

LENOIR CITY COUNCIL
TUESDAY, OCTOBER 17, 2017
6:00 P.M.

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

I. CALL TO ORDER

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

UPDATE; RECENT STORM

DAMAGE: B. Fire Chief Ken Briscoe along with Public Works Director Charles Beck updated City Council regarding the recent storms that caused damage in Lenoir and Caldwell County. Chief Briscoe reported the Fire Department responded to thirty (30) emergency calls during the storm and commended City Staff for all their hard work. The Department assisted with placing tarps over damaged home plus clearing trees in order for emergency vehicles to be able to gain access to these areas. Chief Briscoe read a list of locations that they responded to and stated the Department's goal is to represent the City well.

Public Works Director Beck reported the majority of damage occurred in the southeastern part of the City and noted Staff was called out to remove trees from roadways. He stated there was also a tremendous amount of brush to be cleared and noted the Public Works Department has made these areas their number one priority.

In addition, Director Beck shared Deputy Fire Chief Ken Hair and he attended an Emergency Management Meeting where they received an overview of the requirements for reimbursement for expenses the City occurred during the storm. He reported the City would have to expend 1% of its General Fund Budget which equals to \$165,000 in order to be eligible for reimbursement and stated the City would not reach that threshold.

On behalf of City Council, Mayor Gibbons commended all City Departments and stated the City appreciated all their hard work and service to the citizens.

**PRESENTATION; COMPREHENSIVE ECONOMIC DEVELOPMENT
STRATEGY; WPCOG:**

- B. Mr. Anthony Starr, Executive Director, Western Piedmont Council of Governments, (WPCOG) reviewed a Power Point presentation of the WPCOG's Comprehensive Economic Development Strategy (CEDS) for September 2017.

Mr. Starr stated the WPCOG serves as the region's U.S. Economic Development Administration's designated Economic Development District (EDD) which requires them to create and maintain a CEDS with updates every five (5) years. He also explained the Policy Board appointed the fifteen (15) member committee which was comprised of a diverse group of people and representation from all four counties. Mr. Starr also thanked Councilmember Crissy Thomas for her service on the CEDS Committee.

Mr. Starr reported the committee received over 1,000 responses to their survey which helped shape the direction of the CEDS report. He related this report may be a useful tool for all communities because it contains important information regarding challenges and trends. He also pointed out the projected growth for our area is 2.5% over the next twenty (20) years and mentioned that 40,000 manufacturing jobs were lost over a fifteen (15) year period.

As a result, the committee came up with twenty-five (25) different strategies and chose six (6) subject areas to focus on which are Economic Development, Workforce, Infrastructure, Housing, Marketing and Community Life. For Economic Development, Mr. Starr reported that prospective businesses are now inquiring about "shell buildings" and "pad-ready sites" from 50,000 square feet to 100,000 square feet. To address this issue, the committee is recommending municipalities strive to have one (1) building ready, one (1) under construction and one (1) in the planning stages at all times. Mr. Starr mentioned the Economic Development Commission will also be presenting information regarding "shell buildings" in the near future.

Regarding our Workforce, Mr. Starr noted our region has experienced good improvement, but issues still remain. He stated that educational attainment levels still matter, and we need to align career pathways with education and training to meet industry needs. Mr. Starr also pointed out that good availability and condition of our Infrastructure is a critical component to job and business recruitment and retention. He further explained the North Carolina Department of Transportation (NCDOT) prioritizes their transportation projects and related the WPCOG strives to develop transportation projects that rank well in NCDOT's prioritization system in order to promote/maximize economic development.

Next, Mr. Starr stated that Housing needs are a priority for everyone and reported there is a high vacancy rate of housing units available, but they are not the types of housing that families are looking for. He stated that a healthy

housing market is necessary to attract and retain new residents and businesses. It was also noted City Council received and discussed information at their Strategic Planning Retreat in February regarding the number of housing concerns in our area and community.

Next, Mr. Starr shared their goal is to make our communities more marketable and focus on appealing to individuals between the ages of 18 – 45. Other recommendations for Marketing include to convene a regional marketing task force; develop a regional approach to marketing; and to identify and promote regional attractions, events and natural resources.

To address Community Life, Mr. Starr emphasized we need to package/promote our area assets along with having a growing and healthy economy which allows for public participation in the decision-making process. In addition, Mr. Starr reviewed the Western Piedmont Regional (MSA) Population by Race/Ethnic Group, 2015 and mentioned the Hispanic population will become our largest minority group in the future. He also shared, that without change, we are becoming a much older region which impacts our economy and local government services.

Mr. Starr stated retirees add a lot of positive benefit to communities and it was noted the City of Lenoir has previously been designated as a Retire NC Community. Mr. Starr also pointed out that “boomers” will be serving longer on Boards and stated there will be a transition of leadership on Boards in the future. To address that, he stated we need to begin preparing future leaders now who wish to serve.

Mr. Starr thanked City Council for the opportunity to speak and expressed appreciation for the partnership between the City and WPCOG.

Councilmember Thomas stated she was grateful to serve on the CEDS Committee and to learn Lenoir has similar concerns as other areas. She stated everyone can pull from their strengths in order to know how to support others.

Mayor Gibbons thanked Mr. Starr and asked Council for their consideration of approval in adopting the CEDS report.

Councilmember Rohr stated he is fine with the report, but he does not agree with everything included it such as the “shell buildings.” He commented he could not vote in favor of it.

Motion

Upon a motion by Councilmember Thomas, Council voted 6 to 1 to adopt the CEDS report as presented by Mr. Starr. Councilmember Rohr voted against this motion.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

REZONING; 675 BLOWING ROCK

BLVD.: A. A public hearing was held to consider a rezoning request as submitted by Mr. John Moore, MGM Properties, to rezone 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.

A copy of the rezoning map is hereby incorporated into these minutes by reference. (Refer to page 385).

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

Planning Director Wheelock clarified for Council the current CZ#3 zoning was designed for the previous hotel development that was slated for this site and further clarified that B-2 (General Business) is a base zoning which would remove all other stipulations on the property.

In addition, Director Wheelock stated there was still one property located at the corner of Blowing Rock Boulevard and Hospital Avenue that is currently zoned as B-6 and mentioned that Staff will be submitting a rezoning request to Council at the November 14 meeting for this site. However, she noted the large tract can still be developed independently. Director Wheelock also mentioned that B-6 was designed to protect neighborhoods by limiting the amount of square footage, but it does not work well for conditional zoning.

John Moore, 3390 Gaither Walker Circle, addressed Council and stated it has been an ongoing challenge to make this property marketable because he was competing with other markets for business. Mr. Moore stated he has lost several opportunities due to the current zoning and B-2 will make the property more appealing and marketable.

Sherry Fraizer, Claremont, NC, addressed Council and expressed her support of the B-2 zoning. Ms. Frazier, Realtor for the lot on Blowing Rock Boulevard and Hospital Avenue, shared that several individuals have inquired about the property, but due to the time and expense of adhering to the B-6 zoning requirements, they were not willing to move forward with their projects.

Councilmember Rohr expressed his support of the B-2 zoning and commented the City should stop zoning areas as either Special Use and/or Conditional Use because it makes zoning so specialized.

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

Upon a motion by Councilmember Rohr, Council voted 7 to 0 to approve the rezoning request for property located at 675 Blowing Rock Boulevard as described above and the Consistency Statement as recommended by City Staff.

**CODE AMENDMENT; APPENDIX A, ARTICLE VI.
SECTION 600:**

- B. A public hearing was held to consider amending the City's Code of Ordinances, 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.

A copy of the ordinance is hereby incorporated into these minutes by reference. (Refer to pages 386-387).

Mayor Gibbons opened the public hearing to receive public comments regarding the proposed code amendment.

Planning Director Wheelock clarified for Council that Staff believes this change will be a good fit for these types of businesses that are currently not allowed in Industrial Districts. She stated she has a potential applicant and may be presenting a request to Council in the near future for their consideration of approval.

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

Upon a motion by Councilmember Rohr, Council voted 7 to 0 to approve amending Appendix, A, Article VI., Section 600 of the City's Code to allow Studios/Specialty Schools in Industrial Districts (I-1 & I-2) as recommended by City Staff.

III. CONSENT AGENDA ITEMS

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

1. Minutes: Approval of minutes from the City Council Meeting of Tuesday, October 3, 2017 as submitted.
2. 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. 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. (A copy of the resolution is hereby incorporated into these minutes by reference. Refer to pages 388-391).

3. 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. (A copy of the Change Order No. 1 is hereby incorporated into these minutes by reference. Refer to pages 392-396).
4. 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. (A copy of the bid tab is hereby incorporated into these minutes by reference. Refer to pages 397-399).
5. 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. (A copy of the proclamation is hereby incorporated into these minutes by reference. Refer to page 400).

Upon a motion by Councilmember Perdue, Council voted 7 to 0 to approve the above listed items on the Consent Agenda as recommended by City Manager Hildebran.

IV. REQUESTS AND PETITIONS OF CITIZENS

V. REPORTS OF BOARDS AND COMMISSIONS

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

A. Items of Information

NOVEMBER CALENDAR:

1. The calendar for the month of November was submitted to Council listing various committee meetings and events.

FALL LEAF COLLECTION:

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.

ANNUAL BARBEQUE

- EVENT:** 3. 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:

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. One Stop Voting will also be held during these dates at the Granite Falls Recreation Center.

PLANNING

- BOARD:** 5. The Planning Board will meet on Monday, October 23 at 5:30 p.m.

COMMITTEE OF THE

- WHOLE:** 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.

ANNUAL CALDWELL IS HIRING

- EVENT:** 7. 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 fifty-four businesses are participating with a total of 2,500 jobs available for interested candidates.

FOOTHILLS REGIONAL AIRPORT

- AUTHORITY** 8. The Foothills Regional Airport Authority will meet on Wednesday, October 25 at 2:30 p.m. It was also announced that VX Aerospace will hold a demonstration regarding drones at 4:00 p.m. at the Airport.

PUMPKIN PATCH

- PARADE:** 9. The Pumpkin Patch Parade is scheduled from 3:00 p.m. – 6:00 p.m. on Friday, October 27 in downtown Lenoir.

MELEAH MIKEAL HALF-

- MARATHON:** 10. The Meleah Mikeal Half-Marathon will be held on Saturday, November 4 at 9:00 a.m. at the Aquatic & Fitness Center.

CITY COUNCIL MEETING

- SCHEDULE:** 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.

LENOIR BUSINESS

- ADV. BOARD:** 12. The Lenoir Business Advisory Board will meet on Thursday, November 9 at 6:00

p.m. at the City Hall, Third Floor, former Council Chambers.

HOLIDAY

CLOSINGS: 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.

VETERANS DAY MEMORIAL

SERVICE: 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.

CITY/COUNTY SERVICES

COMMITTEE: 15. The City/County Services Committee will meet on Monday, November 13 at 11:45 a.m.

CALDWELL COUNTY ECONOMIC DEVELOPMENT

COMMISSION: 16. The Caldwell County Economic Development Commission will meet on Tuesday, November 14 at 8:00 a.m.

B. ITEMS FOR COUNCIL ACTION

VIII. REPORT AND RECOMMENDATION OF THE MAYOR

IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS

CLOSED

SESSION: A. Pursuant to N.C.G.S. §143-318.11(a) (4), (3) and upon a motion by Councilmember Stevens, Council voted 7 to 0 to enter into closed session to discuss an economic development agreement and to receive attorney/client advice.

OPEN

SESSION: B. Upon a motion by Mayor Pro-Tem Willis, Council voted unanimously to re-enter into open session.

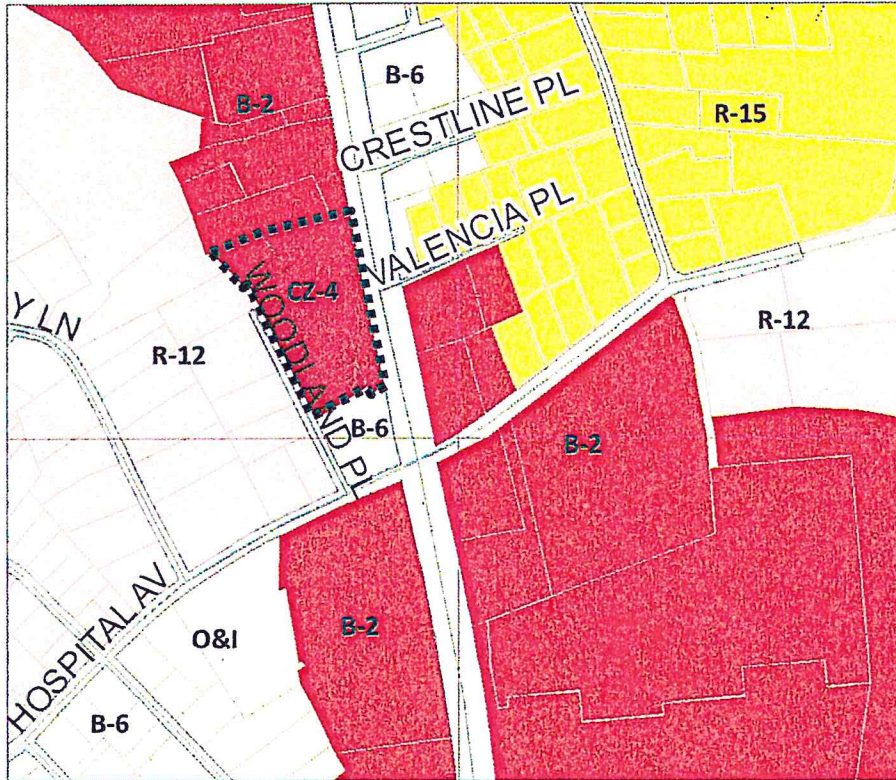
X. ADJOURNMENT

A. There being no further business, the meeting was adjourned at 8:20 p.m.

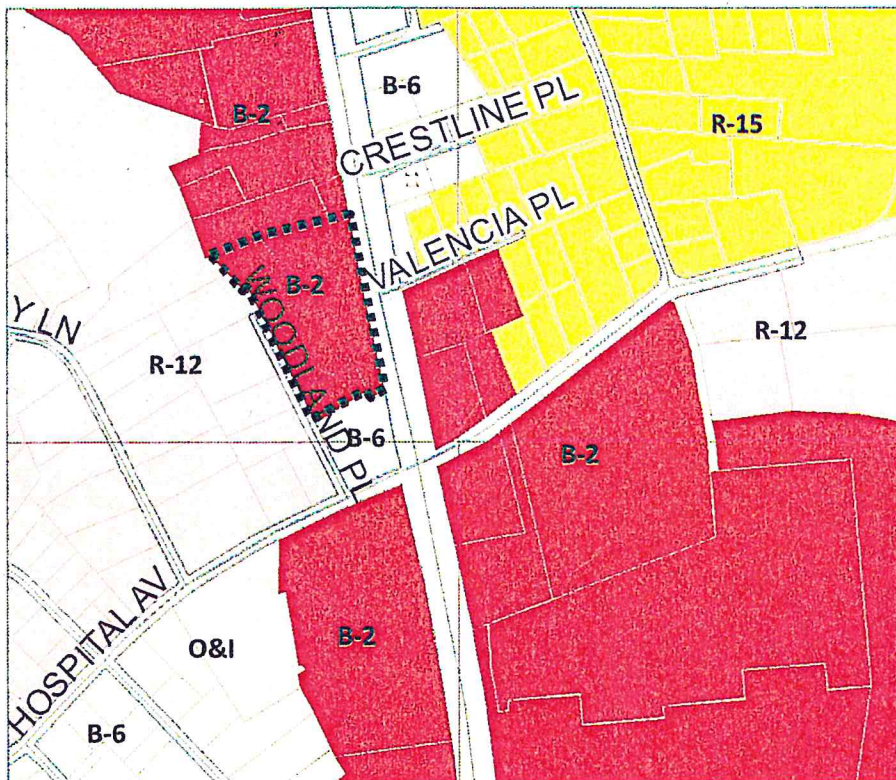
Joseph L. Gibbons, Mayor

Shirley M. Cannon, City Clerk

EXISTING AND PROPOSED ZONING MAPS



 Subject Property
Current Zoning: CZ-3
(default zoning = B-2)



 Subject Property
Proposed Zoning: B-2

**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."

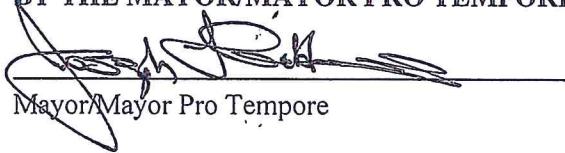
SECTION 3. CODIFICATION. The City Clerk shall cause the Code of Ordinances of Lenoir, North Carolina to be amended as provided by this ordinance and may renumber, re-letter, and rearrange the codified parts of this ordinance if necessary to facilitate the finding of the law.

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

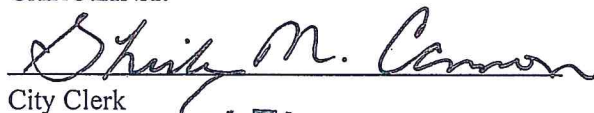
DONE, THE PUBLIC NOTICE, in a newspaper of general circulation in the City of Lenoir, North Carolina, by the City Clerk of the City of Lenoir, North Carolina, this 6th day of October and this 13th day of October, 2017.

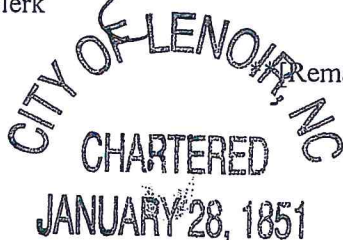
DONE, THE PUBLIC HEARING, AND ENACTED ON FINAL PASSAGE, by an affirmative vote of the a majority of a quorum present of the City Council of the City of Lenoir, North Carolina, at a regular meeting, this 17th day of October, 2017.

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



[Remainder of page intentionally left blank.]**

SEAL

CITY MANAGER
SCOTT E. HILDEBRANCITY OF LENOIR
NORTH CAROLINAMAYOR
JOSEPH L. GIBBONSCITY 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



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 "Curtis Baker", written over a horizontal line.

CURTIS BAKER
Construction Field Representative

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 Replacement	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:

\$ 268,903.98CHANGE 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: [Signature]

Engineer (Authorized Signature)

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

ACCEPTED:

By: [Signature]

Owner (Authorized Signature)

Date: 10/13/17

ACCEPTED:

By: [Signature]

Contractor (Authorized Signature)

Date: 9-13-17

Date: _____

Item #	Best Lumber Sewer Rehabilitation	Quantity	Unit	Unit Price	Total
1	Mobilization (Limited to 3% of Project Bid)	1	LS	\$ 6,198.17	\$ 6,198.17
A.2	16" DR 17 HDPE Gravity Sewer Installed by Pipe Bursting	295	LF	\$ 169.99	\$ 50,147.05
A.3	15" SDR35 PVC Gravity Sewer Line Installation open cut	585	LF	\$ 188.10	\$ 110,038.50
4	Replace Existing Manhole NO 1	1	EA	\$ 9,081.58	\$ 9,081.58
5	Replace Existing Manhole NO 2	1	EA	\$ 4,463.58	\$ 4,463.58
6	Manhole No 3 Constructed over Existing Line	1	EA	\$ 5,460.00	\$ 5,460.00
7	4' Dia. Standard Manhole NO 4	1	EA	\$ 5,092.48	\$ 5,092.48
8	Tie to Existing Manhole NO 5	1	EA	\$ 2,060.71	\$ 2,060.71
9	Manhole Demolition & Abandonment	3	EA	\$ 2,005.10	\$ 6,015.30
10	Manhole Line Abandonment	1	EA	\$ 1,836.38	\$ 1,836.38
11	Temporary Construction Entrance	2	EA	\$ 1,884.42	\$ 3,768.84
12	Silt Fence	350	LF	\$ 5.16	\$ 1,806.00
13	Sewer Service Connection to Proposed Sewer	2	EA	\$ 1,359.61	\$ 2,719.22
14	Asphalt Cut & Patch	230	LF	\$ 60.88	\$ 13,956.40
15	Existing 10" Water Line Replacement	100	LF	\$ 66.83	\$ 6,683.00
16	Existing Water Line Relocations	2	EA	\$ 3,803.37	\$ 7,606.74
17	Concrete Encasement of Water Line	55	LF	\$ 72.74	\$ 4,000.70
18	Existing Shed Removal	1	LS	\$ 3,617.27	\$ 3,617.27

TOTAL SEWER

830

\$

244,551.92

100.00%

Days

27.7

Credit

A.2	16" DR 17 HDPE Gravity Sewer Installed by Pipe Bursting	295	LF	\$	169.99	\$	50,147.05
4	Replace Existing Manhole NO 1	1	EA	\$	9,081.58	\$	9,081.58
						\$	<u>59,228.63</u>

Add Back to Base Bid For CIPP - MH Rehab-& Water Connection

1	Mobilization CIPP Crew	1	LS	\$	1,922.60	\$	1,922.60
2	Cost to Restock 300 LF 16" HDPE Pipe	1	LS	\$	3,816.50	\$	3,816.50
3	CCTV Line	490	LF	\$	5.98	\$	2,930.20
4	Heavy Clean Line	30	LF	\$	7.18	\$	215.40
5	8" Gravity Sewer Installed by CIPP	340	LF	\$	93.89	\$	31,956.60
7	12" Gravity Sewer Installed by CIPP	295	LF	\$	122.51	\$	36,140.45
8	Rehabilitation of Existing Manhole NO 1	15	VF	\$	379.79	\$	5,606.85
9	8" DIP Water Line Valve & Fittings	1	EA	\$	6,947.27	\$	6,947.27
10	Cut & Buff	1	EA	\$	408.73	\$	408.73
11	Trim Portruding Lateral	1	EA	\$	583.36	\$	583.36

TOTAL SEWER

635

59

~~90.527.96~~

100.00%

Contract Price less Credit \$ 185,323.29

Add Back to Base Bid For CIPP - MH Rehab-&Water-Connection	\$ 90,527.96
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New Contract Price \$ ~~275,951.26~~

\$268,903.98

**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

Minutes-City of Lenoir Council Meeting

Tuesday, October 17, 2017

Mitchell Fence Co.

P.O. 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 City of Lenoir	ADDRESS Mulberry Recreation Center old Optimist Park
ADDRESS	DATE OF PLANS
PHONE NO.	ARCHITECT

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 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.

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

Mitchell Fence Co.
PO Box 36
Hudson NC 28638

728-5476
896-7885

Proposal

PROPOSAL SUBMITTED TO: Kenny Stary

WORK TO BE PERFORMED AT:

PROPOSAL NO.

SHEET NO.

DATE

8/28/2017

NAME <u>City of Lenoir</u>	ADDRESS <u>Mulberry Recreation Center</u>
ADDRESS	<u>Old Optimist Park</u>
PHONE NO.	DATE OF PLANS <u>6/28/2017</u>
	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 1 5/8 rail on bottom (bullpen)

Build new 7' 4 gauge wire for dugouts 200'

new 2 1/2 post (6') Rail new 1 5/8

7 gauge wire around bottom

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

New tie wires on Backstop #11

Repair holes in fence where telephone poles were

Repair 7' on field at recreation center, 4' 4 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 sixtyone dollar and 00/100 Dollars (\$ 10,261.00) with payments to be made as follows. upon 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
submittedWade 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

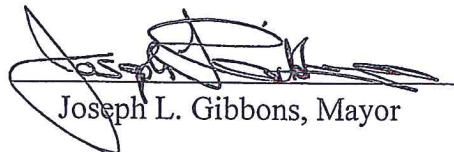
WHEREAS, The Red Ribbon Campaign was established by Congress in 1988 to encourage a drug-free lifestyle and involvement in drug prevention and reduction efforts; and

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

