Caldwell County Schools
- **Zack King**, Community Health Analyst, Catawba County Public Health



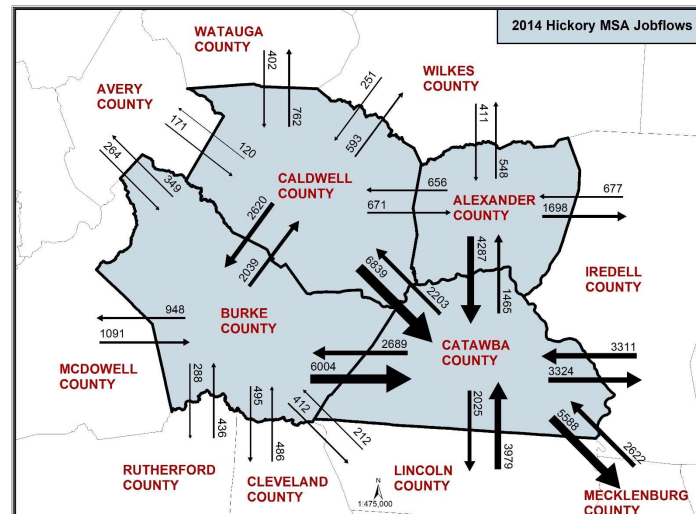
CEDS Importance

- Why is the CEDS important?
 - We live in an era of economic transition
 - Our economy functions on a regional basis
 - Most of the public and businesses aren't concerned with political boundaries
 - Improvements benefit the entire region
 - Some improvements require a regional approach



CEDS Importance

Over 42% of our labor force works daily in a county different from which they live



CEDS: Public & Stakeholder Input

The Committee used extensive public input to shape the direction of the CEDS

CEDS by the Numbers



CEDS: Public & Stakeholder Input

Does your local government encourage small businesses to locate and grow in your community?
(971 Responses)

533 (55.1%)
Yes

271 (28.0%)
I Don't Know

163 (16.9%)
No



CEDS: Regional Profile

- The CEDS Committee began its work with understanding the region and the economic trends
- Current projections show little population growth over the next 20 years
- However, projections assume current trends & don't adjust for positive change

Western Piedmont Region (MSA) Population Growth (2010-2035)

County	Census 2010	2015 Estimate	Growth 2000-10	% Growth 2000-10	2025	2035	Growth 2015-35	% Growth 2015-35
Alexander	37,198	37,952	754	2.0%	38,745	39,189	1,237	3.3%
Burke	90,912	89,114	-1,798	-2.0%	90,002	90,179	1,065	1.2%
Caldwell	83,029	82,577	-452	-0.5%	83,411	83,666	1,089	1.3%
Catawba	154,358	155,828	1,470	1.0%	158,588	161,349	5,521	3.5%
Region Total	365,497	365,471	-26	< -0.1%	370,746	374,383	8,912	2.4%

Source: 2010 Census, US Census Bureau and NC Office of Management and Budget, 2016.



CEDS: Regional Profile

- Manufacturing decreases
- 40,213 jobs lost
- Increases in service employment

Western Piedmont Region (MSA) Employment Distribution

	2000	2015
Services	43%	48%
Manufacturing	34%	28%
Trade	14%	16%
Administration	5%	5%
Construction	3%	2%
Other	1%	1%

Number of Employed Persons

2000

185,093

2015

144,880

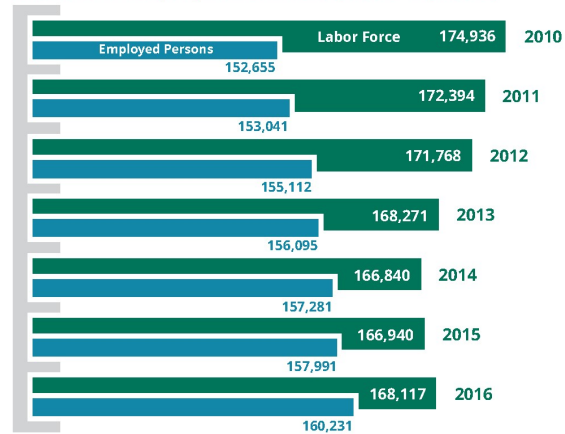
Source: Labor and Economic Analysis Division, NC Dept. of Commerce.



CEDS: Regional Profile

- Unemployment rate has dropped
- Modest job growth
- Reductions in number of people in the labor force

Western Piedmont Region (MSA) Labor Force and Number of Employed Persons (April 2010 - April 2016)



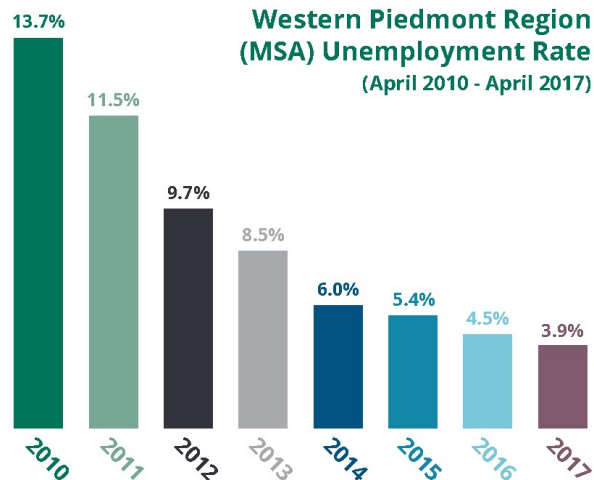
Source: Labor and Economic Analysis Division, NC Dept. of Commerce.

WPCOG

CEDS: Regional Profile

- Unemployment rate has dropped
- Modest job growth
- Reductions in number of people in the labor force

Western Piedmont Region (MSA) Unemployment Rate (April 2010 - April 2017)

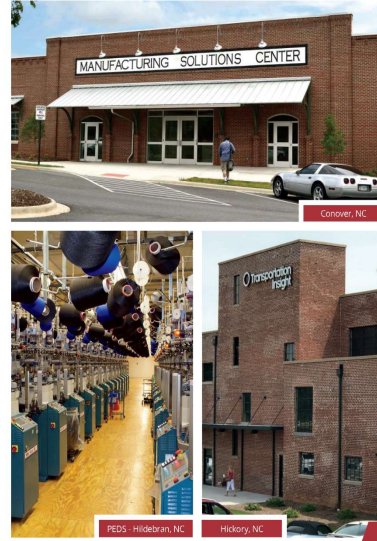


Source: Labor and Economic Analysis Division, NC Dept. of Commerce.

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CEDS: Six Subject Areas

- Economic Development
- Workforce
- Infrastructure
- Housing
- Marketing
- Community Life

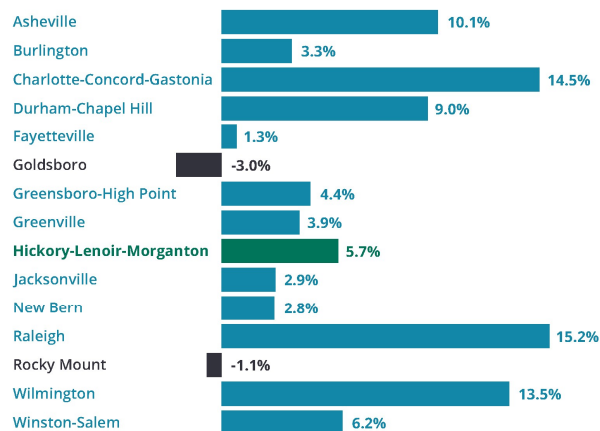


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CEDS: Economic Development

- Modest improvement over 4 years
- Job creation & tax base growth are two of the core purposes for action

NCMSA Percentage Employment Change (2012-2016)



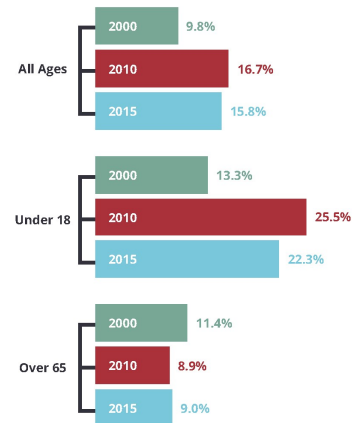
Source: Labor and Economic Analysis Division, NC Department of Commerce.

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CEDS: Economic Development

- Modest improvement over 4 years
- Job creation & tax base growth are two of the core purposes for action
- Job growth reduces our poverty rates

Western Piedmont Region (MSA) Poverty Rates
2000-2015



Source: 2000 Census and Small Area Income and Poverty Estimates, US Census Bureau.



CEDS: Economic Development

- Construct additional “shell buildings” and “pad-ready sites” throughout the region
 - Market conditions require local government action for success
 - 50-100,000 sqft buildings
 - Strive for 1 building ready, 1 under construction, 1 in planning stage at all times





CEDS: Economic Development

- Enhance capacity for project and grant development
- Maximize building reuse and site development opportunities
- Promote & support the Manufacturing Solutions Center, Morganton Campus of NC School of Science and Math, Center for Engineering Technologies, and other critical assets

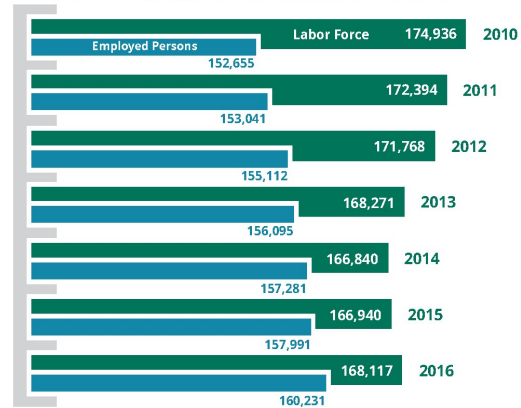


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CEDS: Workforce

- Labor force has decreased like much of the U.S.
- Good improvement for our region
- Real and perceived issues remain

Western Piedmont Region (MSA) Labor Force and Number of Employed Persons (April 2010 - April 2016)



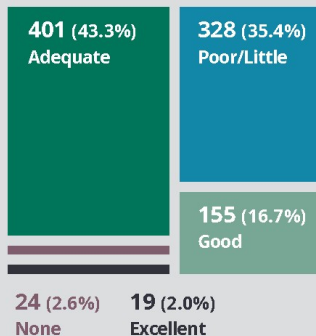
Source: Labor and Economic Analysis Division, NC Dept. of Commerce.

WPCOG

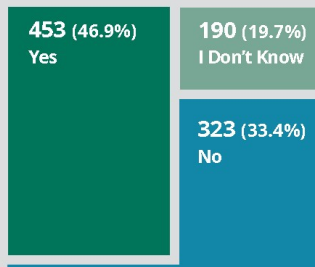
CEDS: Workforce

CEDS Public Survey Responses

How well does your community work to maintain a skilled workforce?
(927 Responses)



Do you believe there are gaps in educational resources?
(966 Responses)



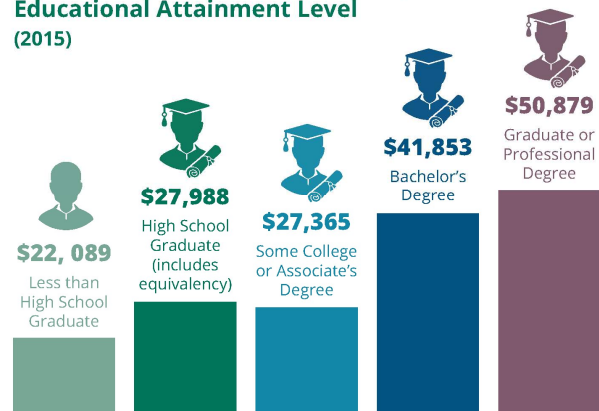
19 (2.0%)
Excellent

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CEDS: Workforce

- Educational attainment levels still matter
- Lots of unfilled jobs
- Stagnant wage rates

Western Piedmont Region (MSA) Median Earnings for Population Over 25 by Educational Attainment Level (2015)



Source: 2015 American Community Survey, US Census Bureau.

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CEDS: Workforce

- Align career pathways with education and training opportunities to meet industry needs
- Ensure sharing of competitive wage information and its impact on job recruitment and retention in the region
- Maintain consistent, coordinated, long-term marketing of workforce activities across the region
- Update the Industry Growth Analysis and shape it as a tool for business recruitment efforts

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CEDS: Infrastructure

- Econ. Dev. is greatly influenced by infrastructure
- Good availability and condition of our infrastructure is a critical component to job & business recruitment and retention

Widening of US 321 through Caldwell County to improve traffic flow



WPCOG

CEDS: Infrastructure

Regional Projects Completed, Jobs & Investments (2016)



\$10 Million
Grant
Amount



30
Projects
Completed



\$74.4 Million
Private
Investment



296
Jobs
Created

Source: WPCOG 2016 Annual Report.

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CEDS: Infrastructure

- Encourage, plan, and construct transit-oriented development
 - Potential businesses now ask for this when evaluating sites and communities for location
- Develop and expand the bicycle and pedestrian network in the region
- Expand fixed route public transportation to the municipalities in all four counties
 - Many of the national companies don't think about the historical stigma of public transportation



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CEDS: Infrastructure

- Develop transportation projects that rank well in NCDOT's prioritization system to promote/maximize economic development
- Improve broadband access to rural areas and improve broadband speed
- Encourage and assist local governments to develop and maintain asset management and capital improvement plans
- Explore opportunities for coordination and consolidation of utility systems



Granite Falls Water Tower

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CEDS: Housing

- A healthy housing market is necessary to attract new residents and businesses
- Important for retaining residents and businesses

Housing Trends (2000-2015)

	2000	2010	2015
Owner-Occupied Housing Units	99,497 (68.7%)	103,966 (63.9%)	98,480 (60.7%)
Renter-Occupied Housing Units	34,469 (23.8%)	40,538 (24.9%)	41,617 (25.6%)
Vacant Housing Units	10,908 (7.5%)	18,109 (11.1%)	22,188 (13.7%)

The number of vacant housing units in the Western Piedmont has more than doubled since 2000.

Source: American Community Survey (ACS), US Census Bureau.



CEDS: Housing

22,188
Total Vacant Housing Units
(2015 ACS)

- For Rent
- Rented, Not Occupied
- For Sale Only
- Sold, Not Occupied
- For Seasonal, Recreational or Occasional Use
- Other Vacant



Western Piedmont Age of Housing Stock (2015) ACS

		NC MSA RANK
Built before 1980	49.4%	1
Built between 1980 & 1999	35.5%	6
Built 2000 or later	15.1%	15

The Western Piedmont/Hickory-Lenoir-Morganton MSA consists of Alexander, Burke, Caldwell and Catawba Counties. Among the 15 North Carolina MSA's, the Hickory MSA/Western Piedmont has the highest percentage of homes built before 1980 and the lowest percentage built after 2000. Rankings above out of 15 MSA's.

Year	Units	% of Units
2010 - 2015	2,391	1.4%
2000 - 2009	22,158	13.7%
1990 - 1999	31,553	19.4%
1980 - 1989	26,192	16.1%
1970 - 1979	29,187	18.0%
1960 - 1969	20,549	12.7%
1950 - 1959	13,515	8.3%
1940 - 1949	7,395	4.6%
1939 - Earlier	9,345	5.8%



CEDS: Housing

- Reduce the number of vacant and substandard homes throughout the region
- Increase the amount of new-market rate housing especially within and near downtowns
- Increase the availability of affordable homes within the region

CEDS Public Survey Responses

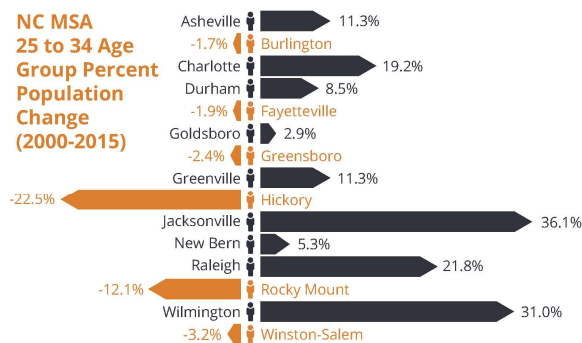
How well does your community support affordable housing choices?
(933 Responses)



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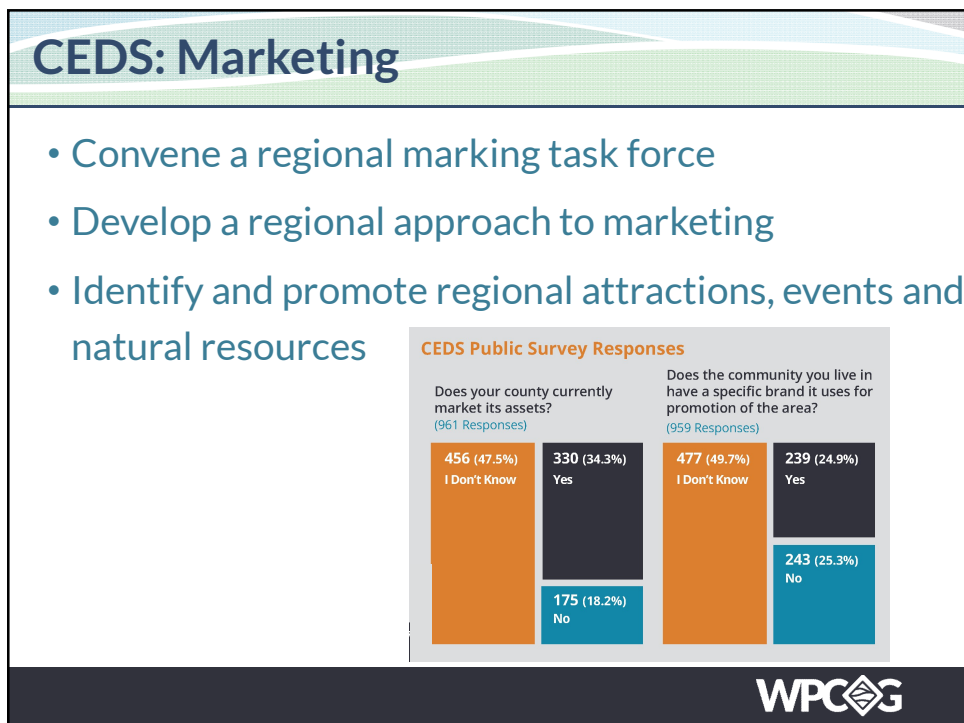
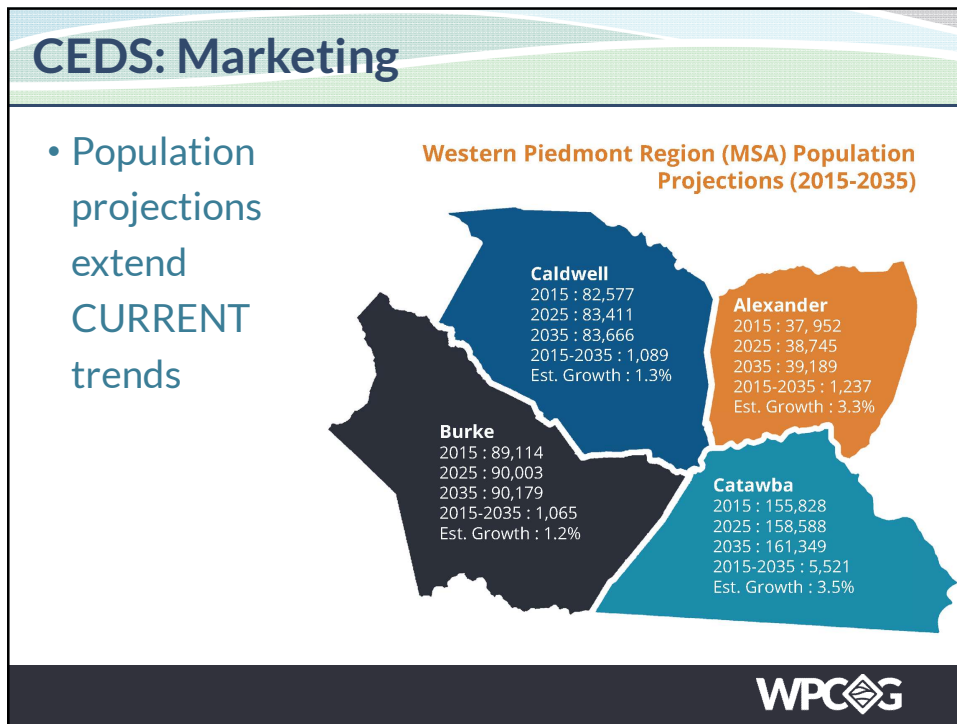
CEDS: Marketing

- A healthy economy relies on the growth of working age segments of the population
- Focus on appeal to the 18-45 year old people



Source: NC Office of Budget and Management.

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CEDS: Community Life

- A growing, healthy economic should encompass opportunities for public participation in the decision-making process
- Maximizing those pathways for economic success for all members of our workforce
- Downtown revitalization is now as important than ever before
- Accommodating our younger and senior residents is a key element



CEDS: Community Life

We are a more diverse region now than ever in our history

Western Piedmont Region (MSA) Population by Race/Ethnic Group, 2015



White
316,863
87.4%



African-American
25,728
7.1%



Hispanic
25,393
7.0%



Asian
11,732
3.2%

Source: 2015 Census Population Estimates, US Census Bureau.



CEDS: Community Life

- Without change, we are becoming a much older region
- That impacts our economy & local govt. services

Western Piedmont Region (MSA) Population by Age Group, 2000 - 2015

	2000 Census	2010 Census	2015 Estimate	2000-15 Change	
65 - 74 Years	24,456	31,566	38,329	13,873	56.7% Change 2000-15
75 - 84 Years	14,522	17,222	18,930	4,408	30.4% Change 2000-15
85+ Years	4,688	6,101	6,782	2,094	44.7% Change 2000-15

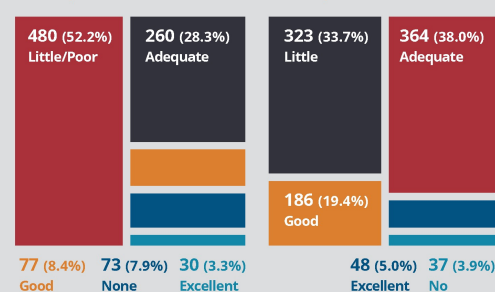
Source: 2000 and 2010 Census, US Census Bureau and NC Office of State Planning.



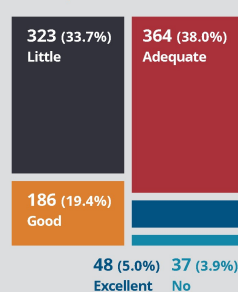
CEDS: Community Life

CEDS Public Survey Responses

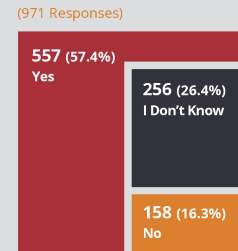
Are there opportunities for minorities and low wealth individuals to engage in community planning?
(920 Responses)



How well does your Community invest in healthy, safe and walkable communities?
(958 Responses)



Do the municipalities within your county promote the restoration of their downtown areas?
(971 Responses)



CEDS: Community Life

- Cultivate the next generation of community leaders
 - Diversity in the decision-making process
 - Think about succession planning for local govt. boards
- Create robust downtowns throughout the region
 - Housing, streetscapes, sidewalks, business occupancy, etc.



CEDS: Community Life

- Promote regional healthy-living initiatives
 - Improve recreation opportunities
 - Address opioid and illicit drug epidemic



CITY OF LENOIR**COUNCIL ACTION FORM: October 17, 2017****I. Agenda Item:**

A public hearing will be held to consider a Rezoning Request as submitted by John Moore to rezone the property at 675 Blowing Rock Boulevard from CZ-3 (Conditional Zoning District #3) to B-2 (General Business).

II. Background Information:

The staff report is attached.

III. Staff and Planning Board Recommendation:

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

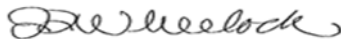
The proposed zoning map amendment is consistent with the adopted Comprehensive Plan because it will facilitate sensible, straight-forward development standards for future development of the subject properties. The proposed amendment is reasonable and in the public interest because it will facilitate the development of one of the last remaining large tracts available adjacent to US 321, contributing to local shopping and dining opportunities, creating jobs, and growing the tax base, while the existing buffering and design standards of the B-2 district will ensure attractive, compatible development that doesn't cause undue harm to the adjacent residential areas.

IV. Reviewed by:

City Attorney: _____

Finance Director: _____

Planning Director: _____





Staff Report

Re-Zoning

CASE NUMBER R# 5-17

LOCATION MAP/AERIAL PHOTOGRAPH



 Subject Property

675 Blowing Rock Blvd.
(2850201324; 2850109427;
2850201163)



SUMMARY

Owner

MGM of Lenoir, LLC

Applicant

John Moore

Location

West of US 321, east of Woodland Place, and north of Hospital Avenue (+/- 3 acres)

NC PINs

2850201324

2850109427

2850201163

Project Planner

Jenny Wheelock, AICP

Updated September 18, 2017

Description of Request:

The applicant seeks to re-zone the property from CZ-3 (Conditional Zoning District #3) to B-2 (General Business).

The CZ-3 ordinance contains a default zoning of B-2 but currently limits the use of the property to uses allowed in the B-6 (Exclusive Business) district.

Staff Recommendation:

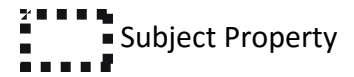
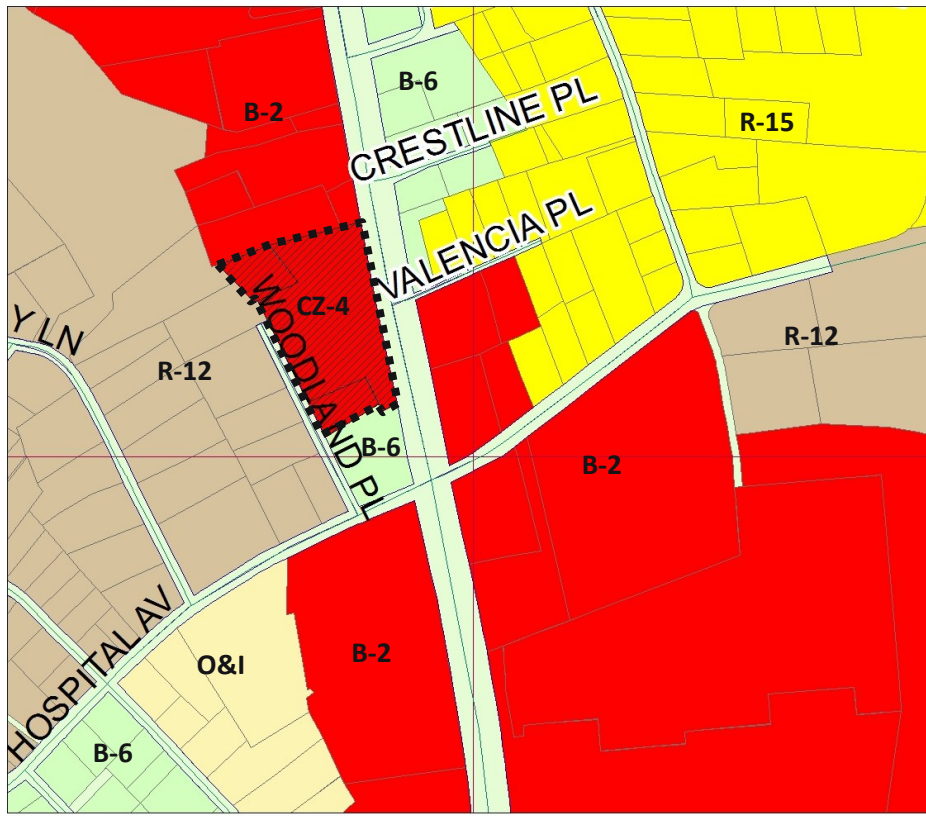
Staff recommends that the Planning Board recommend approval of the request, based on the consistency statement on page 5, and call for a Public Hearing for City Council to consider the request on October 17, 2017.

Public Comment:

Planning Board Meeting: Notices of the planning board meeting were mailed to all property owners within 100 ft. on September 15, 2017. One neighborhood resident appeared in opposition. The Planning Board recommended approval of the request.

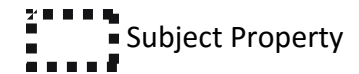
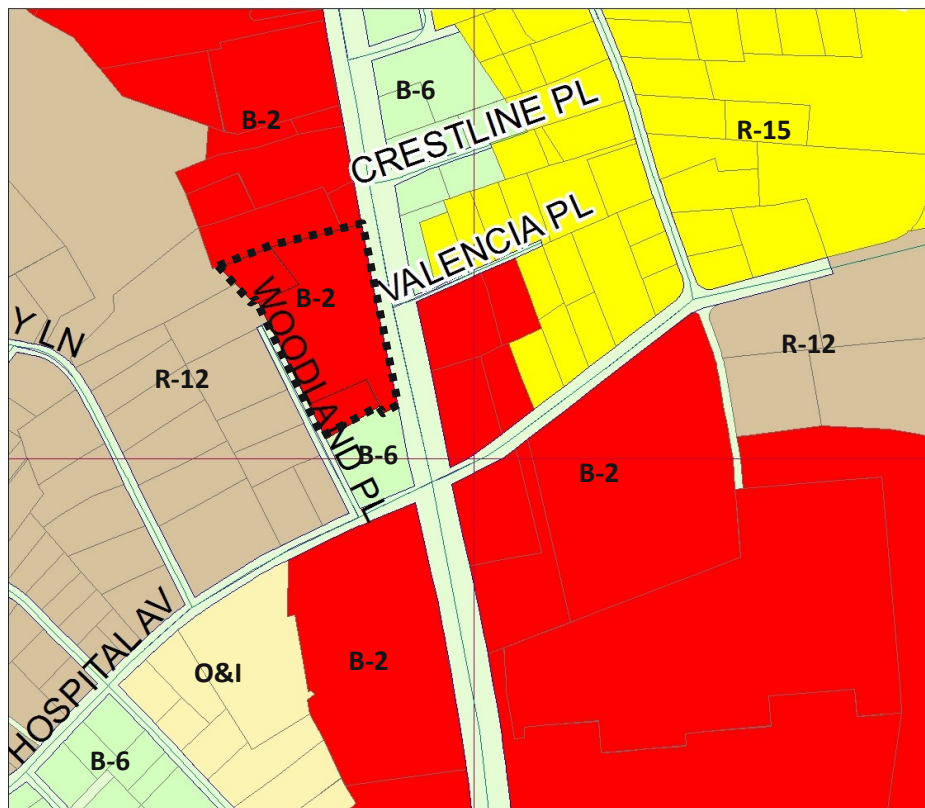
City Council (Public Hearing): Scheduled for October 17, 2017. Notices of the public hearing were mailed to all property owners within 100 ft. on Oct. 6, 2017 and notice of the hearing was published in the Lenoir News Topic on October 6 and October 13, 2017.

EXISTING AND PROPOSED ZONING MAPS



Current Zoning: CZ-3

(default zoning = B-2)



Proposed Zoning: B-2

BACKGROUND AND STAFF ANALYSIS

Zoning Map Amendments

The City of Lenoir Zoning 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.

Subject and Surrounding Properties

The subject property is currently cleared and undeveloped, except for a mature bufferyard with trees and serpentine brick wall located adjacent to Woodland Place. To the north, east, and south of the subject property are commercial uses along US 321 that are all zoned B-2 (General Business — including Aaron's, Dos Amigos, Cook Out, Grease Monkey, Walgreens, KFC, and Ruby Tuesday), except for Carolina Burger which is zoned B-6 (Exclusive Business). Immediately south of the subject property is a vacant lot that is zoned B-6. To the west of the subject property is Woodland Place, which is developed with single family homes and is zoned R-12 (single family residential).

History of the Subject Properties

Prior to 2001, the subject properties were all zoned R-12 like the rest of Woodland Place and the residential neighborhood to the west, and the properties were developed with single family houses. Starting in 2001, a series of requests have been reviewed by the Planning Board and City Council:

- **2001:** A Special Use District/Special Use Permit was approved to allow for commercial development in a residential district. No development occurred and the approval expired in 2003.
- **2004-2005:** A series of re-zonings were approved to change the zoning on the subject properties from R-12 (single family residential) to B-6 (Exclusive Business).
- **2013:** A Special Use District/Special Use Permit was approved to allow for the construction of a drive-through use on the subject properties, with conditions. No development occurred and the approval expired in 2015.
- **2016:** The property was re-zoned from B-6 (Exclusive Business) to CZ-3, a Conditional Zoning district that established a default zoning of B-2 (General Business) for the subject properties, but limited the uses on the property to the uses allowed under the B-6 zoning district, plus hotel uses. The CZ-3 district was established in order to facilitate the development of a 4-story hotel on the subject property, with the design standards of the B-2 district.

Note: In 2015, the Lenoir City Council adopted a text amendment to the Lenoir Zoning Ordinance that replaced the outdated process of Special Use Districts with Special Use Permits with the more streamlined tool of Conditional Zoning districts. Unlike the old SUD/SUP process, Conditional Zoning districts are adopted through the exact same legislative process as any other re-zoning. As such the approval runs with the land and does not expire. The subject properties are zoned CZ-3 and can be developed under the existing CZ-3 ordinance until such time as the property is re-zoned again. This request would eliminate the CZ-3 district entirely, in favor of a conventional B-2 district.

Intent of the Zoning Districts

The B-2 General Business zoning district is intended to provide for a wide variety of retail, service and other activities, controlled by performance standards, at locations along major transportation routes, to the motoring public both local and transient.

The B-6 Exclusive Business zoning district is intended to serve the needs of the traveling public as well as provide convenience goods and services to surrounding residential neighborhoods. This district is further intended to promote commercial activity in

STAFF ANALYSIS, CONTINUED

areas that are in close proximity to well established, economically healthy residential neighborhoods. Development in the B-6 district is more restricted than in the B-2 district, with the highest intensity uses prohibited and other limitations placed on development such as maximum building footprints and limited hours of operation. The B-6 district notably excludes drive-through restaurants from the list of permitted uses.

Conditional Zoning districts are intended for use in situations where conventional zoning standards are inadequate to facilitate a particular desirable development or to fully mitigate concerns over the impacts of such a development. Each Conditional Zoning district is unique to the land that it is applied to. On the subject property, the existing CZ-3 zoning district attempts to compromise between the B-2 zoning district standards and uses that are allowed on most of the surrounding properties that abut US 321 and the more restrictive B-6 uses in order to offer some protection to the residential uses to the west. Specifically, it allowed for the development of a 4-story hotel. The hotel project is no longer moving forward at this location.

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 properties as “existing non-residential” and does not establish a different future land use for the subject properties. The Comprehensive Plan contains a policy to “develop progressive and sound land use policies and strategies to ensure that Lenoir grows fairly, effectively, and efficiently” and another policy to “adopt sensible, straightforward zoning standards and procedures that are easily understood by the developers and the general public.”

While the property can technically be developed with any use permitted under the B-6 zoning designation, using the development standards of the B-2 district, under the existing Conditional Zoning ordinance, the applicant has expressed that it has been a hindrance in the marketability of the property because developers are uneasy developing under an ordinance that specifically addresses a hotel development. Furthermore, in the past 10+ years of the property sitting vacant with various special approvals and/or straight B-6 zoning, no development has occurred. Re-zoning the property to B-2 is consistent with the Comprehensive Plan because it will facilitate sensible, straight-forward standards for the development of this property. The adjacent residential areas will be protected from encroachment and incompatible development because the same bufferyard standards will continue to apply, and the B-2 zoning district also has strong design standards that foster a sense of place and community pride while protecting residential areas from incompatible building materials and massive, monolithic structures that are out of scale with the surrounding neighborhood. Every other property in the vicinity of the subject property that has similar acreage and street frontage is zoned B-2, and US 321 is the busiest roadway within the City limits. Allowing for infill development consistent with the rest of the commercial development along this important business corridor, while enforcing the existing development standards in place to protect adjacent residential areas from the negative impacts of such development, will further the goals 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. The biggest change in the proposed re-zoning would be the allowance of the more intense commercial uses on this property. The table on page 6 offers a comprehensive comparison of the currently allowed uses plus the uses that would be allowed under the proposed B-2 zoning classification. Notably, restaurants with drive-throughs and higher intensity retail uses like automobile sales would be allowed if the zoning change is approved.

Transportation

The subject property currently has access from a shared driveway with Aaron’s Rent to Own located immediately to the north of the site. NCDOT permitting will be required for any additional driveway access on US 321. Additionally, a new driveway would have

to cross the existing stream on site, triggering review by NC DEQ and/or the Army Corps. The property also has frontage on Woodland Place, which would allow for vehicular access out to Hospital Avenue. Woodland Place is a dead-end street that currently only carries residential traffic. Due to the existing bufferyard along most of the frontage on Woodland Place, any future driveway connection would likely be located to the southernmost area of the site closest to Hospital Avenue, which eliminates conflicts with residential traffic to the maximum extent possible. Sidewalks will be required along the US 321 frontage, along with direct pedestrian connections from the sidewalks to the entrances of future commercial uses.

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 October 17, 2017:

The proposed zoning map amendment is consistent with the adopted Comprehensive Plan because it will facilitate sensible, straight-forward development standards for future development of the subject properties. The proposed amendment is reasonable and in the public interest because it will facilitate the development of one of the last remaining large tracts available adjacent to US 321, contributing to local shopping and dining opportunities, creating jobs, and growing the tax base, while the existing buffering and design standards of the B-2 district will ensure attractive, compatible development that doesn't cause undue harm to the adjacent residential areas.

PLANNING BOARD RECOMMENDATION

Approval of the requested re-zoning and adoption of the consistency statement as presented by staff.

The Planning Board also directed staff to reach out to the property owner of the parcel immediately south of the subject properties and encourage that property owner to apply for a re-zoning to change the entire block to B-2, in order to remove barriers to the redevelopment of the block as a single master planned site. The property owner of the southern parcel has since submitted an application for the re-zoning as requested by the Planning Board, and that application is anticipated to come before the Planning Board on October 23, 2017 and to the City Council on November 14, 2017.

STAFF ANALYSIS, CONTINUED

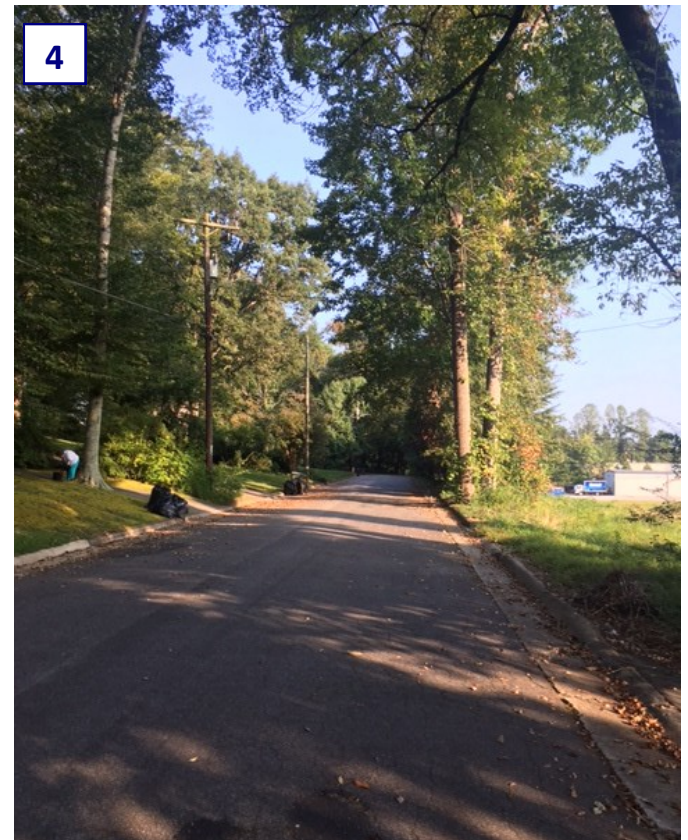
Comparison of Zoning Districts

	CZ-3 (current zoning)	B-2 (proposed zoning)
Development Standards	Default Zoning District — B-2 (any zoning standard not specifically addressed in the CZ ordinance defaults to the requirements of the B-2 district)	Min Lot Size - None
	Maximum height — 55 ft.	Setbacks: • Front yard—10 feet • Side Yard - Abutting residential - 30 feet • Minimum Rear Yard - Abutting residential - 30 feet
	Sidewalks required to be 5 ft. wide	Max Building Height - 65 feet
	Vehicular access limited to emergency vehicles off Woodland Place	Sidewalks required to be 8 ft. wide
	Visible Fencing must be CPTED wrought-iron style aluminum fencing	No specific restriction on access off Woodland Place
Summary of Permitted Uses	Lighting must be fully cut-off and shielded to prevent light trespass on adjacent residential properties.	
	Hotels	ALL USES IN B-6, plus:
	Accounting and Bookkeeping Offices	Adult Day Care Center
	Advertising Agencies	Amusement Services
	Antique Shops	Antennas, Radio, TV, Dish Sales
	Apparel Shops	Appliance Store
	Architects Office	Auction Sales
	Art Galleries	Automobile Body Shop
	Art and Drafting Supplies	Automobile Parts and Accessories
	Automatic Teller Machines	Automobile Repair Shop
	Bakeries	Automobile Service Station
	Banks	Automobile & Truck Sales and Services
	Barber and Beauty Shops	Automobile Washing Facilities
	Book Stores	Baseball Hitting Ranges
	Candy Stores	Beach Bingo
	Computer Sales and Service	Bed & Breakfast
	Copying Services	Billiards & Pool Halls
	Craft and Hobby Shops	Boat Sales and/or Services
	Credit and Finance Offices	Bowling Lanes
	Drug Stores	Breweries, Distilleries, and Wineries
	Single Family detached dwellings	Broadcasting Studios
	Electronics Sales and Service	Building Construction and Supplies
	Fabric Stores	Bus Terminals
	Florist Shops	Carpet Sales & Storage
	Gift Shops	Computer and Data Processing Services
	Government Offices	Contractors Office (No Storage)
	Greenways	Convenience Stores (includes gas stations with pump islands)
	Grocery Stores	Crematory (see Section 715)
	Hardware Stores	Dance Halls/Including Night Clubs
	Home Furnishing Stores	Delicatessens
	Insurance Offices	Department Stores
	Interior Design Studios	Dry Cleaning and Laundry Service (Not More Than 3000 Square Feet)
	Jewelry Sales and Repair	Duplicating, Mimeographing and Multilithing Operations (up to or exceeding 3000 Square Feet)
	Lighting Stores	Dwelling, Group
	Medical and Dental Offices	Dwelling, Two-Family
	Clinics and Laboratories	Exterminating Service
	Music Stores	Farm Machinery Sales and Services
	Musical Instrument Sales and Service	Farm Supplies
	Office Equipment and Supply Stores	Film Drop Off Booth
	Photography Studios	Firing Range (Indoor)
	Photography Supply Stores	Floor Coverings
	Public Utility Offices	Funeral Homes
	Real Estate Offices	Furniture and Home Furnishings
	Rent-To-Own stores	Furniture Repair Including Refinishing and Upholstery
	Restaurants (excluding Drive-through and Drive-in service)	Garden Supply Store
	Seamstress and Dressmaking shops	Glass & Mirror Stores (Sales)
	Studios and Specialty Schools	Golf Courses (18 Holes)
	Surveyors Offices	Golf Courses (Miniature)
	Travel Agencies	Golf Driving Ranges
		Green Houses, Commercial
		Guns & Ammunition Sales
		Health Clubs/Spa
		Heavy Equipment Sales & Service
		Hospitals
		Kennels-Commercial
		Laundromats (up to or exceeding 3000 Square Feet)
		Lawn & Garden Care Supplies
		Liquor (ABC) Stores
		Locksmith and Gunsmith
		Manufactured Home Sales and/or Recreational Vehicle Sales
		Medical & Dental Labs
		Monument Sales
		Motorcycle Sales & Service
		Movie Theaters (Indoor)
		Nurseries and Commercial Greenhouses
		Optician & Optical Supply Stores
		Paint & Wallpaper Stores
		Pawn & Trade Shops
		Pet Shops
		Pharmaceutical Manufacturing
		Pharmaceuticals (Sales)
		Plumbing and Hearing Supplies
		Produce Stands
		Publishing and Printing
		Radio & Television Repair Shops
		Radio & Television Sales
		Radio & Television Studios
		Radio & Television Transmission Tower
		Research Activities and Research Development
		Restaurants
		Second Hand Stores and Swap Shops
		Sheetmetal Shops
		Shoe Sales & Repair Stores
		Shoe Store
		Shopping Centers & Malls
		Sign Manufacturing and Assembly
		Sign Painting
		Sign Sales Leasing (No storage)
		Skating Rinks
		Sporting Goods Stores
		Stone and Clay Product Sales
		Surveyors Offices
		Tattoo and Body Piercing Parlors
		Taxi Stands
		Travel Agencies
		Truck, Farm Equipment and Heavy Equipment Sales and Service
		Truck Terminals
		Vending Company
		Veterinarians Office
		Warehouses (Mini)

AERIAL PHOTOGRAPH



SITE PHOTOS



1. View of subject property looking south from shared driveway with Aaron's Rent-to-Own
2. View of subject property looking northeast from Woodland Place
3. View of existing driveway on northern end of the subject property, currently used by Aaron's Rent-to-Own — standing on north side of driveway looking south/southwest.
4. View of Woodland Place frontage looking north on Woodland Place — note existing mature tree buffer.

PHOTOS OF SURROUNDING PROPERTIES



1. Existing commercial use (Aaron's) north of subject property
2. Existing commercial development along US 321 (Google Street View)
3. Existing commercial development and vacant lot south of Hospital Avenue (view from Woodland Place looking south).
4. Existing sidewalk in front of Aaron's (to be extended along subject property frontage at time of development).
5. Existing established residential properties on west side of Woodland Place.

CITY OF LENOIR
COUNCIL ACTION FORM: October 17, 2017

I. Agenda Item:

Approval of an ordinance amending the Lenoir Zoning Ordinance related to the permitted locations of studios/specialty schools in Lenoir.

II. Background Information:

See the attached ordinance, which amends the Lenoir Zoning Ordinance to expand the permitted locations for studios/specialty schools (such as those schools/studios offering instruction and practice on activities like dance, gymnastics, or martial arts) to include the I-1 (light industrial) and I-2 (heavy industrial) zoning districts.

The Planning Board recommended approval of the amendment at their regularly scheduled meeting on September 25, 2017.

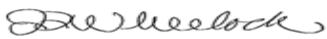
III. Staff Recommendation:

Adoption of the attached ordinance.

IV. Reviewed by:

City Attorney: _____

Finance Director: _____

Planning Director: _____

**AN ORDINANCE OF THE CITY COUNCIL OF LENOIR,
NORTH CAROLINA, AMENDING SECTION 600 OF APPENDIX
A OF THE LENOIR CITY CODE RELATED TO
STUDIOS/SPECIALTY SCHOOLS IN INDUSTRIAL DISTRICTS,
PROVIDING FOR CODIFICATION, AND AN EFFECTIVE
DATE.**

Whereas, Section 600 of the Lenoir Zoning Ordinance currently lists “Studios/Specialty Schools” in the Permitted Uses Chart as permitted uses in the office and business districts within the City, but not within the industrial districts; and

Whereas, studios and specialty schools, such as dance, gymnastics, and martial arts studios, often benefit from large spaces similar to warehouses where participants can be free to practice their sport without concern for noise or vibrations disturbing sensitive land uses, making industrial districts desirable locations for these uses; and

Whereas, uses with similar characteristics and impacts such as adult and child day care centers, auditoriums/assembly halls, technical colleges/trade schools, golf driving ranges, and skating rinks are currently permitted within the City’s industrial districts; and

Whereas, a current owner of industrially-zoned property desires to construct a new gymnastics studio under the development standards of the current zoning, prompting staff to review the current ordinances and recommend approval of this proposed amendment; and

Whereas, the Lenoir Planning Board finds and declares that this ordinance and these amendments consistent with the City’s adopted Comprehensive Plan; and

Whereas, the Lenoir City Council hereby finds and declares that this ordinance and these amendments are in the best interest of the public health, safety, and welfare; and

NOW, THEREFORE, LET IT BE ENACTED BY THE CITY COUNCIL OF THE CITY OF LENOIR, NORTH CAROLINA, AS FOLLOWS:

SECTION 1. Appendix A, Article VI, Section 600 of the Code of Ordinances, City of Lenoir, North Carolina, “Permitted Use Chart” is hereby amended as follows:

“Studios/Specialty Schools” shall be shown as a permitted use, to be indicated by an “X” in the Permitted Uses Chart, in the I-1 and I-2 zoning districts.

SECTION 2. Appendix A, Article VI, Section 813.2 of the Code of Ordinances, City of Lenoir, North Carolina, “Permitted Uses” is hereby amended as follows:

“Studios/Specialty Schools” shall be added to the list of permitted uses for the I-1 Light Industrial district, after “stone and clay product sales” and before “taxi stands.”

SECTION 3. Appendix A, Article VI, Section 814.2 of the Code of Ordinances, City of Lenoir, North Carolina, “Permitted Uses” is hereby amended as follows:

“Studios/Specialty Schools” shall be added to the list of permitted uses for the I-2 Heavy Industrial district, after “stone crushing, cutting, and polishing” and before “taxi stands.”

SECTION 3. CODIFICATION. The City Clerk shall cause the Code of Ordinances of Lenoir, North Carolina to be amended as provided by this ordinance and may renumber, re-letter, and rearrange the codified parts of this ordinance if necessary to facilitate the finding of the law.

SECTION 4. EFFECTIVE DATE. This ordinance takes effect upon adoption.

DONE, THE PUBLIC NOTICE, in a newspaper of general circulation in the City of Lenoir, North Carolina, by the City Clerk of the City of Lenoir, North Carolina, this _____ day of _____ and this _____ day of _____, 2017.

DONE, THE PUBLIC HEARING, AND ENACTED ON FINAL PASSAGE, by an affirmative vote of the a majority of a quorum present of the City Council of the City of Lenoir, North Carolina, at a regular meeting, this _____ day of _____, 2017.

BY THE MAYOR/MAYOR PRO TEMPORE OF THE CITY OF LENOIR, NORTH CAROLINA:

Mayor/Mayor Pro Tempore

ATTEST, BY THE CLERK OF THE CITY COUNCIL OF THE CITY OF LENOIR, NORTH CAROLINA:

City Clerk

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**LENOIR CITY COUNCIL
TUESDAY, OCTOBER 3, 2017
6:00 P.M.**

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

ABSENT: Councilmember T.J. Rohr.

I. CALL TO ORDER

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

SYMPATHY EXTENDED; FAMILIES OF LAS VEGAS

TRAGEDY: B. On behalf of City Council, Mayor Gibbons asked everyone to keep all of the families of the victims of the tragedy in Las Vegas in their thoughts and prayers.

BREAST CANCER AWARENESS

MONTH: C. Mayor Gibbons reported that the month of October is Breast Cancer Awareness Month and encouraged everyone to observe this event throughout the month.

LENOIR POLICE DEPARTMENT; NATIONAL NIGHT

OUT: D. On behalf of City Council, Mayor Gibbons thanked the Lenoir Police Department for all their hard work in hosting the annual National Night out Event that began at 6:00 p.m. in the downtown area this evening. This event is always held the first Tuesday in October each year and well attended by the general public. Mayor Gibbons expressed appreciation to the Police Department for all they do every day in protecting the citizens of Lenoir.

FY2016-17 ANNUAL

AUDIT REPORT: E. Eric Bowman, PA, presented an overview of the City's FY2016-17 Annual Audit Report to City Council.

A copy of the audit report is available for public review in the office of the Finance Director.

Mr. Bowman reported the City's ending Fund Balance is \$8,822,891, with a net change of \$2,034,259 that was added to the Fund Balance and represents 43% of the City's expenditures in reserves. City Council's goal has been to maintain 24% in the Fund Balance. The Local Government Commission recommends that municipalities have 8% of expenditures in reserve and he noted the

City's Fund Balance is in excellent shape with five (5) months of expenditures in reserves.

Mr. Bowman further stated the Utility Fund ended the year with a profit of \$716,887 and he commended City Staff for all their assistance with the annual budget.

Mr. Bowman noted the City's total long-term debt is \$14,420,284 which is comprised of \$11,274,614 of revolving loans and \$3,145,670 of installment purchase contracts. He pointed out that approximately 46% of the debt is 0% interest loans. Mr. Bowman reported the City has \$4,926,142 in unrestricted funds and \$8,407,394 in cash and cash equivalents. He restated the City's finances are in excellent shape. However, Mr. Bowman cautioned City Council that, due to the number of capital projects slated for FY2017-18 and beyond, it may be difficult to maintain the current Fund Balance.

City Council held a brief discussion regarding the City's ten-year Capital Improvements Project List (CIP) and further commended Department Heads for their leadership regarding these projects.

City Manager Hildebran thanked Donna Bean, Finance Director, for the great job she has done during her first year with the City and mentioned the City tries to pay cash for projects whenever possible.

On behalf of City Council, Mayor Gibbons thanked Mr. Bowman for the good report.

Motion

Upon a motion by Councilmember Stevens, Council voted 6 to 0 to accept the FY2016-17 Annual Audit Report as presented.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

III. CONSENT AGENDA ITEMS

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

1. Minutes: Approval of minutes from the City Council Meeting of Tuesday, September 26, 2017 as submitted.

Upon a motion by Councilmember Perdue, Council voted 6 to 0 to approve the above listed item on the Consent Agenda as recommended by City Manager Hildebran.

IV. REQUESTS AND PETITIONS OF CITIZENS

THAD MULLIS; SPECTRUM CABLE/INTERNET SERVICE

ISSUE: A. Mr. Thad Mullis, 119 Ellison Place, addressed City Council regarding the number of difficulties and inconsistencies he encountered over the past three months in trying to schedule Spectrum to install cable and internet service at his residence. Mr. Mullis stated he moved back to Lenoir from Cary, North Carolina and was advised he could transfer his account here, but Spectrum informed him he did not have that option. Mr. Mullis emphasized that he depends on the Internet to earn a living.

Mr. Mullis reported his residence had cable service years ago, but the family had it disconnected after his Mother passed away. Mr. Mullis stated Spectrum informed him they would need to conduct a service eligibility test due to his property being 400-feet away from their fiber cable connection. He mentioned that other individuals have also experienced this same issue due to the location of their property not being in a service area.

Mr. Mullis restated he wanted to share this information and his experience with City Council in order for Council and others to be aware of the customer service issues he experienced with Spectrum. He reiterated the process and number of hours he has spent trying to resolve this problem and commented that communication between providers does not exist. As an example, he mentioned that other Spectrum offices did not inform him Spectrum has an office in Lenoir. Mr. Mullis concluded by stating that Spectrum informed him they connected his line last Tuesday, but he stated he did not see anyone on his property. Mr. Mullis related he should know by sometime next week whether his service has been connected or not.

Mr. Mullis thanked City Council for the opportunity to speak about this issue.

City Manager Scott Hildebran reported that AT&T U-Verse offers these services and other service providers may be available in our area in the near future. Mr. Hildebran also stated that individuals may contact the Consumer Protection Division at the Attorney General's Office regarding any issues they may have with cable service providers and informed Mr. Mullis he would provide him with these contact numbers at the end of the meeting.

V. REPORTS OF BOARDS AND COMMISSIONS

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

A. Items of Information

CRUISE-IN: 1. A Cruise-In event will be held on Saturday, October 7 from 4:00 p.m. – 7:00 p.m. in the downtown area.

ANNUAL LOVING LENOIR 2017

CONCERT: 2. The annual Loving Lenoir 2017 Concert will be held on Sunday, October 8 from 2:30 p.m. – 4:00 p.m. at College Avenue Baptist Church.

CITY/COUNTY SERVICES

COMMITTEE:

3. The City/County Services Committee will meet on Monday, October 9 at 11:45 a.m.

CALDWELL COUNTY ECONOMIC DEVELOPMENT

COMMISSION 4. The Caldwell County Economic Development Commission will meet on Tuesday, October 10 at 8:00 a.m.

ABC BOARD: 5. The Lenoir ABC Board will meet on Tuesday, October 12 at 1:30 p.m. at Lenoir Store #1 located at 115 ABC Court.

LENOIR BUSINESS ADVISORY

BOARD: 6. The Lenoir Business Advisory Board will meet on Thursday, October 12 at 6:00 p.m. at City Hall, Third Floor, former Council Chambers.

PARKS & RECREATION ADVISORY

BOARD: 7. The Parks & Recreation Advisory Board will meet on Monday, October 16 at 6:00 p.m. at the Optimist Club House.

SMOKING IN THE FOOTHILLS ANNUAL

BARBEQUE EVENT:

8. The annual “Smoking in the Foothills” Annual Barbeque Event will be held on Friday, October 20 from 5:00 p.m. -10:30 p.m. and again on Saturday, October 21 from 10:00 a.m. – 10:30 p.m. in the downtown area.

ONE STOP VOTING:

9. One Stop Voting is scheduled from Thursday, October 19 through Friday, November 3 from 8:00 a.m. – 5:00 p.m. at the County Office Building, Lower Level. Early voting is also scheduled on Saturday, November 4 from 8:00 a.m. – 1:00 p.m.

ANNUAL CALDWELL IS HIRING

EVENT: 10. The annual Caldwell is Hiring Event is scheduled for Wednesday, October 25 from 8:30 a.m. – noon at the J. E. Broyhill Civic Center. It was noted that a total of 2,300 jobs are available from the participating businesses.

B. ITEMS FOR COUNCIL ACTION

AUTHORIZATION TO PROCEED; STRATEGIC

TAX FORECLOSURES:

1. The Planning Department Staff recommends that Council approve Staff’s request to initiate tax foreclosure proceedings on the following eight (8) properties: 340 Finley

Avenue, 342 Finley Avenue, 506 Scroggs Street, 530 Main Street SW, 608 Vance Street, 610 Hospital Avenue, 1114 Pennton Avenue, and 1203 Underdown Avenue as submitted.

Planning Director Wheelock reviewed a power point presentation which included a photo of the property, copy of the property information card, tax value and the amount of taxes owed, along with the amount of acreage, zoning, and history of complaints, etc. Director Wheelock stated these properties have been on the City's Minimum Housing Priority List for a long time.

Additional information provided by Director Wheelock include the following:

- 1) 340 Finley Avenue – repeatedly broken into, numerous complaints, City will tear down and sell as vacant lot, part of North Main Street Special Overlay District
- 2) 342 Finley Avenue – numerous complaints, history of vagrants on property, also part of North Main Street Special Overlay District
- 3) 506 Scroggs Avenue – located at corner of Scroggs & Main Street, property in decent shape, zoned as mixed use & may be a good investment for commercial and/or residential – clarified property is not historical
- 4) 530 Main St. SW – numerous complaints, nice small house with value
- 5) 608 Vance St. – known as Cherry Hill, has large lot, renovation previously started with new roof and windows being added, property has since been abandoned
- 6) 610 Hospital Avenue – located next to Dr. Hollar's office, City could support a rezoning for this property, property now visible due to the efforts of the Police Department's Nuisance Enforcement Officer
- 7) 1114 Pennton Avenue – near Recycling Center, house in great shape and has value, located in floodplain, but it is an elevated structure
- 8) 1203 Underdown Avenue – located at intersection of Underdown & College Avenue, house in solid shape, located on edge of proposed Funky Town area and Rail Trails

Councilmember Perkins stated he is aware Staff has contacted the property owners, but inquired whether any heirs associated with these properties have been contacted as well in order to slow down the foreclosure process. Planning Director Wheelock responded that Staff has not conducted extensive background checks on these properties yet, but pointed out that over half of these properties listed on the books are owned by individuals that are deceased. Ms. Wheelock stated Staff has guidelines to abide by during the tax foreclosure process, but noted their first step will be to try and locate any heirs who will then have the opportunity to pay the back taxes and take ownership of the property should they choose to do so.

City Manager Hildebran stated the City has been very successful over the past year with its foreclosure process.

Upon a motion by Councilmember Perdue, Council voted 6 to 0 to authorize City Staff to initiate tax foreclosure proceedings on the eight (8) properties as described above and as recommended by City Staff.

Planning Director Wheelock thanked City Council for all of their support.

VIII. REPORT AND RECOMMENDATION OF THE MAYOR

COMMENDED; CITY

STAFF; KAYE REYNOLDS:

- A. On behalf of City Council, Mayor Gibbons commended Kaye Reynolds, Communications/Resource Director, who retired from the City effective September 29, 2017. A reception was held in her honor prior to the Council meeting. Ms. Reynolds was presented with a key to the City, a resolution citing her accomplishments, a commemorative paver to be placed in her honor on the downtown plaza and a framed picture of the town clock.

IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS

X. ADJOURNMENT

- A. There being no further business, the meeting was adjourned at 6:42 p.m.

Joseph L. Gibbons, Mayor

Shirley M. Cannon, City Clerk

**CITY OF LENOIR
COUNCIL ACTION FORM**

I. Agenda Item:

Approval of the Final Offer to Purchase Real Property by resolution in the amount of \$8,000, following the submission of all upset bids, and as submitted by Larry Shook, for property located at 823 Connelly Springs Rd.

II. Background Information:

The property located at 823 Connelly Springs Rd. was recently acquired by the City of Lenoir as a part of a renewed effort to strategically foreclose on tax delinquent properties that are vacant or substandard, in an effort to return abandoned properties to productive use.

As a part of the offer, the purchaser has agreed to restore the house to a livable condition, and has deposited 5% of the offer with the City Clerk as required by law. (NOTE: This property was originally advertised for an initial bid of \$5,000, and through the upset bid process as required under NCGS 160A-269, the final offer to purchase was raised to \$8,000).

The foreclosure costs and tax liens on the property are as follows:

City costs:	1768.26
County costs:	310.00
City taxes:	2,616.18
County taxes:	<u>3,025.84</u>
Total:	7,720.28

The goal of strategic tax foreclosure on properties with vacant or substandard housing was primarily to put the properties back into the hands of private owners who could responsibly maintain and restore the houses. As presented, the offer would cover the entire cost of the foreclosure and 100% of the tax liens. Additionally, it will save the house from demolition (at the City's cost) and remove a nuisance property.

III. Staff Recommendation:

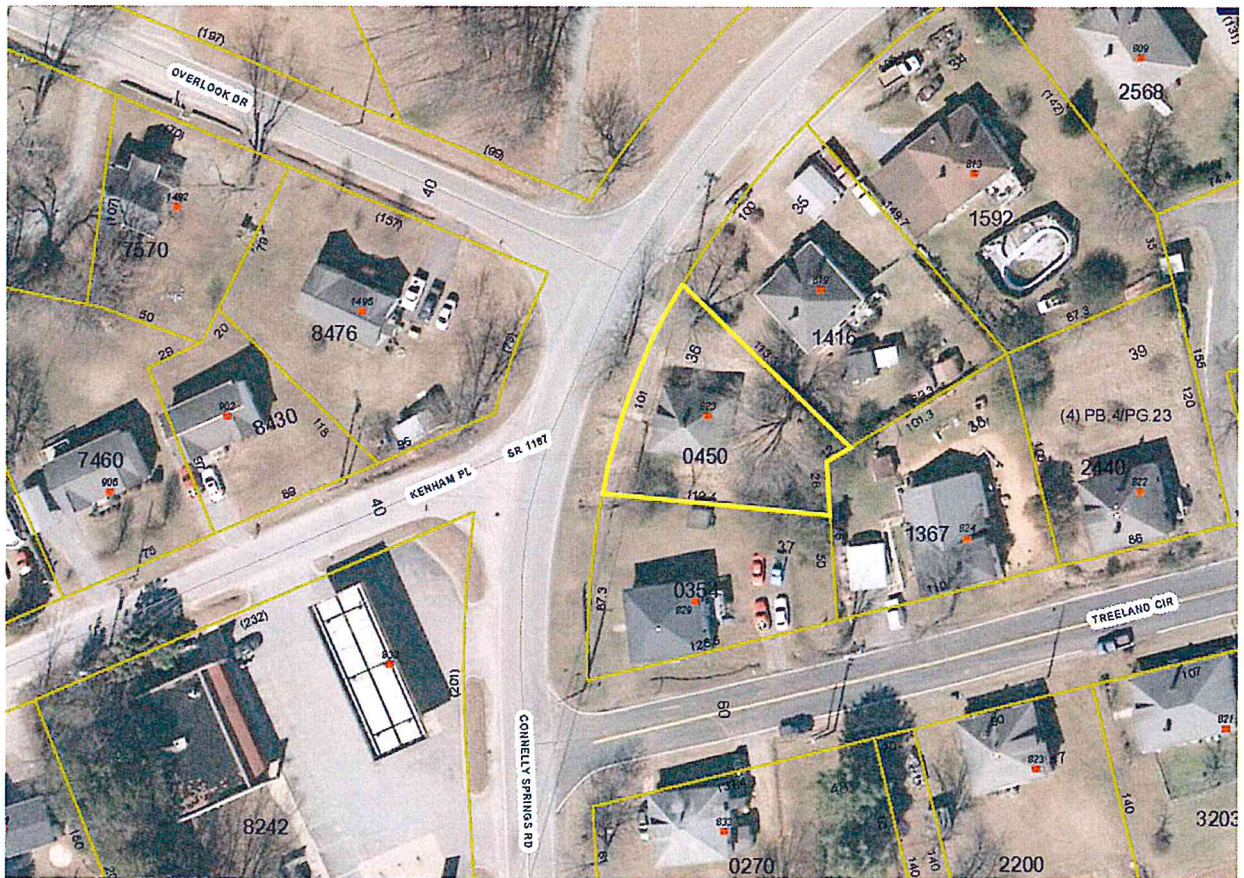
Accept the offer of \$8,000 and direct the City Attorney to arrange a closing on the property.

IV. Reviewed by:

City Attorney: _____

Finance Director: _____

Planning Director: *D. Shook*



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

Mr. Hildebran: 9-21-17

Please accept this letter as my official bid offer of \$8000.⁰⁰ for property owned by the City of Lenoir and located at 823 CONNELLY SPRINGS, further identified by NC PIN 2748960450

Furthermore, I understand that:

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

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

Sincerely,

Larry Wayne Shook

Phone number: LARRY WAYNE SHOOK
828 221-6105
 Email: _____
 Mailing Address: _____

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

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

CITY OF LENOIR
CASH RECEIPT

Receipt No: 970854
Date: 10/10/2017
Time: 04:12:04 PM

Received From:

Amount: 75.00
Paid: 75.00
Change: 0.00

For:

PLANNING DEPT REVENUE 75.00
connelly springs rd bid
317: 75.00

Received By: NTH



CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

MAYOR
JOSEPH L. GIBBONS

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

RESOLUTION

WHEREAS, the City of Lenoir owns certain property, located at 823 Connelly Springs Road SW, Lenoir, NC, NCPIN#274-896-0450, Parcel ID#06-151-2-36 and more particularly described on the following page; and

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

WHEREAS, the City has received an offer to purchase the property described above, in the amount of \$8,000.00, submitted by Larry Wayne Shook of 5 Commerce Street, Granite Falls, NC; and

WHEREAS, Larry Wayne Shook has paid/will pay the required five percent (5%) deposit on his offer;

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

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

offer before the sale is closed, which it will do within 30 days after the final upset bid period has passed, and the buyer must pay with cash, cashier's check or certified check at the time of closing.

8. The City reserves the right to withdraw the property from sale at any time before the final high bid is accepted and the right to reject at any time all bids.
9. If no qualifying upset bid is received after the initial public notice, the offer set forth above is hereby accepted. The appropriate City Officials are authorized to execute the instruments necessary to convey the property to Larry Wayne Shook of Granite Falls, North Carolina.

This the 17th day of October, 2017.

SEAL

Joseph L. Gibbons, Mayor

ATTEST:

Shirley M. Cannon, City Clerk

Being Lot No. 36, as shown on map of American & Efird Mills, Inc., Subdivision, Whitnel, N.C., made by Pickell & Pickell, Engineers of Greenville, South Carolina, and recorded in Plat Book No. 4, at Pages 21, 22, and 23 in the Office of the Register of Deeds for Caldwell County, North Carolina, to which map reference is hereby made for a more particular description.

Parcel ID No. 06-151-2-36

NCPIN No. 274-896-0450

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

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

**NOTICE OF
OFFER TO PURCHASE REAL PROPERTY
CITY OF LENOIR**

Notice is hereby given pursuant to N.C.G.S. §160A-269 that the City of Lenoir has received an Offer to Purchase of that City-owned real property located at 823 Connelly Springs Road SW, Lenoir, N.C., and being approximately 0.178 acre and being Caldwell County Tax Parcel ID# 06-151-2-36 and NCPIN#274-896-0450. The offered purchase price is \$8,000.00 for conveyance by non-warranty deed. The property shall be conveyed "as is, where is," and the purchase and sale shall be subject to all superior liens, unpaid taxes and special assessments, if any. The City Council proposes to accept said offer.

Within ten (10) days of this notice any person may raise the bid by not less than ten (10%) of the first \$1,000.00 and five (5%) percent of the remainder and by making a deposit of five (5%) percent of such increased bid with the City Clerk. Any such bid shall be subject to further advertisement as provided in N.C.G.S. §160A-269. The City Council may at any time reject any and all bids.

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

Please publish on Friday, October 6, 2017.

CITY OF LENOIR
COUNCIL ACTION FORM

I. Agenda Item: Bost Lumber Sewer Line Replacement – Change Order No.1

Background Information: The City of Lenoir has planned the construction of improvements to the section of sewer line running from Steel Street to College Avenue located behind the old Bost Lumber building. The project general consists of the construction of approximately 585 linear feet of 15-inch diameter PVC (open cut) gravity sewer line and 395 linear feet of 16-inch diameter HDPE (pipe bursting) gravity sewer line to replace an existing gravity sewer with manholes, asphalt repairs, interconnections with existing sewers, restoration, and related appurtenances.

Due to the location of the construction and information learned in the field during construction, changes to the construction methods and plans have become necessary. For example, the pipe bursting method was replaced with a UV- lining method and the replacement of manhole 1 has been changed to a rehabilitation method. These changes have resulted in a net increase in the construction cost of \$24,352.06 as reflected in the attached Change Order No.1. However, please note the additional cost is within the 10% construction contingency approved for the project. Therefore, the changes do not result in an increase to the overall funds approved for the project.

II. Staff Recommendation: Staff recommends City Council approval of Change Order No.1 as recommended by McGill Associates for the Bost Lumber Sewer Line Replacement in the amount of \$24,352.06.

III. Reviewed by:

City Attorney: _____

Finance Director: _____

Public Works/Public Utilities Director: _____



September 29, 2017

Mr. Radford Thomas
Public Works Director
City of Lenoir
Post Office Box 958
Lenoir, North Carolina 28645

RE: Change Order No. 1
Bost Lumber Sewer Replacement
City of Lenoir, North Carolina

Dear Mr. Thomas;

Enclosed are three (3) copies of Change Order No. 1 for the subject project. This Change Order includes the following items previously discussed:

- Deleting the pipe bursting section between manholes 1 & 2.
- Deleting the replacement of existing manhole 1.
- Rehab existing manhole 1 and upper manhole located on College Ave.
- Installing UV-lining on the 12" line section between manholes 1 & 2, and the existing 8" line on College Ave.

The result of the Change Order is an increase to the Contract Price of \$24,352.06. Please review and execute all three (3) copies of the Change Order and return two (2) copies to our office, keeping one (1) for your records.

If you have any questions or comments, please do not hesitate to contact us at (828) 328-2024.

Sincerely,
McGILL ASSOCIATES, P.A.

A handwritten signature in black ink, appearing to read 'C. Baker', written over a horizontal line.

CURTIS BAKER
Construction Field Representative

Change Order**No. 1**Date of Issuance: September 11, 2017Effective Date: September 11, 2017

Project: Bost Lumber Sewer	Owner: City of Lenoir	Owner's Contract No.: N/A
Contract: Bost Lumber Sewer Replacment	Date of Contract: May 18, 2017	
Contractor: Portland Utilities Construction Co., LLC	Engineer's Project No.: 15.01128	

The Contract Documents are modified as follows upon execution of this Change Order:**Description:****Credits**

- Delete line item A.2- 16" DR 17 Installed by Pipe Bursting, and line item No. 4- Replace manhole 1.

Added Cost

- Replace the line section between manholes 1 & 2 by a means of UV-Lining. Also, replace the 340 LF of 8" line section on College Avenue by a means of UV-Lining.
- Rehab existing manhole 1, and rehab the existing upper manhole on College Avenue.
- This Change Order shall also include the restocking fee for the 16" HDPE, mobilization, CCTV of the lines, heavy cleaning, cutting & buffing the cast iron line section found, and trimming for the existing sewer lateral.

Attachments (list documents supporting change):

Contractor's Cost Proposal breakdown

CHANGE IN CONTRACT PRICE:

Original Contract Price:

\$ 244,551.92[Increase] [Decrease] from previously approved
Change Orders No. 0 to No. 0:\$ 0.00

Contract Price prior to this Change Order:

\$ 244,551.92

[Increase] [Decrease] of this Change Order:

\$ 24,352.06

Contract Price incorporating this Change Order:

\$ 268,903.98**CHANGE IN CONTRACT TIMES:**Original Contract Times: ☐ Working days ☒ Calendar daysSubstantial completion (days or date): 120Ready for final payment (days or date): 150[Increase] [Decrease] from previously approved Change Orders
No. 0 to No. 0:Substantial completion (days): 0Ready for final payment (days): 0

Contract Times prior to this Change Order:

Substantial completion (days or date): 120Ready for final payment (days or date): 150

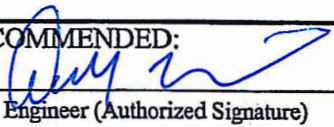
[Increase] [Decrease] of this Change Order:

Substantial completion (days or date): 0Ready for final payment (days or date): 0

Contract Times with all approved Change Orders:

Substantial completion (days or date): 120Ready for final payment (days or date): 150

RECOMMENDED:

By: 

Engineer (Authorized Signature)

Date: 9.29.17Approved by Funding Agency (if applicable):

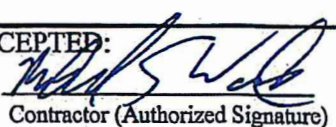
ACCEPTED:

By: _____

Owner (Authorized Signature)

Date: _____

ACCEPTED:

By: 

Contractor (Authorized Signature)

Date: 9-13-17

Date: _____



CHANGE ORDER LOG

Owner: City of Lenoir
 Contractor: Portland Utilities
 Project No.: 15.01128

APPROVED CHANGE ORDER SUMMARY

CO #	Date Approved	Description	# Days	\$\$	Cum. Total Days	Cum. Total \$\$
			0	0	0	\$ -
			0	0	0	\$ -
			0	0	0	\$ -
			0	0	0	\$ -

PROPOSED CHANGE ORDER DETAILS

PCO #	Date Submitted	Description	# Days	\$\$	Incorporated in Co #
1	9/11/2017	Delete pipe bursting and manhole replacement, add UV Lining and manhole rehab (and other items)	0	\$ 24,352.06	1
		CHANGE ORDER TOTAL	0	\$ 24,352.06	

ORIGINAL CONTRACT AMOUNT \$ 244,551.92
 PENDING CHANGE ORDER \$ 24,352.06
 PENDING CONTRACT AMOUNT \$ 268,903.98

CITY OF LENOIR
COUNCIL ACTION FORM

I. Agenda Item:

**Mulberry Recreation Center/Optimist Park Addition Improvements:
Request to approve bid to Mitchell Fence Company for fencing project at
Mulberry Recreation Center Baseball Fields and Optimist Park Baseball
Fields in the amount of \$22,126.00.**

II. Background Information:

**This is part of the Parks and Recreation Trust Fund Grant for the
Mulberry Optimist Park Project.
Bids: Mitchell Fence Company \$22,126.00
Fister Fence of Hickory, LLC \$24,951.00**

III. Staff Recommendation:

**Staff recommends to approval the bid to Mitchell Fence Company in the
amount of \$22,126.00.**

IV. Reviewed by:

City Attorney:

Finance Director:

Public Works/Public Utilities Director:

Planning Director:

Recreation Director: Kenny Story

Mitchell Fence Co.
Po Box 36
Hudson NC 28638

728-5476
896-7885

Proposal

PROPOSAL NO.

SHEET NO.

DATE 8/28/2017

PROPOSAL SUBMITTED TO: Kenny Story

WORK TO BE PERFORMED AT:

NAME

ADDRESS

PHONE NO.

ADDRESS

DATE OF PLANS

ARCHITECT

City of Lenoir

Mulberry Recreation Center
old Optimist Park

We hereby propose to furnish the materials and perform the labor necessary for the completion of

4' 9 gauge wire

790' 4' 9 gauge chainlink

2 1/2 end, CORNER, Gate posts sch 40

2" Line posts sch 40

15/8 top rail ss 20

2- 4' Walk Gates

2- 10' Drive Gates

7 gauge tension wire around bottom

Total materials / Labor \$ 11,865.00

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work, and completed in a substantial workmanlike manner for the sum of Eleven thousand eight hundred sixty five dollars (\$ 11,865.00) with payments to be made as follows. Upon completion of fence

Any alteration or deviation from above specifications involving extra costs will be executed only upon written order, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control.

Wade Mitchell

Respectfully submitted

Per

Note — this proposal may be withdrawn by us if not accepted within _____ days.

ACCEPTANCE OF PROPOSAL

The above prices, specifications, and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payments will be made as outlined above.

Signature

Date

Signature

Mitchell Fence Co.
 Po Box 36
 Hudson NC 28638

728-5476
 896-7885

Proposal

PROPOSAL NO.

SHEET NO.

DATE

8/28/2017

PROPOSAL SUBMITTED TO:

Kenny Story

WORK TO BE PERFORMED AT:

NAME

ADDRESS

ADDRESS

DATE OF PLANS

PHONE NO.

ARCHITECT

We hereby propose to furnish the materials and perform the labor necessary for the completion of

Repairs:

Take down/move 140' (Replace bad wire 4'

Repair wire 12' TALL 150' + 200 = 350'

put 15/8 rail on bottom (bullpen)

Build new 7' 9 gauge wire for dugouts 200'

new 2 1/2 post (6') Rail new 15/8

7 gauge wire around bottom

New 100' 6 gauge wire bottom of Backstops (2) 16'

New tie wires on Backstop #16

Repair holes in fence where telephone poles were

Repair 7' on field at recreation center, 4' 9 gauge

wire repair

Total Materials / Labor \$ 10 261.00

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner for the sum of

ten thousand two hundred sixty

no hundred 00/100 Dollars (\$ 10 261.00) with payments to be made as follows. up on completion of Repairs

Any alteration or deviation from above specifications involving extra costs will be executed only upon written order, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control.

Respectfully submitted

Wade Mitchell

Per

Note — this proposal may be withdrawn by us if not accepted within _____ days.

ACCEPTANCE OF PROPOSAL

The above prices, specifications, and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payments will be made as outlined above.

Signature

Date

Signature



Fister Fence of Hickory, LLC



1702 11th Avenue S. W. Hickory NC 28602
 Phone: 828-855-9860 Fax: 828-855-9862
 e-mail: fisterfence@charter.net

October 10, 2017

PROPOSAL: CITY OF LENOIR
 ATTN: KENNY STORY
 RE: BALL FIELD FENCE REPAIR

Dear Kenny:

We submit, herewith, our proposal for fencing on the above mentioned project.

BALL FIELD FENCE REPAIR

288'	8' Chain link wire removed and NEW installed on existing framework
300'	Existing 4' chain link wire removed and NEW installed on existing framework
60'	10' #6 gauge wire removed and NEW installed on existing framework
242'	12' #9 gauge wire removed and NEW installed on existing framework
720'	NEW 4' #9 gauge 2" line posts, 1 5/8" top rail, #7 Bottom tension wire
40'	6' wire removed and NEW installed on existing framework
11	2 1/2" End, corner and gate posts for 4' fence
2	10' x 4' Double swing gates
1	12' x 4' Double swing gate
60'	7' #9 gauge 2 1/2" line posts, 1 5/8" top rail, Bottom tension wire
8	3" End, corner and gate posts for 7' fence
2	4' x 7' Single swing gates
2	4' x 4' Single swing gates

TOTAL PRICE OF MATERIALS AND LABOR, INSTALLED.....\$24,951.00

*****NOTE***Price valid for thirty days only.*****

If I can help in any way, please let me know.

Respectfully submitted,

Signature Acceptance_____

Printed Name_____

Tim Pfister
 Commercial Sales

Date_____

TP/km



CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

MAYOR
JOSEPH L. GIBBONS

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

PROCLAMATION

RED RIBBON WEEK

WHEREAS, Communities across America have been plagued by the numerous problems associated with illicit drug use and those that traffic them; and

WHEREAS, There is hope in winning the war on drugs, and that hope lies in education and drug demand reduction; coupled with the hard work and determination of organizations such as the General Nathaniel Greene Young Marines of the Marine Corps League to foster a healthy, drug-free lifestyle; and

WHEREAS, Governments and community leaders know that citizen support is one of the most effective tools in the effort to reduce the use of illicit drugs in our communities; and

WHEREAS, The Red Ribbon has been chosen as a symbol commemorating the work of Enrique' "Kiki" Camarena, A Drug Enforcement Administration Special Agent who was murdered in the line of duty, and represents the belief that one person can make a difference; and

WHEREAS, The Red Ribbon Campaign was established by Congress in 1988 to encourage a drug-free lifestyle and involvement in drug prevention and reduction efforts; and

WHEREAS, October 23 - 31 has been designated as National Red Ribbon Week which encourages Americans to wear a red ribbon to show their support for a drug-free environment;

NOW, THEREFORE, BE IT RESOLVED, that I, Joseph L. Gibbons, Mayor of the City of Lenoir, North Carolina, and on behalf of the Lenoir City Council, do hereby proclaim the week of October 23 - 31 as "*Red Ribbon Week*" throughout the City of Lenoir and Caldwell County and encourage all citizens to join me in this special observance.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Official Seal of the City of Lenoir on this the 17th day of October, 2017.

SEAL

Joseph L. Gibbons, Mayor





November 2017



Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4 9:00 a.m. Meleah Mikeal Half-Marathon (Aquatic Fitness Center) Early Voting Ends
5	6	7 Election Day! Cancelled-City Council Meeting	8	9 6:00 p.m. Lenoir Business Adv. Board	10 City Offices Closed (Veterans Day)	11 Veterans Day! 11:00 a.m. Veterans Service (Veterans Plaza on Square)
12	13 11:45 a.m. City/County Services Committee	14 8:00 a.m. EDC 6:00 p.m. City Council *Note Date Change	15 National League of Cities Conference Begins	16 4-6:00 p.m. Light-Up Lenoir & 6-10:00 p.m. Annual Light Show Begins (downtown)	17	18 10:00 a.m. - 4:00 p.m. Downtown Christmas Festival NLC Conference Ends
19	20	21 6:00 p.m. Joint City Council & ABC Board (City Hall, Third Floor)	22 Noon - Foothills Regional Airport Authority	23 City Offices Closed in observance of Thanksgiving!	24 City Offices Closed in observance of Thanksgiving!	25
26	27 5:30 p.m. Planning Board	28 8:30 a.m. Committee of the Whole	29	30		
Notes for December						
The annual Christmas Parade will be held on Friday, December 1 at 6:30 p.m. in downtown Lenoir.						

City of Lenoir
P.O. Box 958
Lenoir, N.C. 28645
www.cityoflenoir.com
757-2200 / 757-2162 fax

Joseph L. Gibbons, Mayor
Scott E. Hildebran, City Manager
Shirley M. Cannon, City Clerk

CITY OF LENOIR

AFTER ACTION MEMO

To: Department Heads/Division Superintendents

From: Scott Hildebran, City Manager

Date: Thursday, October 19, 2017

Subject: Action taken by City Council on Tuesday, October 17, 2017.
Review all information to ensure that your department maintains
action taken by City Council.

- ✓ City Council approved the minutes of the City Council Meeting of Tuesday, October 3, 2017 as submitted.
- ✓ Fire Chief Ken Briscoe along with Public Works Director Charles Beck updated City Council regarding the recent storms that caused damage in parts of Lenoir and Caldwell County. Chief Briscoe reported the Fire Department responded to thirty (30) calls during the storm and Staff placed tarps over homes plus cleared trees in order for emergency vehicles to gain access to these areas.

Director Beck reported the majority of the damage occurred in the southeastern part of the City and noted there was a tremendous amount of brush to be cleared. He stated that Staff has made those areas their number one priority. In addition, Director Beck shared the City would have to expend 1% of its General Fund Budget which equals to \$165,000 to be eligible for reimbursement. He reported the City would not meet that threshold for this storm and commented it could have been a lot worse. On behalf of City Council, Mayor Gibbons commended City Staff for their service to the citizens.

- ✓ Mr. Anthony Starr, Western Piedmont Council of Governments, gave a presentation regarding the published Comprehensive Economic Development Strategy (CEDS) for September 2017. The CEDS is an important tool used to encourage and equip the region's counties and communities with strategies to improve economic conditions and the quality of life for residents and is published every five (5) years. City Council formally adopted the CEDS Plan with Councilmember Rohr voting against the motion.
- ✓ City Council approved a rezoning request as submitted by John Moore, MGM Properties, to rezone property located at 675 Blowing Rock Boulevard from CZ-3 (Conditional Zoning District #3) to B-2 General Business. City Council also approved the following Consistency Statement as recommended by City Staff and as related to the rezoning: The proposed zoning map amendment is consistent with the adopted Comprehensive Plan because it will facilitate sensible, straight-forward development standards for future development of the subject properties. The proposed amendment is reasonable and in the public interest because it will facilitate the development of one of the last remaining large tracts available adjacent to US Hwy 321, contributing to local shopping and dining opportunities, creating jobs, and growing the tax base, while the existing buffering and design standards of the B-2 district will ensure attractive, compatible development that doesn't cause undue harm to the adjacent residential areas.

- ✓ City Council approved amending the City Code, Appendix A, Article VI., Section 600 to allow Studios/Specialty Schools in Industrial Districts (I-1 & I-2) providing for Codification, and an Effective Date.
- ✓ City Council approved the final Offer to Purchase Real Property by resolution in the amount of \$8,000.00 as submitted by Larry Wayne Shook for property located at 823 Connelly Springs Road SW.
- ✓ City Council approved Change Order No. 1 in the amount of \$24,362.06 as recommended by McGill Associates for the Bost Lumber Sewer Line Replacement Project. The additional cost is within the 10% construction contingency approved for the project and the changes do not result in an increase to the overall funds approved for the project.
- ✓ City Council awarded the low bid of \$22,126.00 to Mitchell Fence Company for the fencing project at the Mulberry Recreation Center and Baseball Fields and Optimist Park Baseball Fields as submitted.
- ✓ City Council approved a proclamation proclaiming the week of October 23 – 31 as “*Red Ribbon Week*” throughout the City of Lenoir and Caldwell County. The Red Ribbon Campaign was established by Congress in 1988 to encourage a drug-free lifestyle and involvement in drug prevention and reduction efforts.
- ✓ Pursuant to N.C.G.S. §143-318.11(a), (4), (3), City Council entered into closed session to discuss an economic development agreement and to receive attorney/client advice.
- ✓ By consensus of the Council, the calendar for the month of November was approved. The following events were highlighted:
 - The Sanitation Division’s Fall Leaf Collection began on Monday, October 16 and ends on January 12, 2018. Additional information may be found on the City’s website at www.cityoflenoir.com.
 - The annual “Smoking in the Foothills” Barbeque Event will be held on Friday, October 20 from 5:00 p.m. -10:30 p.m. and again on Saturday, October 21 from 10:00 a.m. – 10:30 p.m. in the downtown area. The public is encouraged to attend. It was also announced that fifty (50) barbeque teams will be participating in this event.
 - One Stop Voting is scheduled from Thursday, October 19 through Friday, November 3 from 8:00 a.m. – 5:00 p.m. at the County Office Building, Lower Level. Early voting is also scheduled on Saturday, November 4 from 8:00 a.m. – 1:00 p.m.
 - The Planning Board will meet on Monday, October 23 at 5:30 p.m.
 - The Committee of the Whole will meet on Tuesday, October 24 at 8:30 a.m. at City Hall, Third Floor, former Council Chambers.
 - The annual Caldwell is Hiring Event is scheduled for Wednesday, October 25 from 8:30 a.m. –noon at the J.E. Broyhill Civic Center. Anyone seeking employment is encouraged to attend. It was noted that fifty-four employers along with 2,500 jobs are available for individuals with all skill sets.
 - The Foothills Regional Airport Authority will meet on Wednesday, October 25 at 2:30 p.m. Please note time change.
 - The Pumpkin Patch Parade is scheduled from 3:00 p.m. – 6:00 p.m. on Friday,

October 27 in downtown Lenoir.

- The Meleah Mikeal Half-Marathon will be held on Saturday, November 4 at 9:00 a.m. at the Aquatic & Fitness Center.
- The City Council Meeting of Tuesday, November 7 has been cancelled due to Election Day. **City Council will meet on Tuesday, November 14 at 6:00 p.m. at the City/County Chambers. Please note date change.**
- The Lenoir Business Advisory Board will meet on Thursday, November 9 at 6:00 p.m. at City Hall, Third Floor, former Council Chambers.
- City offices will be closed on Friday, November 10 in observance of Veterans Day. City offices will also be closed on Thursday, November 23 & Friday, November 24 in observance of the Thanksgiving holiday.
- A Veterans Day Memorial Service will be held on Saturday, November 11 at 11:00 a.m. at the stage area in downtown Lenoir.
- The City/County Services Committee will meet on Monday, November 13 at 11:45 a.m.
- The Caldwell County Economic Development Commission will meet on Tuesday, November 14 at 8:00 a.m.