



AGENDA

**CITY OF LENOIR
CITY COUNCIL MEETING
905 WEST AVENUE
TUESDAY, JUNE 18, 2019
6:00 P.M.**



I. CALL TO ORDER

- A. Moment of Silence & Pledge of Allegiance

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

- A. Nuisance Declaration Ordinance; 839 Creekway Drive: A public hearing will be held to consider adoption of a Nuisance Declaration Ordinance for property located at 839 Creekway Drive, the former Wrightway Drive-Thru, NCPIN#2840504834 as a danger to the public health, safety, morals, and general welfare of inhabitants of the City and a nuisance by the City Council in accordance with Section 12-12(15) of the Lenoir City Code. **Note:** Following approval, Staff will address the severely dilapidated building violations by demolishing the structure and removing all debris.
- B. Historic Landmark Ordinance: A public hearing will be held to consider approval of an Ordinance designating the "Lenoir Cotton Mill-Blue Bell, Inc. Plant, NCPIN#2749559283 and located at 1241 College Avenue in Lenoir, North Carolina, as a Lenoir Historic Landmark pursuant to N.C.G.S. Chapter 160A, Article 19 as recommended by the Lenoir Historic Preservation Commission and City Staff.
- C. Historic Landmark Ordinance: A public hearing will be held to consider approval of an Ordinance designating the "J.M. Bernhardt Planing Mill and Box Factory-Steele Cotton Mill-Hayes Cotton Mill", NCPIN#274965084 and located at 1201 Steele Street in Lenoir, North Carolina as a Lenoir Historic Landmark pursuant to N.C.G.S. Chapter 160A, Article 19 as recommended by the Lenoir Historic Preservation Commission and City Staff.
- D. Historic Landmark Ordinance: A public hearing will be held to consider approval of an Ordinance designating the "Carolina and Northwestern Railway Freight Station, NPIN#274545715 and located at 1407 College Avenue in Lenoir, North Carolina as a Lenoir Historic Landmark pursuant to N.C.G.S. Chapter 160A, Article 19 as recommended by the Lenoir Historic Preservation Commission and City Staff.

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of the minutes of the City Council meeting of Tuesday, June 4, 2019, as submitted.
- B. Minutes: Approval of the minutes of the Committee of the Whole meeting of Tuesday, May 28, 2019, as submitted.

- C. Minutes: Approval of the closed session minutes of the City Council Meeting of Tuesday, May 21, 2019 as reviewed by the City Council, City Manager and City Attorney.
- D. FY2018-2019 Budget Amendment Ordinance: Approval of amendments to the FY2018-2019 Budget Amendment Ordinance as follows: 1) Adjustments to the General Fund with a zero net effect to fund balance; 2) Adjustments to the Water/Enterprise Fund with a zero net effect to Fund Balance; 3) Adjustments to the Bernhardt Water Treatment Plant Project with a zero net effect to Fund Balance; and 4) Funds Transfer for Fire Station III as submitted.
- E. Amendment; Fire Station III Capital Project Budget Ordinance: Approval of a Revised Capital Project Budget Ordinance for Fire Station III in the amount of \$60,000. **Note:** This change is a result of lowering the original loan amount from \$1,360,000 to \$1,300,000 as recommended by the Local Government Commission (LGC) and the City of Lenoir's Auditor. This change is to account for the prepayment of the loan match from Blue Ridge Electric Membership Corporation.

Staff further recommends that Council grant authority to the City Manager and the Mayor to take action(s) necessary to amend all related documents to include in the Deed of Trust and all other recorded documents.

- F. Capital Project Budget Ordinance Close Out; Bernhardt Water Treatment Plant Improvements: Approval of a Capital Project Budget Ordinance to close out the Capital Project Budget Ordinance for the Bernhardt Water Treatment Plant Improvements Project. **Note:** This project was complete as of June, 2019 with total expenditures of \$5,718,458.59 and the project finished under budget by \$938,841.41. The original local funding amount needs to be increased by \$12,817.00 due to non-reimbursable invoices.

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. Chad Triplett and the Two-Lane Blacktop Band will perform on the Square from 6:00 p.m. – 7:30 p.m. on Friday, June 21. The Throwdown Jones Band will perform from 8:00 p.m. – 10:00 p.m. on the square. This event was postponed from June 7.
2. Fabulous Film Night is scheduled for Saturday, June 22 with the movie "Spiderman into the Spiderverse" being shown at 8:30 p.m. on the square.
3. The Planning Board will meet on Monday, June 24 at 5:30 p.m.
4. The Committee of the Whole will meet on Tuesday, June 25 at 8:30 a.m. at City Hall, Third Floor, former Council Chambers.
5. The ABC Board will meet on Thursday, June 27 at 2:00 p.m. at Lenoir Store #1.

6. A Summer Music Madness Concert will be held on Friday, June 28 from 7:00 p.m. – 10:00 p.m. with Cassette Rewind performing on the square.
7. A Dedication Ceremony for the new Charters of Freedom which include the United States Declaration of Independence, the Constitution, and the Bill of Rights and are currently being placed next to the Caldwell County Historic Courthouse will be held on Wednesday, July 3 at 9:00 a.m. Foundation Forward, Inc. is a nonprofit educational organization project 501(c)(3) that builds Charters of Freedom settings in local communities across the country.
8. City offices will be closed on Thursday, July 4 in observance of Independence Day.
9. A July 4th Celebration will be held at Mulberry Recreation Center on Thursday, July 4th from 5:00 p.m. – 10:00 p.m. A Fireworks Display is scheduled for 9:30 p.m. Additional information is available online at www.cityoflenoir.com/july4th.
10. The 4th Annual Community Music Festival is scheduled for Saturday, July 27 from 6:00 p.m. – 11:00 p.m. at the Martin Luther King, Jr. Center. The public is invited to attend.

VI. B. Items for Council Action

1. Final Offer to Purchase Real Property; Beall Street: Staff recommends approval of the Final Offer to Purchase Real Property by Resolution in the amount of \$2,500.00 as submitted by Mount Pilgrim Baptist Church, for property located on Beall Street (former Beall Street Community Gardens), NCPIN#2749584440, Tax Parcel ID#06-17-2-12. **Note:** The legal advertisement for the Notice of Offer to Purchase Real Property was published in the *News-Topic* on Friday, June 7. Staff recommends City Council accept the Final Offer to Purchase because the City did not receive any upset bids.
2. Order of Abatement; 1252 Fairview Drive: Staff recommends approval of an Order of Abatement for property located at 1252 Fairview Drive, Parcel ID#06-185-2-5 and NCPIN#2748473098 directing Staff to proceed with the demolition and removal of the structure.
3. Order of Abatement; 213 Sunset Street: Staff recommends approval of an Order of Abatement for property located at 213 Sunset Street, Parcel ID#09-191-1-35 and NCPIN#2840942290 directing Staff to proceed with the demolition and removal of the structure.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

- A. Appointments; Authorities/Boards/Commissions: Mayor Gibbons will recommend that Brenda Floyd, Director, J.E. Broyhill Civic Center Catering Service, and Summer Combs, General Manager, Hampton Inn, be appointed serve a four-year term on the Lenoir Tourism Development Authority (LTDA).

Note: These appointments were announced at the June 4 City Council meeting.

IX. REPORT AND RECOMMENDATIONS OF COUNCIL MEMBERS

X. ADJOURNMENT

**CITY OF LENOIR
COUNCIL ACTION FORM**

I. Agenda Item:

Public hearing to adopt an ordinance declaring the former Wrightway Drive-Thru, located at 839 Creekway Dr (NC PIN 2840504834), as a danger to the public health, safety, morals, and general welfare of inhabitants of the City and a nuisance by the City Council, in accordance with Sec. 12-12(15) of the Lenoir City Code.

II. Background Information:

The building on the property located at 839 Creekway Drive, formerly "Wrightway Drive-Thru Convenience Store," has partially collapsed. Deflection in the roof has led to extensive water damage that has compromised the structural components. Water infiltration poses threats of mold, bacteria, and fungi. Additionally, the property is unsecured, allowing access to the unsafe conditions in and around the structure.

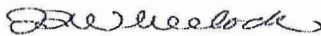
Sec. 12-12(15) states that proceedings to abate violations(s) may be initiated by the City prior to the nuisance declaration of the City Council after giving written notice thereof. On November 14, 2018, written notice of the violations on the property was provided to the property owner, Harvey Clay Danner, Jr., with an order to contact the zoning inspector within 10 days to establish an abatement plan for the violations. The owner failed to contact the Zoning Inspector and failed to abate the violations. On April 25, 2019, a second written notice was provided to the property owner, and posted on the property, with an order to abate the violations by May 27, 2019. The owner failed to abate the violations.

III. Staff Recommendation:

Address the severely dilapidated building immediately to avoid further action by the City. The violations will be abated by demolishing the structure and removing all debris.

IV. Reviewed by:

Planning Director: _____



AN ORDINANCE DECLARING THE CONDITION OF THE PROPERTY LOCATED AT 839 CREEKWAY DRIVE A PUBLIC NUISANCE AND DIRECTING ABATEMENT OF THE NUISANCE AS PROVIDED IN SEC 12-12(15) AND SEC 12-15 OF THE LENOIR CODE OF ORDINANCES.

WHEREAS, the building located on the subject property has partially collapsed, shows severe structural damage and water infiltration, and is unsecured, posing a health and safety hazard; and

WHEREAS, notice of the violations was properly provided to the owner, Harvey Clay Danner, Jr., on November 14, 2018 and again on April 25, 2019; and

WHEREAS, the owner has been given a reasonable opportunity to abate the violations as specified by City of Lenoir Code of Ordinance and the owner has failed to comply with the order;

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

Section 1. The conditions on the property located at 839 Creekway Drive NW (NC PIN 2840504834) are hereby declared to be a danger to the public health, safety, morals, and general welfare of the inhabitants of the City and declared to be a Public Nuisance.

Section 2. Appropriate City staff are hereby authorized and directed to abate the conditions on the property constituting the public nuisance as provided for in Sec. 12-15 of the City of Lenoir Code of Ordinances.

Section 3. The cost of abatement shall be paid by the property owner. Failure to pay the abatement shall result in a lien for the cost of abatement being placed on the real property described herein.

Adopted this the 18th day of June, 2019.

JOSEPH L. GIBBONS
MAYOR

ATTEST:

SHIRLEY M. CANNON
CITY CLERK



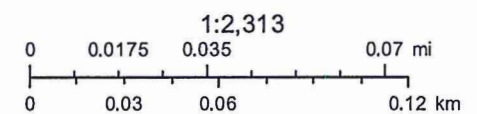
This map is NOT of land survey quality and is NOT suitable for such use.

Owner DANNER HARVEY CLAY JR
581 LAUREL LN
BLOWING ROCK, NC 28605

Acct Number 124514
Parcel ID 06 79 1 11
NCPIN 2840504834

Deferred Val \$0
Assessed Val \$33,600
Calc Acreage 0.937443
Land Units 149 (FF)
Legal Desc BK 1521 PG 1400 YR 04 ST 0.00
Plat Ref /
Property Addr 839 CREEKWAY DR

Caldwell County



November 14, 2018

CITY MANAGER
SCOTT E. HILDEBRAN



CITY OF LENOIR
NORTH CAROLINA

MAYOR
Joseph L. Gibbons

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

November 14, 2018

Harvey Clary Danner Jr
581 Laurel Ln
Blowing Rock, NC 28605

Certified Mail: 7016 2710 0001 1759 1945

Public Health and Safety Violation

TO: Harvey Clary Danner Jr, owner (s) of property located at 839 Creekway Dr
(PIN:2840504834) in the City of Lenoir, North Carolina.

- Unsafe Buildings: General Statute 160A-425, 160A-426, 160A-446, 160A-429
North Carolina Code Officials Enabling Act: 160A-412

G.S. 160A-428

That the building or structure is in a condition that appears to meet one or more of the following conditions:

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

City of Lenoir Code of Ordinance (Property is in violation of all the ordinances listed below)

Sect 10-3 Responsibilities of Owners and Occupants

Sub Sect: (A-E)

Sect 12-1 Designation of Nuisances

Sub Sect: (A) (B) (E)

Sect 12-12 Nuisances Declared

Sub Sect: (1) (6) (8)(10) (15)



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

After receiving a complaint an exterior inspection was performed of the building at the property listed above. The inspection led to the discovery of multiple health and safety hazards. Deflection in the roof has led to extensive water damage that has compromised the load bearing structural components. Due to excessive deterioration the building has partially collapsed in one section. In order to eliminate the health and safety hazard, an onsite hearing will need to take place to discuss the abatement process for the violations. These violations pose a serious threat to this structure as well as neighboring properties. Please contact me within 10 days of receiving this notice of violation to set up a time to meet at the property.

Stage of the investigation

Initial Investigation ☒

Final Determination ☐

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

Sincerely,



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

SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:

Harvey Clary Danner Jr
581 Laurel Ln
Blowing Rock, NC 28605



9590 9402 1452 5329 3849 65

2. Article Number (Transfer from service label)

7016 2710 0001 1759 1952

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

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Tony Brakefield*

- ☐ Agent
☐ Addressee

B. Received by (Printed Name)

Tony Brakefield

C. Date of Delivery

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

NOV 20 2018

3. Service Type

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

USPS

Domestic Return Receipt

7016 2710 0001 1759 1945

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- ☐ Return Receipt (hardcopy) \$
☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$

Postage

\$

Total Postage and

\$

Sent To

Street and Apt. No.

City, State, ZIP+4

Harvey Clary Danner Jr
581 Laurel Ln
Blowing Rock, NC 28605

11/14/18
Postmark
Here

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

CITY MANAGER
SCOTT E. HILDEBRAN



CITY OF LENOIR
NORTH CAROLINA

MAYOR
Joseph L. Gibbons

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

April 25, 2019

Harvey Clary Danner Jr
581 Laurel Ln
Blowing Rock, NC 28605

Certified Mail: 7016 2710 0001 1759 2423

Public Health and Safety Violation

TO: Harvey Clary Danner Jr, owner (s) of property located at **839 Creekway Dr**
(PIN:2840504834) in the City of Lenoir, North Carolina.

Unsafe Buildings: General Statute 160A-425, 160A-426, 160A-446, 160A-429
North Carolina Code Officials Enabling Act: 160A-412

G.S. 160A-428

That the building or structure is in a condition that appears to meet one or more of the following conditions:

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

City of Lenoir Code of Ordinance *(Property is in violation of all the ordinances listed below)*
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Sub Sect: (A-E)

Sect 12-1 Designation of Nuisances

Sub Sect: (A) (B) (E)

Sect 12-12 Nuisances Declared

Sub Sect: (1) (6) (8)(10) (15)



This is the final determination for the property listed above. Owner failed to contact the zoning inspector as instructed in the initial letter that was mailed on **November 14, 2018**. This property is in violation of the City of Lenoir Code of Ordinance. Deflection in the roof has led to extensive water damage that has compromised the structural components. Due to excessive deterioration the building has partially collapsed in one section. In order to eliminate the health and safety hazard the structure must be demolished and removed from the property. Abatement of these violations must occur in a specified amount of time, not to exceed 30 days.

If the owner fails to demolish the structure, City staff will submit an ordinance to City of Lenoir Council, to declare the structure located at 839 Creekway Dr a public nuisance. The City Council will hold a public hearing to adopt the ordinance at the June 4, 2019 City Council Meeting, held in the County Chambers at 905 West Ave in Lenoir.

By declaring the property a nuisance it gives the City the authority to abate the violations and place all expense acquired during the abatement on the property as a lien. This is only to be done if the property owners were to refuse to comply with the request made by the City or fail to abate the violations in the specified time allowed.

Failure to abate the violations by, **Tuesday May, 27 2019** will result in actions including, but not limited to, civil penalties, postings, and city abatement. If you have any questions concerning the violations or the abatement process please contact me.

Section 1-15 Civil and Criminal Penalties

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

(e) Civil Penalties Schedule

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

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

* If violations continue to exist past the tenth penalty, subsequent penalties shall be \$500.00 each.

- (f) Unless otherwise specifically provided in this Code and authorized by state law, no single offense (as described in subsection (d), above) may be punished by a fine or civil penalty in excess of \$500.00.

Stage of the investigation

Initial Investigation ☐

Final Determination ☒

Abatement of these violations must occur within a specified period of time, not to exceed 30 days. Failure to comply will result in actions including, but not limited to, civil penalties, posting, and city abatement.

Sincerely,



Zach Clark
Zoning and Housing Inspector
City of Lenoir Planning Department
Office: 828.757.2212
Cell: 828.394.9552

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.		A. Signature ☒ Agent ☐ Addressee B. Received by (Printed Name) ☒ C. Date of Delivery	
1. Article Addressed to: Harvey Clary Danner Jr 581 Laurel Ln Blowing Rock, NC 28605		D. Is delivery address different from item 1? ☐ Yes ☐ No If YES, enter delivery address below:	
Barcode: 9590 9402 2638 6336 0812 93		3. Service Type ☐ Adult Signature ☐ Priority Mail Express® ☐ Adult Signature Restricted Delivery ☐ Registered Mail™ ☒ Certified Mail® ☐ Registered Mail Restricted Delivery ☐ Certified Mail Restricted Delivery ☒ Return Receipt for Merchandise ☐ Collect on Delivery ☐ Signature Confirmation™ ☐ Collect on Delivery Restricted Delivery ☐ Signature Confirmation Restricted Delivery	
2. Article Number (Transfer from service label) 7016 2710 0001 1759 2423		(over \$500)	

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

7016 2710 0001 1759 2423

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy)	\$
☐ Return Receipt (electronic)	\$
☐ Certified Mail Restricted Delivery	\$
☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage	\$
Sent To	Harvey Clary Danner Jr
Street and Apt.	581 Laurel Ln
City, State, ZIP	Blowing Rock, NC 28605
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

4-25-19













CITY OF LENOIR COUNCIL ACTION FORM

I. Agenda Item:

Public Hearing to consider an ordinance designating the “Lenoir Cotton Mill-Blue Bell, Inc. Plant,” located at 1241 College Avenue, as a Lenoir Historic Landmark.

II. Background Information:

Local Historic Landmark status is intended for properties that possess a special significance in terms of historical and architectural importance, and possess integrity of design, setting, workmanship, materials, feeling, and/or association. A local landmark designation allows for a 50% property tax deferral, offering a benefit to property owners. In exchange, the local landmark status ensures continued preservation and protection of the building, by requiring that all changes receive approval of a Certificate of Appropriateness (COA). COAs are quasi-judicial permits that are reviewed by Planning Staff and approved by the Lenoir Planning Board acting in their capacity as the Lenoir Historic Preservation Commission (HPC). Local landmark status also allows the City to enforce against “demolition through neglect.” Failure of the owner to abide by these additional restrictions will result in the forfeiture of the tax benefit.

This request was considered by the Lenoir Planning Board, acting in their capacity as the Lenoir HPC, over the past several months:

- March 25, 2019 – the Lenoir HPC reviewed and approved a Landmark Designation Report (attached), initiating the process for State review.
- April 22, 2019 – the State Historic Preservation Office (SHPO) reviewed the designation report and issued a letter of comment recommending approval of the local landmark. The letter is attached for information.
- April 22, 2019 – the Lenoir HPC held a duly noticed public hearing to consider the request, including comments from the SHPO, and asked staff to make additional specifications in the report and ordinance regarding contributing interior and exterior features.
- May 20, 2019 – the Lenoir HPC reviewed the changes to the ordinance and found them sufficient in order to review future projects, and recommended that the Lenoir City Council adopt the requests as amended, following a public hearing on June 18, 2019. Staff has duly noticed for this hearing.

The Landmark Designation Report, as amended to address the comments of the State Historic Preservation office and the Lenoir HPC, is attached. The owner of the property is

supportive of this designation and the specific interior and exterior features outlined in the ordinance and designation report.

III. Staff Recommendation:

Adoption of the attached Local Landmark Designation ordinance.

IV. Reviewed by:

City Attorney: _____

Finance Director: _____

Planning Director: _____

**AN ORDINANCE OF THE CITY COUNCIL OF LENOIR,
NORTH CAROLINA, DESIGNATING THE “LENOIR
COTTON MILL-BLUE BELL, INC. PLANT”, LOCATED
AT 1241 COLLEGE AVENUE IN LENOIR, NORTH
CAROLINA AS A LENOIR HISTORIC LANDMARK
PURSUANT TO NCGS CHAPTER 160A, ARTICLE 19.**

WHEREAS, Chapter 160A, Article 19, Part 3C of the North Carolina General Statutes provides for the designation of historic landmarks; and

WHEREAS, the City of Lenoir has created the Lenoir Historic Preservation Commission as a commission having the authority to exercise, within the planning jurisdiction of the City, the powers and duties conferred by N.C.G.S. 160A-400; and

WHEREAS, the Lenoir Cotton Mill-Blue Bell, Inc. Plant is located at 1241 College Avenue in Lenoir, North Carolina, and is identified by NC PIN 2749559283 (“the Property”); and

WHEREAS, the Property is owned by Blue Bell Lenoir, LLC who have consented to the landmark designation; and

WHEREAS, the Lenoir Historic Preservation Commission issued a Landmark Designation Report on March 25, 2019, recommending designation of the Property as a historic landmark; and

WHEREAS, as set forth in the Landmark Designation Report, the Lenoir Historic Preservation Commission has determined that the Property is of special significance in terms of its historical and architectural importance, and possesses integrity of design, setting, workmanship, materials, feeling, and/or association; and

WHEREAS, the State Historic Preservation Office (“SHPO”) of the North Carolina

Department of Natural and Cultural Resources has been provided the opportunity to review and comment on the proposed designation; and

WHEREAS, the SHPO reviewed the proposed designation and issued a letter of comment dated April 22, 2019 in which it noted that “The Lenoir Cotton Mill [a/k/a Blue Bell, Inc. plant] constructed in 1902 and expanded in 1903 is a brick masonry industrial building ‘characterized by a low-pitched-gable roof with rounded rafter ends that support deep eaves...Tall segmental-arched window and door openings with tow-header-course lintels, and slightly projecting wood windowsills’ are significant architectural features of the property. As the mill played a critical role in the local industrial economy through the first half of the twentieth century and is architecturally significant, it appears to possess the level of special significance and integrity required for designation as a local historic landmark;” and

WHEREAS, the Lenoir Historic Preservation Commission held a duly-noticed public hearing on April 22, 2019, with respect to this ordinance and designation of the Property as a historic landmark as contemplated herein, and following said hearing voted on May 20, 2019 to confirm its recommendation that the Lenoir City Council designate the Property as a historic landmark; and

WHEREAS, the Lenoir City Council held a duly-noticed public hearing on June 18, 2019 with respect to this ordinance and designation of the Property as a historic landmark as contemplated herein; and

WHEREAS, the Lenoir City Council, having taken into full consideration all statements and information presented at the public hearings and in the Landmark Designation Report, finds that the Property meets all qualifying elements of a historic landmark, particularly, that it is of special significance in terms of its historical, prehistorical, architectural, and/or cultural importance, and possesses integrity of design, setting, workmanship, materials, feeling, and/or association; and

WHEREAS, the Lenoir City Council finds that the Property’s preservation should be encouraged and ensured.

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

SECTION 1. The City of Lenoir hereby designates the Lenoir Cotton Mill-Blue Bell, Inc. Plant, located at 1241 College Avenue in Lenoir, North Carolina as a Lenoir Historic Landmark pursuant to Chapter 160A, Article 19, as amended, of the North Carolina General Statutes. Said property being more particularly described as follows:

A. Boundary Description

The local historic landmark designation boundary consists of NC PIN 2749559283 (3.93 acres), as indicated by the heavy dark lines on the map attached as “Exhibit A.”

B. Designation Parameters

1. Landmark Designation shall apply to the **entire exterior** of the building, with the following character-defining features specifically enumerated:

1.1 Original Mill Building (1902-1903)

- low-pitched-gable roof with rounded rafter ends and deep eaves
- five-to-one common-bond brick walls
- tall segmental-arched window and door openings with two-header-course lintels
- slightly projecting wood windows sills
- eight-over-eight, double-hung, wood sash and eight-pane transoms
- corbelled office/water tower
- four two-story brick additions erected between 1927 and 1946 that project from the west elevation

1.2 Late 1950s addition on the 1902-1903 mill's east side

- flat roof
- flat, terra-cotta-coping-capped north parapet
- five-to-one common bond brick veneer
- eighteen-pane steel sash with six-pane lower hoppers

2. Landmark Designation shall apply to the **partial interior** of the mill building, with only the following character-defining features specifically enumerated:

2.1 Original Mill buildings (1902-1903)

- painted brick walls
- substantial wood columns, posts, and beams
- wood roof decking boards
- hardwood floors
- metal-clad kalamein doors
- office/water tower and west stair tower staircases

3. Landmark Designation shall apply to the following **contributing structures**, with character-defining features specifically enumerated:

3.1 Smokestack, 1902, Contributing Structure

- round, 100-foot-tall, freestanding smokestack
- stepped foundation
- tapered stack executed in six-to-one common bond

3.2 Opening room, erected between 1921 and 1927, Contributing Building

- brick walls

- flat parapets

SECTION 2. No portion of the interior and exterior features of any building, site, structure, area, or object that is designated in this ordinance may be altered, restored, moved, remodeled, or reconstructed so that a change in design, material, or outer appearance occurs unless and until a Certificate of Appropriateness is obtained from the Lenoir Historic Preservation Commission or its successors; provided however that the City of Lenoir Historic Preservation Commission or designee may approve Certificates of Appropriateness for minor works as listed in the Bylaws and Rules of Procedure of the Lenoir Historic Preservation Commission. The Lenoir Historic Preservation Commission shall review Certificates of Appropriateness for interior alterations using *The Secretary of the Interior's Standards for Rehabilitation*.

SECTION 3. No portion of the exterior features of any building, site, structure, or object that is designated in this ordinance may be demolished unless and until a Certificate of Appropriateness is obtained from the Lenoir Historic Preservation Commission or a period of three hundred and sixty-five (365) days has elapsed following final review by the Commission of a request for demolition (or any longer period of time required by N.C.G.S. 160A-400.14 as it may be amended hereafter); provided however, that demolition may be denied by the Lenoir Historic Preservation Commission in the event that the State Historic Preservation Officer determines that the building, site, structure, or object has statewide significance as provided by N.C.G.S. 160A-400.14.

SECTION 4. Nothing in this ordinance shall be construed to prevent or delay ordinary maintenance or repair of any architectural feature in or on said landmark that does not involve a change in design, material, or outer appearance thereof, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the owner of the historic landmark from making any use of the historic landmark not prohibited by other statutes, ordinances, or regulations. Owners of locally designated historic landmarks are expected to be familiar with and follow *The Secretary of the Interior's Standards for Rehabilitation* and the *Lenoir Historic Design Guidelines*, the guidelines used by the Lenoir Historic Preservation Commission to evaluate proposed alterations or additions.

SECTION 5. The Lenoir Historic Preservation Commission shall have no jurisdiction over the interior features of the property, with the exception of those portions of the interior that are included in the designation parameters as contemplated in this ordinance.

SECTION 6. City administration and the Lenoir Historic Preservation Commission are hereby authorized to have posted a suitable sign on the site herein described indicating that said site has been designated a historic landmark by action of the Lenoir Historic Preservation Commission and the Lenoir City Council provided, should the owners of the herein described property not consent to the posting of said sign on the described premises, City administration and the Lenoir Historic Preservation Commission are hereby authorized to have said sign located on the public right-of-way adjacent to said property.

SECTION 7. All owners of the property hereinabove described, whose identity and addresses can be ascertained by the exercise of due diligence, shall be sent by certified mail a copy of this ordinance.

SECTION 8. Copies of this ordinance shall be filed and indexed in the offices of the City Clerk, Planning and Community Development Department, Caldwell County Register of Deeds, and the Caldwell County Tax Administrator, as required by applicable law.

SECTION 9. In the event any building, site, structure, or object designated in this ordinance is demolished in accordance with the ordinances of the City of Lenoir, this ordinance may be repealed.

SECTION 10. Any violation of this ordinance shall be unlawful as by law provided.

SECTION 11. This ordinance shall be effective on the date of adoption.

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

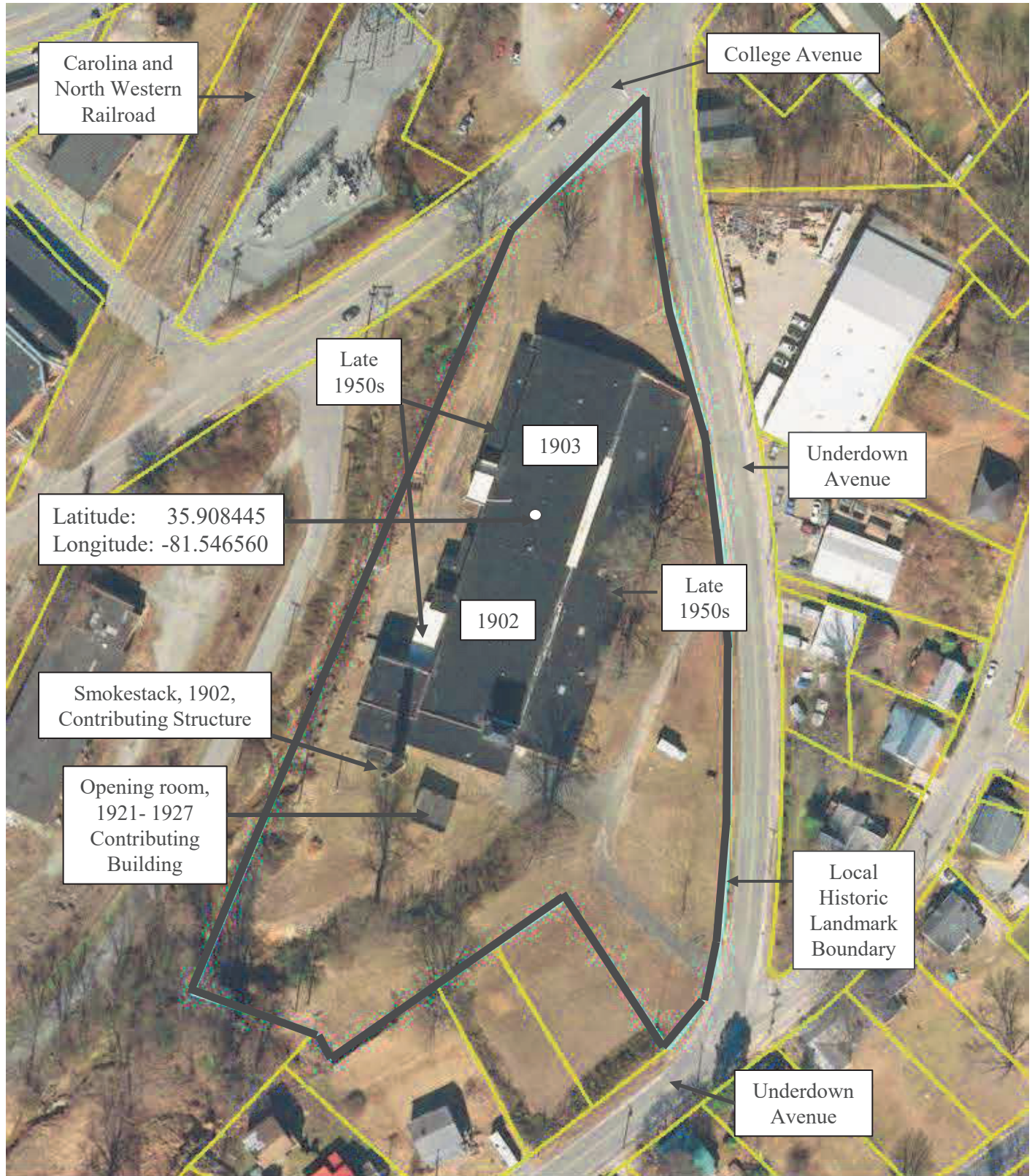
Mayor/Mayor Pro Tempore

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

City Clerk

****[Remainder of page intentionally left blank.]****

Lenoir Cotton Mill – Blue Bell, Inc. Plant
1241 College Avenue, Lenoir, Caldwell County, North Carolina
Local Historic Landmark Boundary Map



Heather Fearnbach, Fearnbach History Services, Inc. / February 2019
 Base 2014 aerial photo courtesy of <http://gis.caldwellcountync.org/maps/>

Scale 1" = 100 feet



April 22, 2019

Jenny Wheelock
P.O. Box 958
801 West Avenue, Northwest
Lenoir, NC 28645

RE: Proposed Designation of the **Lenoir Cotton Mill, 1241 College Avenue, Lenoir, Caldwell County**

Dear Ms. Wheelock:

Thank you for the report we received regarding the proposed designation of the Lenoir Cotton Mill located at 1241 College Avenue in Lenoir. We have reviewed the report and offer the following comments.

The Lenoir Cotton Mill constructed in 1902 and expanded in 1903 is a brick masonry industrial building “characterized by a low-pitched-gable roof with rounded rafter ends that support deep eaves...Tall segmental-arched window and door openings with two-header-course lintels, and slightly projecting wood window sills” are significant architectural features of the property. As the mill played a critical role in the local industrial economy through the first half of the twentieth century and is architecturally significant, it appears to possess the level of special significance and integrity required for designation as a local historic landmark.

We have shared recommendations with staff for changes to the report. Once the report has been revised to include staff’s recommendations, we believe the commission and the local governing board will be able to more accurately determine if the Lenoir Cotton Mill possesses the requisite special significance and integrity required for local historic landmark designation.

Landmark designation means the community recognizes the property is worthy of preservation because of its special significance to the local community. Any substantial changes in design, materials, and appearance to the property is subject to the design review procedures of the preservation commission.

If the local governing board wishes to extend the Commission’s design review authority to significant features of the interior, the owner must give written consent. The designation ordinance must specify the features and describe the nature of the Commission’s design review authority over them.

Thank you for the opportunity to comment on the report. Please note, our comments are advisory only and therefore, nonbinding. Once the governing board has received a recommendation from the Lenoir Historic Preservation Commission, it should proceed in the same manner as would otherwise be required for an

amendment to the zoning ordinance. Once the decision has been made, please return a completed copy of the enclosed form to our office.

This letter serves as our comments on the proposed designation of the Lenoir Cotton Mill. Please contact me at 919-814-6575 should you have any questions about our comments.

Sincerely,

A handwritten signature in blue ink that reads "Amber E. Stimpson". The signature is fluid and cursive, with a large loop at the end of the last name.

Amber E. Stimpson
Local Preservation Commissions / CLG Coordinator

CC: Commission Chair

Enclosure

LOCAL HISTORIC LANDMARK DESIGNATION REPORT



**Lenoir Cotton Mill – Blue Bell, Inc. Plant
1241 College Avenue
Lenoir, Caldwell County, North Carolina**

**Prepared by:
Fearnbach History Services, Inc.
3334 Nottingham Road
Winston-Salem, NC 27104**

April 2019

Introduction

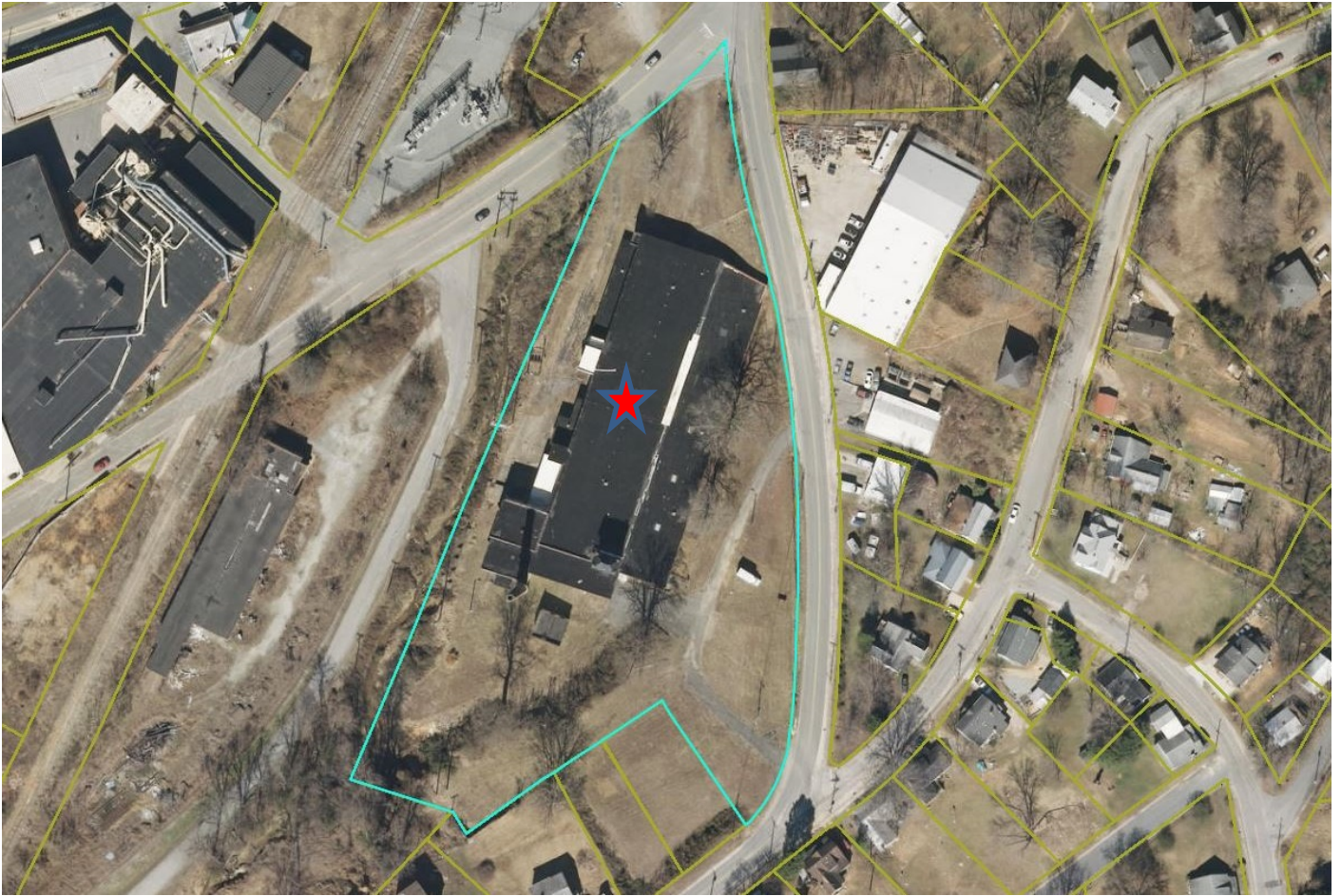
This report demonstrates that the Lenoir Cotton Mill – Blue Bell, Inc. plant possesses the requisite integrity and industrial and architectural significance for local historic landmark designation. The concerns' contribution to the local economy as manufacturers, employers, consumers of goods and services, and taxpayers, were enormous. Lenoir Cotton Mill commenced production in January 1902 and doubled its capacity upon the completion of a September 1903 addition. The operation remained the largest of Caldwell County's seven textile manufacturers through the early 1920s. Lenoir Cotton Mill maintained an approximately two-hundred-person workforce through 1935, but sold the plant in January 1939. The mill served as furniture storage prior to being leased by Greensboro-headquartered work clothes manufacturer Blue Bell, Inc., as a satellite plant to fulfill contracts for military apparel and the retail market. The factory played an important role in Blue Bell, Inc.'s production. By October 1952, four hundred Lenoir employees had the ability to generate as many as 84,000 pairs of pants each week, primarily women's and girls' sportswear. The company's workforce was predominantly female, affording women the opportunity to hold a wide variety of positions in an industry other than textile manufacturing. Blue Bell, Inc. remained Caldwell County's only sizable apparel manufacturer as it utilized the Lenoir plant until 1983.

Lenoir Cotton Mill – Blue Bell, Inc. is architecturally significant as the plant manifests typical early- to mid-twentieth-century industrial design. The 1902 plant and 1903 addition feature round wood column and heavy-timber post-and-beam interior structural systems. The load-bearing brick exterior walls are executed in six-to-one common bond with segmental-arched window and door openings. These elements, in conjunction with original interior features such as triple-thickness wood floors and kalamein doors, are representative of early-twentieth-century fire-resistant industrial architecture. The two-stage office tower and the eight-over-eight, double-hung, wood sash and eight-pane transoms are also important survivals. The late 1950s cutting room addition comprises a steel truss roof system and brick-veneered concrete-block exterior walls. The period of significance begins in 1902, with the original section's completion, and continues to 1967. The plant's industrial function and physical expansion after 1967 are not of exceptional significance.

The local historic landmark boundary encompasses 3.93-acre Caldwell County tax parcel number 2749559283.

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Lenoir Cotton Mill – Blue Bell, Inc. indicated with a red star
 Base 2014 aerial photo courtesy of <http://gis.caldwellcountync.org/maps/>

Site

The mill is rotated approximately fifteen degrees from true cardinal direction alignment. However, for the purposes of this document the following description is written as if it has true north-south orientation.

Setting

Located south of Lenoir's commercial center, the plant that historically functioned as Lenoir Cotton Mill and Blue Bell, Inc. occupies an irregularly shaped 3.93-acre lot bounded by College Avenue to the north, Underdown Avenue to the east, small mill employee house parcels fronting Underdown Avenue to the south, and a 5.4-acre tract that contains a Carolina and North Western Railroad depot to the west. Underdown Avenue is at a higher elevation than College Avenue, resulting in terrain that slopes down to the west. A C-shaped asphalt-paved drive intersects Underdown Avenue at two points east and southeast of the mill and leads to an asphalt-paved parking area at the same lower elevation as the primary entrance at the mill's southeast corner. East of the entrance drive, what is now a grass lawn was the upper parking lot.

A straight run of concrete steps with a central metal-pipe railing leads to the concrete sidewalk on the late 1950s addition's south side. A brick retaining wall runs east-west on the sidewalk's south edge. At the adjacent parking area's southeast corner, a longer run of steps flanked by concrete retaining

walls and steel-pipe railings provides access to the upper parking lot. North of the mill, a straight run of steps with concrete retaining walls and steel-pipe railings ameliorates the change in grade. A concrete sidewalk extends to the central entrance on the 1903 addition's north elevation. A fire hydrant and water pressure valve are on the grass embankment bank south of the steps.

The asphalt-paved drive that provided access from College Avenue to the loading docks on the mill's west side has not been maintained and is overgrown with vegetation. A creek runs through the property west of the mill.



South elevation (above), October 26, 2018

Parking area and steps southeast of mill (below)

Photographs taken by Heather Fearnbach on August 15, 2016 unless otherwise noted





**Lenoir Cotton Mill – Blue Bell, Inc. Plant, 1902-1903, 1927-1946, late 1950s
Southeast oblique**

Description

Exterior

The long, linear manufacturing plant's 1902 (south) section is approximately 77 feet wide by 216 feet long. The one-story-on-basement brick factory was expanded to the north in 1903 with a 136-foot-long addition. By 1913, the original mill housed the roving and carding operations, while the twisting, winding, and shipping departments occupied the north addition. The picker, engine, and boiler rooms are at the south end, separated from the manufacturing areas by brick firewalls. The engine and boiler rooms extend from the mill's southwest corner. Blue Bell, Inc. constructed the one-story, flat-roofed, late 1950s cutting room addition that spans the entire length of the 1902-1903 east elevation. The cutting department had previously been located in the 1902-1903 basement, along with the shipping and receiving departments and the cafeteria, which was beneath the offices that by then filled the picker room. A series of one- and two-story brick additions erected sometime between 1927 and 1946 and one-story concrete block, late 1950s additions project from the basement's west elevation.¹

The 1902-1903 building is characterized by a low-pitched-gable roof with rounded rafter ends that support deep eaves, five-to-one common-bond brick walls, tall segmental-arched window and door openings with two-header-course lintels, and slightly projecting wood window sills. Most eight-over-eight, double-hung, wood sash and eight-pane transoms are substantially intact, although covered with T-111 panels.

¹ Sanborn Map Company, "Lenoir, N. C.," Sheet 14, December 1927 and August 1950; "Blue Bell, Inc.," October 1946 and 1954-1955 photographs, Caldwell Heritage Museum, Lenoir; Lenoir News-Topic, *Pictorial Review of Lenoir and Caldwell County, North Carolina*, late 1950s, Caldwell Heritage Museum; Dot Land, telephone conversation with Heather Fearnbach, April 17, 2017.



South elevation

The nine-bay-wide south elevation initially comprised eight windows and a door in the east bay that provided access into the picker room. However, the door has been removed and the opening partially infilled with brick to allow for a window's installation. A straight run of concrete steps with a metal-pipe railing leads to the basement entrance in the second bay from the south wall's west end. The picker room's east elevation is two bays deep.

At the picker room's northeast corner, a two-bay-wide and one-bay-deep brick office tower rises in two stages above the roof. Segmental-arched two-header-course lintels surmount the lower-stage windows. Corbelled sills and paired, round-arched, corbelled lintels frame the upper-stage openings. A corbelled cornice further ornaments the tower, which originally had a flat roof and a tall flat parapet with corbelled brick corners. The standing-seam-metal pyramidal hip roof that was added in the early twentieth century covers the parapet with the exception of the corners that pierce the roof.

A one-story on basement engine room and single-level boiler room extend from the mill's southwest corner. The boiler room (to the south) has a blind east elevation, a two-bay south elevation, and a three-bay west elevation. Interior access is possible from the engine room's basement as well as the exterior door on the boiler room's west elevation. A one-story shed-roofed room projects from the south elevation's center.

The engine room is four bays wide and four bays deep. The west elevation's basement fenestration now comprises (from north to south) a single-leaf entrance, a brick-enclosed window opening, and two windows covered with plywood. Segmental-arched two-header-course lintels cap the three original openings. The rectangular window opening in the second bay from the south end was a later addition. Three brick courses separate that opening from the wood lintel of the upper-level window opening above it. The upper-level window opening has been infilled with brick and is at a lower elevation than the other three eight-over-eight, double-hung, wood sash and eight-pane transoms that illuminate the main floor.



South elevation; engine and boiler rooms at left (above)
West elevation, south section, looking southeast at engine room's north elevation (below)



A concrete loading dock wraps around the engine room's northwest corner. A metal roll-up service door has been installed in the north elevation's west basement bay. The remaining three bays encompass a service door opening and flanking windows. However, a late 1950s shed addition extends north from the engine room's two east bays, resulting in that section of wall's treatment as an interior partition. The window and door were subsequently removed, leaving empty openings. A metal shed canopy spans the two west bays, sheltering the loading dock. Four eight-over-eight, double-hung, wood sash and eight-pane transoms pierce the north elevation's upper story.

Four two-story brick additions erected between 1927 and 1946 project from the west elevation. A one-bay-square elevator shaft rises at the building's northwest corner. A wide segmental-arched opening

pierces the upper section of the shaft's west elevation. In the thirteenth bay from the wall's north end, a one-and-one-half-story, one-bay-square stair tower rises on the north side of a two-story, three-bay-wide and two-bay-deep restroom tower. The stair tower's north elevation is blind. A large segmental-arched window opening fills much of the west elevation. A flat steel canopy shelters the concrete loading dock outside the door in the west bay of the restroom tower's south elevation. Eight-over-eight, double-hung, wood sash windows fill the remaining bays on the south elevation, the three openings on the west elevation's upper level, and the west elevation's south basement bay. The openings in the two north basement bays are covered with plywood. A square restroom tower projects from the seventh bay from the west wall's south end. High square windows light the interior.

One-story, shed-roofed, concrete-block, late 1950s additions span much of the distance between the towers. A six-bay-long addition extends north from the engine room's two east bays to the south tower. The L-shaped addition on the tower's north side has a two-bay-square south section and a single-bay-wide-and-deep north section. A twelve-bay-long addition extends north from the stair tower to the elevator shaft. Most of the fifteen-pane steel sash with six-pane lower hoppers that illuminated the additions are intact, but the majority have been covered with exterior T-111 panels.



West elevation, north section, looking southeast

The 1903 addition's north elevation originally comprised a central double-leaf door flanked by eight (four on each side) eight-over-eight, double-hung, wood sash with eight-pane transoms.² In the mid-twentieth century, Blue Bell, Inc. installed a no-longer-extant flat-roofed metal canopy above the door as well as raised signage advertising the company name, plant location, and logo. Five window openings remain; one in the westernmost bay and the others in the four east bays. Some of the original sash and transoms have been encapsulated between interior and exterior plywood and T-111 panels. The window opening in the second bay from the west end has been infilled with brick. An angled concrete sidewalk leads from the base of a straight run of concrete steps to the single-leaf steel door in the fifth bay from the east end. Metal roll-up service doors secure the two loading docks to the west, which replaced two original windows. The site's sloping grade allows enough clearance for truck beds to align with the docks. The loading area is now a grass lawn.

² "Blue Bell, Inc.," October 1946 photograph taken by Sparks Studio of Lenoir, Caldwell Heritage Museum.

The five-bay north elevation of the one-story, flat-roofed, late 1950s addition in the 1902-1903 mill's east side has a flat, terra-cotta-coping-capped parapet that is taller than the adjacent north elevation of the 1903 addition as well as the remainder of the late 1950s addition. Masons executed the brick veneer in five-to-one common bond. A flat metal canopy once surmounted the double-leaf wood door with square base panels and glazed upper sections in the west bay. The window openings in the east four bays gradually decrease in size from west to east due to the adjacent embankment. The full-height west window contains an eighteen-pane steel sash with a six-pane lower hopper. Plywood interior and exterior panels cover the shorter sash to the east.



North elevation

The late 1950s addition's east elevation primarily comprises eighteen-pane steel sash with six-pane lower hoppers. Near the wall's center, a double-leaf wood door with paired, vertical, rectangular base panels and glazed upper section allows interior access. A flat metal canopy shelters the double-leaf wood door with square base panels and glazed upper sections in the south elevation's west bay. The three central bays originally contained tall windows, but a double-leaf door has been installed in the center opening. A short, square, east opening allows access to the water pressure valve in the addition's southeast corner.

Interior

The mill's open plan and interior finishes are substantially intact. Painted brick walls; substantial wood columns, posts, and beams; wood roof decking boards; hardwood floors; and metal-clad kalamein doors characterize the 1902-1903 building. Long rows of columns and posts divide the manufacturing areas into three wide bays that accommodated sizable machinery. Round wood columns and heavy-timber beams support the floor and roof systems. Steel connecting plates secure the columns to the beams. The original floor system consists of three-inch-thick plank decking, a three-inch-thick diagonal-board middle layer, and a tongue-and-groove hardwood top layer.

The restrooms in the north tower that projects from the west elevation are simply finished with plaster walls, vinyl-composition-tile floors, painted-wood stall partition walls, and white porcelain fixtures. Fixtures and partitions have been eliminated from the south tower.

At the 1902 building's south end, a short narrow corridor leads to what was an entrance vestibule adjacent to the wood steps that provide access to the small office tower that rises in two stages above the roof. A short railing comprised of square balusters, a matching flat handrail, and a square newel post with a flat square cap secures the lower stair run. The corridor west of the stairs, which is labeled "dust house" on Sanborn maps, and the vestibule have plaster walls and ceilings and narrow hardwood floors. In the tower, brick walls, wood rafters, and wide-board roof decking have been painted. The wood frame of a dropped acoustical-tile ceiling remains. Such towers often housed factory whistles and/or water tanks that required elevation to gravity-feed sprinkler systems. In this case, a 10,000-gallon steel water tank remains in the tower's upper stage, which is only accessible from the roof.

Mid-twentieth-century frame partition walls, some sheathed with faux-wood paneling, divide the picker room into four offices, a break room, a conference room, a storage room, and restrooms. The dropped ceiling's wood frame is intact, but the acoustical tiles that were attached to it have been removed. Narrow hardwood floors are exposed in most areas, but have been covered with vinyl composition tile in one office and the conference room.

On the engine room's south elevation, a straight run of stairs enclosed with a vertical-board wall facilitates basement access. The open basement rooms are characterized by robust square heavy-timber posts and beams. In a few instances, steel columns or I-beams have replaced some of the heavy-timber posts. The poured-concrete floor provides a durable work surface. The boiler room, accessed from a door at the engine room's southwest corner, has a concrete floor and a high ceiling designed to accommodate sizable equipment. The wood rafters and wide-board roof decking are exposed.

Flat steel trusses span the distance between the 1902-1903 mill's east elevation and the one-story late 1950s east addition's concrete-block exterior wall. The rubber membrane roof rests on corrugated metal decking. Although vinyl composition tile sheathes a few floor sections, the poured concrete floor is exposed in the majority of the long open room. The one-story late 1950s additions on the west elevation also have open plans and concrete floors, but heavy-timber beams and wide-board roof decking support the low shed roofs. These areas are accessible from the basement, where windows have been removed in some 1902-1903 walls encapsulated by the additions. In other cases, portions of walls between these mill sections have been demolished to create wide openings.

Linear and pendant fluorescent lights, sprinkler system pipes, and a minimal amount of rigid metal ductwork and ventilation equipment hang from the ceilings throughout the plant. Surface-mounted metal conduit houses electrical wiring. Ceiling fans and window hoppers facilitated air circulation.



**1902-1903 mill, main floor, looking south (above), October 26, 2018
and basement, looking north (below)**





1902 engine room, basement, looking southwest (above)
Late 1950s addition on the mill's east side, looking north (below), October 26, 2018



Smokestack, 1902, Contributing Structure

A round, 100-foot-tall, freestanding smokestack stands next to the boiler room's southeast corner. A stepped foundation supports the tapered stack executed in six-to-one common bond. A segmental-arched, two-header-course lintel tops the clean-out door on the base's south side.

Opening room, erected between 1921 and 1927, Contributing Building

A one-story, brick, square opening room is southeast of the smokestack. The blind south and west

walls rise to flat parapets above the low shed roof, which slopes to the east. Two twenty-pane steel sash with eight-pane lower hoppers pierce the north elevation. A wide door opening on the east elevation allows interior access. The wood floor boards have been removed and the joists are in poor condition. The south elevation initially abutted a one-story frame cotton warehouse to the south. The party wall was not intended to be exposed to the elements and was stuccoed on the warehouse side. The stucco has been partially removed and the brick is spalling. By 1927, a frame platform connected the picker room at the mill's south end to the opening room and warehouse. A railroad spur line terminated west of the warehouse.



**South elevation, smokestack, and opening room (above)
Opening room, northeast oblique (below)**



Integrity Statement

Lenoir Cotton Mill – Blue Bell, Inc. possesses good integrity of location, setting, feeling, association, design, materials, and workmanship. The building displays character-defining features of early- to mid-twentieth-century industrial architecture. The 1902 plant and 1903 addition retain round wood column and heavy-timber post-and-beam interior structural systems. The load-bearing brick exterior walls are executed in six-to-one common bond with segmental-arched window and door openings. These elements, in conjunction with triple-thickness wood floors and kalamein doors, are representative of early-twentieth-century fire-resistant industrial architecture. The two-stage office tower and eight-over-eight, double-hung, wood sash and eight-pane transoms are important survivals.

The late 1950s additions retain original structural systems and windows. The east cutting room addition comprises a flat steel truss roof system, brick-veneered concrete-block exterior walls, poured-concrete floors, and eighteen-pane steel sash with six-pane lower hoppers. The one-story, shed-roofed, concrete-block, late 1950s, basement-level additions on the west elevation have heavy-timber roof beams spanned by wide-board decking, poured-concrete floors, and fifteen-pane steel sash with six-pane lower hoppers. The late 1950s additions did not involve extensive modification to the 1902-1903 mill; only the creation of door openings and the removal of some window sash to facilitate interior connectivity.

Historical Background and Industrial Context

North Carolina's early textile operations depended on waterpower, making locations along the Haw, Deep, and Catawba rivers, where slate formations create falls and rapids, ideal for manufacturing. German merchant Michael Schenck erected a sawmill, gristmill, and several ironworks in Lincoln County before hiring ironworkers Absolom Warwick and Michael Beam to construct North Carolina's first cotton mill in 1813. Only a few other entrepreneurs attempted textile production before the late 1820s, when the North Carolina legislature approved the incorporations of approximately fifteen new companies. Henry Humphreys was the first North Carolina textile mill owner to experiment with steam power, installing a system in 1828 at his Mt. Hecla Cotton Factory near Greensboro that inspired others to invest in the technology. However, it was not until the late 1830s that industrialists capitalized on the piedmont's available sites, transportation, and labor force to establish spinning mills.³

Samuel Finley Patterson, James Harper, and his nephew James Clarence Harper organized Caldwell County's first textile mill, Patterson Manufacturing Company. The 1848 plant, situated north of Lenoir on the Yadkin River, produced wool and cotton plaids and sheeting. Granite Falls Manufacturing Company, established by P. G. Moore around 1880 south of Hudson on Gun Powder Creek, was the county's earliest large-scale cotton-yarn-spinning enterprise. These and other textile mills initially relied on dams and waterwheels to power their equipment.⁴ However, steam and electric

³ Holland Thompson, *From the Cotton Field to the Cotton Mill* (Norwood, Massachusetts: Norwood Press, 1906), 45-49; Brent D. Glass, *The Textile Industry in North Carolina: A History* (Raleigh: North Carolina Department of Cultural Resources, Division of Archives and History, 1992), 4-10, 14. "Humphreys" is also spelled "Humphries" in various sources, but as period documents use "Humphreys," that spelling is repeated here.

⁴ James Harper's son Samuel Finley Harper sold his interest in the company to Elkin industrialist Thomas Gwyn in 1877. However, S. F. Harper and his son James Harper headed the successor concern, Gwynn-Harper Manufacturing Company, by the 1890s. *Lenoir Topic* (hereafter abbreviated *LT*), May 17, 1877, p. 3; Davison Publishing Company, *The Blue Book: Textile Directory: United States and Canada, 1894-5* (Davison Publishing Company, 1894), 94, 97; "Granite Falls Enterprises," *Charlotte Observer* (hereafter abbreviated *CO*), November 10, 1901, p. 3.

power availability encouraged factory movement to urban areas in close proximity to railroad lines and sizable potential employee pools.

Caldwell County residents celebrated the 1884 completion of the Chester and Lenoir Narrow Gauge Railroad, a 110-mile freight and passenger line originating in South Carolina that stimulated commercial and industrial growth along its route. Lenoir entrepreneurs George Washington Finley Harper and Marshall M. Courtney were among those who benefited from the opportunity for more expeditious trade. G. W. F. Harper owned a general mercantile established by his father James C. Harper to serve Lenoir residents around 1845. On January 1, 1884, Harper partnered with his future son-in-law John Mathias Bernhardt and John's older brother George Lynn Bernhardt to create Harper and Bernhardt.⁵

Marshall M. Courtney and B. M. Tuttle opened a general store at Tuttle's Crossroads (now Hartland) in 1872 and expanded the operation to Lenoir in 1879. That year, the partners commissioned the construction of a no-longer-extant two-story brick commercial building that occupied a corner lot adjacent to the Central Hotel. Courtney purchased Tuttle's interest in the business in 1883 and partnered with his brother, R. G. Courtney, in the venture. Around 1888, they erected the warehouse that still stands behind the Courtney Buildings (facing Church Street) to store their inventory. Courtney Brothers sold a wide variety of merchandise, from farm equipment to medicine. On September 19, 1888, M. M. Courtney became the business's sole proprietor.⁶

The Bernhardts and Harpers were also heavily involved with railroad development. G. W. F. Harper was a principle stockholder and became in 1893 the president of the Chester and Lenoir Narrow Gauge Railroad. He guided the concern through receivership to become the Carolina and North Western Railway in 1897. J. M. Bernhardt, while general production manager at Caldwell Land and Lumber Company (incorporated in 1892), encouraged the concern's owners to build the Caldwell and Northern Railway. He also assisted with the route's survey. Beginning in 1893, freight cars transported lumber from the small community of Collettsville, located ten miles southwest of Lenoir, to the larger municipality's industries. A passenger line extended northwest of Lenoir in phases to Wilson Creek, Mortimer, and finally to Edgemont by 1906. The Carolina and North Western Railway assumed control of the Caldwell and Northern Railway in 1905 and merged the concerns in 1910.⁷

J. M. Bernhardt's Lenoir planing mill and box factory, which commenced operating in 1896, was the town's largest manufacturing concern by 1900. In 1902, Lenoir boasted at least ten industrial enterprises, ranging from flour to lumber mills, furniture producers, and building supply companies,

⁵ Harper and Bernhardt reorganized in April 1886, adding G. W. F. Harper's son and the Bernhardts' Davidson classmate George Finley Harper as partners. "Good in a Change of Gauge," *CO*, February 11, 1902, p. 4; "John Matthias Bernhardt," alumnus file, Special Collections, E. H. Little Library, Davidson College, Charlotte, North Carolina.

⁶ *LT*, May 1879; *Lenoir News* (hereafter abbreviated *LN*), May 1, 1879, August 28, 1879, February 19, 1880, September 19, 1888; "Marshall M. Courtney," *Lenoir News-Topic* (hereafter abbreviated *LNT*), September 12, 1941, p. 4; "Courtney's Now Celebrating 75th Anniversary," *LNT*, May 23, 1947, p. 1; Hall E. Cobb, Jr., *A Brief Historical Sketch of Caldwell County & Lenoir* (Lenoir: n. p., 1922), 187; E. Carl Anderson, ed., *The Heritage of Caldwell County, North Carolina* (Winston-Salem, N. C.: Hunter Publishing Company, 1983), 143-144.

⁷ The Carolina and North Western Railway line later became a subsidiary of the Southern Railway. *LT*, June 14, 1893, p. 3; "Chester and Lenoir Railroad," *CO*, February 1, 1894, p. 2; *Statesville Record*, January 17, 1896, p. 2; "The Chester and Lenoir," *Hickory Press*, January 23, 1896, p. 2; Robert D. Walker Jr., "Can't and Never Will: Remembering the Carolina & North-Western," in Cary Franklin Poole, *A History of Railroading in Western North Carolina* (Johnson City, Tennessee: The Overmountain Press, 1995), 58-61.

most of which were located along railroad lines. Downtown businesses prospered as the population increased in conjunction with industrial expansion.⁸

It was in this auspicious economic climate that Gastonia industrialist J. D. Moore approached M. M. Courtney with the idea of building Lenoir's first cotton mill. He offered to invest \$40,000 if local businessmen would match his contribution. Courtney and other community leaders met at the Bank of Lenoir on March 14, 1901, and pledged subscriptions of \$35,000 toward the endeavor. Moore and J. O. White, the superintendent of Modena Mill (Moore's Gastonia plant established in 1893), visited Lenoir the following week. They assisted with the selection of an optimal site southwest of downtown near the intersection of what is now College and Underdown Avenues and the primary Carolina and North Western Railroad line. By the end of the month, stockholders organized Lenoir Cotton Mill and elected M. M. Courtney to serve as the company's president, G. W. F. Harper its vice-president, and J. D. Moore its secretary and treasurer. These men, plus J. O. White, who would superintend the mill, and J. L. Nelson, comprised the board of directors.⁹

On April 22, 1901, Lenoir Cotton Mill paid G. F. Harper, his wife Frances C. Harper, and James H. Beall \$2,000 for three tracts encompassing approximately twenty acres. That month, the company awarded P. L. Baker and G. L. Bernhardt a contract to erect twelve employee residences and to supply windows, doors, and other wood elements for the mill. J. W. Harris and Artie Johnson finished painting the dwellings in early August, which was also when masons began laying the factory's brick walls. Journalists proclaimed that the cottages were neat, convenient, and should serve as models for those building other mill villages. The factory's metal roof was substantially complete in early December. In January 1902, contractors including Gastonia plumber A. H. Tuttle had almost finished work and equipment was being installed.¹⁰

As the endeavor prospered, the company announced in early December 1902 plans to erect an addition. At that time, mill workers utilized 3,360 spindles to spin Egyptian cotton yarn. J. W. Suddeth began expanding the building in March 1903 and completed work in September. The approximately \$70,000 136-foot-long addition doubled the plant's production capacity by allowing for a total of 6,720 spindles. A new engine powered the equipment. In 1904, 150 employees spun forty-to-seventy-gauge two and-three-ply yarn sold by the Philadelphia agency Charles J. Webb and Company. F. C. White and T. A. Wright, both from Gastonia, oversaw the mill's operation. Barney Barton Hayes managed the carding and spinning department from January 1902 until 1904, when he became the superintendent of the newly established Hudson Cotton Manufacturing Company.¹¹

⁸ "Lenoir is a Very Busy Town," *CO*, November 10, 1901, p. 3; D. P. Waters, "Caldwell County, N. C.," *LT*, June 16, 1909, p. 2; North Carolina Department of Labor and Printing, *Twenty-Fourth Annual Report of the Department of Labor and Printing* (Raleigh: Edwards and Broughton Printing Company, 1910), 60-61; "What is it Worth?," *Lenoir News* (hereafter abbreviated *LN*), November 21, 1916, p. 2; Anderson, *The Heritage of Caldwell County*, 140-141.

⁹ "A Cotton Mill Assured," *Weekly News* (hereafter abbreviated *WN*), March 15, 1901, p. 4; *WN*, March 22, 1901, p. 4; "Cotton Mill Meeting," *WN*, March 29, 1901, p. 4;

¹⁰ Caldwell County Deed Book 34, pp. 23-26; *WN*, August 2, 1901, p. 4, August 15, 1901, p. 2, December 6, 1901, p. 3, January 10, 1902, p. 3, October 31, 1902, p. 3; "Ideal Mill Cottages," *Gastonia Gazette*, August 15, 1901, p. 2; *LNT*, September 12, 1941, p. 1;

¹¹ *WN*, January 9, 1903, p. 3, March 13, 1903, p. 3; *Asheville Weekly Citizen*, December 9, 1902, p. 1; *Wilmington Messenger*, December 11, 1902, p. 6; "Lenoir Mill Doubling," *Manufacturers' Record*, September 24, 1903, p. 184; "Lenoir Cotton Mill Doubled," *Gastonia Gazette*, September 29, 1903, p. 2; *The Blue Book: Textile Directory, 1904-1905*, 136; Nell Greene and Lucy Wagner, eds. *Hudson Heritage 1905-2005* (n.p.: Wentworth Publishing Company, 2005), 407.

Lenoir Cotton Mill's administrative offices soon required more space. The company elected in March 1904 to utilize the Main Street building that formerly housed the Bank of Lenoir for this purpose. Staff occupied newly remodeled offices in June.¹²

In addition to Modena Mill and Lenoir Cotton Mill, J. D. Moore had invested in textile concerns including Hudson Cotton Manufacturing Company and Dallas Cotton Mills in Gaston County, organized in 1890. Following Moore's August 1905 death, Lenoir Cotton Mill stockholders elected his son H. B. Moore to serve as the company's secretary and J. L. Nelson its treasurer. The business reported earnings of \$22,500 during the second half of 1905.¹³

Industrial ventures continued to proliferate as the decade progressed. In 1905, F. P., J. C., and William Moore commenced constructing a factory to house Moore Furniture Company, incorporated in 1906. Approximately one hundred employees fabricated case goods and tables that year. Other recently created manufacturing endeavors included Lenoir Brick and Tile, Prince Harness, Lenoir Clothing, J. H. Coffey Wagon, Lenoir Bottling, and Blue Ridge Bobbin and Handle companies. In 1908, J. M. Bernhardt, who had been supplying Moore Furniture Company with lumber, acquired majority interest in that firm and incorporated Bernhardt Manufacturing Company, which specialized in bedroom and dining room furniture.¹⁴

Investors organized two textile mills that began operating near Lenoir in 1907. Contractors erected Whitnel Cotton Mill in April 1907 on a site in Freeland, a community three miles south of the county seat. G. L. Bernhardt served as the concern's president, G. F. Harper its vice-president, and J. L. Nelson its secretary-treasurer. The company offices were in Lenoir. Globe resident F. P. Moore and Joe C. Moore, H. B. Moore, and M. G. Shearer, all of Lenoir, incorporated Moore Cotton Mill in July. J. O. White was the concern's general manager. The group acquired acreage north of Lenoir upon which a mill was soon built. Both enterprises produced cotton yarn. In 1910, Lenoir Cotton Mill remained Caldwell County's largest spinning plant, with 150 employees and 6,720 spindles. Hudson Cotton Manufacturing Company housed 5,376 spindles, Whitnel Cotton Mill 5,000 spindles, and Moore Cotton Mill's 60 employees operated 3,400 spindles.¹⁵

J. L. Nelson and J. O. White continued to lead the consortium of Hudson, Lenoir, Moore, and Whitnel mills, sometimes referred to as the "Nelson group of mills." The offices consolidated in July 1920 and moved from Gastonia to Lenoir. Administrative staff included J. L. Nelson Jr., appointed that month to serve as the company's assistant treasurer and manager. M. M. Courtney remained Lenoir Cotton Mill's president until his July 1921 death, after which J. H. Beall headed the concern. In July 1922, engineers from Greenville, South Carolina-based Lockwood, Greene, and Company's Charlotte office planned the electrification of Hudson, Lenoir, Moore, and Whitnel mills as well as Steele Cotton Mill. Gastonia electricians Michael and Blevins installed the necessary wiring and equipment after Southern Power Company extended lines from Hickory.¹⁶

¹² *WN*, March 18, 1904, p. 3; June 24, 1904, p. 3.

¹³ *Gastonia Gazette*, April 8, 1902, p. 2; *WN*, March 25, 1904, p. 3, August 11, 1905, p. 3, August 18, 1905, p. 2, August 25, 1905, p. 3; January 19, 1906, p. 3.

¹⁴ *Carolina Watchman*, January 17, 1905, p. 3; "New Furniture Factory," *WN*, October 20, 1905, p. 3; D. Vance Price, "The Growth of Lenoir," *News and Observer* (Raleigh), March 16, 1906, p. 4; "New Charters Granted," *CO*, March 23, 1906, p. 1; "Several Charters Granted," *CO*, June 10, 1906, p. 1..

¹⁵ "Cotton Mill Officers Elected," *CO*, March 29, 1907, p. 2; "Cotton Mill Incorporated," *Western Sentinel* (Winston), July 25, 1907, p. 6; *The Blue Book: Textile Directory, 1910-1911*, 147.

¹⁶ "Branch Office Moved to Lenoir," *LNT*, July 8, 1920, p. 1; *LNT*, November 25, 1920, p. 27; "M. M. Courtney of Lenoir is Dead," *Winston-Salem Journal*, July 22, 1921, p. 1; "Many Contracts for Local Firm," *Charlotte News*, July 18, 1922, p.

Lenoir Cotton Mill's workforce grew slightly by 1925, when 175 employees operated 6,720 ring spindles under F. C. White's direction. The plant remained profitable, but was no longer the largest of the seven spinning concerns in Lenoir and the vicinity. Caldwell County Cotton Mill Company, incorporated in 1923, had installed 6,048 ring spindles, 3,024 twisting spindles, and 20 cards in its Hudson plant. Nelson Cotton Mill, organized in 1922, employed 140 men and women in its 6,000-spindle factory. At Steele Cotton Mill, located on College Avenue opposite Lenoir Cotton Mill, superintendent J. P. Chester managed 100 workers who spun cotton yarns on 6,020 ring spindles. Hudson Cotton Manufacturing Company's 180 employees generated skeins yarns using 5,376 spindles, Whitnel Cotton Mill's 165 laborers generated peeler yarns on 6,276 spindles, and Moore Cotton Mill's 140 operatives ran 5,376 spindles.¹⁷

Lenoir Cotton Mill's administration, employee numbers, and equipment quantities remained constant between 1925 and 1930. Steele Cotton Mill was the only one of the six other local plants that experienced significant growth during this period. That company's 200 employees operated 10,056 ring spindles, 5,040 twisting spindles, and 40 cards in 1930.¹⁸

North Carolina textile mills diversified production during the early 1930s as the industry faced challenges nationwide. More efficient equipment and mechanization that transformed manufacturing operations led to mill employee layoffs. Job loss, decreased pay, and poor working conditions made unions more appealing. These factors set the stage for mill employees across the South to participate in the General Textile Strike of 1934, which closed down textile mills throughout the region. The extent of union organization in Lenoir mills is unknown. Many mill owners fired known union members and sympathizers. Union efforts were not in vain, however, as the Roosevelt administration's social and economic reform programs eventually resulted in the institution of a forty-hour work week and increased worker pay.¹⁹

Lenoir Cotton Mill navigated these challenges, operating through 1935 with the same number of employees and spindles, but closed within a few years. On January 2, 1939, the company conveyed the 4.81-acre mill tract to John M. Bernhardt's sons, George H. Bernhardt and John C. Bernhardt, who led Bernhardt Furniture Company, and Andrew S. Nelson, an automobile dealer and oil and gas distributor. Bernhardt Furniture Company initially used the property as storage.²⁰

Only three Lenoir textile manufacturers—O. P. Lutz Hosiery Mill, Moore Cotton Mill, and Steele Cotton Mill—reported production in 1939. However, as the economy began to recover, the Lenoir Board of Trade stated that the city's twelve furniture plants employed thousands of workers, and related manufacturers—makers of mirrors, veneers, and other products used by the furniture industry—provided more jobs. Lenoir had three hospitals, three residential suburbs, and a Donald Ross-designed golf course, and was said to be the state's fastest growing city since World War I. The

5; "Contract Awarded," *Winston-Salem Journal*, August 11, 1922, p. 9; "Nelson Group of Mills," *Southern Textile Bulletin*, 1923, pp. 198-199.

¹⁷ Davison Publishing Company, *Davison's Textile Blue Book: United States and Canada* (New York: Davison Publishing Company, 1925), 320.

¹⁸ *Davison's Textile Blue Book* (1930), 312.

¹⁹ Jacquelyn Dowd Hall, James Leloudis, Robert Korstad, Mary Murphy, Lu Ann Jones and Christopher B. Daly, *Like a Family: The Making of the Southern Cotton Mill World* (New York: W.W. Norton and Company, 1987), 202-208; Margaret Crawford, *Building the Workingman's Paradise: The Design of American Company Towns* (London and New York: Verso, 1995), 194-195.

²⁰ *Davison's Textile Blue Book* (1935), 251; News and Observer, *North Carolina Yearbook* (Raleigh: News and Observer, 1935), 110; *North Carolina Yearbook* (1939), 121; Caldwell County Deed Book 184, p. 19.

population numbered twelve thousand, triple that of 1920, and downtown included five hardware and furniture stores and four drug stores.²¹ By the beginning of the 1940s, thirty-three Lenoir industrial plants provided work for five thousand people and local manufacturers sold products in Canada and Mexico as well as in every state. An article in the September 1941 centennial edition of the *News-Topic* claimed that Lenoir was the nation's "second largest furniture manufacturing city." Caldwell County then contained twelve cotton mills and five hosiery mills, three of which were in Lenoir.²²

World War II brought new challenges and opportunities. Approximately 4,327 Caldwell County residents served in the military during the war, and those left behind were occupied with the effort in a variety of ways, from participating in bond drives to filling vacant positions at mills and factories that accelerated their production to meet the needs of servicemen and women. Industrial jobs rose by seventy-five percent in the South over the course of World War II, with traditionally underemployed groups such as women, African Americans, and the elderly receiving invaluable education, training, and experience. Output soared after May 1943, when President Franklin D. Roosevelt established the Office of War Mobilization to coordinate a diverse array of support endeavors including manufacturing, scientific research, and agricultural production. Repurposing of vacant industrial complexes was commonly employed to facilitate expedited production.²³

Greensboro-headquartered work clothes manufacturer Blue Bell, Inc. benefited from this initiative. The company's administrators served on the War Production and War Labor boards and advised government agencies including the Office of Price Administration and the Quartermaster General's office. In order to fulfill contracts for military apparel and the retail market, Blue Bell, Inc. leased the former Lenoir Cotton Mill to serve as a satellite plant in 1943. At that time, the company generated approximately thirty-six million garments annually at fourteen plants in Georgia, Illinois, Indiana, Maryland, Mississippi, North Carolina, Virginia. Blue Bell, Inc. shifted production quotas during the war so that approximately sixty percent of its output at seven locations was clothing for the armed forces. Military commissions included white twill jackets and denim and white trousers for the U. S. Navy; and jungle suits, one-piece suits, denim pants and coats, olive-drab herringbone-patterned jackets and trousers, and regulation khaki dress pants and shirts for the U. S. Army. Marketing offices in Chicago, Greensboro, Nashville, and New York promoted the company's retail line, which comprised men's and boys' overalls, dungarees, pants, one-piece suits, shirts, coats, and jackets sold under the trade names Blue Bell, Big Ben, and Casey Jones.²⁴

Blue Bell, Inc.'s sales escalated dramatically during the post-war years, climbing from \$13,795,450 in 1943 to \$46,630,060 in 1950, when the company asserted that it remained the world's largest work clothes manufacturer. The 1947 introduction of Wrangler-brand leisure wear had been a tremendous

²¹ Lenoir Board of Trade and Lenoir News-Topic, *Lenoir, North Carolina* (n.p.: 1938), 3-5; Ernest H. Miller, *Miller's Lenoir City Directory 1937-1938* (Asheville: Commercial Service Company, 1936), 5-6.

²² *Miller's Lenoir City Directory, 1943-1944*, 267; *LNT*, September 12, 1941, p. 1.

²³ Spencer B. King, Jr., *Selective Service in North Carolina in World War II* (Chapel Hill: University of North Carolina Press, 1949), 321; Marilyn M. Harper, et. al. *World War II and the American Home Front* (Washington, D. C.: The National Historic Landmarks Program, October 2007), 3, 13-16.

²⁴ Blue Bell, Inc., originated in 1908 as Jellico Clothing Manufacturing Company, established by J. B. McKinly and R. L. Raines in Jellico, Tennessee. The burgeoning enterprise moved to an expansive plant in Middlesboro, Kentucky in 1918 and the following year changed its name to Big Ben Manufacturing Company. On January 1, 1926, the concern purchased Greensboro-based Blue Bell Overall Company. The merged corporation utilized that name from August 1930 until 1936, when it became Blue-Bell Globe Manufacturing Company following the acquisition of its chief competitor, Globe Superior Corporation. The company reorganized as Blue Bell, Inc., in August 1943 after absorbing Baltimore-based Casey Jones, Inc. Blue Bell, Inc., "Blue Bell Annual Report, December 1, 1945-November 30, 1946," pp. 18-21; "The History of Blue Bell, Inc.," *Southern Garment Manufacturer*, August 1944; "Business Notes," *New York Times*, August 3, 1943; "Blue Bell Long World's Largest Clothing Producer," *E.S.C. Quarterly*, Summer-Fall 1952, pp. 134-136, 138.

success.²⁵ The company's growth manifested a broader trend in the apparel industry, which burgeoned nationally following the war. In North Carolina, less than forty firms reported production between 1939 and 1945, but by 1954 approximately 175 businesses operated 200 plants that generated outerwear, clothing, undergarments, accessories, and other fabricated textile products such as awnings, bags, carpets, mops, ribbons, and tarpaulins. Most were located in the Piedmont. The Employment Security Commission asserted that the state's abundant supply of female laborers, many of whom had garnered skills in textile mills that translated easily to apparel making, encouraged such endeavors. Also, worker compensation in southern states was less than that in the north, providing investors with the potential for greater profit. Still, apparel manufacturing comprised only 4.3 percent of North Carolina's total manufacturing employment in early 1954, compared with 53.8 percent in the textile industry.²⁶

The Lenoir factory played an important role in Blue Bell, Inc.'s production chain and in the local economy, as it was one of Caldwell County's chief industrial concerns and its only sizable apparel manufacturer for almost forty years.²⁷ Dot Land, who worked at the plant from 1949 until 1983, remembered that the facility afforded women the opportunity to hold a wide variety of positions in an industry other than textile manufacturing. Furniture factories, which dominated Lenoir's industrial sector, did not typically hire females to fill production jobs until the 1960s. The Blue Bell, Inc. plant was also unusual in its large number of African American and Asian employees.²⁸

By October 1952, Blue Bell, Inc.'s Lenoir factory had the capacity to fabricate as many as 84,000 pairs of pants each week, primarily women's and girls' sportswear. Superintendent Roy W. Greeson, plant manager A. L. Lomax, and industrial engineer Robert S. Hines oversaw the facility's almost four hundred employees, most of whom were women who worked in the sewing department. Men operated the cutting department, which generated piece goods for assembly, as well as the shipping and receiving department. Amenities included a cafeteria, a break room, and a medical clinic manned by a registered nurse. The company subsidized seasonal parties and parades. Employees were able to purchase discounted Blue Bell, Inc. clothing and boots in the basement store, and could select other items from catalogs.²⁹

Blue Bell, Inc.'s sales rose to \$58,073,919 in 1956 as more than two hundred wholesalers distributed popular products including Wrangler jeans to thirty thousand retail establishments throughout the nation. The company expanded many of its twenty-seven plants in seven states to meet demand. Lenoir was among them. Although Blue Bell, Inc. had updated the facility and installed new equipment prior to commencing operations at that location in March 1944, the most significant

²⁵ Blue Bell, Inc., "Blue Bell Annual Report, 1952," pp. 1-2; "Other Corporate Reports," *New York Times*, February 7, 1950.

²⁶ E. Stanhope Dunn, "North Carolina Apparel Production Shows Big Expansion," *E.S.C. Quarterly*, Summer-Fall 1954, pp. 71-72; "Many Medium, Small Sized Plants Manufacturing Apparel," *E.S.C. Quarterly*, Summer-Fall 1954, p. 74.

²⁷ North Carolina Department of Labor, Division of Statistics, *North Carolina Directory of Manufacturing Firms* (Durham: Christian Printing Company, 1956), 383-385; Manufacturers' Record, *The 50th Annual Blue Book of Southern Progress and the Southern Industrial Directory*, 1958, p. 66.

²⁸ Mrs. Land began her tenure with Blue Bell, Inc., as a sewing machine operator, became a supervisor, and subsequently oversaw the first aid, human resources, and payroll departments. Dot Land, telephone conversation with Heather Fearnbach, April 17, 2017.

²⁹ C. T. McNary, "The Blue Bell Story," October 1952, Greensboro Historical Museum; Lenoir News-Topic, *Pictorial Review of Lenoir and Caldwell County, North Carolina*, late 1950s; Blue Bell, Inc., *The Needle Threader*, 1949, 1951, Caldwell Heritage Museum, Lenoir.

modification occurred with the construction of the sizable one-story late 1950s cutting room addition that spanned the factory's east elevation.³⁰

Blue Bell, Inc. initiated European production at a Belgium plant in 1961. Subsequent acquisitions included Red Kap, a Canadian industrial and occupational clothing manufacturer in 1964, and J. W. Carter, a western boot producer, in 1967. Blue Bell, Inc.'s Lenoir plant continued to generate sportswear through 1983. Company labels then included Wrangler, Rustler, and Maverick jeans, as well as Red Kap, Jantzen (swimwear and sportswear), Sedgefield, and Lucchese Boots.³¹

Blue Bell, Inc. adjusted each plant's production quota in response to orders for various lines. The Lenoir factory operated a single shift, which typically ran from 7:00 am to 3:30 pm, although some employees worked an additional hour of overtime. Jeans, trousers for the U. S. Navy, and Jantzen sportswear were among the items fabricated in Lenoir that were shipped to Greensboro for distribution. The Lenoir plant's cutting department also supplied the company's Taylorsville factory, located just over twenty miles to the east in Alexander County, with piece goods to be assembled in that facility.³²

Net sales jumped from \$872 million to \$1,356,640 billion in 1980, and then dropped slightly each year through 1983 in response to the economic recession during that period. Blue Bell, Inc., and VF Corporation of Pennsylvania's 1986 merger created one of the world's two largest jeans manufacturers. The company now operates an international consortium of plants in Asia, Europe, and Latin America from a Greensboro headquarters.³³

Although the Bernhardt family retained ownership of the Lenoir plant until May 2007, the title holders changed in a series of transactions. On December 1, 1944, A. S. Nelson and his wife Janice N. Nelson conveyed their one-quarter undivided interest in the former Lenoir Cotton Mill property to George H. Bernhardt. Lillian W. Bernhardt inherited her husband George H. Bernhardt's one-half undivided interest in the former mill tract when he died in 1947. Following her death on December 5, 1977, First Union National Bank, the executor of her estate, sold her interest to Caldwell Realty and Investment Company for \$75,000 on June 27, 1980. John C. Bernhardt transferred his one-half undivided interest in the parcel to JCB Properties, LLC, on November 30, 1999. After the Blue Bell, Inc. plant closed in 1983, the building functioned as a warehouse for Bernhardt Furniture Company and other local furniture manufacturers until late 2009. Caldwell Realty and Investment Company and JCB Properties, LLC, conveyed the tract to the current owner, Thump Barrel, LLC, on May 11, 2007. However, Bernhardt Furniture Company continued to lease the mill for two years. The building housed Lenoir Trade Market, a thrift store, on the main level from early 2010 until Blue Bell Lenoir LLC acquired the property in September 2018.³⁴

Industrial Architecture Context

In the first purpose-built industrial buildings erected in the United States, designers strove to accommodate machinery in a manner that allowed for efficient access to power sources as well as

³⁰ Blue Bell, Inc., "Blue Bell Annual Report, 1956," p. 14; Sanborn Map Company, "Lenoir, N. C.," Sheet 14, August 1950; C. T. McNary, "The Blue Bell Story."

³¹ Blue Bell, Inc., "Blue Bell Annual Report, 1983," pp. 30-31.; Wrangler, "Our History," <http://www.wrangler.com/about/history.html> (accessed September 2016).

³² Dot Land, telephone conversation with Heather Fearnbach, April 17, 2017.

³³ Blue Bell, Inc., "Blue Bell Annual Report, 1983," pp. 2, 29. Wrangler, "Our History."

³⁴ John C. Bernhardt died on May 29, 2003. Caldwell County Deed Book 217, p. 101; Deed Book 748, p. 705; Deed Book 1284, p. 1064; Will Book F, p. 296; Deed Book 1640, p. 1271; Deed Book 1948, p. 2098; grave markers; Dinell Clark (mill owner), email correspondence with Heather Fearnbach, April 2017.

maximum utilization of natural light and ventilation. By the mid-nineteenth century, “slow-burn” masonry construction, with load-bearing brick walls, exposed heavy-timber framing, thick plank floors, gabled roofs, large operable windows and transoms, and metal fire doors predominated. Heavy-timber framing members that were at least twelve inches square with chamfered edges effectively slowed the progress of fire, particularly when used in combination with a floor system that encompassed three- to four-inch-thick plank decking covered with waterproof paper and topped with hardwood floors. The floor system was left exposed underneath in order to avoid the use of flammable ceiling materials and finishes. Chamfering the corners of beams, posts, and girders removed splinters that could ignite easily.³⁵

During the late nineteenth century, mill and factory design evolved from a vernacular process whereby owners worked with builders who erected edifices based on mutually understood norms to a field dominated by professionally-trained mill engineers who designed industrial buildings and supervised their construction. Standards imposed by machinery manufacturers and insurance companies also guided industrial architecture’s evolution. In order to minimize fire risk, stairwells, which could serve as conduits for fire movement between floors, were located in projecting stair towers. Brick interior walls and galvanized-sheet-metal-clad, solid-core-wood doors, known as kalamein doors, separated the mill sections where fires might start or spread rapidly. These heavy doors would automatically close in the case of a fire, as the heat would melt a soft metal link in the door’s counterweight assembly and the door would slide shut on the sloped metal track. As an additional precaution, water reservoirs and elevated water tanks supplied automatic sprinkler systems in many industrial complexes.³⁶

North Carolina industrialists benefited from the contributions of resident engineers who disseminated specifications dictating best practices in mill layout and design. Innovators in this discipline included South Carolina native Daniel A. Tompkins, sent by the Pittsburgh-based Westinghouse Engine Company to Charlotte in the early 1880s to sell and coordinate the installation of the company’s equipment in the region. Tompkins became a driving force in the southern textile industry, partnering with Charlotte grain merchant R. M. Miller in 1883 to establish the D. A. Tompkins Company, an engineering firm. The company created plans for over one hundred mills in addition to other industrial buildings.³⁷ Charlotte examples such as Ada, Alpha, and Victor Mills (all erected in 1889), Highland Park Mill No. 1’s 1891 and 1895 buildings, and the 1892 Atherton Mill are comparable to the 1902-1903 Lenoir Cotton Mill.

Thomasville, North Carolina, native Stuart Warren Cramer, who began his career with the D. A. Tompkins Company, was another highly-influential mill engineer. Cramer set up his own Charlotte firm in 1895, and by 1915 had designed almost one-third of the new mills erected in the South during that period. The 1902-1903 Lenoir Cotton Mill and Hudson Cotton Manufacturing Company’s 1904 are the only Caldwell County factories that have been attributed to him at this time. In addition to preparing mill plans, Cramer equipped facilities with textile production machinery of all types, some of which he invented. His salesmen, based in Charlotte and Atlanta offices, travelled throughout the country. Cramer’s innovations in textile mill climate control garnered him international recognition, and he is credited with conceiving the term “air conditioning.” Cramer often served his clients as a business advisor as well as a designer. For example, he installed an air-conditioning system at Loray

³⁵ Sara E. Wermiel, “Heavy Timber Framing in Late-Nineteenth-Century Commercial and Industrial Buildings,” *APT Bulletin: Journal of Preservation Technology*, Volume 35, No. 1, 2004, 56.

³⁶ Betsy Hunter Bradley, *The Works: The Industrial Architecture of the United States* (Oxford: Oxford University Press, 1999), 15-21; Glass, *Textile Industry*, 38.

³⁷ Thomas W. Hanchett, *Sorting Out the New South City: Race, Class, and Urban Development in Charlotte, 1875-1975* (Chapel Hill: University of North Carolina Press, 1998), 50.

Mill in Gastonia in 1908 and became the company's president four years later. Cramer established and led the American Cotton Manufacturers Association and the National Council of American Textile Manufacturers. He invested in textile concerns including Highland Park Manufacturing Company in Charlotte and Mayes Manufacturing Company in the Gaston County community of Mayesworth, which became known as Cramerton in 1922. The mill complexes and the associated housing that Cramer designed at those and other locations featured efficient layouts that demonstrated his integrated work flow concepts.³⁸

Stuart Cramer recruited talented architects and engineers such as Richard C. Biberstein of Fredericksburg, Texas, to work in his office. Biberstein, born in 1859, attained a mechanical engineering degree from the Worcester (Massachusetts) Polytechnic Institute in 1882. He found employment at U. S. Electric Lighting Company in Newark, New Jersey, and Atlas Engine Works in Indianapolis before moving to Charlotte in 1887 to accept a draftsman position at industrialist John Wilkes's Mecklenburg Iron Works. H. S. Chadwick offered him a similar job at the Charlotte Machine Company, which manufactured mill equipment, in 1897. Biberstein remained on staff until 1902, when he became Stuart Cramer's employee, thus garnering valuable experience that prepared him to launch an independent firm specializing in mill design three years later.³⁹

During the twentieth century's first decades, architects and engineers continued to plan manufacturing complexes that were similar in appearance to earlier industrial buildings. However, new building materials, technology, and forms manifested efficiency, modernity, and economic progress. Mill and factory designers specified steel and reinforced-concrete columns, posts, and beams in conjunction with brick, concrete, terra cotta block, or tile curtain walls that provided structural bracing but did not carry any weight. Bands of steel-frame multipane windows and roof monitors provided workers with abundant light and ventilation. Steel truss roof systems spanned open interiors that accommodated sizable equipment and allowed for flexibility as manufacturing needs changed.⁴⁰

Although structural systems for some late-nineteenth-century industrial buildings included cast-iron or wrought-iron columns or steel posts and beams, high cost greatly limited the materials' use until the early twentieth century. The ability to withstand the weight and vibrations of heavy machinery without failing contributed to the popularity of structural-steel construction, as did the ease of fabricating framing systems from standard factory-generated parts. Typical elements include I-, T-, H-, and box-shaped beams and posts; round columns; reinforcing plates; and angles, which serve as braces, tension members, struts, or lintels. Steel components could be riveted together, creating strong connections, and tended to be smaller and lighter than heavy-timber or iron framing members. This allowed for wider and taller buildings with more square footage for equipment. The popularity of flat roofs and sizable roof monitors also resulted in structural-steel framing prevalence. In order to reduce oxidation

³⁸ Ibid., 107; Stuart W. Cramer, *Useful Information For Cotton Manufacturers* (Charlotte: Queen City Printing Company, 1906, 2nd ed., Vol. III.), 1169; *Charlotte Observer*, June 22, 1912, p. 10; "Mr. Cramer is made president of Loray," *Charlotte EC*, December 26, 1912, p. 6; Thomas S. Morgan, "Stuart Warren Cramer" in William Powell, ed., *Dictionary of North Carolina Biography*, Vol. 1 (Chapel Hill: University of North Carolina Press, 1989), 455; Catherine Westergaard, "Stuart W. Cramer," *North Carolina Architects and Builders: A Biographical Dictionary*, <http://ncarchitects.lib.ncsu.edu/people/P000275> (accessed 2016); Mattson, Alexander and Associates, Inc., "Loray Mill Historic District," National Register of Historic Places Nomination, 2001, Section 8, pages 36-37.

³⁹ Thomas W. Hanchett, William H. Huffman, and Catherine W. Bishir, "Richard C. Biberstein," *North Carolina Architects and Builders: A Biographical Dictionary*, 2009, accessed in November 2013; "Biberstein, Bowles, Meacham & Reed: Biographical/Historical Note," Biberstein, Bowles, Meacham & Reed Records (hereafter abbreviated BBMRR), J. Murrey Atkins Library Special Collections, University of North Carolina at Charlotte.

⁴⁰ Bradley, *The Works*, 144-147.

and achieve fire resistance, steel members were coated with intumescent paint; sprayed with a thin mixture of cement, sand, and water called gunite; or encased in concrete.⁴¹

Albert Kahn was one of only a few American architects who specialized in industrial building design during the early twentieth century. In many of his commissions, traditional load-bearing walls were replaced with curtain walls containing large steel-frame windows and monitor roofs provided illumination and ventilation. His office supplied factory plans to hundreds of American industrialists including automobile manufacturers Packard, Chrysler, Ford, and General Motors, as well as for international clients. At the Packard Motor Car Company Forge Shop (1910) in Detroit, Kahn used a steel structural frame to support a traveling crane mounted to the roof trusses and glass curtain walls to allow for maximum light and air circulation. He minimized the exterior walls' bay articulation by specifying narrow steel columns of about the same size as steel window sashes. Kahn's firm continued to employ bands of steel windows in conjunction with masonry or concrete screens to conceal steel structural framing in edifices such as the Industrial Works (ca. 1915) in Bay City, Michigan. The firm's design for the Dodge Half-Ton Truck Plant in Detroit, completed in 1937, was a much more sophisticated building with tall glazed curtain walls reminiscent of Walter Gropius's Bauhaus School (1926) in Dessau, Germany. Gropius's streamlined design for the 1911 Fagus Factory in Germany, which features steel-frame multipane curtain walls, was also internationally influential.⁴²

Modernist architectural principles such as simplicity, efficiency, affordability, and intrinsic material expression were inherently applicable to industrial buildings. Industrial architecture continued to reflect these tenets as the twentieth century progressed. Building materials and labor were in short supply during World War II, but when construction resumed after the war's end, steel and reinforced-concrete industrial edifices with masonry (brick, tile, or concrete) curtain walls predominated. Windows decreased in size and number in the 1960s as central air conditioning became prevalent.

Caldwell County's late-nineteenth- and early- to mid-twentieth-century textile mills

In order to take advantage of lower land prices and allow for unfettered expansion, Caldwell County industrialists often erected mills and worker housing on a town's outskirts. By 1987, when historian Vickie Mason conducted a reconnaissance-level inventory of the county's historic architecture, many late nineteenth- and early twentieth-century factories had been demolished or encapsulated within later additions. The project thus documented only a few industrial buildings. It is therefore impossible to ascertain how many mills survive without additional survey.

However, examination of a small sample—Lenoir Cotton Mill, Hudson Cotton Manufacturing Company (NR 2013), and J. M. Bernhardt Planing Mill and Box Factory – Steele Cotton Mill – Hayes Cotton Mill—reveals similar features. The late-nineteenth- and early-twentieth-century sections of all three plants are characterized by heavy-timber interior structural systems, load-bearing brick exterior walls, low-pitched gable roofs, segmental-arched and rectangular window openings, segmental-arched door openings, and decorative entrance, stair, and restroom towers. Large multipane windows and transoms, some of which remain, illuminated the interiors, where hardwood floors and substantial wood posts and beams prevail. Exposed rafter ends support deep eaves.

⁴¹ Ibid.

⁴² Gropius, the highly influential founder of the German design school known as the Bauhaus, which operated from 1919 until 1933, taught at Harvard's Graduate School of Design beginning in 1937. "Art: Industrial Architect," *Time*, August 8, 1938; Bradley, *The Works*, 248, 248-258.

Mid-twentieth-century manufacturing and warehouse additions at each plant exhibit a functional aesthetic in their form, massing, expressed structural systems, and open plans with fenestration dictated by interior use. Brick and concrete-block walls are cost-effective, durable, fire-resistant, and require little maintenance. Structural systems comprise steel trusses, posts, and beams, and poured-concrete foundations. These elements supported heavy equipment and minimized vibration. High ceilings and open floor plans accommodated sizable machinery. As the additions were not originally air-conditioned, large multipane steel windows provided light and ventilation.

The individuals who rendered plans for the 1896/1903 J. M. Bernhardt Planing Mill and Box Factory have not been identified. Daniel A. Tompkins and Stuart W. Cramer are possible candidates. Cramer designed the 1902-1903 Lenoir Cotton Mill and the 1904 Hudson Cotton Manufacturing Company and supplied the Hudson plant's machinery.⁴³

The one-story, two-level, brick Hudson Cotton Manufacturing Company stands parallel to Main Street in Hudson. The 320-foot-long by 75-foot-wide edifice is executed in five-to-one common bond with segmental-arched window and door openings and a very low-pitched gable roof. Projecting rafter ends buttress the deep eaves. Documentary photos illustrate the original double-hung, eight-over-eight, wood-sash windows with arched eight-pane transoms. Interior brick removal from one window opening in early 2014 revealed an intact, encapsulated, original window unit, indicating that others may be extant. The distinctive three-stage entrance tower features corbelled hoods above the entrance and paired second-story windows, corbelled oculus surrounds, corbelled cornices and pilaster caps, and a crenellated parapet. Masons also executed in 1904 the matching ell at the mill's northeast corner. A tall, round smokestack rises on the ell's east end.

Twenty years later, Hudson Cotton Manufacturing Company erected a rear addition, also in five-to-one common bond with segmental-arched window and door openings and a very low-pitched gable roof, on the 1904 building's east side, almost doubling the plant's size. Around 1930, a matching fourteen-bay-wide and one-bay-deep brick addition extended the façade's north end to the west. Chamfered square wood posts and substantial wood beams support the floor and roof systems in the 1904, 1924, and ca. 1930 sections. Richard C. Biberstein's firm prepared plans for the company's additions through 1934.⁴⁴ The narrow 1950s additions at the 1904 and 1924 buildings' south ends and on the 1924 building's northeast corner are sheathed with twelve-to-one common bond brick veneer. The windows in the additions were removed and the openings filled with brick in conjunction with air-conditioning system installation, which likely occurred in the late 1950s or early 1960s.

J. M. Bernhardt Planing Mill and Box Factory – Steele Cotton Mill – Hayes Cotton Mill is similar, in that the 1896 plant and 1903 addition feature a round wood column and heavy-timber post-and-beam interior structural system in conjunction with load-bearing brick exterior walls executed in six-to-one common bond. Segmental-arched window and door openings embellish the building. The mill retains an open plan and painted brick walls, wood roof decking, hardwood floors, and metal-clad kalamein doors. The 1918 additions display the ongoing prevalence of heavy-timber framing with brick firewalls between combustible areas. The 1950s additions employ structural-steel framing systems typically utilized during that period.

Lenoir Cotton Mill – Blue Bell, Inc. is particularly significant due to its age and architectural integrity. Like the other Caldwell County plants, the 1902 mill and 1903 addition manifest early-twentieth-

⁴³ "A Mill at Hudson, N. C.," *Manufacturers' Record*, March 24, 1904, p. 205; "Hudson Cotton Manufacturing Company," Drawings, Box AD14, Roll 6, BBMR; Cramer, *Useful Information For Cotton Manufacturers*, 1169.

⁴⁴ "Hudson Cotton Manufacturing Company," Project files, Box 55, Folder 38, BBMR.

century industrial design components such as round wood column and heavy-timber post-and-beam interior structural systems. The load-bearing brick exterior walls are executed in six-to-one common bond with segmental-arched window and door openings. The two-stage office tower and eight-over-eight, double-hung, wood sash and eight-pane transoms are important survivals. The late 1950s additions also retain original structural systems and windows. The east addition comprises a flat steel truss roof system, brick-veneered concrete-block exterior walls, poured-concrete floors, and eighteen-pane steel sash with six-pane lower hoppers. The one-story, shed-roofed, concrete-block, late 1950s, basement-level additions on the west elevation have heavy-timber roof beams spanned by wide-board decking, poured-concrete floors, and fifteen-pane steel sash with six-pane lower hoppers. The large windows and hoppers are notable, as many manufacturing buildings erected during and after the 1950s were windowless air-conditioned plants. The Lenoir plant's lack of central air conditioning reflects the temperate climate. Window hoppers and ceiling fans facilitated air circulation.

The 1902-1903 mill features triple-thickness wood floors and kalamein doors, which were commonly employed in fire-resistant industrial buildings. The plant's configuration also minimized fire risk. The picker, engine, and boiler rooms are at the south end, separated from the manufacturing areas by brick firewalls. The engine and boiler rooms extend from the mill's southwest corner. This approach was prudent, as evidenced by a June 1912 fire in the picker room that caused an estimated \$1,500-worth of damage, but was contained before it spread to other areas of the mill. Other fire safety features included the freestanding smokestack, an 89,200-gallon reservoir north of the engine room, a 10,000-gallon water tank in the tower at the mill's south end, and a deep well supplied the sprinkler system. Small, one-story, frame hose, valve, and pump houses facilitated the fire suppression system's operation.⁴⁵

Distance between combustible buildings and the mill was also recommended by insurance providers. A frame T-shaped platform connected the picker room to the one-story frame cotton warehouse to the south. A similar platform extended from the warehouse's west elevation toward the railroad. A one-story frame shed stood east of the warehouse. A December 19, 1916, warehouse fire resulted in an estimated \$1,200-worth of inventory loss and structural damage. North of the mill, a one-story frame cotton waste house was located adjacent to the railroad and College Avenue.⁴⁶

National Register of Historic Places Status

Lenoir Cotton Mill – Blue Bell, Inc. was listed in the National Register of Historic Places on September 18, 2017.

Local Historic Landmark Eligibility Evaluation

Lenoir Cotton Mill – Blue Bell, Inc. is **eligible** for local historic landmark designation due to its industrial significance. *In order to possess such significance, a property must retain integrity and must be associated with a specific event marking an important moment in American pre-history or history or a pattern of events or historic trend that made a significant contribution to the development of a community, a state, or the nation. Furthermore, a property must have existed at the time and be documented to be associated with the events. Finally, a property's specific association must be important as well.* The concerns' contribution to the local economy as manufacturers, employers, consumers of goods and services, and taxpayers, were enormous. Lenoir Cotton Mill commenced

⁴⁵ "Fire in Lenoir Cotton Mill," *Daily News* (Greensboro), June 20, 1912, p. 2; Sanborn Map Company, "Lenoir, N. C.," Sheet 6, December 1913.

⁴⁶ "Lenoir Cotton Mill is Damaged," *Daily Record* (Hickory), December 21, 1916, p. 3.

production in January 1902 and doubled its capacity upon the completion of a September 1903 addition. The operation remained the largest of Caldwell County's seven textile manufacturers through the early 1920s. Lenoir Cotton Mill maintained an approximately two-hundred-person workforce through 1935, but sold the plant in January 1939. The mill served as furniture storage prior to being leased by Greensboro-headquartered work clothes manufacturer Blue Bell, Inc., as a satellite plant to fulfill contracts for military apparel and the retail market. The factory played an important role in Blue Bell, Inc.'s production. By October 1952, four hundred Lenoir employees had the ability to generate as many as 84,000 pairs of pants each week, primarily women's and girls' sportswear. The company's workforce was predominantly female, affording women the opportunity to hold a wide variety of positions in an industry other than textile manufacturing. Blue Bell, Inc. remained Caldwell County's only sizable apparel manufacturer as it utilized the Lenoir plant until 1983.

The building is **not eligible** for local historic landmark designation in association with a person. *In order to possess such significance, it would have to retain integrity and 1) be associated with the lives of persons significant in our past, i.e. individuals whose activities are demonstrably important within a local, state or national historic context; 2) be normally associated with a person's productive life, reflecting the time period when he/she achieved significance, and 3) should be compared to other associated properties to identify those that best represent the person's historic contributions. Furthermore, a property is not eligible if its only justification for significance is that it was owned or used by a person who is or was a member of an identifiable profession, class, or social or ethnic group.* Although prominent businessmen were associated with the property, the buildings are not most closely associated with a single individual's achievements, which would be required for local historic landmark designation under this area of significance.

Lenoir Cotton Mill – Blue Bell, Inc. is **eligible** for local historic landmark designation due to its architectural significance. *In order to qualify, it must retain integrity and either 1) embody distinctive characteristics of a type, period, or method of construction; 2) represent the work of a master; 3) possess high artistic value; or 4) represent a significant and distinguishable entity whose components lack individual distinction.* The plant manifests typical early- to mid-twentieth-century industrial design. Lenoir Cotton Mill – Blue Bell, Inc. is architecturally significant as the plant manifests typical early- to mid-twentieth-century industrial design. The 1902 plant and 1903 addition feature round wood column and heavy-timber post-and-beam interior structural systems. The load-bearing brick exterior walls are executed in six-to-one common bond with segmental-arched window and door openings. These elements, in conjunction with original interior features such as triple-thickness wood floors and kalamein doors, are representative of early-twentieth-century fire-resistant industrial architecture. The two-stage office tower and the eight-over-eight, double-hung, wood sash and eight-pane transoms are also important survivals. The late 1950s cutting room addition comprises a steel truss roof system and brick-veneered concrete-block exterior walls. The period of significance begins in 1902, with the original section's completion, and continues to 1967. The plant's industrial function and physical expansion after 1967 are not of exceptional significance.

Lenoir Cotton Mill – Blue Bell, Inc. is **not eligible** for local historic landmark designation for its potential to yield information. *In order to possess such significance, it must meet two requirements: 1) the property must have, or have had, information to contribute to our understanding of human history or pre-history, and 2) the information must be considered important.* The structures and site have not yet contributed significant information pertaining to building technology or urban archaeology or yielded historical documentation not otherwise accessible from other extant resources and written records. However, the plant is closely related to the surrounding environment. Information concerning environmental transformation, work culture and worker health, as well as structural details,

is often evident in the archaeological record. Archaeological remains, such as trash deposits, privies, and structural remains may be present, and could provide information valuable to the understanding and interpretation of the structure. No investigation has been undertaken to discover these remains, but their existence will be considered in the property's development.

Designation Parameters

Blue Bell Lenoir LLC is seeking local historic landmark designation for the entire exterior and partial interior in order to recognize the property's architectural and historical significance. Character-defining exterior and interior features are enumerated below.

Exterior

1902-1903 mill

- low-pitched-gable roof with rounded rafter ends and deep eaves
- five-to-one common-bond brick walls
- tall segmental-arched window and door openings with two-header-course lintels
- slightly projecting wood window sills
- eight-over-eight, double-hung, wood sash and eight-pane transoms
- corbelled office/water tower
- four two-story brick additions erected between 1927 and 1946 that project from the west elevation

late 1950s addition on the 1902-1903 mill's east side

- flat roof
- flat, terra-cotta-coping-capped north parapet
- five-to-one common bond brick veneer
- eighteen-pane steel sash with six-pane lower hoppers

Interior

1902-1903 building

- painted brick walls
- substantial wood columns, posts, and beams
- wood roof decking boards
- hardwood floors
- metal-clad kalamein doors
- office/water tower and west stair tower staircases

Smokestack, 1902, Contributing Structure

- round, 100-foot-tall, freestanding smokestack
- stepped foundation
- tapered stack executed in six-to-one common bond

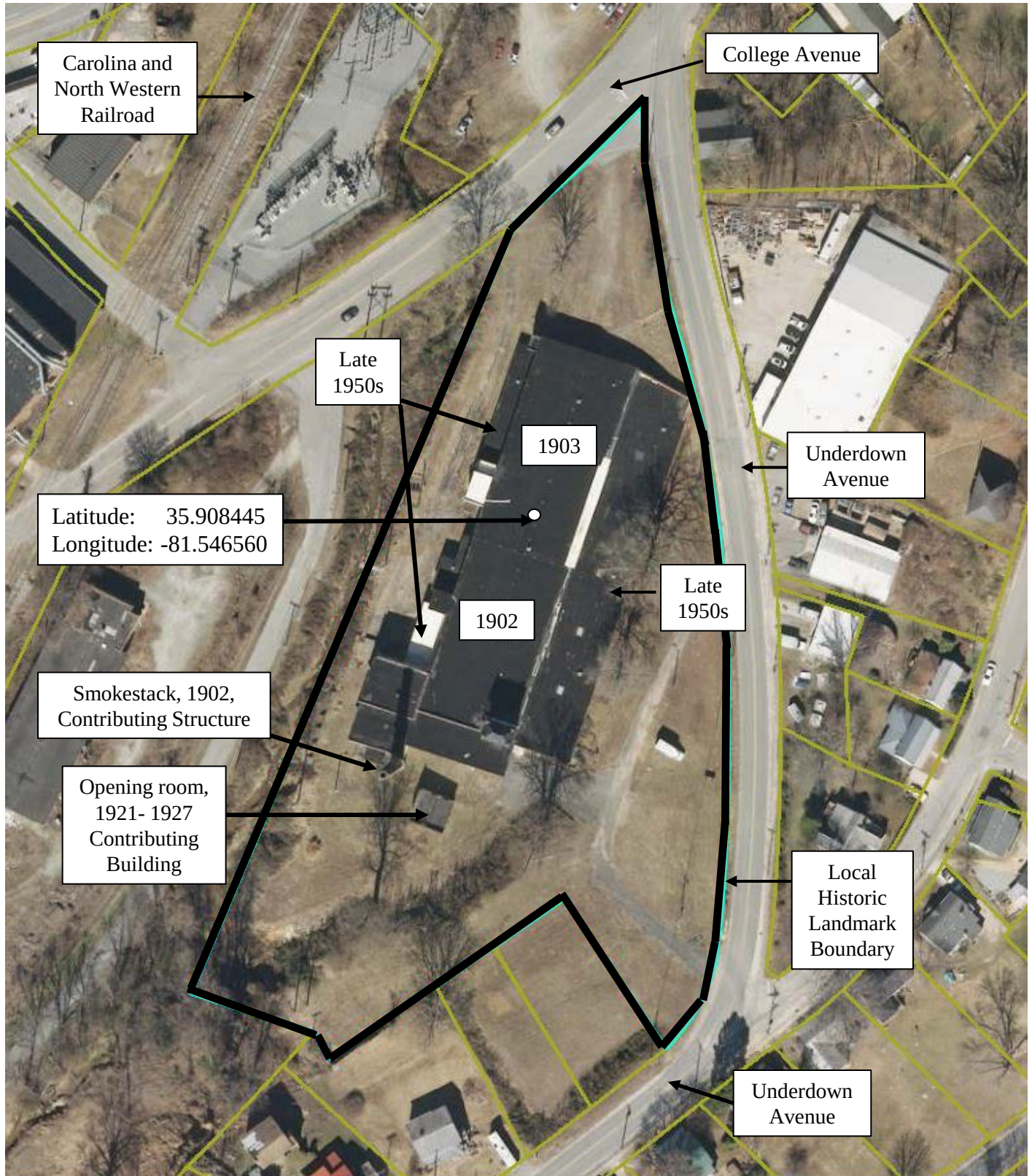
Opening room, erected between 1921 and 1927, Contributing Building

- brick walls
- flat parapets
- low shed roof
- twenty-pane steel sash with eight-pane lower hoppers

Boundary Description and Justification

The proposed local historic landmark designation boundary consists of Caldwell County tax parcel number Caldwell County tax parcel number 2749559283 (3.93 acres), as indicated by the heavy dark lines on the following aerial view (page 30).

Lenoir Cotton Mill – Blue Bell, Inc. Plant
1241 College Avenue, Lenoir, Caldwell County, North Carolina
Local Historic Landmark Boundary Map

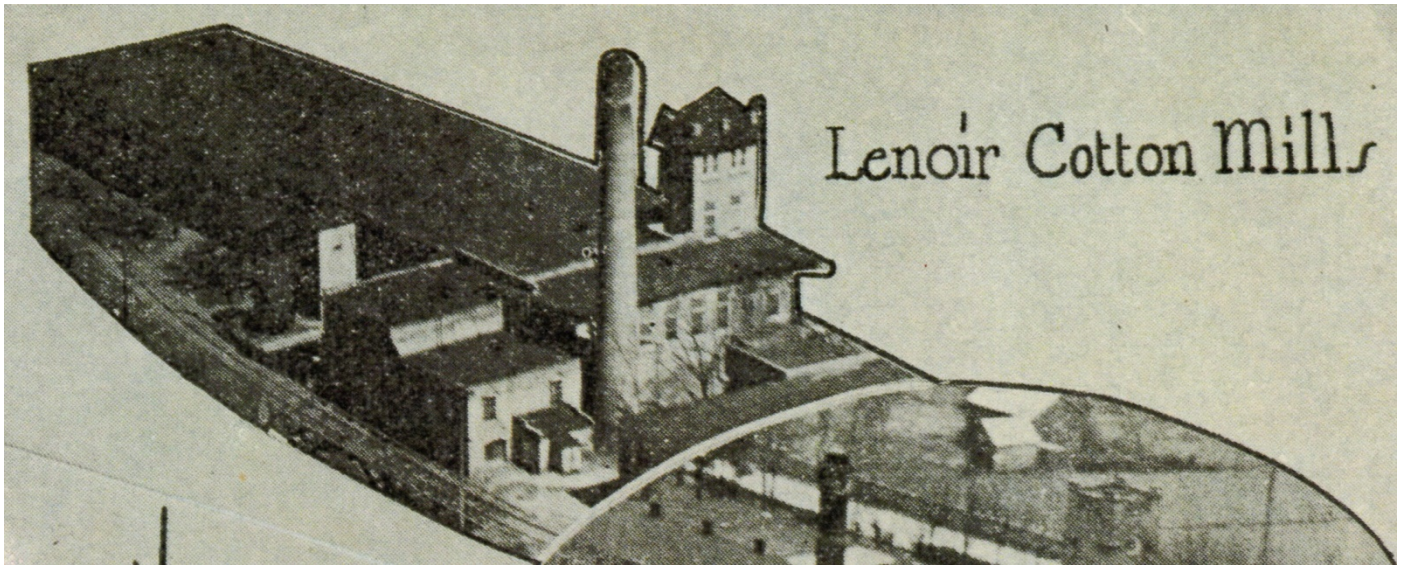


Heather Fearnbach, Fearnbach History Services, Inc. / February 2019
Base 2014 aerial photo courtesy of <http://gis.caldwellcountync.org/maps/>

Scale 1" = 100 feet



Historic Images



Lenoir Cotton Mill, southwest oblique (above)

From *Lenoir, North Carolina*, Lenoir Board of Trade and Lenoir News-Topic, 1938, p. 15

Blue Bell, Inc., northwest oblique, October 1946 (below)

Sparks Studio, Lenoir, photographer

Both images from the collection of the Caldwell Heritage Museum in Lenoir

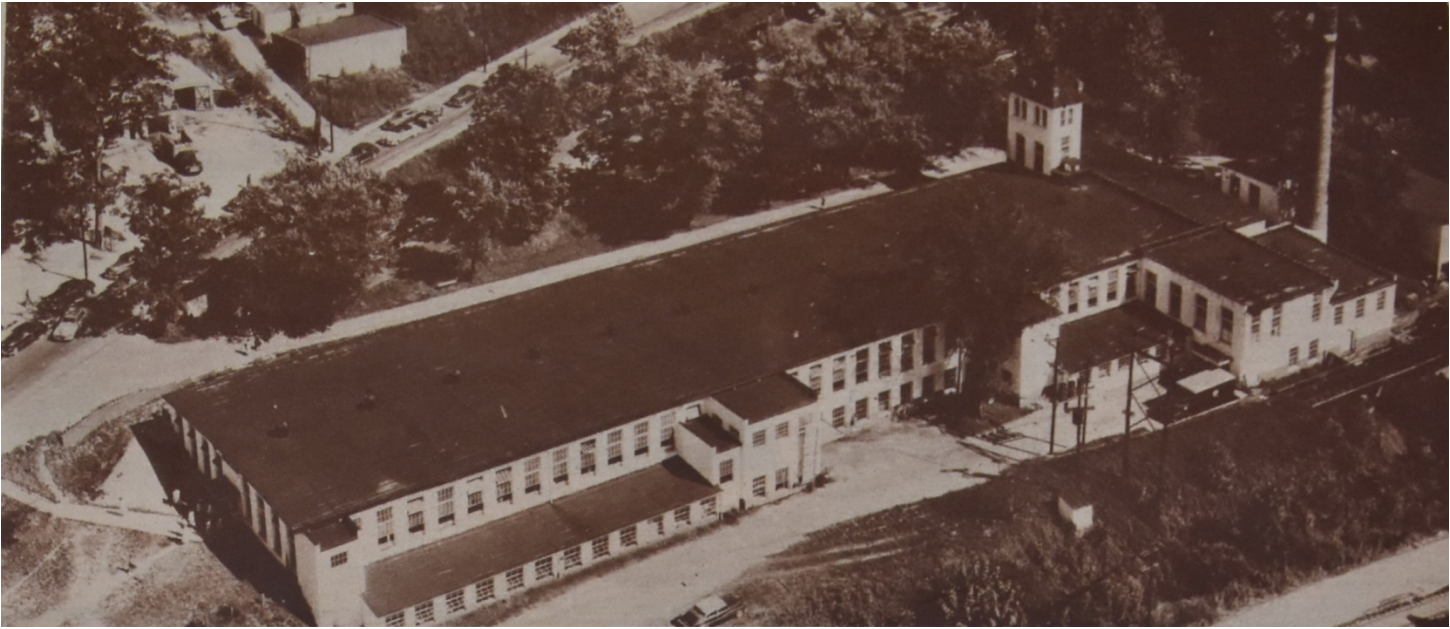




**Blue Bell, Inc., north elevation, 1903 addition, mid-1950s (above)
and February 1954 (below)**

Photographs from the collection of the Caldwell Heritage Museum in Lenoir





Blue Bell, Inc., northwest oblique

From *Pictorial Review of Lenoir and Caldwell County, North Carolina*, Lenoir News-Topic, late 1950s
Publication in the collection of the Caldwell Heritage Museum in Lenoir



The Lounge, where employees enjoy coffee breaks and snacks. Seated, left to right, Frances Huntley, Reba Shatley, Faye Hendrix. Standing, R. W. Greeson, Plant Manager, and Joe Howard, Industrial Engineer.



Sectional view of Sewing Room. Standing, l. to r., Albert Smith, Foreman of Mechanics; Norman Harden, Superintendent of Sewing; Margaret Setzer, Supervisor. Seated, Willie May Mackie.



The Cutting Room, where piece goods are cut into different sections in preparation for the Sewing Room. Left to right, Earl Wineberger, Cutter; Wayne Lackey, Foreman; Floyd Greene, Cutter; Millard Stevens, Cutter.



Shipping Department. Here orders are packed and shipped to all sections of the United States and many foreign countries. Left to right, Carl Koontz and George Rader.



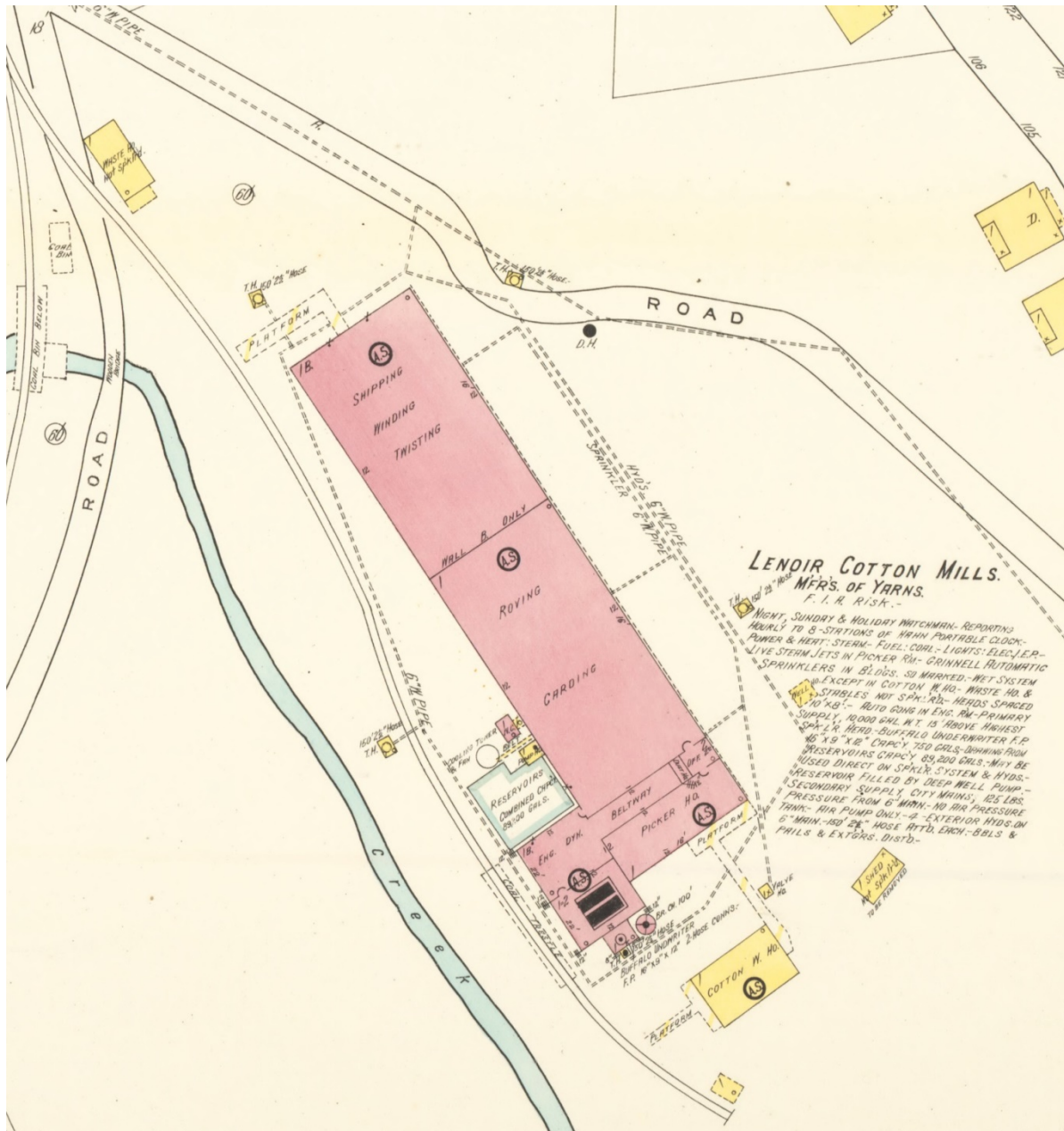
Hot, tasty, wholesome foods are prepared daily and served at reasonable prices in the modern Cafeteria.

Blue Bell, Inc., interior

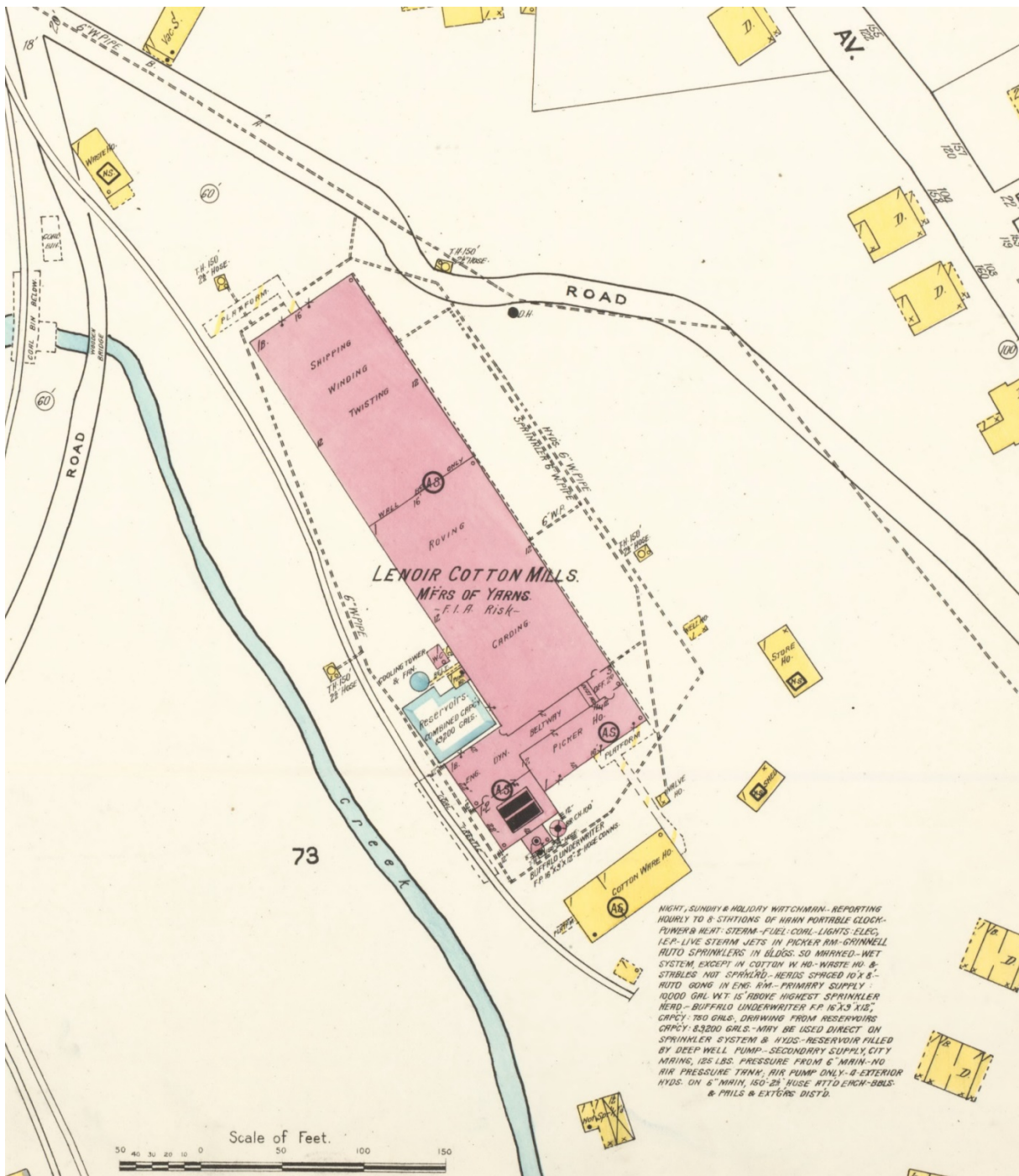
From *Pictorial Review of Lenoir and Caldwell County, North Carolina*, Lenoir News-Topic, late 1950s

Publication in the collection of the Caldwell Heritage Museum in Lenoir

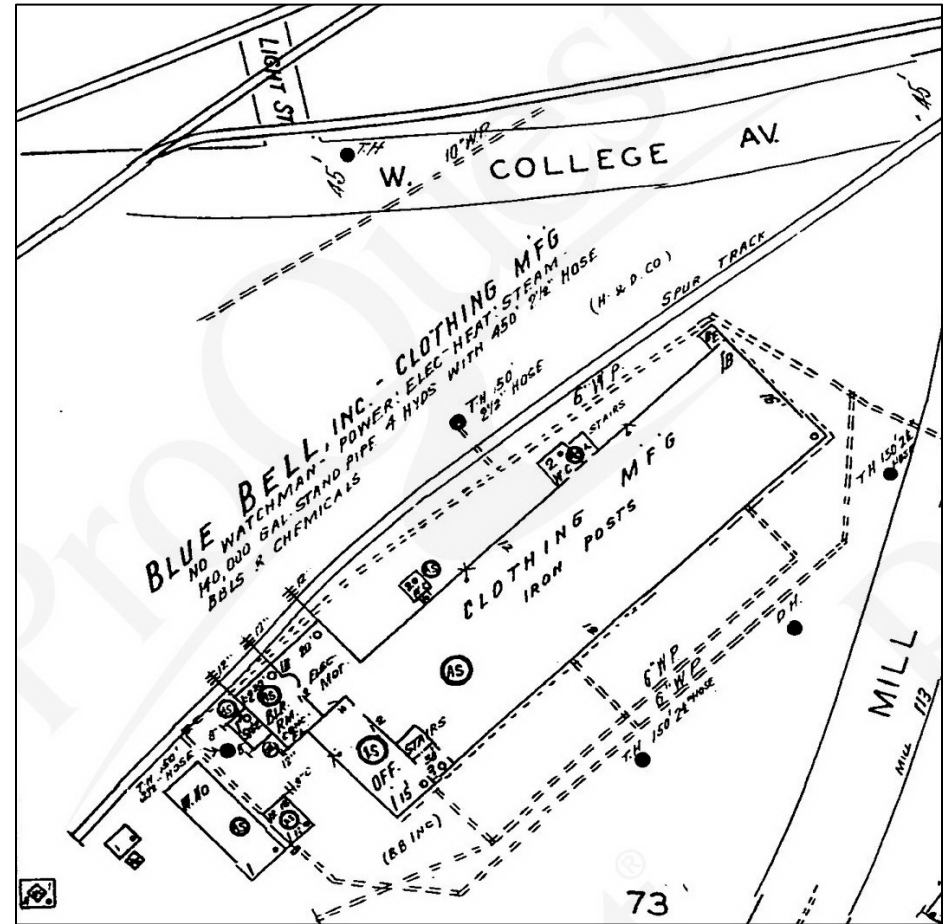
Sanborn Maps



Sanborn Fire Insurance Company Map, Lenoir, North Carolina, Sheet 6, December 1913

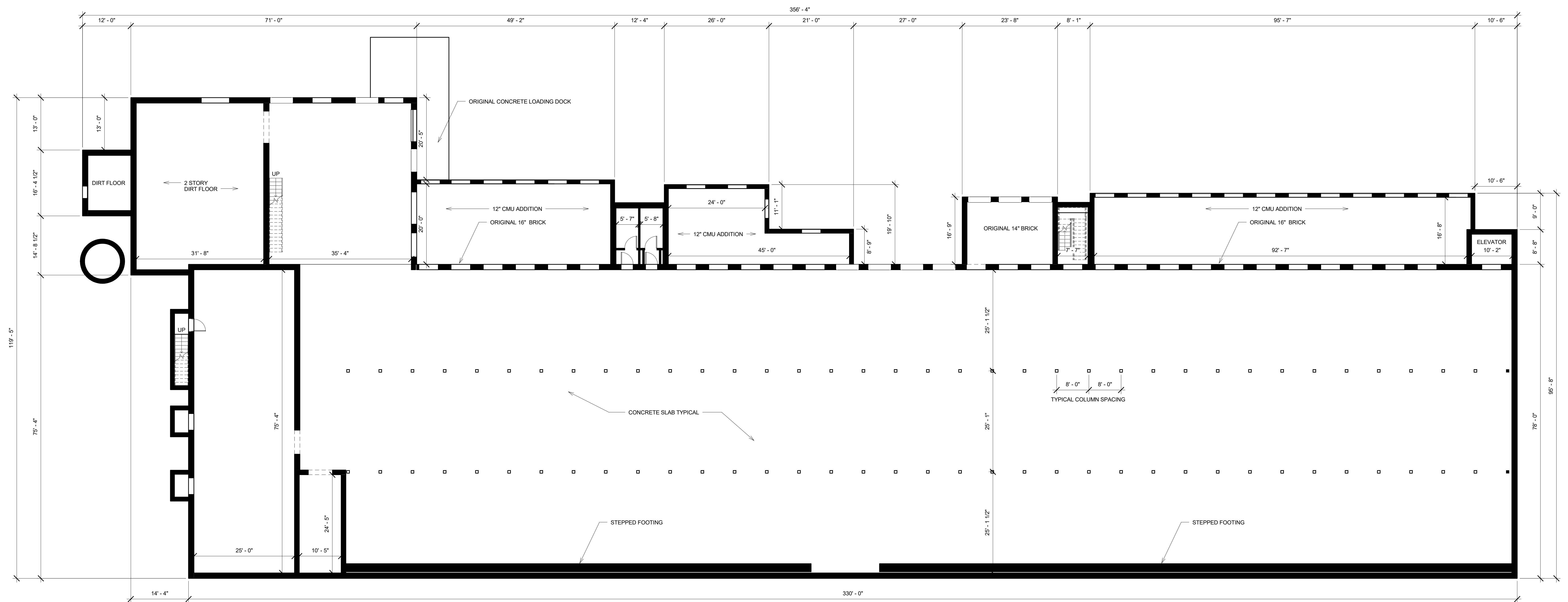


Sanborn Fire Insurance Company Map, Lenoir, North Carolina, Sheet 11, February 1921



Sanborn Fire Insurance Company Map, Lenoir, North Carolina, Sheet 14, December 1927 (left) and August 1950 (right)

Existing Conditions Floor Plans



① Lower Level
3/32" = 1'-0"



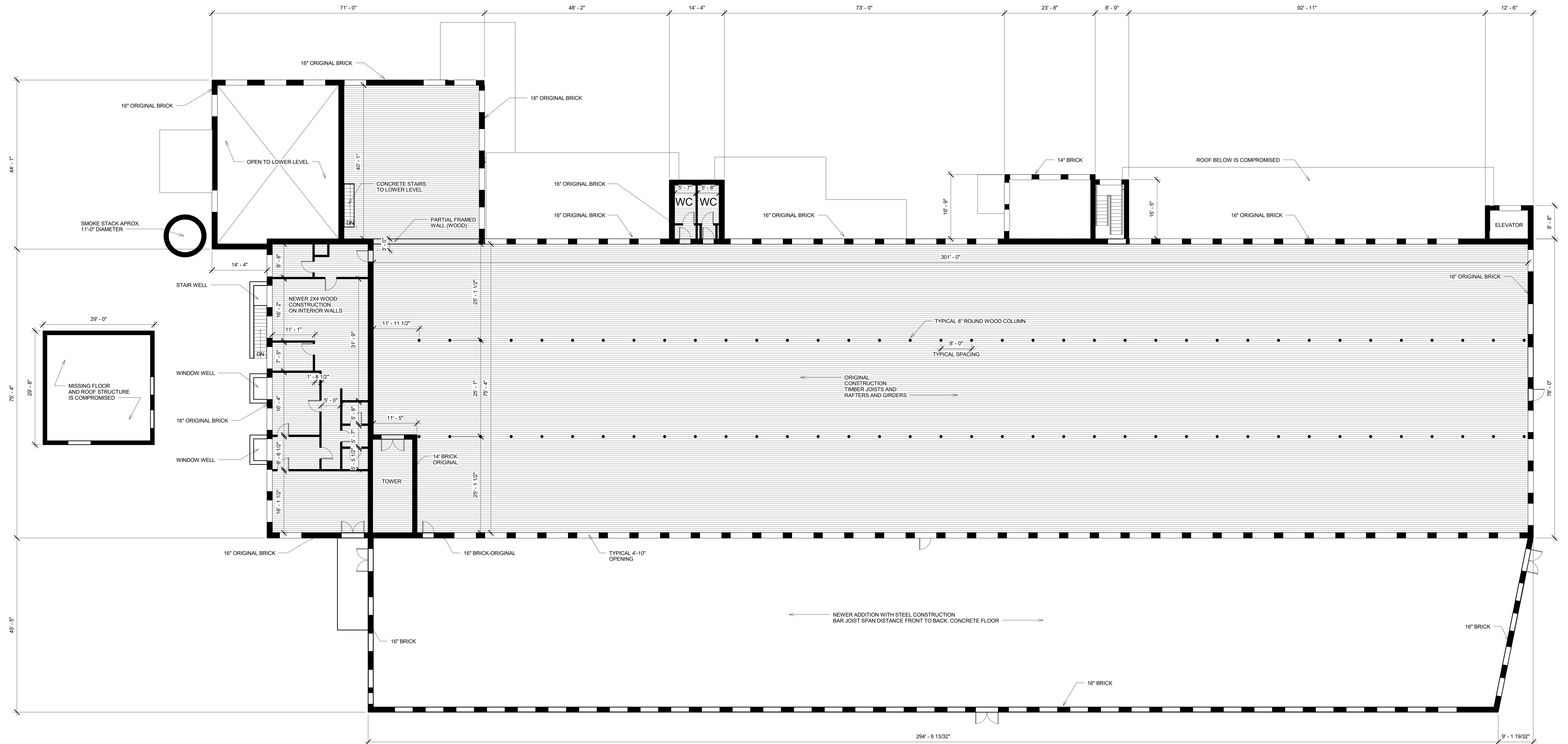
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LENOIR COTTON MILL - BLUE BELL, INC. PLANT

1241 COLLEGE AVENUE,LENOIR,CALDWELL COOUNTY, NORTH CAROLINA

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① Main Level
3/32" = 1'-0"



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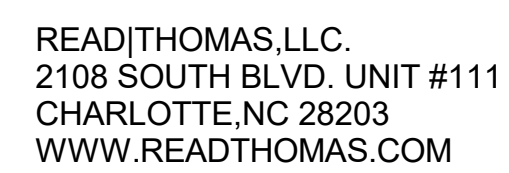
1241 COLLEGE AVENUE,LENOIR,CALDWELL COUNTY, NORTH CAROLINA

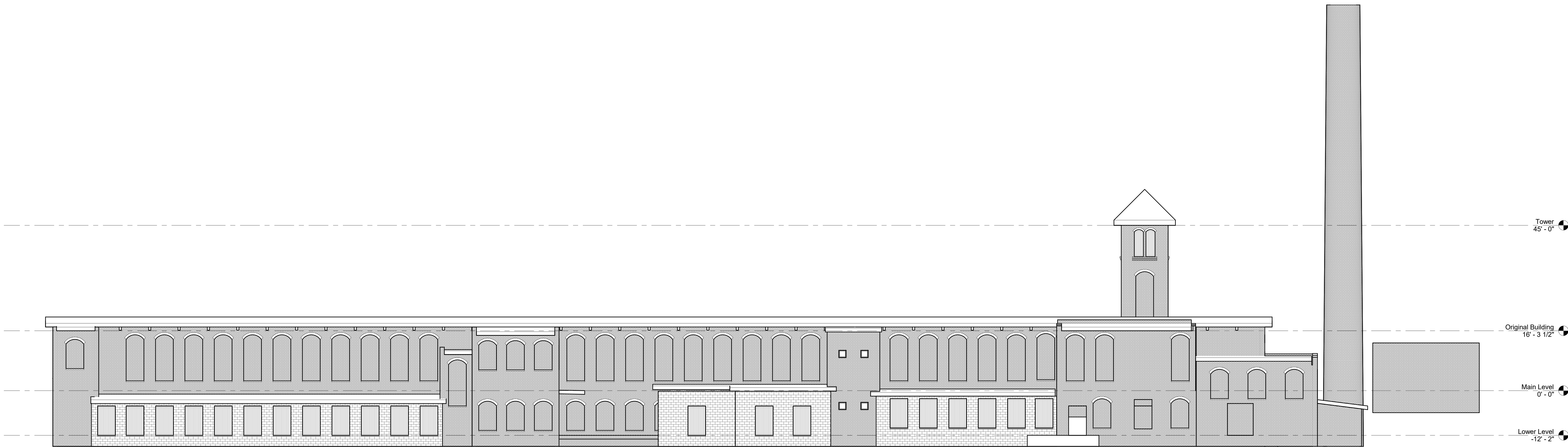
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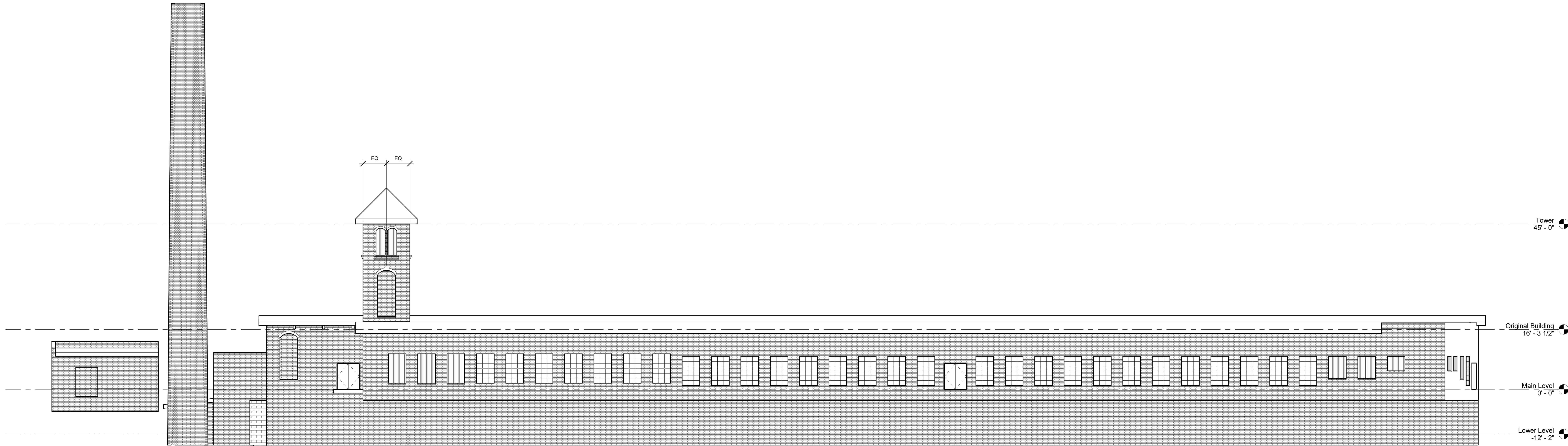
LENOIR COTTON MILL - BLUE BELL, INC. PLANT

05/08/17





① North
3/32" = 1'-0"



② South
3/32" = 1'-0"



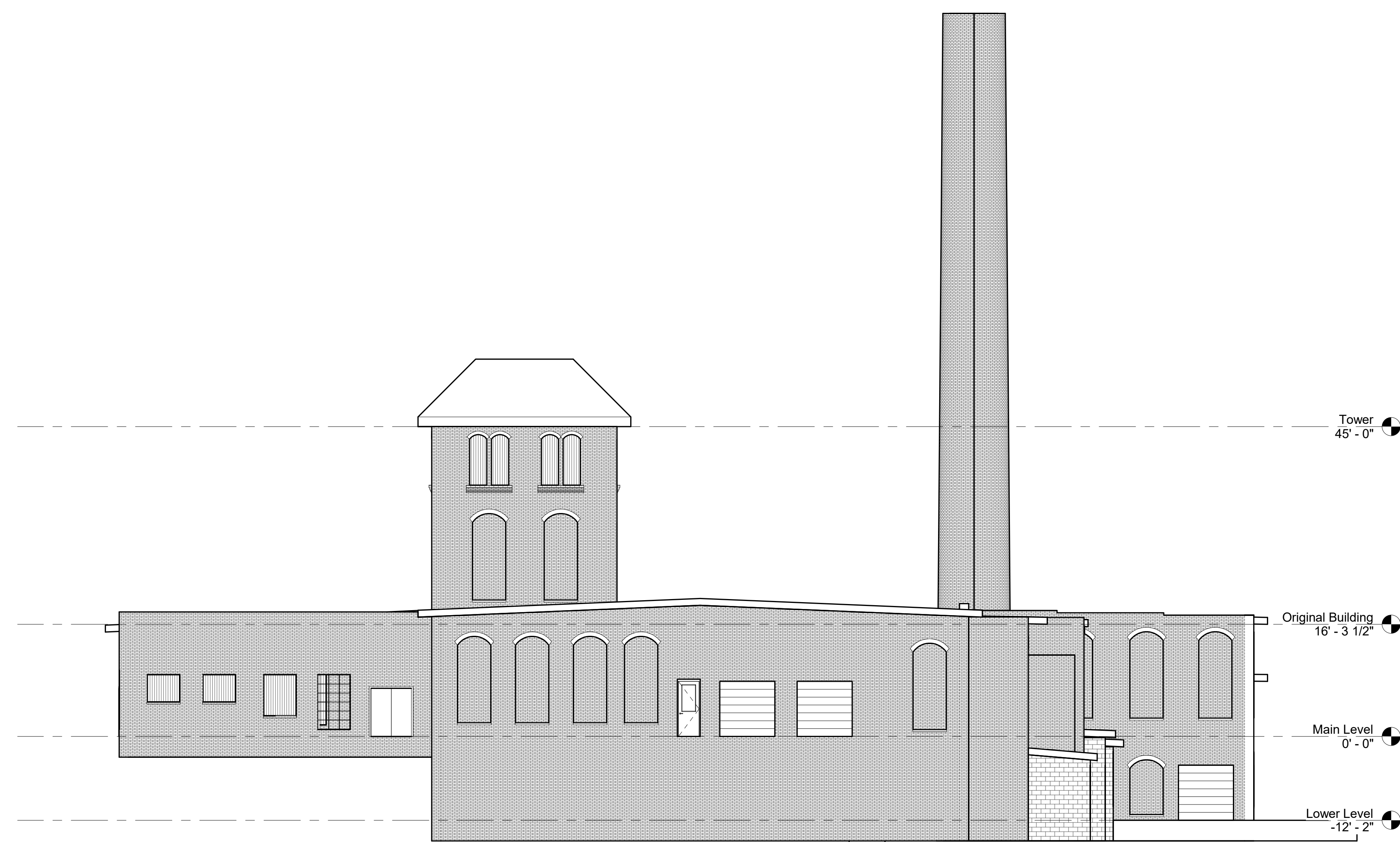
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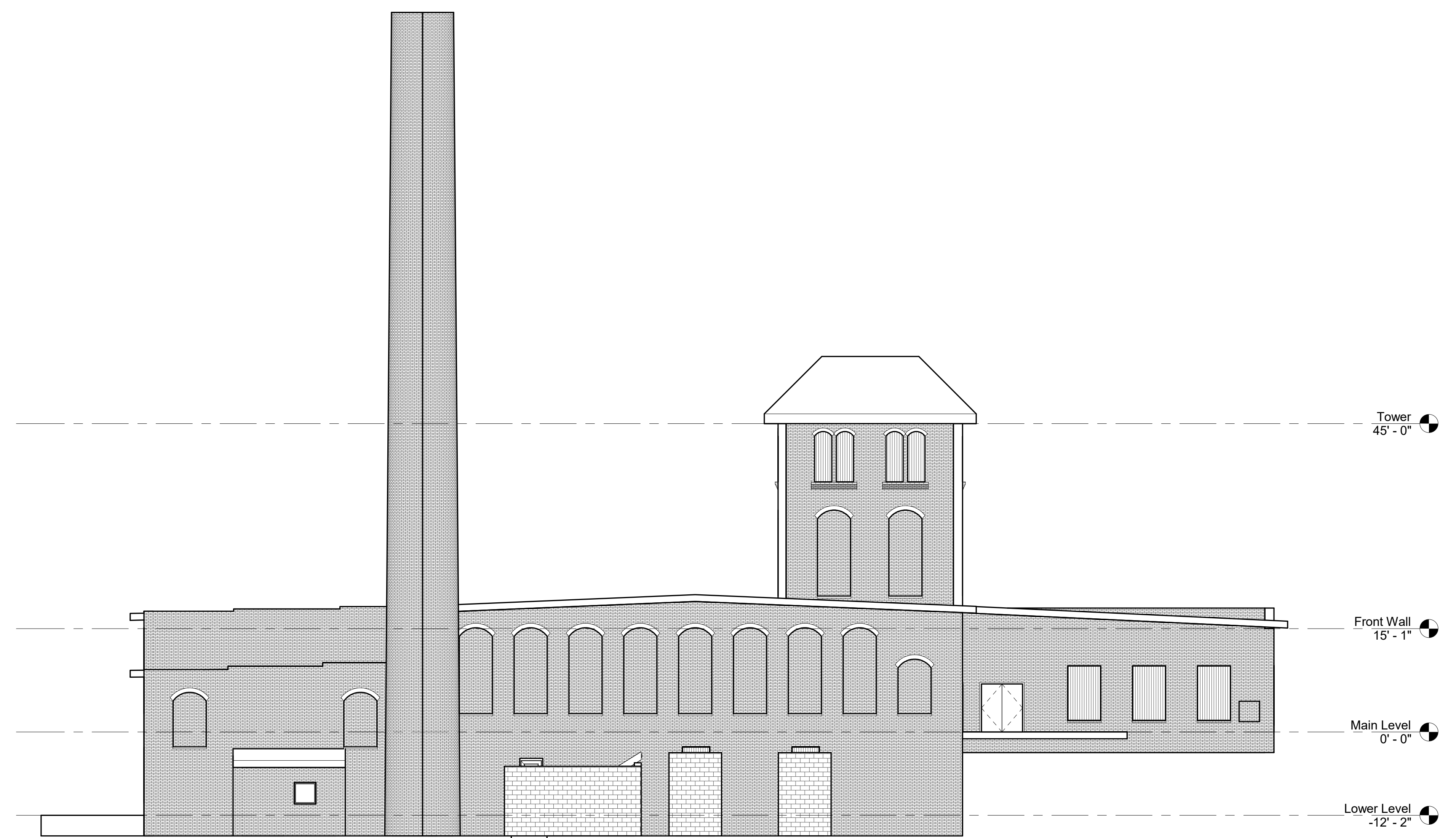
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05/08/17



① East
3/32" = 1'-0"



② West
3/32" = 1'-0"



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05/08/17

CITY OF LENOIR COUNCIL ACTION FORM

I. Agenda Item:

Public Hearing to consider an ordinance designating the “J.M. Bernhardt Planing Mill and Box Factory—Steele Cotton Mill—Hayes Cotton Mill,” located at 1201 Steele Street, as a Lenoir Historic Landmark.

II. Background Information:

Local Historic Landmark status is intended for properties that possess a special significance in terms of historical and architectural importance, and possess integrity of design, setting, workmanship, materials, feeling, and/or association. A local landmark designation allows for a 50% property tax deferral, offering a benefit to property owners. In exchange, the local landmark status ensures continued preservation and protection of the building, by requiring that all changes receive approval of a Certificate of Appropriateness (COA). COAs are quasi-judicial permits that are reviewed by Planning Staff and approved by the Lenoir Planning Board acting in their capacity as the Lenoir Historic Preservation Commission (HPC). Local landmark status also allows the City to enforce against “demolition through neglect.” Failure of the owner to abide by these additional restrictions will result in the forfeiture of the tax benefit.

This request was considered by the Lenoir Planning Board, acting in their capacity as the Lenoir HPC, over the past several months:

- March 25, 2019 – the Lenoir HPC reviewed and approved a Landmark Designation Report (attached), initiating the process for State review.
- April 22, 2019 – the State Historic Preservation Office (SHPO) reviewed the designation report and issued a letter of comment recommending approval of the local landmark. The letter is attached for information.
- April 22, 2019 – the Lenoir HPC held a duly noticed public hearing to consider the request, including comments from the SHPO, and asked staff to make additional specifications in the report and ordinance regarding contributing interior and exterior features.
- May 20, 2019 – the Lenoir HPC reviewed the changes to the ordinance and found them sufficient in order to review future projects, and recommended that the Lenoir City Council adopt the requests as amended, following a public hearing on June 18, 2019. Staff has duly noticed for this hearing.

The Landmark Designation Report, as amended to address the comments of the State Historic Preservation office and the Lenoir HPC, is attached. The owner of the property is

supportive of this designation and the specific interior and exterior features outlined in the ordinance and designation report.

III. Staff Recommendation:

Adoption of the attached Local Landmark Designation ordinance.

IV. Reviewed by:

City Attorney: _____

Finance Director: _____

Planning Director:  _____

**AN ORDINANCE OF THE CITY COUNCIL OF LENOIR,
NORTH CAROLINA, DESIGNATING THE “J.M.
BERNHARDT PLANING MILL AND BOX FACTORY-
STEELE COTTON MILL-HAYES COTTON MILL,”
LOCATED AT 1201 STEELE STREET IN LENOIR,
NORTH CAROLINA AS A LENOIR HISTORIC
LANDMARK PURSUANT TO NCGS CHAPTER 160A,
ARTICLE 19.**

WHEREAS, Chapter 160A, Article 19, Part 3C of the North Carolina General Statutes provides for the designation of historic landmarks; and

WHEREAS, the City of Lenoir has created the Lenoir Historic Preservation Commission as a commission having the authority to exercise, within the planning jurisdiction of the City, the powers and duties conferred by N.C.G.S. 160A-400; and

WHEREAS, the J.M. Bernhardt Planing Mill and Box Factory-Steele Cotton Mill-Hayes Cotton Mill is located at 1201 Steele Street in Lenoir, North Carolina, and is identified by NC PIN 2749650842 (“the Property”); and

WHEREAS, the Property is owned by James C. Sullivan Revocable Trust who have consented to the landmark designation; and

WHEREAS, the Lenoir Historic Preservation Commission issued a Landmark Designation Report on March 25, 2019, recommending designation of the Property as a historic landmark; and

WHEREAS, as set forth in the Landmark Designation Report, the Lenoir Historic Preservation Commission has determined that the Property is of special significance in terms of its historical, prehistorical, architectural, and/or cultural importance, and possesses integrity

of design, setting, workmanship, materials, feeling, and/or association; and

WHEREAS, the State Historic Preservation Office (SHPO) of the North Carolina Department of Natural and Cultural Resources has been provided the opportunity to review and comment on the proposed designation; and

WHEREAS, the SHPO reviewed the proposed designation and issued a letter of comment dated April 22, 2019 in which it noted that “The J.M. Bernhardt Planing Mill and Box Factory is ‘characterized by its heavy-timber interior structural systems, load-bearing brick exterior walls, low-pitched gable roofs, segmental-arched and rectangular window openings, segmental-arched door opening, and decorative entrance, stair, and restroom towers.’ The property’s contributions to the local industrial economy from the late nineteenth century through the mid-twentieth century and its architectural integrity merit its consideration for designation as a local historic landmark;” and

WHEREAS, the Lenoir Historic Preservation Commission held a duly-noticed public hearing on April 22, 2019, with respect to this ordinance and designation of the Property as a historic landmark as contemplated herein, and following said hearing voted on May 20, 2019 to confirm its recommendation that the Lenoir City Council designate the Property as a historic landmark; and

WHEREAS, the Lenoir City Council held a duly-noticed public hearing on June 18, 2019, with respect to this ordinance and designation of the Property as a historic landmark as contemplated herein; and

WHEREAS, the Lenoir City Council, having taken into full consideration all statements and information presented at the public hearings and in the Landmark Designation Report, finds that the Property meets all qualifying elements of a historic landmark, particularly, that it is of special significance in terms of its historical, prehistorical, architectural, and/or cultural importance, and possesses integrity of design, setting, workmanship, materials, feeling, and/or association; and

WHEREAS, the Lenoir City Council finds that the Property’s preservation should be encouraged and ensured; and

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

SECTION 1. The City of Lenoir hereby designates the J.M. Bernhardt Planing Mill and Box Factory-Steele Cotton Mill-Hayes Cotton Mill, located at 1201 Steele Street in Lenoir, North Carolina as a Lenoir Historic Landmark pursuant to Chapter 160A, Article 19, as amended, of the North Carolina General Statutes. Said property being more particularly described as follows:

A. Boundary Description

The local historic landmark designation boundary consists of NC PIN 2749650842 (3.22 acres), as indicated by the heavy dark lines on the map attached as “Exhibit A.”

B. Designation Parameters

1. Landmark Designation shall apply to the **entire exterior** of the building, with the following character-defining features specifically enumerated:
 - load-bearing six-to-one common bond brick exterior walls with segmental arched window and door openings (1903 and 1918)
 - on the 1918 north elevation and the 1918 cotton warehouse’s north and south elevations, the wall’s upper section that extends beyond the east and west elevations and steps up to a stepped parapet
 - eight-pane wood transoms
2. Landmark Designation shall apply to the **partial interior** of the factory building, with only the following character-defining features specifically enumerated:
 - round wood and cast-iron columns,
 - heavy-timber post-and-beams
 - triple-thickness wood floors
 - wood roof decking are intact
 - metal-clad kalamein doors

SECTION 2. No portion of the interior and exterior features of any building, site, structure, area, or object that is designated in this ordinance may be altered, restored, moved, remodeled, or reconstructed so that a change in design, material, or outer appearance occurs unless and until a Certificate of Appropriateness is obtained from the Lenoir Historic Preservation Commission or its successors; provided however that the City of Lenoir Historic Preservation Commission or designee may approve Certificates of Appropriateness for minor works as listed in the Bylaws and Rules of Procedure of the Lenoir Historic Preservation Commission. The Lenoir Historic Preservation Commission shall review Certificates of Appropriateness for interior alterations using *The Secretary of the Interior’s Standards for Rehabilitation*.

SECTION 3. No portion of the exterior features of any building, site, structure, or object that is designated in this ordinance may be demolished unless and until a Certificate of Appropriateness is obtained from the Lenoir Historic Preservation Commission or a period of three hundred and sixty-five (365) days has elapsed following final review by the Commission of a request for demolition (or any longer period of time required by N.C.G.S. 160A-400.14 as it may be amended hereafter); provided however, that demolition may be denied by the Lenoir Historic Preservation Commission in the event that the State Historic Preservation Officer determines that the building, site, structure, or object has statewide significance as provided by N.C.G.S. 160A-400.14.

SECTION 4. Nothing in this ordinance shall be construed to prevent or delay ordinary maintenance or repair of any architectural feature in or on said landmark that does not involve a change in design, material, or outer appearance thereof, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the owner of the historic landmark from making any use of the historic landmark not prohibited by other statutes, ordinances, or regulations. Owners of locally designated historic landmarks are expected to be familiar with and follow *The Secretary of the Interior's Standards for Rehabilitation* and the *Lenoir Historic Design Guidelines*, the guidelines used by the Lenoir Historic Preservation Commission to evaluate proposed alterations or additions.

SECTION 5. The Lenoir Historic Preservation Commission shall have no jurisdiction over the interior features of the property, with the exception of those portions of the interior that are included in the designation parameters as contemplated in this ordinance.

SECTION 6. City administration and the Lenoir Historic Preservation Commission are hereby authorized to have posted a suitable sign on the site herein described indicating that said site has been designated a historic landmark by action of the Lenoir Historic Preservation Commission and the Lenoir City Council provided, should the owners of the herein described property not consent to the posting of said sign on the described premises, City administration and the Lenoir Historic Preservation Commission are hereby authorized to have said sign located on the public right-of-way adjacent to said property.

SECTION 7. All owners of the property hereinabove described, whose identity and addresses can be ascertained by the exercise of due diligence, shall be sent by certified mail a copy of this ordinance.

SECTION 8. Copies of this ordinance shall be filed and indexed in the offices of the City Clerk, Planning and Community Development, Caldwell County Register of Deeds, and the Caldwell County Tax Administrator, as required by applicable law.

SECTION 9. In the event any building, site, structure, or object designated in this ordinance is demolished in accordance with the ordinances of the City of Lenoir, this ordinance may be repealed.

SECTION 10. Any violation of this ordinance shall be unlawful as by law provided.

SECTION 11. This ordinance shall be effective on the date of adoption.

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.]****

J. M. Bernhardt Planing Mill and Box Factory – Steele Cotton Mill
1201 Steele Street, Lenoir, Caldwell County, North Carolina, Local Historic Landmark Boundary Map



EXHIBIT "A"

April 22, 2019

Jenny Wheelock
P.O. Box 958
801 West Avenue, Northwest
Lenoir, NC 28645

RE: Proposed Designation of the **J.M. Bernhardt Planing Mill and Box Factory, 1201 Steele Street, Lenoir, Caldwell County**

Dear Ms. Wheelock:

Thank you for the report we received regarding the proposed designation of the J.M. Bernhardt Planing Mill located at 1201 Steele Street in Lenoir. We have reviewed the report and offer the following comments.

The J.M. Bernhardt Planing Mill and Box Factory is “characterized by its heavy-timber interior structural systems, load-bearing brick exterior walls, low-pitched gable roofs, segmental-arched and rectangular window openings, segmental-arched door openings, and decorative entrance, stair, and restroom towers.” The property’s contributions to the local industrial economy from the late nineteenth century through the mid-twentieth century and its architectural integrity merit its consideration for designation as a local historic landmark.

We have shared recommendations with staff for changes to the report. Once the report has been revised to include staff’s recommendations, we believe the commission and the local governing board will be able to more accurately determine if the J.M. Bernhardt Planing Mill and Box Factory possesses the requisite special significance and integrity required for local historic landmark designation.

Landmark designation means the community recognizes the property is worthy of preservation because of its special significance to the local community. Any substantial changes in design, materials, and appearance to the property is subject to the design review procedures of the preservation commission.

If the local governing board wishes to extend the Commission’s design review authority to significant features of the interior, the owner must give written consent. The designation ordinance must specify the features and describe the nature of the Commission’s design review authority over them.

Thank you for the opportunity to comment on the report. Please note, our comments are advisory only and therefore, nonbinding. Once the governing board has received a recommendation from the Lenoir Historic Preservation Commission, it should proceed in the same manner as would otherwise be required for an

amendment to the zoning ordinance. Once the decision has been made, please return a completed copy of the enclosed form to our office.

This letter serves as our comments on the proposed designation of the J.M. Bernhardt Planing Mill and Box Factory. Please contact me at 919-814-6575 should you have any questions about our comments.

Sincerely,

A handwritten signature in blue ink that reads "Amber E. Stimpson". The signature is fluid and cursive, with a large loop at the end of the last name.

Amber E. Stimpson
Local Preservation Commissions / CLG Coordinator

CC: Commission Chair

Enclosure

LOCAL HISTORIC LANDMARK DESIGNATION REPORT



**J. M. Bernhardt Planing Mill and Box Factory - Steele Cotton Mill –
Hayes Cotton Mill
1201 Steele Street
Lenoir, Caldwell County, North Carolina**

**Prepared by:
Fearnbach History Services, Inc.
3334 Nottingham Road
Winston-Salem, NC 27104**

April 2019

Introduction

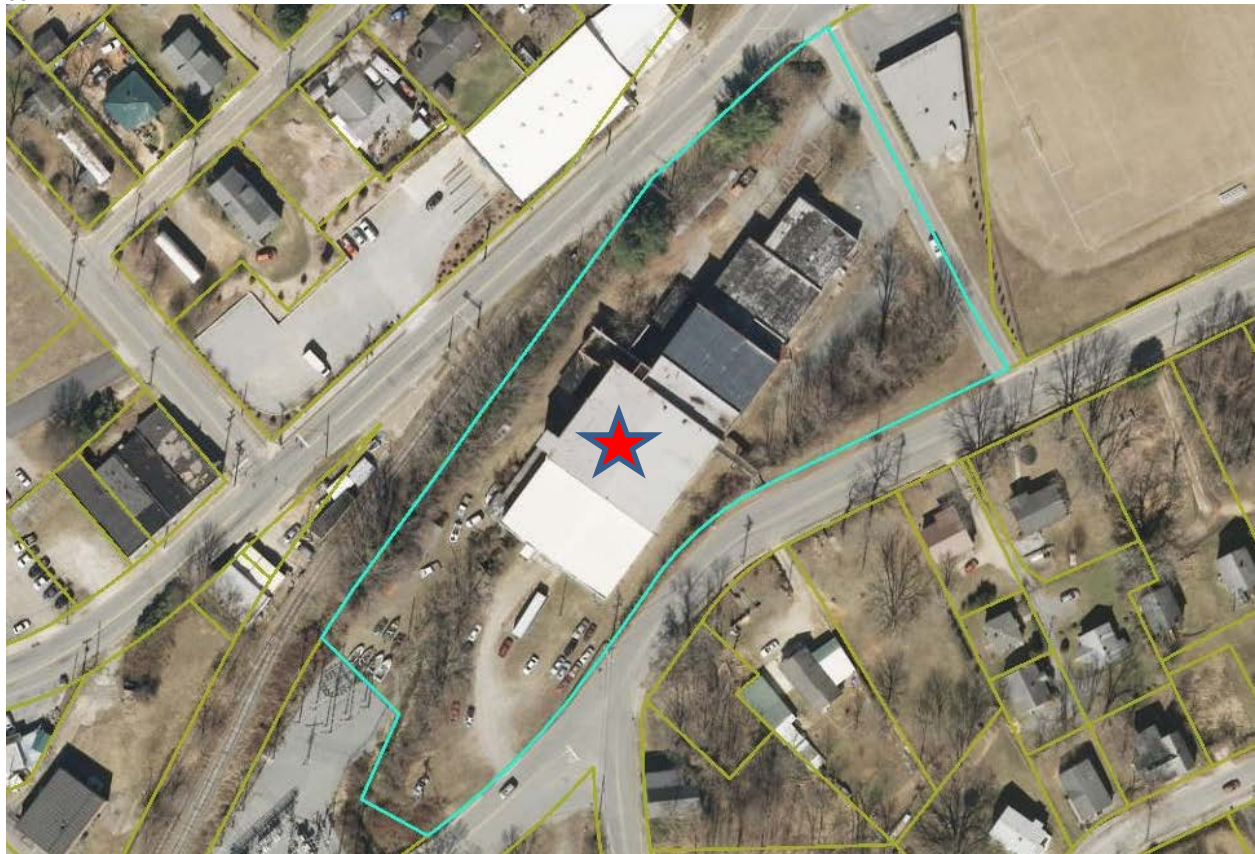
This report demonstrates that J. M. Bernhardt Planing Mill and Box Factory - Steele Cotton Mill - Hayes Cotton Mill possesses the requisite integrity and industrial and architectural significance for local historic landmark designation. The concerns' contributions to the local economy as manufacturers, employers, consumers of local goods and services, and taxpayers, were enormous. John Mathias Bernhardt, who became one of Lenoir's leading industrialists, established the planing mill and box factory in 1896. The plant was the town's largest manufacturing enterprise by 1900, supplying hardwood and white pine dimensional lumber and boxes of all sizes to clients throughout the region. After Bernhardt sold the factory in February 1917, it briefly served as a furniture and lumber warehouse. Following expansions and equipment installation, one hundred workers commenced producing weaving and knitting yarns at Steele Cotton Mill in January 1919. New York agents marketed the company's yarns. The enterprise remained successful through 1946, when Hayes Cotton Mill purchased the plant. The concern undertook \$500,000-worth of improvements between 1946 and 1954. Machinery quantities and workforce size remained constant through 1965. Soon after, Hayes Cotton Mill moved its operation to Hudson.

J. M. Bernhardt Planing Mill and Box Factory – Steele Cotton Mill – Hayes Cotton Mill is architecturally significant as the plant manifests typical early- to mid-twentieth-century industrial design. The 1896/1903/1918 factory features load-bearing brick exterior walls executed in six-to-one common bond with segmental-arched window and door openings. The round wood and cast-iron column and heavy-timber post-and-beam interior structural system and triple-thickness wood floors are representative of fire-resistant early-twentieth-century industrial architecture. The 1918 addition displays the ongoing prevalence of heavy-timber framing with brick firewalls between combustible areas. The early 1950s additions employ structural-steel framing systems. The period of significance begins in 1896, with the original factory's completion, and continues to 1965. The plant's function and physical expansion after 1965 are not of exceptional significance.

The local historic landmark boundary encompasses 3.22-acre Caldwell County tax parcel number 2749650842.

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**J. M. Bernhardt Planing Mill and Box Factory – Steele Cotton Mill – Hayes Cotton Mill
indicated with a red star**

Base 2014 aerial photo courtesy of <http://gis.caldwellcountync.org/maps/>

Site

The factory is rotated approximately thirty degrees from true cardinal direction alignment. However, for the purposes of this document the following description is written as if it has true north-south orientation.

Setting

Located south of Lenoir's commercial center, the plant that historically served as J. M. Bernhardt Planing Mill and Box Factory, Steele Cotton Mill, and Hayes Cotton Mill occupies a 3.22-acre parcel bounded by Steele Street to the northeast, College Avenue to the southeast, a Duke Power electrical substation to the southwest, and Harper Avenue and the Carolina and North Western Railroad tracks and right-of-way to the northwest. A gravel drive leads from College Avenue to the southwest basement entrance. Asphalt-paved access roads and parking areas are north, west, and east of the additions at the mill's north end.

The plant is at a lower elevation than Steele Street and College Avenue. The site's topography slopes down to the west, allowing for a partially above-grade basement. Grass embankments ameliorate the change in elevation. The almost-vertical drop on College Avenue's west side necessitated the construction of a steel-frame elevated walkway to span the distance between the embankment and the service door into the second story of the factory's east wall.



Southeast oblique

Photographs taken by Heather Fearnbach on August 15, 2016 unless otherwise noted

The bank that abuts the south elevation tapers gradually to a plateau containing a concrete-paved parking area at the southeast basement entrance and a gravel drive that terminates at the southwest basement entrance. Further west, a creek with steep banks runs through the property on the mill's northwest side and is channeled through a culvert beneath the building's west section.

Narrow swaths of grass lawn surround the mill. The areas bordering the plant have been overtaken by vines and deciduous and evergreen trees and shrubs. Most of the west elevation and some of the east elevation is obscured by this overgrowth.

The area surrounding the complex is characterized by twentieth-century industrial, commercial, and residential development. Some one-story, frame, gable- and hip-roofed, early-twentieth-century mill worker houses remain east of the factory. The 1902-1903 Lenoir Cotton Mill – Blue Bell, Inc. plant is located to the southeast and a circa 1950 freight depot stands to the south. The 1922 Lenoir High School and its athletic field (now Mack Cook Stadium, a city-owned soccer field) replaced the lumber yard northeast of the factory, between Steele Street and the downtown business district.

Site Evolution

The long, linear manufacturing plant was erected in phases beginning with the southeast section. The one-story-on-basement, frame 1896 factory was thirty-six feet wide and approximately three times as long. A one-story boiler room and a small one-story shavings collection room abutted the west elevation's north end. In 1903, the factory was expanded with a second story and a west addition that more than doubled its width to about one hundred feet. Load-bearing brick east and west walls were constructed and the west 1896 wall removed to create an open interior plan. The frame north elevation was sheathed with iron panels. The south elevation remained frame. The 1896 boiler room, which had been demolished to allow for the expansion, was replaced with a one-story frame boiler room that projected from the factory's northwest corner. An eighty-foot-tall, square, brick smokestack north of the boiler room was also erected in 1903.

Improvements in conjunction with the building's 1918 modification to serve as a cotton yarn spinning mill included the construction of load-bearing brick north and south walls, a one-story picker room at

the north end, an entrance tower on the south elevation, a restroom tower on the west elevation, and a one-story-on-basement cotton warehouse north of the mill. The frame 1903 boiler room was replaced with a two-room brick structure comprising a north boiler room and south engine room. Sanborn maps indicate that it only had one level, but the brick walls rise to two-story height. The freestanding 1903 smokestack remained. A second square brick smokestack was erected in 1918 at the engine room's northeast corner abutting the picker room's west wall. The 1903 smokestack and the 1918 boiler room's north room's north and west walls were demolished sometime after Hayes Cotton Mill ceased production in 1965 and before James C. Sullivan acquired the property in 1982.

A series of additions constructed between 1951 and 1954 extend from the 1896/1903/1918 plant's north and west elevations. A two-story, flat-roofed, brick-and-frame addition fills the space between the 1918 picker room and cotton warehouse to the north. The tall, one-story, brick addition west of the picker room wraps around the 1918 smokestack. On the boiler room's south side, a one-story, flat-roofed, brick addition projects from the factory's west elevation. A one-story, shed-roofed, brick and concrete block addition extends from the west wall near its south end. This addition replaced a small transformer room constructed between 1921 and 1927. Loading docks and an elevated walkway have been built to facilitate the plant's ongoing use.

The early 1950s addition that extended from the cotton warehouse's west elevation sustained damage from a roof leak and flooding that caused partial wall and roof collapse around 1990. The remaining portion of that structure was demolished in 2016. The south section of the 1896/1903/1918 building's second story was removed around 1995 after a truck backed into the south elevation and caused structural failure.¹



South elevation, looking northwest

¹ James C. Sullivan, telephone conversations with Heather Fearnbach, October 2016.

Description

Exterior

The two-story-on-basement 1896/1903/1918 building is characterized by six-to-one common-bond brick walls erected in 1903 and 1918. On the 1918 north elevation, the wall's upper section extends beyond the east and west elevations and steps up to a stepped parapet. Two- and three-header-course lintels and slightly projecting brick window sills frame tall segmental-arched window and door openings. Most multipane, double-hung, wood sash and eight-pane wood transoms were removed and the window openings enclosed with running-bond brick. The infill is flush with the wall plane. Near the top of many openings, two or four clear glass blocks allow light to permeate the interior. A few eight-pane wood transoms remain on the east, west, and south elevations.

The low-pitched-gable roof system initially included projecting rafter ends that created deep eaves. However, contractors removed the rafter ends and overhanging eaves in conjunction with a late-twentieth-century roof installation. The roof retains its original pitch, but metal coping now caps the walls and aluminum gutters and downspouts control water run-off.

The building's south section is now only one-story-on-basement due to the upper floor's circa 1995 removal. A flat roof was installed using heavy-timber beams salvaged from the original structure. A frame wall sheathed with corrugated metal siding encloses the south end of the second story's extant north section.

Historic photographs illustrate that the south elevation was twelve bays wide.² The wall's west section comprises three bays of window openings. The lower two stories of the originally three-level 1918 entrance tower project from the fourth bay. The tower walls are blind. The double-leaf, wood, first-story door with tall, six-horizontal-panel sections provides the only egress. The windows and most of the walls in the two bays east of the tower have been removed to allow for the installation of a basement service door. A sliding plywood door secures that opening. The second story may have also included a service door, but the opening has been infilled with brick around two small, rectangular, single-pane, aluminum windows.

The three south elevation bays east of the tower originally contained windows. The west basement window has been removed and the opening enlarged to create a service door supported with a steel lintel. The building's southeast corner sustained extensive damage when a truck backed into the south wall around 1995. The reconstructed walls are concrete block veneered in running-bond red brick. A roll-up metal service door and a single-leaf steel door allow first-floor access. Wood steps with wood railings rise to a wood landing adjacent to the single-leaf entrance.

Most of the west elevation is obscured by vines and other vegetation. A one-story, shed-roofed, mid-twentieth-century addition extends from the wall near its south end. Running-bond red brick sheathes the addition's south wall and a sliding door pierces its concrete-block west wall.

The three-story restroom tower near the west elevation's center is slightly taller than the mill roof. High eight-pane sash illuminate the restrooms on each level. North of the tower, an arched double-leaf horizontal-panel door facilitates basement access. To the north, at the main block's north end, a one-story, brick, early 1950s office addition with a collapsed roof extends along the boiler room's south wall.

² Photographs from 1938, circa 1959, and 1968 publications in the collection of the Caldwell Heritage Museum in Lenoir.



West elevation, south section, looking northeast

Annie Laurie McDonald, photographer, September 13, 2016

The frame 1903 boiler room was replaced in 1918 with a brick structure containing a north boiler room and south engine room. Sanborn maps indicate that it only had one level, but the brick walls rise to two-story height. The north room's north and west walls were demolished between 1965 and 1982. The remaining soft brick walls are in poor condition and the roof and floor system have collapsed. The tall arched window openings on the south elevation have been infilled with brick and concrete block. The west wall is blind. Near the north elevation's west end, the wall beneath an original arched window opening was removed to allow for a single-leaf door opening.

A one-story-on-basement twenty-five-foot-long picker room abuts the plant's north end. A two-level, flat-roofed, early 1950s addition extends north from the picker room to the opening room at the cotton warehouse's south end. The addition's north wall is brick-veneered concrete-block. On its four-bay east and west elevations, plywood panels sheath the structural steel frame around tall, paired, eighteen-pane, steel sash that illuminate the large, open, second-story room.

A one-story, shed-roofed, early 1950s warehouse projects from the two-level addition's west elevation. The warehouse has a blind brick west wall and a metal-siding-sheathed north wall with a corrugated metal sliding door. The lower section of the tall, square, 1918 smokestack that extends from the picker room's west elevation rises at the addition's southeast corner. A segmental-arched, three-header-course lintel tops the smokestack's clean-out door, which is accessed from the picker room's basement.

A tall, one-story, early 1950s warehouse addition extends from the west half of the two-level addition's north elevation. The addition has a concrete-block west wall and a brick-veneered concrete-block north wall. Small, rectangular, steel-frame clerestory windows pierce its west elevation. A double-leaf metal sliding door secures the entrance near the wall's center. The service door openings on the north elevation have been enclosed with brick and a single-leaf steel door with a glazed upper section.

The one-story-on-basement early 1950s addition that projected from tall one-story addition's north elevation and the 1918 cotton warehouse's west elevation suffered partial wall and roof collapse around 1990. The remaining portion of that structure was demolished in 2016. The cotton warehouse's west wall had been removed upon the 1950s addition's construction. The 1950s concrete-block partition wall at the basement level is intact. Portions of the upper level's frame partition wall have collapsed along with section of the roof and floor system.

The 1918 cotton warehouse's blind north wall is executed in six-to-one common bond. At its northeast corner, the wall's upper section extends beyond the east elevation, stepping up to a flat parapet. The same detail is repeated on the south wall.

The cotton warehouse comprises two storage sections and an opening room at its south end. Corrugated-metal siding sheathes the north warehouse section's east elevation above brick basement walls. A single-leaf door and a two-part wood-sash window were added in conjunction with the siding installation. Four formed-concrete steps lead to the concrete-block loading dock outside the door. Directly below the window, at the east elevation's north end, a single-leaf door with a nine-pane upper section and two flanking glass-block windows pierce the basement wall. The south warehouse section's east elevation retains vertical board sheathing and a matching sliding door. The adjacent loading dock has brick walls and a concrete floor.

The two-bay-wide brick opening room at the cotton warehouse's south end was also constructed in 1918. The tall rectangular window opening has been infilled with brick. An arched three-header-course lintel surmounts a replacement double-leaf vertical-board door.



East elevation, north section, looking southwest

The loading dock extends south along the east elevation of the two-level 1950s addition. The addition's plywood-panel-sheathed second story is cantilevered above the loading dock and supported by steel I-beams. Four bays of tall, paired, eighteen-pane, steel-frame sash with operable six-pane lower hoppers illuminate the upper level. Plywood panels enclose the wide window opening in the brick-veneered ground-floor wall. A double-leaf steel door allows egress.

At the loading dock's south terminus, a double-leaf steel door has been added on picker room's north wall near its east end. The north elevation is blind at the basement level, but three windows, now infilled with brick, lit the upper story. Rectangular, horizontal, one-over-one aluminum sash have been added in each segmental-arched window opening's upper section.

A steel-frame elevated walkway with a board floor extends from the embankment east of the plant to the service door in the north bay of the 1896/1903/1918 building's second story. A sliding door and a steel-bar security door fill the opening. As elsewhere, most east elevation windows have been removed and the openings enclosed with brick. A few eight-pane wood transoms remain. The wall's south section sustained structural damage when a truck backed into the south wall's east end around 1995. The building's southeast corner was reconstructed to one-story height with concrete block veneered in running-bond red brick.



East elevation, south section, looking southwest

Annie Laurie McDonald, photographer, September 13, 2016

Interior

The mill's open plan and interior finishes are substantially intact. The building is characterized by painted brick walls; substantial wood, cast-iron, and steel columns, posts, and beams; wood roof decking; hardwood floors; and metal-clad kalamein doors. Long rows of columns and posts divide the manufacturing areas into wide bays that accommodated sizable machinery.

Round wood columns and heavy-timber posts and beams support the 1896/1903/1918 factory's first- and second-story floor and roof systems. Steel connecting plates secure the columns to the beams. The upper levels contain four approximately twenty-five-foot-wide bays flanked by rows of round wood columns spaced at eight-foot intervals. Some heavy-timber beams have been reinforced with steel. In the basement's north section, cast-iron columns, likely installed in conjunction with the 1918 improvements, have replaced some of the heavy-timber posts. Square heavy-timber posts on tall brick plinths, square brick posts, and heavy-timber beams support the 1918 picker room. Steel I-beams and columns were used to construct post-1950 additions.

The 1896/1903/1918, and early 1950 sections retain wood floors on the upper levels. The original floor system consists of three-inch-thick plank decking, a three-inch-thick diagonal-board middle layer, and a narrow tongue-and-groove hardwood top layer. Most of the basement floor is poured concrete, but some hardwood floor boards remain, albeit in poor condition, in the 1896/1903/1918 factory's northeast section. The 1918 engine room, the one-story additions that extend from the west elevation south of the engine room, and the 1918 cotton warehouse have experienced roof and floor system collapse. The one-story early 1950s warehouse addition has a dirt floor.

The restrooms in the 1918 addition that projects from the center of the 1896/1903 plant's west elevation are simply finished with plaster walls, concrete floors, painted-wood stall partition walls, and white porcelain fixtures. Linear and pendant fluorescent lights and sprinkler system pipes hang from the ceilings throughout the plant. Surface-mounted metal conduit houses electrical wiring.

On the 1896/1903 factory's north elevation, a long, straight run of wood stairs with a vertical-board railing connected the first and second floors. The staircase collapsed in 2016. However, a straight run of wood steps secured by a wood-frame and wire-mesh enclosure facilitates basement access. Most of the original basement structure comprises robust square heavy-timber posts and beams, although some supplementary cast-iron and steel posts have been added. Mid-twentieth-century partition walls divide some outer bays and enclose restrooms, offices, workshops, and mechanical and storage rooms. The basement and later additions have open plans.

Integrity Statement

J. M. Bernhardt Planing Mill and Box Factory – Steele Cotton Mill – Hayes Cotton Mill possesses good integrity of location, setting, feeling, association, design, materials, and workmanship. The 1896/1903/1918 building retains character-defining features of late-nineteenth and early-twentieth-century industrial architecture. The load-bearing six-to-one common bond brick exterior walls with segmental-arched window and door openings were erected in 1903 and 1918. On the 1918 north elevation, the wall's upper section extends beyond the east and west elevations and steps up to a stepped parapet. This detail is replicated on the 1918 cotton warehouse's north and south elevations. The factory's round wood and cast-iron column, heavy-timber post-and-beam interior structural system, triple-thickness wood floors, and wood roof decking are intact. These elements, in conjunction with metal-clad kalamein doors and firewalls between combustible areas such are representative of fire-resistant construction practices.

Although most original window and door openings have been infilled with brick since the mid-twentieth century, some eight-pane wood transoms survive. The transoms will serve as models for the replacement sash. Brick infill will be removed and historically appropriate windows installed in conjunction with the rehabilitation. The early 1950s additions did not involve extensive modification to the 1896/1903/1918 building; only the creation of door openings to facilitate interior connectivity.



**1896/1903 factory, basement, southeast section, looking northwest (above)
and northeast section, looking south (below)**





**1896/1903 factory, first floor, southwest section, looking south (above)
1918 picker room, upper level, looking west (below)**





1950s addition, looking west

Historical Background and Industrial Context

The 1884 completion of the Chester and Lenoir Narrow Gauge Railroad, a 110-mile freight and passenger line originating in South Carolina, stimulated commercial and industrial growth along its route. Entrepreneurs John Mathias Bernhardt and George Washington Finley Harper were among those who capitalized on the opportunity for more expeditious trade. Bernhardt, born in 1860 on his family's farm east of Lenoir, graduated from the municipality's Finley High School in 1877. While a teenager, he worked in the store operated by James C. Harper and his son G. W. F. Harper, which had served Lenoir residents since around 1845. Bernhardt attended Davidson College between January 1883 and May 1884, but left prior to completing his course of study in order to pursue business opportunities in his hometown. On January 1, 1884, Bernhardt and his older brother George Lynn Bernhardt had become G. W. F. Harper's partners in the general mercantile. G. L. Bernhardt, as manager of the new entity, Harper and Bernhardt, required his brother's assistance. The concern reorganized in April 1886, adding G. W. F. Harper's son and the Bernhardts' Davidson classmate George Finley Harper as a partner. The family connection deepened when J. M. Bernhardt married G. W. F. Harper's daughter Ellen Douglas Harper on March 28, 1894.³

J. M. Bernhardt gained knowledge of the lumber industry from his father and while working for the Department of the Interior as a land surveyor in Oregon's Hood River Valley. Upon his return to Caldwell County, his speculative endeavors included purchasing sizable forested tracts to timber. He also invested in a Blowing Rock farm called Green Hill. In 1889, Bernhardt encouraged other community leaders to collectively establish Lenoir Furniture Company, the municipality's first furniture factory. He traveled to "northern cities" to procure the plant's equipment in April of that

³ G. W. F. Harper graduated from Davidson College in 1859. G. F. Harper attended Davidson College from September 1882 until June 1885 but did not graduate. "John Matthias Bernhardt" and "George Finley Harper," alumni files, Special Collections, E. H. Little Library, Davidson College, Charlotte, North Carolina.

year. Bernhardt served as the company's president and superintendent until November 1890, when G. F. Harper succeeded him.⁴

In December 1893, J. M. Bernhardt, G. L. Bernhardt, G. F. Harper, and G. W. F. Harper, who had operated as private banker for some time, established Lenoir's first local bank. G. W. F. Harper was the institution's president from its founding until his 1921 death. His son G. F. Harper, initially a cashier, later became vice-president, a position he retained for fifty-two years. The Bernhardts served on the Board of Directors. The concern incorporated as the Bank of Lenoir in 1904 and opened a first-floor office in the three-story, mid-nineteenth-century, brick building that housed the Harper and Bernhardt mercantile on the southwest corner of South and West Main Streets (the building is no longer extant). The bank, which boasted Lenoir's first telephone exchange in 1895, was strategically located at a prominent corner in the most heavily developed commercial block in town.⁵

The Bernhardts and Harpers were also heavily involved with local railroads. G. W. F. Harper was a principle stockholder and became in 1893 the president of the Chester and Lenoir Narrow Gauge Railroad. He guided the concern through receivership to become the Carolina and North Western Railway in 1897. J. M. Bernhardt, while general production manager at Caldwell Land and Lumber Company, incorporated in 1892, encouraged the concern's owners—William S. Harvey, Charles N. Wire, George B. Collier, and others—to build the Caldwell and Northern Railway. He also assisted with the route's survey. Beginning in 1893, freight cars transported lumber from the small community of Collettsville, located ten miles southwest of Lenoir, to the larger municipality's industries. A passenger line extended northwest of Lenoir in phases to Wilson Creek, Mortimer, and finally to Edgemont by 1906. The Carolina and North Western Railway assumed control of the Caldwell and Northern Railway in 1905 and merged the concerns in 1910.⁶

Bernhardt established a related business in 1896, a planing mill and box factory in Lenoir. The plant utilized timber supplied by concerns including Caldwell Land and Lumber Company to mill hardwood and white pine dimensional lumber and boxes of all sizes. Bernhardt selected an optimal site for the factory, southwest of downtown near the intersection of what is now West Avenue and Harper Avenue (originally West Main Street and Spring Street) and the primary Carolina and North Western Railroad line. The rectangular, one-story-on-basement, frame building had a one-story boiler room and a small one-story shavings collection room at its northwest corner. A conveyor belt connected the shavings room to a round, brick, twelve-foot-tall sawdust incinerator northwest of the creek. Two long,

⁴ "The Firm of Harper and Bernhardt," *Lenoir Topic* (hereafter abbreviated *LT*), April 7, 1886, p. 3; J. M. Bernhardt, "Letter from Oregon," *LT*, December 19, 1888, p. 1; "Town Meeting," *LT*, March 6, 1889, p. 3; *LT*, April 10, 1889, p. 3; *LT*, September 11, 1889, p. 3; "Lenoir Furniture Factory," *LT*, January 8, 1890, p. 3; *LT*, November 19, 1890, p. 3; "Washington Letter," *LT*, April 11, 1894, p. 2; "Beloved Lenoir Citizen is Laid to Rest," *Lenoir News-Topic* (hereafter abbreviated *LNT*), March 3, 1944; "George Harper Dies in Lenoir," *Charlotte Observer* (hereafter abbreviated *CO*), March 1, 1944; John C. Bernhardt, "Mathias Alexander Bernhardt," in E. Carl Anderson, ed, *Heritage of Caldwell County, North Carolina* (Winston-Salem, N.C.: Hunter Publishing Company, 1983), 252-253.

⁵ Bank of Lenoir, "60th Anniversary Souvenir," May 4, 1954, North Carolina Collection, Wilson Library, University of North Carolina at Chapel Hill.

⁶ The Carolina and North Western Railway line later became a subsidiary of the Southern Railway. *LT*, June 14, 1893, p. 3; "Chester and Lenoir Railroad," *CO*, February 1, 1894, p. 2; *Statesville Record*, January 17, 1896, p. 2; "The Chester and Lenoir," *Hickory Press*, January 23, 1896, p. 2; Robert D. Walker Jr., "Can't and Never Will: Remembering the Carolina & North-Western," in Cary Franklin Poole, *A History of Railroad in Western North Carolina* (Johnson City, Tennessee: The Overmountain Press, 1995), 58-61; Bernhardt, "Mathias Alexander Bernhardt," 254; John Christian Bernhardt, "A History of Bernhardt Furniture Company," January 1994, pp. 3-4.

rectangular, open-sided lumber sheds south and west of the plant flanked a railroad spur that terminated at a sizable lumber yard to the east.⁷

Bernhardt's planing mill and box factory was the town's largest manufacturer by 1900. In 1902, Lenoir boasted at least ten industrial concerns, including flour and lumber mills, furniture producers, and building supply companies, most of which were located along railroad lines. Downtown businesses prospered as the population increased in conjunction with industrial expansion. G. L. Bernhardt erected a three-story brick store to house Lenoir Hardware and Furniture Company on Main Street in 1903, moving the business from the building that had served as the James Harper and Sons general store, Harper and Bernhardt, and Bernhardt Hardware and Furniture Company.⁸

In March 1899, J. M. Bernhardt reported that although the planing mill generated 35,000 feet of lumber each week, the concern was behind schedule in filling orders. He added another steam boiler to power the equipment at that time, and an additional boiler and a band saw in March 1900. By 1903, the operation required additional space. Contractors almost doubled the building's width, added a second floor, and sheathed the north wall with iron cladding and the east and west walls with brick veneer. The expansion required the removal and replacement of the 1896 boiler room. Installation of new boilers was completed in May and masons erected an eighty-foot-tall brick smokestack in August. Bernhardt estimated that the 1903 improvements cost \$9,000.⁹

Lenoir industrial concerns continued to proliferate. In 1905, F. P., J. C., and William Moore commenced constructing a factory to house Moore Furniture Company, incorporated in 1906 by stockholders including J. P. Coffey and H. T. Newland. Approximately one hundred employees fabricated case goods and tables that year. Other newly established manufacturing endeavors included Lenoir Brick and Tile, Prince Harness, Lenoir Clothing, J. H. Coffey Wagon, Lenoir Bottling, and Blue Ridge Bobbin and Handle companies. In 1908, J. M. Bernhardt, who had been supplying Moore Furniture Company with lumber, acquired majority interest in that firm and incorporated Bernhardt Manufacturing Company, which specialized in bedroom and dining room furniture.¹⁰

By 1913, Caldwell County entrepreneurs had opened seven furniture factories. T. J. Lutz operated the Hudson Chair Company, W. J. Lenoir was Caldwell Furniture Company's proprietor, G. F. Harper owned Harper Furniture Company, L. H. Tuttle Kent created Coffey Manufacturing Company, R. B. Dula founded Lenoir Chair Manufacturing Company, and O. P. Lutz managed the Moore-Stone Chair Company. Thomas Hamilton Broyhill led Lenoir Furniture Company, created in 1912 when he assumed control of Kent Furniture Company. J. M. Bernhardt, T. H. Broyhill, and other Lenoir entrepreneurs traveled throughout the country to represent their businesses at trade shows. In 1914,

⁷ "Notice," *LT*, October 12, 1892, p. 3; "Decree," *LT*, October 19, 1892, p. 2; "Pioneer Furniture Manufacturer Dies," *CO*, January 5, 1935; Sanborn Map Company, "Lenoir, N. C.," April 1902, Sheet 2; December 1913, Sheet 6.

⁸ "Gabriel's Horn," *LT*, April 26, 1899, p. 3; Sanborn Map Company, "Lenoir, N. C.," April 1902, Sheet 2; D. P. Waters, "Caldwell County, N. C.," *LT*, June 16, 1909, p. 2; North Carolina Department of Labor and Printing, *Twenty-Fourth Annual Report of the Department of Labor and Printing* (Raleigh: Edwards and Broughton Printing Company, 1910), 60-61; "What is it Worth?," *Lenoir News* (hereafter abbreviated *LN*), November 21, 1916, p. 2; E. Carl Anderson, ed., *The Heritage of Caldwell County, North Carolina* (Winston-Salem, N. C.: Hunter Publishing Company, 1983), 140-141.

⁹ *LT*, March 29, 1899, p. 3, and March 20, 1900, p. 4; *Weekly News* (hereafter abbreviated *WN*), August 14, 1903, p. 3; "Lenoir's Progress," *WN*, January 8, 1904, p. 2; Sanborn Map Company, "Lenoir, N. C.," June 1907, Sheet 1.

¹⁰ *Carolina Watchman*, January 17, 1905, p. 3; "New Furniture Factory," *WN*, October 20, 1905, p. 3; D. Vance Price, "The Growth of Lenoir," *News and Observer* (Raleigh), March 16, 1906, p. 4; "New Charters Granted," *CO*, March 23, 1906, p. 1; "Several Charters Granted," *CO*, June 10, 1906, p. 1; "John M. Bernhardt," *LNT*, September 12, 1941, p. 5; Bernhardt, "A History of Bernhardt Furniture Company," 6.

Bernhardt expanded his planing operation to Boydton, Virginia, where he commissioned the construction of a mill. John S. Barlow completed the equipment installation in March.¹¹

The Lenoir planing mill and box factory stood empty for a several years before J. M. Bernhardt sold the property to T. H. Broyhill in February 1917. Bernhardt then shifted his attention to reorganizing Bernhardt Manufacturing Company to produce only chairs. Bernhardt Chair Company commenced production in October 1917 with a daily output of three hundred chairs. He served as the concern's president, B. L. Stone its vice-president and plant supervisor, and M. L. Cornwell its secretary-treasurer. The factory operated in conjunction with Ethel Chair Company, established in 1915 with B. L. Stone as president and M. L. Cornwell secretary-treasurer. Bernhardt purchased his partners' interests in Bernhardt Chair Company in 1921 and administered the business until his 1931 retirement. As the concern evolved into Bernhardt Industries, one of North Carolina's leading furniture manufacturers, it erected plants, showrooms, and corporate offices southwest of downtown.¹²

T. H. Broyhill initially used the former box factory as a furniture and lumber warehouse. However, he soon incorporated Steele Cotton Mill Company in collaboration with investors including E. F. Allen, Virgil D. Guire, and that concern occupied the plant. R. L. Steele, who had served as vice-president and a director of First National Bank of Lenoir and Lenoir Hardware and Furniture Company, functioned as the business's president and T. H. Broyhill its secretary-treasurer.¹³ In May 1918, they engaged contractors to construct a one-story-on-basement, twenty-five-foot-long picker room on the factory's north end. By August, workers had refurbished the existing building, installed new equipment, and begun erecting a one-story-on-basement cotton warehouse north of the mill.¹⁴ The warehouse has a central brick firewall and brick north and south elevations, but is otherwise frame. A long, L-shaped loading dock extended from the picker room's northeast corner along most of the warehouse's east elevation.¹⁵

Heavy rains in late October 1918 caused the creek that ran beneath the mill to overflow, resulting in partial collapse of the frame boiler room, which was soon replaced with a two-room brick boiler and engine room. The plant commenced operating on January 23, 1919, and increased production capacity in July by installing additional equipment. The mill basement housed the twisting department, the first floor the spinning and carding equipment, and the second floor served as storage. In August, the company began erecting more houses for its employees near the mill. Residents frequented the one-story frame grocery and feed store that stood at the southeast corner of College and Underdown Avenues' intersection.¹⁶

¹¹ D. P. Waters, "Caldwell County, N. C.," *LT*, June 16, 1909, p. 2; M. L. Shipman, commissioner, *Twenty-Seventh Annual Report of the Department of Labor and Printing of the State of North Carolina* (Raleigh: E. M. Uzzell & Company, 1913), 166-167; *LT*, January 3, 1913, p. 1; *LN*, February 24, 1914, p. 3, and March 31, 1914, p. 4; "Lenoir Furniture Men Attending Big Furniture Shows," *LN*, January 7, 1916, p. 1.

¹² John Mathias Bernhardt, born March 28, 1860, died on January 5, 1935. "Broyhill Buys the Bernhardt Box Factory," *LT*, February 2, 1917, p. 1; "Manufacturing Chairs at Bernhardt Factory," *LT*, October 12, 1917, p. 1; "Chair Factories," *LNT*, December 2, 1920, p. 10; "Mr. Bernhardt Buys Other Interests in Chair Company," *LNT*, March 3, 1921, p. 1; "Pioneer Furniture Manufacturer Dies," *CO*, January 5, 1935; death certificate.

¹³ D. P. Waters, "Caldwell County, N. C.," *LT*, June 16, 1909, p. 2; "First National Bank," *LN*, June 23, 1914, p. 3; "Blaze on Factory Roof Quickly Extinguished," *LT*, August 31, 1917, p. 1; "Another Big Cotton Mill Now a Certainty," *LT*, May 17, 1918, p. 1.

¹⁴ "Working on New Cotton Mill Building," *LT*, May 31, 1918, p. 1; "New Mill at Lenoir," *CO*, June 23, 1918, p. 29; "The New Cotton Mill is Almost Completed," *LT*, August 23, 1918, p. 1.

¹⁵ Sanborn Map Company, "Lenoir, N. C.," February 1921, Sheet 11.

¹⁶ *Ibid.*; "Flood Stage in Caldwell," *LT*, November 1, 1918, p. 1; "Steele Mill Twisted First Thread Yesterday," *LT*, January 24, 1919, p. 1; "Lenoir, N. C.," *CO*, February 9, 1919, p. 26; "Steele Cotton Mill Enlarging," *LNT*, August 1, 1919, p. 5.

Subsequent plant improvements included electric power and light installation. In July 1922, engineers from Greenville, South Carolina-based Lockwood, Greene, and Company's Charlotte office planned Steele Cotton Mill's electrification, as well as that of Hudson, Lenoir, Moore, and Whitnel mills. Gastonia electricians Michael and Blevins installed the necessary wiring and equipment after Southern Power Company extended lines from Hickory.¹⁷

Steele Cotton Mill was the one of seven spinning concerns in Lenoir and the vicinity in 1925. R. L. Steele remained the company's president and T. H. Broyhill its secretary-treasurer and cotton buyer. Superintendent J. P. Chester managed 100 employees who produced 24-36-gauge weaving and knitting yarns for the plush and lace trade utilizing 6,020 ring spindles. F. A. Thompson was the purchasing agent and Stevens Yarn Company of New York the selling agent.¹⁸

At Lenoir Cotton Mill, 175 workers operated 6,720 ring spindles under F. C. White's direction. Caldwell County Cotton Mill Company, incorporated in 1923, had installed 6,048 ring spindles, 3,024 twisting spindles, and 20 cards in its Hudson plant. Nelson Cotton Mill, organized in 1922, employed 140 men and women in its 6,000-spindle factory. Hudson Cotton Manufacturing Company's 180 workers generated skeins yarns using 5,376 spindles, Whitnel Cotton Mill's 165 laborers generated peeler yarns on 6,276 spindles, and Moore Cotton Mill's 140 operatives ran 5,376 spindles.¹⁹

Steele Cotton Mill was the only area plant that experienced significant growth between 1925 and 1930. Two hundred employees operated 10,056 ring spindles, 5,040 twisting spindles, and 40 cards through the Great Depression. Although many mills reduced output or permanently discontinued operations, Steele Cotton Mill Company's administration, employee numbers, and equipment quantities remained the same in 1935.²⁰

North Carolina textile mills diversified production during the early 1930s as the industry faced challenges nationwide. More efficient equipment and mechanization that transformed manufacturing operations led to mill employee layoffs. Job loss, decreased pay, and poor working conditions made unions more appealing. These factors set the stage for mill employees across the South to participate in the General Textile Strike of 1934, which closed down textile mills throughout the region. The extent of union organization in Lenoir mills is unknown. Many mill owners fired known union members and sympathizers. Union efforts were not in vain, however, as the Roosevelt administration's social and economic reform programs eventually resulted in the institution of a forty-hour work week and increased worker pay.²¹

Steele Cotton Mill Company increased production as the economy improved, adding 2,157 spindles between 1935 and 1939. Only three Lenoir textile manufacturers—O. P. Lutz Hosiery Mill, Moore Cotton Mill, and Steele Cotton Mill—reported production in 1939. However, the Lenoir Board of

¹⁷ "Many Contracts for Local Firm," *Charlotte News*, July 18, 1922, p. 5; "Contract Awarded," *Winston-Salem Journal*, August 11, 1922, p. 9.

¹⁸ Davison Publishing Company, *Davison's Textile Blue Book: United States and Canada* (New York: Davison Publishing Company, 1925), 320.

¹⁹ *Ibid.*

²⁰ Davison Publishing Company, *Davison's Textile Blue Book: United States and Canada* (New York: Davison Publishing Company, 1925), 320; *Davison's Textile Blue Book* (1930), 312; *Davison's Textile Blue Book* (1935), 251; News and Observer, *North Carolina Yearbook* (Raleigh: News and Observer, 1935), 110.

²¹ Jacquelyn Dowd Hall, James Leloudis, Robert Korstad, Mary Murphy, Lu Ann Jones and Christopher B. Daly, *Like a Family: The Making of the Southern Cotton Mill World* (New York: W.W. Norton and Company, 1987), 202-208; Margaret Crawford, *Building the Workingman's Paradise: The Design of American Company Towns* (London and New York: Verso, 1995), 194-195.

Trade stated that the city's twelve furniture plants employed thousands of workers, and related manufacturers—makers of mirrors, veneers, and other products used by the furniture industry—provided more jobs. Lenoir had three hospitals, three residential suburbs, and a Donald Ross-designed golf course, and was said to be the state's fastest growing city since World War I. The population numbered twelve thousand, triple that of 1920, and downtown included five hardware and furniture stores and four drug stores.²²

At the beginning of the 1940s, thirty-three Lenoir industrial plants provided work for five thousand people and local manufacturers sold products in Canada and Mexico as well as in every state. An article in the September 1941 centennial edition of the *News-Topic* claimed that Lenoir was the "second largest furniture manufacturing city in [the] United States." Caldwell County then contained twelve cotton mills and five hosiery mills, three of which, including Steele Cotton Mill, were in Lenoir.²³

World War II brought new challenges and opportunities. Approximately 4,327 Caldwell County residents served in the military during the war, and those left behind were occupied with the war effort in a variety of ways, from participating in bond drives to filling vacant positions at mills and factories that accelerated their production to meet the needs of servicemen and women. Industrial jobs rose by seventy-five percent in the South over the course of World War II, with traditionally underemployed groups such as women, African Americans, and the elderly receiving invaluable education, training, and experience. Output soared after May 1943, when President Franklin D. Roosevelt established the Office of War Mobilization to coordinate a diverse array of support endeavors including manufacturing, scientific research, and agricultural production.²⁴

President R. L. Steele, secretary T. H. Broyhill, and treasurer Sidney S. Paine continued to head Steele Cotton Mill in 1941. F. A. Thompson was the company's secretary and cotton buyer. Superintendent P. A. Carpenter managed 150 employees who produced 30-gauge, 2-ply weaving yarns utilizing 12,216 ring spindles, 6,048 twisting spindles, and 40 cards. In 1944, the plant's 225 workers operated the same amount of equipment. That year, Steele Cotton Mill, Moore Cotton Mill, and Lenoir Pad and Paper Company, a cotton batting vendor, were Lenoir's only textile manufacturing concerns. Moore Cotton Mill's 85 employees generated knitting and weaving yarns on 6,000 ring spindles, 3,200 twisting spindles, and 20 cards.²⁵

Steele Cotton Mill's administrative entity changed following the war. In April 1946, Steele Cotton Mill Company directors Barney Barton Hayes, his son Richard Barton Hayes, known as Barton, and Barton's wife Estoy Bragg Hayes orchestrated the business's dissolution and the incorporation of Hayes Cotton Mill. Barton Hayes served as the company's president, Estoy Hayes its vice-president, and New York investor Justin J. Bayer its secretary. Bayer was also one of the original stockholders.²⁶

²² *North Carolina Yearbook* (1939), 121; Lenoir Board of Trade and Lenoir News-Topic, *Lenoir, North Carolina* (n.p.: 1938), 3-5; Ernest H. Miller, *Miller's Lenoir City Directory 1937-1938* (Asheville: Commercial Service Company, 1936), 5-6.

²³ *Miller's Lenoir City Directory, 1943-1944*, 267; *LNT*, September 12, 1941, p. 1.

²⁴ Spencer B. King, Jr., *Selective Service in North Carolina in World War II* (Chapel Hill: University of North Carolina Press, 1949), 321; Marilyn M. Harper, et. al. *World War II and the American Home Front* (Washington, D. C.: The National Historic Landmarks Program, October 2007), 3, 13-16.

²⁵ *Davison's Textile Blue Book, 1941*, 246; *Davison's Textile Blue Book, 1944*, 256;

²⁶ Caldwell County Deed Book 213, p. 353; "Entire Stock of Hayes Cotton Mill Company Now Owned By Local People," *LNT*, December 6, 1954, p. 1; Nell Greene and Lucy Wagner, eds. *Hudson Heritage 1905-2005* (n.p.: Wentworth Publishing Company, 2005), 408.

By the time of Hayes Cotton Mill's formation, B. B. Hayes had been working in the textile industry for almost sixty years. He began his career in the late 1880s at Richland Cotton Mill in Columbia, South Carolina, followed by a short stint at Clifton Cotton Mill in Clifton, South Carolina. Hayes moved to Gaston County, North Carolina, in 1891 and worked in Mt. Holly textile mills until January 1902. He then accepted a position at Lenoir Cotton Mill, where he oversaw the carding and spinning department until 1904. Hayes next relocated to Hudson as the superintendent of Hudson Cotton Manufacturing Company, established that year. He subsequently assisted with the creation and management of other operations including Whitnel, Moore, Caldwell, and Nelson cotton mills. After his death on March 15, 1947, his son Barton Hayes, a 1929 Davidson College graduate who had worked in his family's businesses since the early 1930s, continued to manage Hayes Cotton Mill.²⁷

Hayes Cotton Mill, Moore Cotton Mill, and Lenoir Pad and Paper Company remained in operation in 1950, by which time greater Lenoir's population of had grown to 15,106. G. W. Haas superintended Hayes Cotton Mill's 225 employees as they produced carded and combed cotton yarn, some of which was dyed on site. Moore Cotton Mill's 85 employees spun knitting and weaving yarns.²⁸

Although Sanborn maps indicate that Hayes Cotton Mill's footprint was unchanged through August 1950, a series of one-and two-story additions were subsequently constructed. Most likely date to 1951-1954, as the company spent \$500,000 on plant improvements between 1946 and 1954. That year, Barton Hayes consolidated the property's ownership locally by purchasing all outside investor stock.²⁹

Vance Lee Dearman served as assistant superintendent in early 1960s. Machinery quantities and work-force size remained constant through 1965. Soon after, Hayes Cotton Mill moved its operation to Hudson. In 1969, Hickory-based Shuford Mills acquired that business in addition to Hudson Cotton Manufacturing Company, B and R Textile Corporation, Caldwell Cotton Mill Company, and Moore Cotton Mill Company.³⁰

Although much of the Lenoir plant remained vacant, businesses including Broyhill Furniture leased warehouse space. Bost Lumber Company, founded in the early twentieth century by John F. Bost Sr., used the basement for building supply storage. The company's interior design and coating department—Niederhammer's, Inc. Decorating Center—occupied the cotton warehouse's upper floor beginning around 1984. Bost Lumber Company vacated the basement circa 1990. James C. Sullivan purchased the building from J. Donald Davis Sr. and his wife Joan C. Davis on April 1, 1982. The James C. Sullivan Revocable Trust, administered by his son, retains ownership of the property.³¹

²⁷ "B. B. Hayes is Official of Cotton Mill," *LNT*, September 12, 1941, p. 7; Greene and Wagner, *Hudson Heritage*, 406-409; Frances Hayes Swanson (the daughter of Barton and Estoy Hayes), email communication with Heather Fearnbach, December 2016.

²⁸ *Davison's Textile Blue Book*, 1950, 323.

²⁹ Sanborn Map Company, "Lenoir, N. C.," August 1950, Sheet 5; "Entire Stock of Hayes Cotton Mill Company Now Owned By Local People," *LNT*, December 6, 1954, p. 1.

³⁰ *Davison's Textile Blue Book*, 1955, 262; *Davison's Textile Blue Book*, 1959, 208; *Davison's Textile Blue Book*, 1965, 3-81; *Davison's Textile Blue Book*, 1970, 271.

³¹ Bost Lumber Company experienced significant losses during the early twenty-first-century economic recession and ceased operating in 2008. "Bost Lumber Company Founded Over 30 Years Ago," *LNT*, September 12, 1941, p. 6; Caldwell County Deed Book 780, p. 234; Deed Book 1698, p. 1444; James C. Sullivan, telephone conversations with Heather Fearnbach, October 2016.

In the first purpose-built industrial buildings erected in the United States, designers strove to accommodate machinery in a manner that allowed for efficient access to power sources as well as maximum utilization of natural light and ventilation. By the mid-nineteenth century, “slow-burn” masonry construction, with load-bearing brick walls, exposed heavy-timber framing, thick plank floors, gabled roofs, large operable windows and transoms, and metal fire doors predominated. Heavy-timber framing members that were at least twelve inches square with chamfered edges effectively slowed the progress of fire, particularly when used in combination with a floor system that encompassed three- to four-inch-thick plank decking covered with waterproof paper and topped with hardwood floors. The floor system was left exposed underneath in order to avoid the use of flammable ceiling materials and finishes. Chamfering the corners of beams, posts, and girders removed splinters that could ignite easily.³²

During the late nineteenth century, mill and factory design evolved from a vernacular process whereby owners worked with builders who erected edifices based on mutually understood norms to a field dominated by professionally-trained mill engineers who designed industrial buildings and supervised their construction. Standards imposed by machinery manufacturers and insurance companies also guided industrial architecture’s evolution. In order to minimize fire risk, stairwells, which could serve as conduits for fire movement between floors, were located in projecting stair towers. Brick interior walls and galvanized-sheet-metal-clad, solid-core-wood doors, known as kalamein doors, separated the mill sections where fires might start or spread rapidly. These heavy doors would automatically close in the case of a fire, as the heat would melt a soft metal link in the door’s counterweight assembly and the door would slide shut on the sloped metal track. As an additional precaution, water reservoirs and elevated water tanks supplied automatic sprinkler systems in many industrial complexes.³³

As the twentieth century dawned, architects and engineers continued to plan manufacturing complexes with function rather than aesthetics in mind. However, new building materials, technology, and forms manifested efficiency, modernity, and economic progress. Mill and factory designers began to specify steel and reinforced-concrete columns and beams in conjunction with brick, concrete, terra cotta block, or tile curtain walls that provided structural bracing but did not carry any weight. Bands of steel-frame multipane windows and roof monitors provided workers with abundant light and ventilation. Steel truss roof systems spanned open interiors that accommodated sizable equipment and allowed for flexibility as manufacturing needs changed.³⁴

Although structural systems for some late-nineteenth-century industrial buildings included cast-iron or wrought-iron columns or steel posts and beams, high cost greatly limited the materials’ use until the early twentieth century. The ability to withstand the weight and vibrations of heavy machinery without failing contributed to the popularity of structural-steel construction, as did the ease of fabricating framing systems from standard factory-generated parts. Typical elements include I-, T-, H-, and box-shaped columns and beams; round posts; and reinforcing plates, angles, and webs. Steel components could be riveted together, creating strong connections, and tended to be smaller and lighter than heavy-timber or iron framing members. This allowed for wider and taller buildings with more square footage for equipment. The popularity of flat roofs and sizable roof monitors also resulted in structural-steel

³² Sara E. Wermiel, “Heavy Timber Framing in Late-Nineteenth-Century Commercial and Industrial Buildings,” *APT Bulletin: Journal of Preservation Technology*, Volume 35, No. 1, 2004, 56.

³³ Betsy Hunter Bradley, *The Works: The Industrial Architecture of the United States* (Oxford: Oxford University Press, 1999), 15-21; Glass, *Textile Industry*, 38.

³⁴ Bradley, *The Works*, 144-147.

framing prevalence. In order to reduce oxidation and achieve fire resistance, steel members were coated with intumescent paint; sprayed with a thin mixture of cement, sand, and water called gunite; or encased in concrete.³⁵

North Carolina industrialists benefited from the contributions of resident engineers who disseminated specifications dictating best practices in mill layout and design. Innovators in this discipline included South Carolina native Daniel A. Tompkins, sent by the Pittsburgh-based Westinghouse Engine Company to Charlotte in the early 1880s to sell and coordinate the installation of the company's equipment in the region. Tompkins became a driving force in the southern textile industry, partnering with Charlotte grain merchant R. M. Miller in 1883 to establish the D. A. Tompkins Company, an engineering firm. The company created plans for over one hundred mills in addition to other industrial buildings.³⁶ Charlotte examples such as Ada, Alpha, and Victor Mills (all erected in 1889), Highland Park Mill No. 1's 1891 and 1895 buildings, and the 1892 Atherton Mill are comparable to the 1896/1903 J. M. Bernhardt Planing Mill and Box Factory.

Thomasville, North Carolina, native Stuart Warren Cramer, who began his career with the D. A. Tompkins Company, was another highly-influential mill engineer. Cramer set up his own Charlotte firm in 1895, and by 1915 had designed almost one-third of the new mills erected in the South during that period. The 1902-1903 Lenoir Cotton Mill and Hudson Cotton Manufacturing Company's 1904 are the only Caldwell County factories that have been attributed to him at this time. In addition to preparing mill plans, Cramer equipped facilities with textile production machinery of all types, some of which he invented. His salesmen, based in Charlotte and Atlanta offices, travelled throughout the country. Cramer's innovations in textile mill climate control garnered him international recognition, and he is credited with conceiving the term "air conditioning." Cramer often served his clients as a business advisor as well as a designer. For example, he installed an air-conditioning system at Loray Mill in Gastonia in 1908 and became the company's president four years later. Cramer established and led the American Cotton Manufacturers Association and the National Council of American Textile Manufacturers. He invested in textile concerns including Highland Park Manufacturing Company in Charlotte and Mayes Manufacturing Company in the Gaston County community of Mayesworth, which became known as Cramerton in 1922. The mill complexes and the associated housing that Cramer designed at those and other locations featured efficient layouts that demonstrated his integrated work flow concepts.³⁷

Stuart Cramer recruited talented architects and engineers such as Richard C. Biberstein of Fredericksburg, Texas, to work in his office. Biberstein, born in 1859, attained a mechanical engineering degree from the Worcester (Massachusetts) Polytechnic Institute in 1882. He found employment at U. S. Electric Lighting Company in Newark, New Jersey, and Atlas Engine Works in Indianapolis before moving to Charlotte in 1887 to accept a draftsman position at industrialist John Wilkes's Mecklenburg Iron Works. H. S. Chadwick offered him a similar job at the Charlotte Machine Company, which manufactured mill equipment, in 1897. Biberstein remained on staff until

³⁵ Ibid.

³⁶ Thomas W. Hanchett, *Sorting Out the New South City: Race, Class, and Urban Development in Charlotte, 1875-1975* (Chapel Hill: University of North Carolina Press, 1998), 50.

³⁷ Ibid., 107; Stuart W. Cramer, *Useful Information For Cotton Manufacturers* (Charlotte: Queen City Printing Company, 1906, 2nd ed., Vol. III.), 1169; *Charlotte Observer*, June 22, 1912, p. 10; "Mr. Cramer is made president of Loray," *Charlotte EC*, December 26, 1912, p. 6; Thomas S. Morgan, "Stuart Warren Cramer" in William Powell, ed., *Dictionary of North Carolina Biography, Vol. 1* (Chapel Hill: University of North Carolina Press, 1989), 455; Catherine Westergaard, "Stuart W. Cramer," *North Carolina Architects and Builders: A Biographical Dictionary*, <http://ncarchitects.lib.ncsu.edu/people/P000275> (accessed 2016); Mattson, Alexander and Associates, Inc., "Loray Mill Historic District," National Register of Historic Places Nomination, 2001, Section 8, pages 36-37.

1902, when he became Stuart Cramer's employee, thus garnering valuable experience that prepared him to launch an independent firm specializing in mill design three years later.³⁸

Caldwell County's late-nineteenth- and early-twentieth-century textile mills

In order to take advantage of lower land prices and allow for unfettered expansion, Caldwell County industrialists often erected mills and worker housing on a town's outskirts. By 1987, when historian Vickie Mason conducted a reconnaissance-level inventory of the county's historic architecture, many late nineteenth- and early twentieth-century factories had been demolished or encapsulated within later additions. The project thus documented only a few industrial buildings. It is therefore impossible to ascertain how many mills survive without additional survey.

However, examination of a small sample—Lenoir Cotton Mill, Hudson Cotton Manufacturing Company (NR 2013), and J. M. Bernhardt Planing Mill and Box Factory – Steele Cotton Mill – Hayes Cotton Mill—reveals similar features. All are characterized by heavy-timber interior structural systems, load-bearing brick exterior walls, low-pitched gable roofs, segmental-arched and rectangular window openings, segmental-arched door openings, and decorative entrance, stair, and restroom towers. Large multipane windows and transoms, some of which remain, illuminated the interiors, where hardwood floors and substantial wood posts and beams prevail. Exposed rafter ends support deep eaves.

The individuals who rendered plans for the 1896/1903 J. M. Bernhardt Planing Mill and Box Factory have not been identified. Daniel A. Tompkins and Stuart W. Cramer are possible candidates. Cramer designed the 1902-1903 Lenoir Cotton Mill and the 1904 Hudson Cotton Manufacturing Company and supplied the Hudson plant's machinery.³⁹

The one-story, two-level, brick Hudson Cotton Manufacturing Company stands parallel to Main Street in Hudson. The 320-foot-long by 75-foot-wide edifice is executed in five-to-one common bond with segmental-arched window and door openings and a very low-pitched gable roof. Projecting rafter ends buttress the deep eaves. Documentary photos illustrate the original double-hung, eight-over-eight, wood-sash windows with arched eight-pane transoms. Interior brick removal from one window opening in early 2014 revealed an intact, encapsulated, original window unit, indicating that others may be extant. The distinctive three-stage entrance tower features corbelled hoods above the entrance and paired second-story windows, corbelled oculus surrounds, corbelled cornices and pilaster caps, and a crenellated parapet. Masons also executed in 1904 the matching ell at the mill's northeast corner. A tall, round smokestack rises on the ell's east end.

Twenty years later, Hudson Cotton Manufacturing Company erected a rear addition, also in five-to-one common bond with segmental-arched window and door openings and a very low-pitched gable roof, on the 1904 building's east side, almost doubling the plant's size. Around 1930, a matching fourteen-bay-wide and one-bay-deep brick addition extended the façade's north end to the west. Chamfered square wood posts and substantial wood beams support the floor and roof systems in the 1904, 1924,

³⁸ Thomas W. Hanchett, William H. Huffman, and Catherine W. Bishir, "Richard C. Biberstein," *North Carolina Architects and Builders: A Biographical Dictionary*, 2009, accessed in November 2013; "Biberstein, Bowles, Meacham & Reed: Biographical/Historical Note," Biberstein, Bowles, Meacham & Reed Records (hereafter abbreviated BBMR), J. Murrey Atkins Library Special Collections, University of North Carolina at Charlotte .

³⁹ "A Mill at Hudson, N. C.," *Manufacturers' Record*, March 24, 1904, p. 205; "Hudson Cotton Manufacturing Company," Drawings, Box AD14, Roll 6, BBMR; Cramer, *Useful Information For Cotton Manufacturers*, 1169.

and circa 1930 sections. Richard C. Biberstein's firm prepared plans for the company's additions through 1934.⁴⁰

Lenoir Cotton Mill – Blue Bell, Inc. is significant due to its age and architectural integrity. Like the other Caldwell County plants, the 1902 mill and 1903 addition manifest early-twentieth-century industrial design components such as round wood column and heavy-timber post-and-beam interior structural systems. The load-bearing brick exterior walls are executed in six-to-one common bond with segmental-arched window and door openings. The two-stage pyramidal-hip-roofed office tower is an important survival. Original interior features such as double-thickness wood floors and kalamein doors were commonly employed in fire-resistant industrial buildings.

J. M. Bernhardt Planing Mill and Box Factory – Steele Cotton Mill – Hayes Cotton Mill is similar in that the 1896 plant and 1903 addition feature a round wood column and heavy-timber post-and-beam interior structural system in conjunction with load-bearing brick exterior walls executed in six-to-one common bond. Segmental-arched window and door openings embellish the building. The mill retains an open plan and painted brick walls, wood roof decking, hardwood floors, and metal-clad kalamein doors.

The plant's configuration also minimized fire risk. Improvements in conjunction with the building's 1918 modification to serve as a cotton yarn spinning mill included the construction of a one-story picker room at the north end, an entrance tower on the south elevation, a restroom tower on the west elevation, an enlarged boiler room, and a one-story-on-basement cotton warehouse north of the mill. The 1918 additions display the ongoing prevalence of heavy-timber framing with brick firewalls between combustible areas.

National Register of Historic Places Status

J. M. Bernhardt Planing Mill and Box Factory – Steele Cotton Mill – Hayes Cotton Mill was listed in the National Register of Historic Places on September 18, 2017.

Local Historic Landmark Eligibility Evaluation

J. M. Bernhardt Planing Mill and Box Factory – Steele Cotton Mill – Hayes Cotton Mill is **eligible** for local historic landmark designation due to its industrial significance. *In order to possess such significance, a property must retain integrity and must be associated with a specific event marking an important moment in American pre-history or history or a pattern of events or historic trend that made a significant contribution to the development of a community, a state, or the nation. Furthermore, a property must have existed at the time and be documented to be associated with the events. Finally, a property's specific association must be important as well.* The concerns' contributions to the local economy as manufacturers, employers, consumers of local goods and services, and taxpayers, were enormous. John Mathias Bernhardt, who became one of Lenoir's leading industrialists, established the planing mill and box factory in 1896. The plant was the town's largest manufacturing enterprise by 1900, supplying hardwood and white pine dimensional lumber and boxes of all sizes to clients throughout the region. After Bernhardt sold the factory in February 1917, it briefly served as a furniture and lumber warehouse. Following expansions and equipment installation, one hundred workers commenced producing weaving and knitting yarns at Steele Cotton Mill in January 1919. New York agents marketed the company's yarns. The enterprise remained successful through 1946,

⁴⁰ "Hudson Cotton Manufacturing Company," Project files, Box 55, Folder 38, BBMRR.

when Hayes Cotton Mill purchased the plant. The concern undertook \$500,000-worth of improvements between 1946 and 1954. Machinery quantities and workforce size remained constant through 1965. Soon after, Hayes Cotton Mill moved its operation to Hudson.

The building is **not eligible** for local historic landmark designation in association with a person. *In order to possess such significance, it would have to retain integrity and 1) be associated with the lives of persons significant in our past, i.e. individuals whose activities are demonstrably important within a local, state or national historic context; 2) be normally associated with a person's productive life, reflecting the time period when he/she achieved significance, and 3) should be compared to other associated properties to identify those that best represent the person's historic contributions. Furthermore, a property is not eligible if its only justification for significance is that it was owned or used by a person who is or was a member of an identifiable profession, class, or social or ethnic group.* Although prominent businessmen were associated with the property, the buildings are not most closely associated with a single individual's achievements, which would be required for local historic landmark designation under this area of significance.

J. M. Bernhardt Planing Mill and Box Factory – Steele Cotton Mill – Hayes Cotton Mill is **eligible** for local historic landmark designation due to its architectural significance. *In order to qualify, it must retain integrity and either 1) embody distinctive characteristics of a type, period, or method of construction; 2) represent the work of a master; 3) possess high artistic value; or 4) represent a significant and distinguishable entity whose components lack individual distinction.* The plant manifests typical early- to mid-twentieth-century industrial design. The 1896/1903/1918 factory features load-bearing brick exterior walls executed in six-to-one common bond with segmental-arched window and door openings. The round wood and cast-iron column and heavy-timber post-and-beam interior structural system and triple-thickness wood floors are representative of fire-resistant early-twentieth-century industrial architecture. The 1918 addition displays the ongoing prevalence of heavy-timber framing with brick firewalls between combustible areas. The early 1950s additions employ structural-steel framing systems. The period of significance begins in 1896, with the original factory's completion, and continues to 1965. The plant's function and physical expansion after 1965 are not of exceptional significance.

J. M. Bernhardt Planing Mill and Box Factory – Steele Cotton Mill – Hayes Cotton Mill is **not eligible** for local historic landmark designation for its potential to yield information. *In order to possess such significance, it must meet two requirements: 1) the property must have, or have had, information to contribute to our understanding of human history or pre-history, and 2) the information must be considered important.* The structures and site have not yet contributed significant information pertaining to building technology or urban archaeology or yielded historical documentation not otherwise accessible from other extant resources and written records. However, the plant is closely related to the surrounding environment. Information concerning environmental transformation, work culture and worker health, as well as structural details, is often evident in the archaeological record. Archaeological remains, such as trash deposits, privies, and structural remains may be present, and could provide information valuable to the understanding and interpretation of the structure. No investigation has been undertaken to discover these remains, but their existence will be considered in the property's development.

Designation Parameters

Developer Cabarrus Promotion, LLC is seeking local historic landmark designation for the entire exterior and partial interior in order to recognize the property's architectural and historical

significance. Property owner James C. Sullivan supports the designation. Character-defining exterior and interior features are enumerated below.

Exterior

1896/1903/1918 factory

- load-bearing six-to-one common bond brick exterior walls with segmental-arched window and door openings (1903 and 1918)
- on the 1918 north elevation and the 1918 cotton warehouse's north and south elevations, the wall's upper section that extends beyond the east and west elevations and steps up to a stepped parapet
- eight-pane wood transoms

Interior

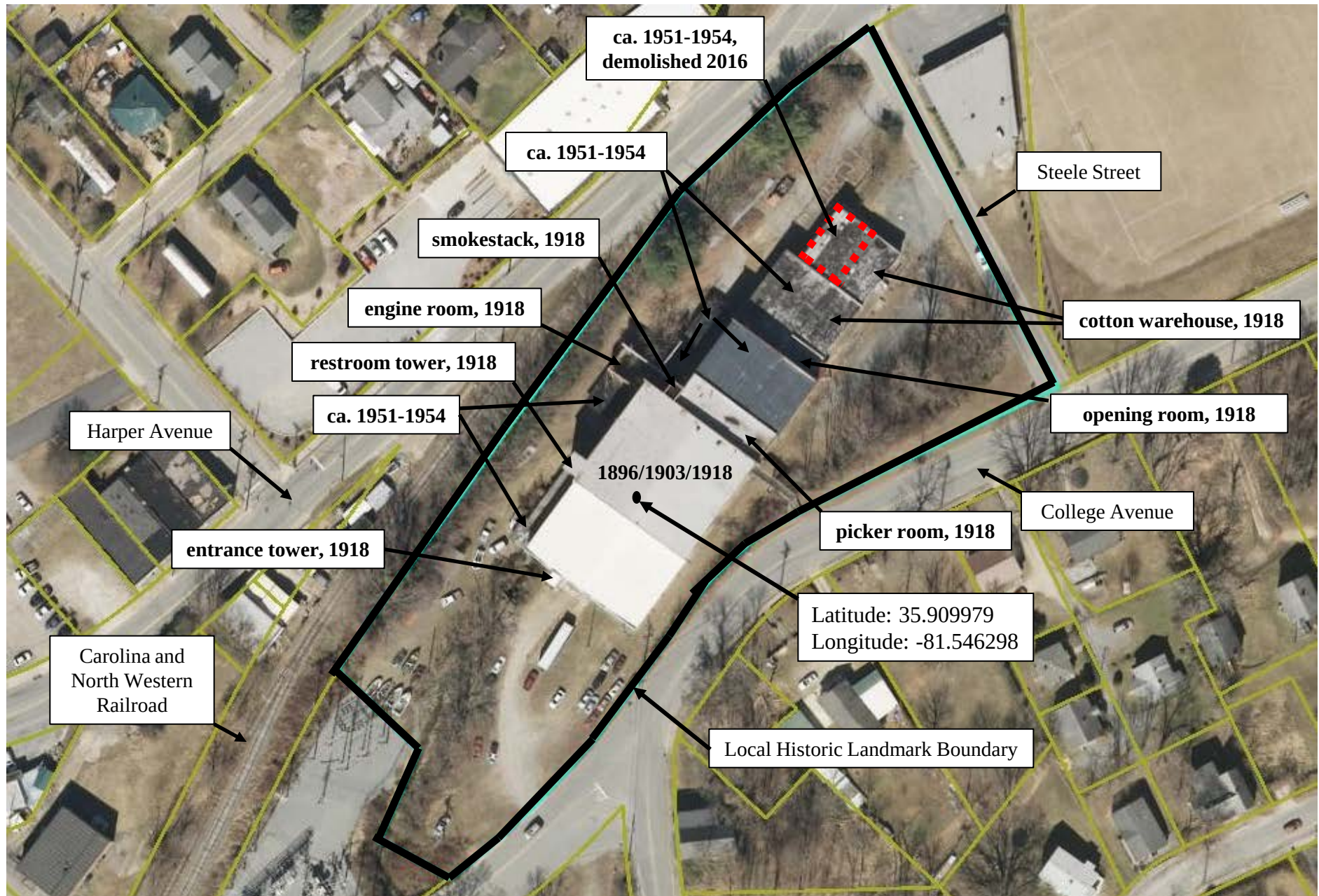
1896/1903/1918 factory

- round wood and cast-iron columns,
- heavy-timber post-and-beams
- triple-thickness wood floors
- wood roof decking are intact
- metal-clad kalamein doors

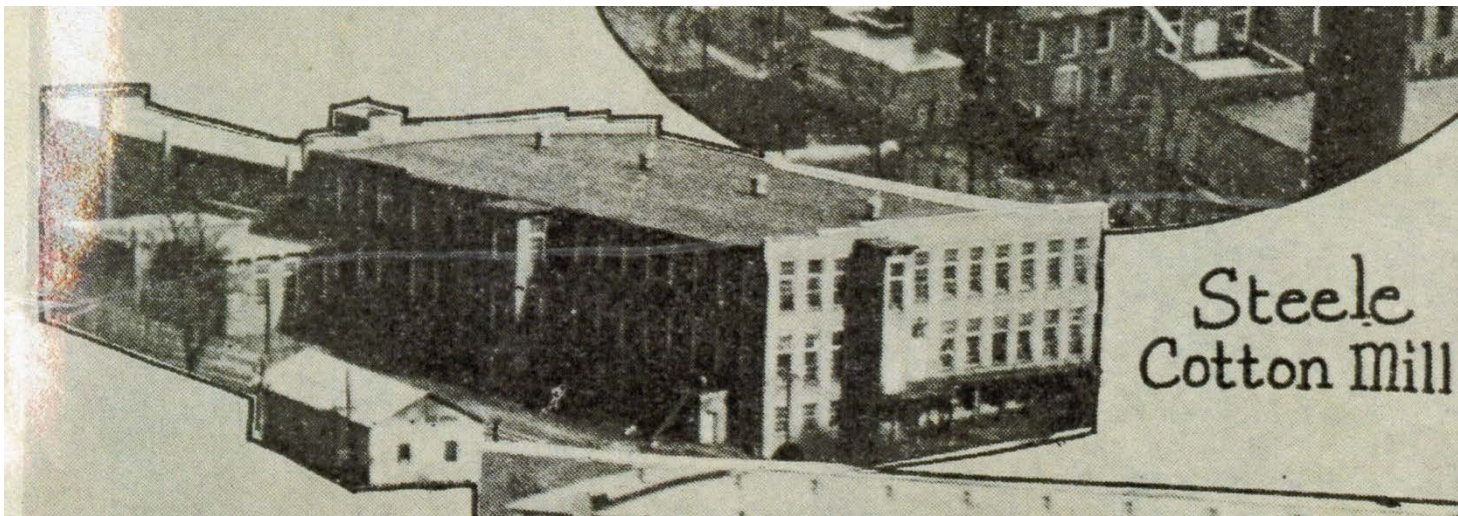
Boundary Description and Justification

The proposed local historic landmark designation boundary consists of Caldwell County tax parcel number 2749650842 (3.22 acres), as indicated by the heavy dark lines on the following aerial view (page 26).

J. M. Bernhardt Planing Mill and Box Factory – Steele Cotton Mill **1201 Steele Street, Lenoir, Caldwell County, North Carolina, Local Historic Landmark Boundary Map**

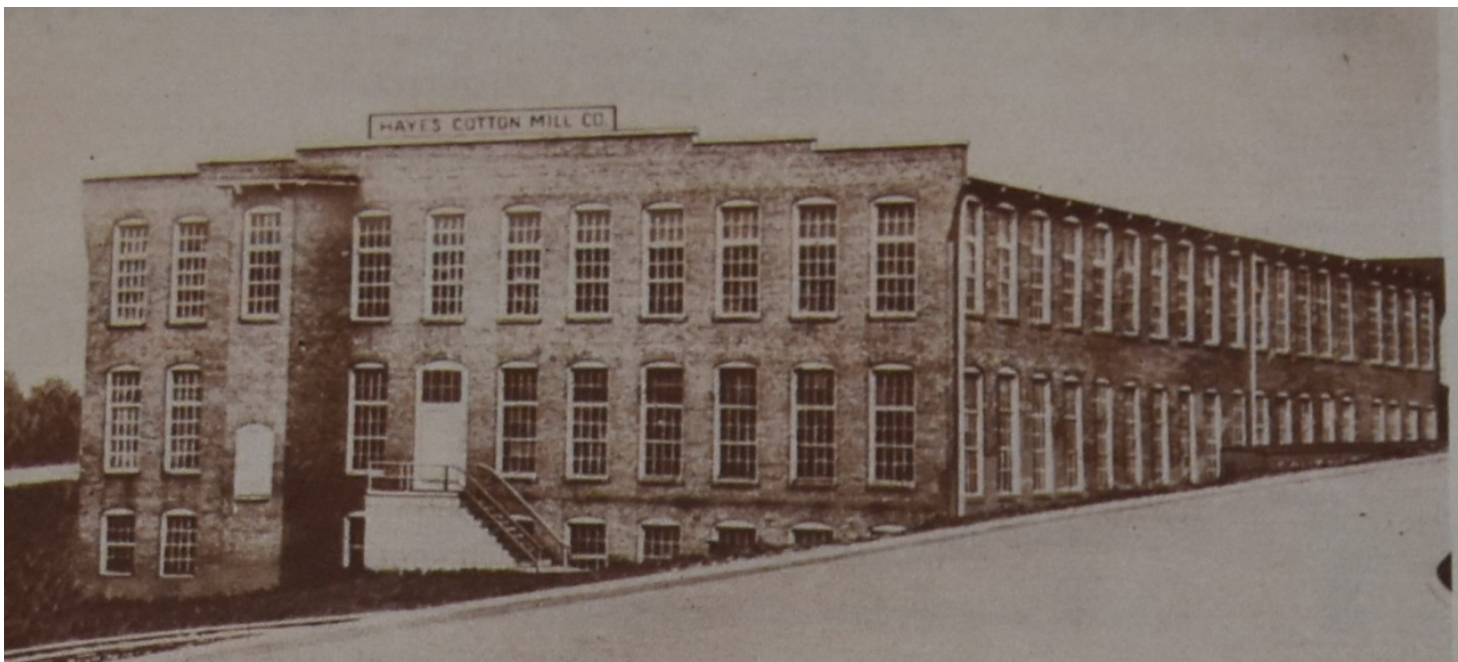


Historic Images



Steele Cotton Mill, southwest oblique

From *Lenoir, North Carolina*, Lenoir Board of Trade and Lenoir News-Topic, 1938, p. 15
Publication in the collection of the Caldwell Heritage Museum in Lenoir



Hayes Cotton Mill, southeast oblique

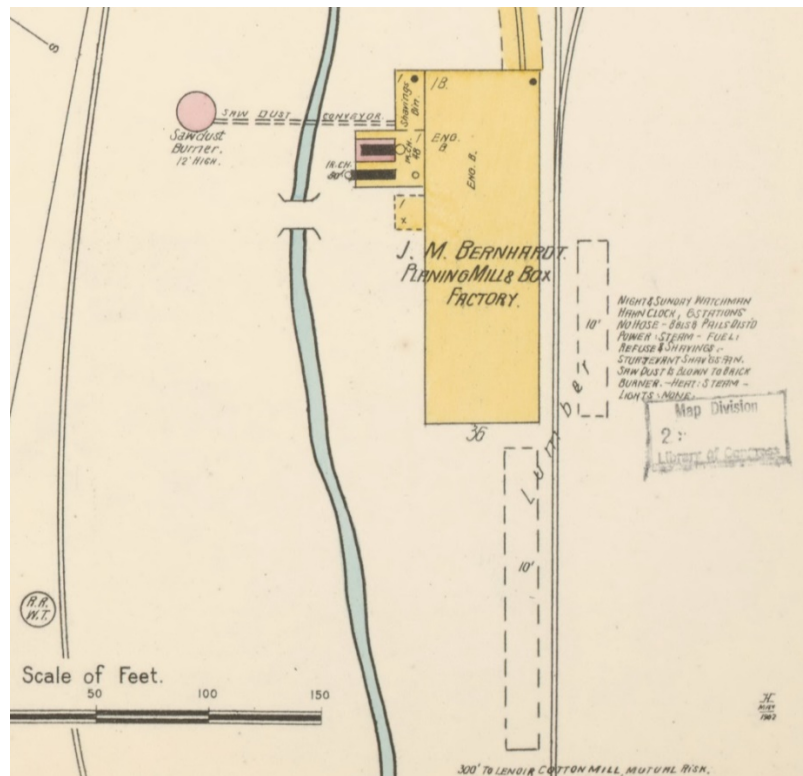
From *Pictorial Review of Lenoir and Caldwell County, North Carolina*, Lenoir News-Topic, circa 1959, publication in the collection of the Caldwell Heritage Museum in Lenoir



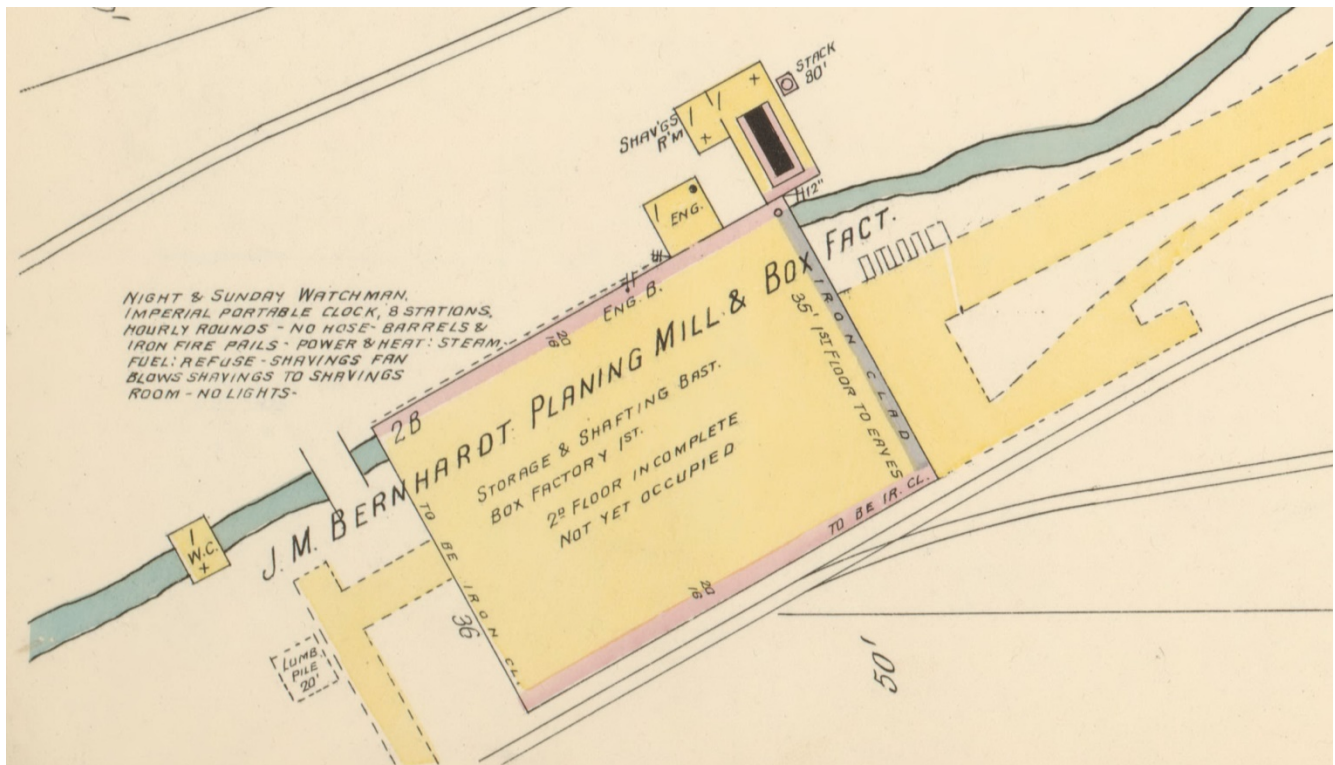
Hayes Cotton Mill, southeast oblique

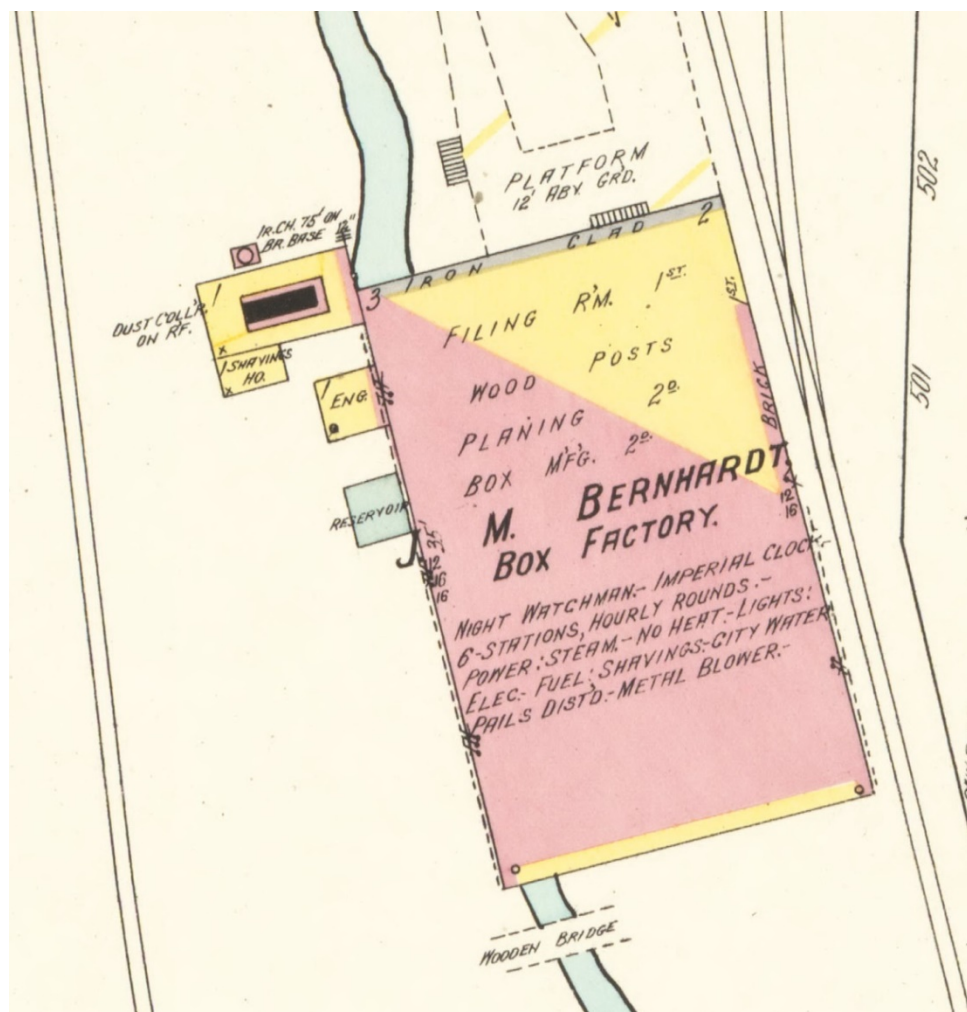
Image from advertisement in *Lenoir News-Topic*, February 29, 1968, p. F-9
Newspaper in the collection of the Caldwell Heritage Museum in Lenoir

Sanborn Maps



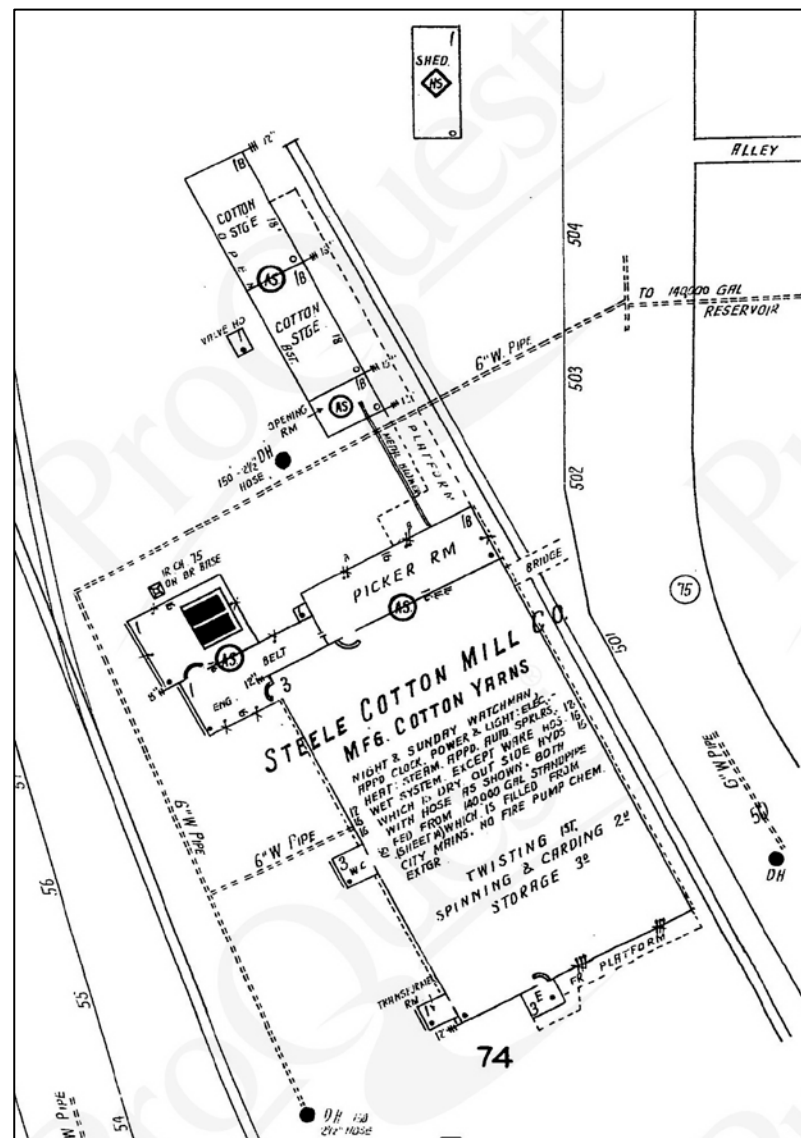
Sanborn Fire Insurance Company Map, Lenoir, North Carolina, Sheet 2, April 1902 (above) and Sheet 1, June 1907 (below)





Sanborn Fire Insurance Company Map, Lenoir, North Carolina, Sheet 6, December 1913

**Sanborn Fire Insurance
Company Map, Lenoir,
North Carolina, Sheet 11,
February 1921**



Sanborn Fire Insurance Company Map, Lenoir, North Carolina, Sheet 5, December 1927 (left) and August 1950 (right)

Existing Conditions Floor Plans

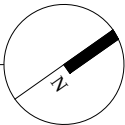


J. M. Bernhardt Planing Mill and Box Factory – Steele Cotton Mill – Hayes Cotton Mill
1201 Steele Street, Lenoir, Caldwell County, North Carolina

*See 2014 aerial for 1950s office, 1918 boiler room, 1950s warehouses, and 1918 cotton warehouse photograph annotations

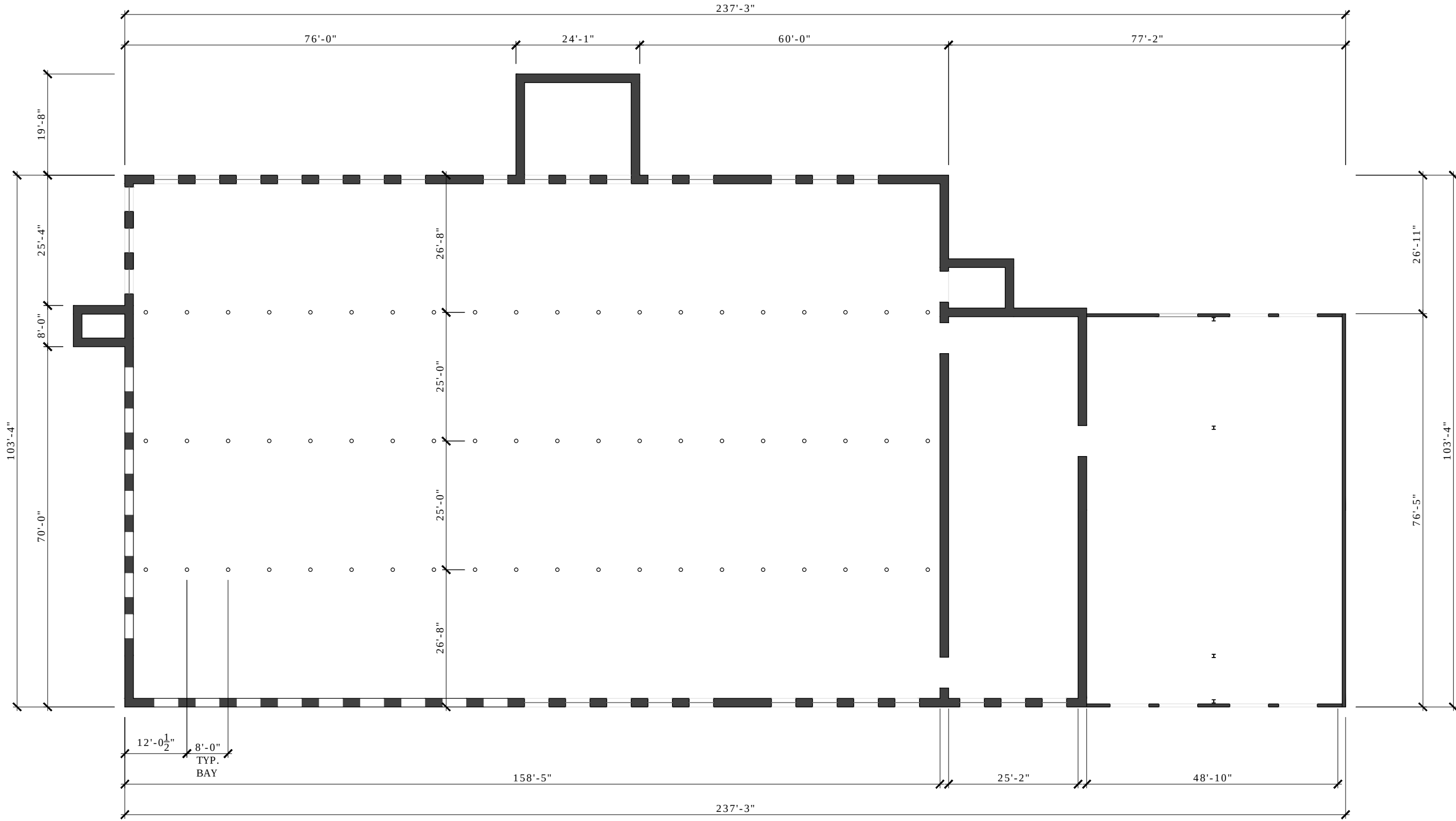


1 LEVEL 1 PLAN- AS BUILT





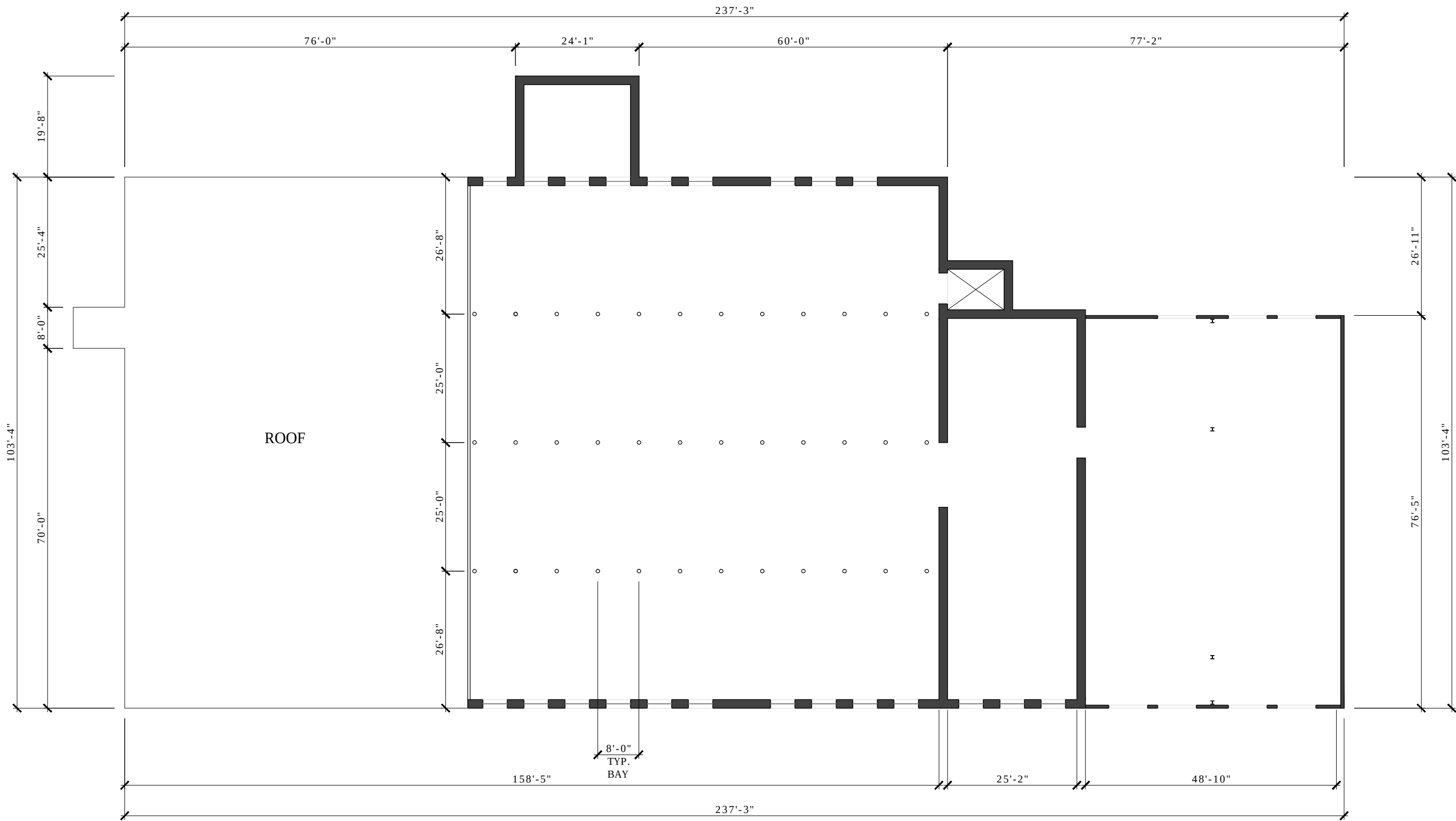
129. M. Bernhardt Planing Mill and Box Factory – Steele Cotton Mill – Hayes Cotton Mill
1201 Steele Street, Lenoir, Caldwell County, North Carolina



1 LEVEL 2 PLAN- AS BUILT
1" = 20'

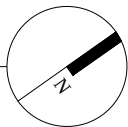


121 J. M. Bernhardt Planing Mill and Box Factory – Steele Cotton Mill – Hayes Cotton Mill
1201 Steele Street, Lenoir, Caldwell County, North Carolina



1 LEVEL 3 PLAN- AS BUILT

1" = 20'



CITY OF LENOIR COUNCIL ACTION FORM

I. Agenda Item:

Public Hearing to consider an ordinance designating the “Carolina and Northwestern Railway Freight Station,” located at 1407 College Avenue, as a Lenoir Historic Landmark.

II. Background Information:

Local Historic Landmark status is intended for properties that possess a special significance in terms of historical and architectural importance, and possess integrity of design, setting, workmanship, materials, feeling, and/or association. A local landmark designation allows for a 50% property tax deferral, offering a benefit to property owners. In exchange, the local landmark status ensures continued preservation and protection of the building, by requiring that all changes receive approval of a Certificate of Appropriateness (COA). COAs are quasi-judicial permits that are reviewed by Planning Staff and approved by the Lenoir Planning Board acting in their capacity as the Lenoir Historic Preservation Commission (HPC). Local landmark status also allows the City to enforce against “demolition through neglect.” Failure of the owner to abide by these additional restrictions will result in the forfeiture of the tax benefit.

This request was considered by the Lenoir Planning Board, acting in their capacity as the Lenoir HPC, over the past several months:

- March 25, 2019 – the Lenoir HPC reviewed and approved a Landmark Designation Report (attached), initiating the process for State review.
- April 22, 2019 – the State Historic Preservation Office (SHPO) reviewed the designation report and issued a letter of comment recommending approval of the local landmark. The letter is attached for information.
- April 22, 2019 – the Lenoir HPC held a duly noticed public hearing to consider the request, including comments from the SHPO, and asked staff to make additional specifications in the report and ordinance regarding contributing interior and exterior features.
- May 20, 2019 – the Lenoir HPC reviewed the changes to the ordinance and found them sufficient in order to review future projects, and recommended that the Lenoir City Council adopt the requests as amended, following a public hearing on June 18, 2019. Staff has duly noticed for this hearing.

The Landmark Designation Report, as amended to address the comments of the State Historic Preservation office and the Lenoir HPC, is attached. The owner of the property is

supportive of this designation and the specific interior and exterior features outlined in the ordinance and designation report.

III. Staff Recommendation:

Adoption of the attached Local Landmark Designation ordinance.

IV. Reviewed by:

City Attorney: _____

Finance Director: _____

Planning Director: _____

**AN ORDINANCE OF THE CITY COUNCIL OF LENOIR,
NORTH CAROLINA, DESIGNATING THE “CAROLINA
AND NORTHWESTERN RAILWAY FREIGHT
STATION,” LOCATED AT 1407 COLLEGE AVENUE IN
LENOIR, NORTH CAROLINA AS A LENOIR HISTORIC
LANDMARK PURSUANT TO NCGS CHAPTER 160A,
ARTICLE 19.**

WHEREAS, Chapter 160A, Article 19, Part 3C of the North Carolina General Statutes provides for the designation of historic landmarks; and

WHEREAS, the City of Lenoir has created the Lenoir Historic Preservation Commission as a commission having the authority to exercise, within the planning jurisdiction of the City, the powers and duties conferred by N.C.G.S. 160A-400; and

WHEREAS, the Carolina and Northwestern Railway Freight Station is located at 1407 College Avenue in Lenoir, North Carolina, and is identified by NIC PIN 2749545715 (“the Property”); and

WHEREAS, the Property is owned by Lenoir Depot LLC who have consented to the landmark designation; and

WHEREAS, the Lenoir Historic Preservation Commission issued a Landmark Designation Report on March 25, 2019, recommending designation of the Property as a historic landmark; and

WHEREAS, as set forth in the Landmark Designation Report, the Lenoir Historic Preservation Commission has determined that the Property is of special significance in terms of its historical, prehistorical, architectural, and/or cultural importance, and possesses integrity of design, setting, workmanship, materials, feeling, and/or association; and

WHEREAS, the State Historic Preservation Office (“SHPO”) of the North Carolina Department of Natural and Cultural Resources has been provided the opportunity to review and comment on the proposed designation; and

WHEREAS, the SHPO reviewed the proposed designation and issued a letter of comment dated April 22, 2019 in which it noted that “The Carolina and Northwestern Railway Freight Station constructed in 1950 is a rectangular, one-story Modernist building with a flat roof located in close proximity to the railroad tracks south of Lenoir’s commercial center. As the freight station played a critical role in the city’s industrial production and is a remarkably intact example of a Modernist mid-twentieth-century railroad depot, it appears to possess the level of special significance required for designation as a local historic landmark;” and

WHEREAS, the Lenoir Historic Preservation Commission held a duly-noticed public hearing on April 22, 2019, with respect to this ordinance and designation of the Property as a historic landmark as contemplated herein, and following said hearing voted on May 20, 2019 to confirm its recommendation that the Lenoir City Council designate the Property as a historic landmark; and

WHEREAS, the Lenoir City Council held a duly-noticed public hearing on June 18, 2019, with respect to this ordinance and designation of the Property as a historic landmark as contemplated herein; and

WHEREAS, the Lenoir City Council, having taken into full consideration all statements and information presented at the public hearings and in the Landmark Designation Report, finds that the Property meets all qualifying elements of a historic landmark, particularly, that it is of special significance in terms of its historical, prehistorical, architectural, and/or cultural importance, and possesses integrity of design, setting, workmanship, materials, feeling, and/or association; and

WHEREAS, the Lenoir City Council finds that the Property’s preservation should be encouraged and ensured.

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

SECTION 1. The City of Lenoir hereby designates the Carolina and Northwestern Railway Freight Station, located at 1407 College Avenue in Lenoir, North Carolina as a Lenoir Historic Landmark pursuant to Chapter 160A, Article 19, as amended, of the North Carolina General Statutes. Said property being more particularly described as follows:

A. Boundary Description

The local historic landmark designation boundary consists of NC PIN 2749545715 (3.014 acres), as indicated by the heavy dark lines on the map attached as Exhibit A.

B. Designation Parameters

1. Landmark Designation shall apply to the **entire exterior** of the building, with the following character-defining features specifically enumerated:
 - flat roof
 - common-bond red-brick walls
 - cast-stone foundation, sills, lintels, belt course, and coping
 - concrete and steel loading platform with steel beams and bracketed posts supporting the deep concrete canopies and open shed
 - roll-up wood-panel and glazed warehouse doors
 - horizontal-pane aluminum-frame sash
 - original “freight depot” sign comprised of individually mounted capital block letters on north elevation

1. Landmark Designation shall apply to the **partial interior** of the building, with only the following character-defining features specifically enumerated:
 - concrete floors and roof decking
 - steel beams
 - administrative wing’s east partition wall with a five-section textured-clear-glass window and a matching single-leaf door with a textured-glass upper section
 - vertical-board-sheathed warehouse office
 - original freight scale

SECTION 2. No portion of the interior and exterior features of any building, site, structure, area, or object that is designated in this ordinance may be altered, restored, moved, remodeled, or reconstructed so that a change in design, material, or outer appearance occurs unless and until a Certificate of Appropriateness is obtained from the Lenoir Historic Preservation Commission or its successors; provided however that the City of Lenoir Historic Preservation Commission or designee may approve Certificates of Appropriateness for minor works as listed in the Bylaws and Rules of Procedure of the Lenoir Historic Preservation Commission. The Lenoir Historic Preservation Commission shall review Certificates of Appropriateness for interior alterations using *The Secretary of the Interior’s Standards for Rehabilitation*.

SECTION 3. No portion of the exterior features of any building, site, structure, or object that is designated in this ordinance may be demolished unless and until a Certificate of Appropriateness is obtained from the Lenoir Historic Preservation Commission or a period of three hundred and sixty-five (365) days has elapsed following final review by the Commission of a request for demolition (or any longer period of time required by N.C.G.S. 160A-400.14 as it may be amended hereafter); provided however, that demolition may be denied by the Lenoir Historic

Preservation Commission in the event that the State Historic Preservation Officer determines that the building, site, structure, or object has statewide significance as provided by N.C.G.S. 160A-400.14.

SECTION 4. Nothing in this ordinance shall be construed to prevent or delay ordinary maintenance or repair of any architectural feature in or on said landmark that does not involve a change in design, material, or outer appearance thereof, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the owner of the historic landmark from making any use of the historic landmark not prohibited by other statutes, ordinances, or regulations. Owners of locally designated historic landmarks are expected to be familiar with and follow *The Secretary of the Interior's Standards for Rehabilitation* and the *Lenoir Historic Design Guidelines*, the guidelines used by the Lenoir Historic Preservation Commission to evaluate proposed alterations or additions.

SECTION 5. The Lenoir Historic Preservation Commission shall have no jurisdiction over the interior features of the property, with the exception of those portions of the interior that are included in the designation parameters as contemplated in this ordinance.

SECTION 6. City administration and the Lenoir Historic Preservation Commission are hereby authorized to have posted a suitable sign on the site herein described indicating that said site has been designated a historic landmark by action of the Lenoir Historic Preservation Commission and the Lenoir City Council provided, should the owners of the herein described property not consent to the posting of said sign on the described premises, City administration and the Lenoir Historic Preservation Commission are hereby authorized to have said sign located on the public right-of-way adjacent to said property.

SECTION 7. All owners of the property hereinabove described, whose identity and addresses can be ascertained by the exercise of due diligence, shall be sent by certified mail a copy of this ordinance.

SECTION 8. Copies of this ordinance shall be filed and indexed in the offices of the City Clerk, Planning and Community Development, Caldwell County Register of Deeds, and the Caldwell County Tax Administrator, as required by applicable law.

SECTION 9. In the event any building, site, structure, or object designated in this ordinance is demolished in accordance with the ordinances of the City of Lenoir, this ordinance may be repealed.

SECTION 10. Any violation of this ordinance shall be unlawful as by law provided.

SECTION 11. This ordinance shall be effective on the date of adoption.

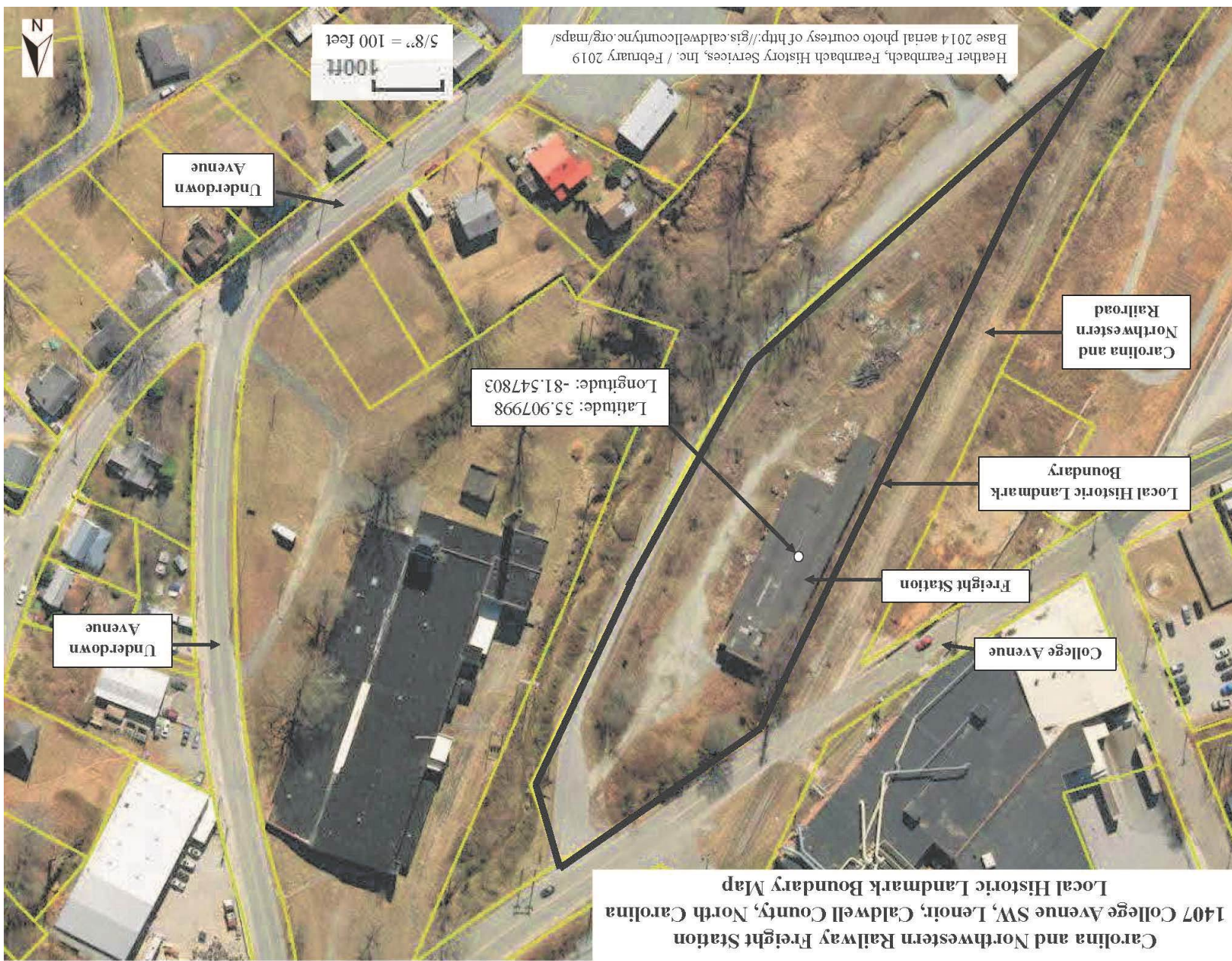
BY THE MAYOR/MAYOR PRO TEMPORE OF THE CITY OF LENOIR, NORTH CAROLINA:

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.]****



April 22, 2019

Jenny Wheelock
P.O. Box 958
801 West Avenue, Northwest
Lenoir, NC 28645

RE: Proposed Designation of the **Carolina and Northwestern Railway Freight Station, 1407 College Avenue, Southwest, Lenoir, Caldwell County**

Dear Ms. Wheelock:

Thank you for the report we received regarding the proposed designation of the Carolina and Northwestern Railway Freight Station located at 1407 College Avenue Southwest in Lenoir. We have reviewed the report and offer the following comments.

The Carolina and Northwestern Railway Freight Station constructed in 1950 is a rectangular, one-story Modernist building with a flat roof located in close proximity to the railroad tracks south of Lenoir's commercial center. As the freight station played a critical role in the city's industrial production and is a remarkably intact example of a Modernist mid-twentieth-century railroad depot, it appears to possess the level of special significance required for designation as a local historic landmark.

We have shared recommendations with staff for changes to the report. Once the report has been revised to include staff's recommendations, we believe the commission and the local governing board will be able to more accurately determine if the Carolina and Northwestern Railway Freight Station possesses the requisite special significance and integrity required for local historic landmark designation.

Landmark designation means the community recognizes the property is worthy of preservation because of its special significance to the local community. Any substantial changes in design, materials, and appearance to the property is subject to the design review procedures of the preservation commission.

If the local governing board wishes to extend the Commission's design review authority to significant features of the interior, the owner must give written consent. The designation ordinance must specify the features and describe the nature of the Commission's design review authority over them.

Thank you for the opportunity to comment on the report. Please note, our comments are advisory only and therefore, nonbinding. Once the governing board has received a recommendation from the Lenoir Historic Preservation Commission, it should proceed in the same manner as would otherwise be required for an

amendment to the zoning ordinance. Once the decision has been made, please return a completed copy of the enclosed form to our office.

This letter serves as our comments on the proposed designation of the Carolina and Northwestern Railway Freight Station. Please contact me at 919-814-6575 should you have any questions about our comments.

Sincerely,

A handwritten signature in blue ink that reads "Amber E. Stimpson". The signature is fluid and cursive, with a large loop at the end of the last name.

Amber E. Stimpson
Local Preservation Commissions / CLG Coordinator

CC: Commission Chair

Enclosure

LOCAL HISTORIC LANDMARK DESIGNATION REPORT



CAROLINA AND NORTHWESTERN RAILWAY FREIGHT STATION 1407 College Avenue SW Lenoir, Caldwell County, North Carolina

**Prepared by:
Fearnbach History Services, Inc.
3334 Nottingham Road
Winston-Salem, NC 27104**

April 2019

Introduction

This report demonstrates that the Carolina and Northwestern Railway freight station at 1407 College Avenue SW in Lenoir possesses the requisite integrity and significance for local historic landmark designation. The freight station is locally significant in the area of rail-related transportation due to its critical function as the city's sole freight transport facility during its mid-twentieth-century industrial boom and as Caldwell County's only Modernist railroad depot.¹ Lenoir's manufacturing concerns, dependent upon railroad connections for efficient and economical raw material delivery and finished goods shipping, erected plants in close proximity to the railroad tracks and freight depot. As industrial production burgeoned after World War II, the spacious, fire-resistant brick, concrete, and steel station, completed in 1950 at a cost of \$125,000, provided desperately needed increased freight handling capacity. The one-story, flat-roofed Modernist design manifests the Carolina and Northwestern Railway's progressive attitude and exemplifies a functionalist approach in its long rectangular form, horizontal massing, expressed structure, and open interior. The efficient floor plan encompasses a north administrative wing and a south warehouse flanked by loading docks with deep canopies and a long open shed sheltering the loading platform. The station retains character-defining elements including common-bond red-brick walls; a cast-stone foundation, sills, lintels, belt course, and coping; concrete floors and roof decking; and steel beams and trusses. The warehouse features a small vertical-board-sheathed office and the original freight scale. Horizontal-pane aluminum-frame sash illuminate the administrative wing, while the wood-panel loading dock doors' glazed upper sections light the warehouse. The period of significance begins in 1950, the building's completion date, and ends in 1969. Although the depot continued to function until 1994, the period after 1969 is not of exceptional significance.

The local historic landmark boundary encompasses 3.014-acre Caldwell County tax parcel number 2749545715.

¹ The only other extant depot, a small, one-story, weatherboarded, gable-roofed, circa 1900 building in Hudson, is a typical rural turn-of-the-twentieth century passenger and freight station.

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Carolina and Northwestern Railway freight station indicated with a red star

Base 2014 aerial photo courtesy of <http://gis.caldwellcountync.org/maps/>

Site

The Carolina and Northwestern Railway freight station is rotated approximately thirty degrees from true cardinal direction alignment, paralleling the railroad track. However, for the purposes of this document the following description is written as if it has true north-south orientation.

Setting

Located south of Lenoir's commercial center, the 1950 freight station occupies an irregularly shaped approximately three-acre parcel bounded by College Avenue to the north, a vacant three-acre tract to the east and south, and the former Carolina and Northwestern Railway line, now operated by the Caldwell County Railroad Company, to the west. The station stands in close proximity to the railroad track in the lot's northwest section. Industrial buildings flank the railroad corridor in all directions. The 1902-1903 Lenoir Cotton Mill – Blue Bell, Inc. plant (NR 2017) is east of the vacant lot and a creek. J. M. Bernhardt Planing Mill and Box Factory – Steele Cotton Mill (NR 2017), erected in 1896 and expanded through the early 1950s, stands to the northeast on College Avenue's north side. Fairfield Chair Company lies to the northwest, while Lenoir Mills, Broyhill Furniture's Harper plant, and a Broyhill Furniture warehouse are farther north.

A gravel drive provides access from College Avenue to the loading docks on the freight station's east

side and a gravel parking area. The topography is flat. The area surrounding the station has not been maintained and is overgrown with vegetation. The tracks of the spur line to the east that served Lenoir Cotton Mill – Blue Bell, Inc. have been removed.



Southern Railway System photograph taken for “Carolina and Northwestern Opens New Lenoir, N. C. Freight Station,” *Ties*, Vol. 4, No. 5 (May 1950), 13-15
Norfolk Southern Corporation Archives; Norfolk, Virginia



Northeast oblique

Photographs taken by Heather Fearnbach on October 24, 2018

Description

Exterior

The long, rectangular, one-story, flat-roofed, Modernist freight station encompasses a north administrative section and a large, open, south warehouse surrounded by loading docks. The fire-resistant brick, concrete, and steel structure features five-to-one common-bond red-brick walls that rise above a smooth cast-stone foundation. Slightly projecting cast-stone sills and a cast-stone belt course surmounting the windows distinguish the north section. Cast-stone coping caps the flat parapet. The linear cast-stone elements accentuate the building's horizontality. The deep concrete canopies and open shed that shelter the long concrete loading platform extending from the warehouse's east, south,

and west elevations further exaggerate this effect. The roof system comprises six-inch-wide steel trusses in the north section, steel beams in the warehouse, eight-foot-long by two-foot-wide concrete roof decking panels, and a built-up (tar-and-gravel) roof.

The six-bay north elevation includes a cut-away corner entrance at its east end. The original single-leaf aluminum door has three horizontal upper panes, a flat Modernist handle, and a rectangular transom. Cast-stone steps lead to the recessed door. Five large two-over-two-horizontal-pane aluminum-frame sash are centered on the north elevation west of the entrance. Above the windows, the original “freight station” sign comprised of individually mounted capital block letters remains, although the “Carolina and Northwestern Railway” lettering that surmounted it has been removed.

At the east elevation’s north end, five high two-horizontal-pane aluminum-frame sash illuminate the entrance vestibule and restrooms. Aluminum-frame screens have been installed in the openings. The six-bay-long freight warehouse to the south is inset to accommodate the loading-dock entrances—six on each of the east and west elevations and one on the south elevation—that provided ample access for product transfer. The roll-up doors are intact with the exception of the north door on the west elevation, which has been removed. Most have two lower and one upper five-wood-panel rows and a five-pane section that allowed natural light to permeate the warehouse. Three taller doors (in the east and west elevations’ southernmost bays and at the south elevation’s center) have two rows of glazing. Plywood has temporarily been installed on the interior of the glazed sections to avert breakage.

The concrete and steel loading platform wraps around the entire warehouse and extends further south along the west railroad corridor, terminating with a wide concrete ramp. Steel beams and bracketed posts support the deep concrete canopies and open shed that shelter the concrete platform. A heavy-timber bumper was added to the east platform’s edge to minimize truck strike impact. The west platform has a steel edge. Steel bumpers also protect the concrete foundation at the warehouse’s southeast and southwest corners. The north warehouse door opening on the west elevation has been filled with a single-leaf hollow-core wood door and a square window (now sans glass) surrounded with plywood. Three large two-over-two-horizontal-pane aluminum-frame sash at the west elevation’s north end light the office.



Southeast oblique



Southwest oblique (above) and west elevation, north section (below)



Interior

Spatial use dictated the station's interior finishes. The north administrative wing was more finely finished, with plastered walls and plaster-on-metal-lath ceilings. However, partial roof collapse has resulted in water damage in the open office that occupies most of the wing. Spalling plaster has exposed brick and cast-stone walls and reinforced-concrete roof decking. Although some brittle, square, vinyl-composition tiles remain in the office, the concrete slab floor is uncovered in most areas. The long plywood service counter at the room's east end provided ample storage in its seven-section two-shelf base cabinet with flat-panel doors and matching drawers.

East of the office, a small entrance vestibule, restroom, and storage room span the east elevation, while storage and mechanical rooms and a restroom are on the office's south side. In order to permit light transference from the vestibule, the partition wall behind the office service counter encompasses a five-section textured-clear-glass window and a matching single-leaf door with a textured-glass upper section. Elsewhere, single-leaf metal doors have simple steel frames. Tall metal lockers line the vestibule's east wall. The restrooms retain three-quarter-height square-white-ceramic-tile wainscoting with black bullnose and base tiles. The patterned ceramic-tile floors comprise groups of four small rectangular white tiles bordering a central square black tile. Some original white marble slab stall partitions and white porcelain fixtures, including Art Moderne-style sinks with slender tapered pedestals, are intact.

A brick partition wall separates the administrative area from the warehouse to the south. A single-leaf metal door near the wall's east end provides egress. The robust steel beams that span the building's entire width beneath concrete roof decking allow the warehouse to have a completely open plan. The unpainted brick and cast-stone walls and poured-concrete floor are resilient and durable. Temporary steel shelving and dimensional lumber wall framing installed after 1994 were removed in 2018.

A small, square, vertical-board-sheathed, flat-roofed office projects from the north elevation's center. A single six-over-six double-hung wood sash pierces each of the east and west elevations. An eight-over-eight sash of the same type and a single-leaf door with a three-horizontal-pane upper section fill the south elevation.

The original freight scale just north of the south entrance on the warehouse's east elevation is a rare survival. Manufactured by Southern Railway's Charlotte Roadway Shops, the frame comprises a cast-iron classical cornice supported by two fluted columns spanned by a central brace. A weighbeam with a sliding poise hangs from the cornice. A cast-iron rod connects the weighbeam to a lever mounted under the central brace. A matching rod extends from the lever to weights beneath the wood-plank platform.



Office, looking east (above) and warehouse office, looking northwest (below)





Warehouse, looking south (above) and freight scale near warehouse's southeast corner (below)



Integrity Statement

The Carolina and Northwestern Railway freight station remains on its original site and the surrounding area appears much as it did during the station's function, thus allowing for integrity of setting, feeling, and association. The building retains high integrity of design, materials, and workmanship. Character-defining features including five-to-one common-bond brick and formed-concrete walls, a concrete floor and roof decking panels, a flat parapet with cast-stone coping, slightly projecting cast-stone sills, and a cast-stone belt course surmounting the windows are largely intact. Some of the north section's concrete roof decking had collapsed by 2017 and the remainder is structurally compromised. As a temporary measure, the missing roof area was secured in late 2018 with plywood panels and a tarp. Although the administrative wing's interior finishes suffered water damage following the roof collapse, the floor plan and significant features such as the east partition wall with a five-section textured-clear-glass window and a matching single-leaf door with a textured-glass upper section remain. The warehouse is completely intact and the original warehouse freight scale and office are in good condition.

Historical Background and Industrial Context

Caldwell County residents advocated for rail service to increase connectivity to regional markets throughout the nineteenth century. However, although the Chester and Lenoir Narrow Gauge Railroad commenced constructing a privately funded 110-mile freight and passenger line to connect its namesake communities in northwestern South Carolina and North Carolina soon after the company's 1873 creation, it was not until June 2, 1884 that citizens of Lenoir, Caldwell County's seat established in 1841, celebrated the line's completion. The railroad company erected utilitarian frame freight and passenger depots near town centers and facilitated commercial and industrial development with spur lines along its route.²

Lenoir entrepreneurs were among those who capitalized upon the opportunity for more efficient trade. Merchants including George Washington Finley Harper, Marshall M. Courtney, John Mathias Bernhardt, and George Lynn Bernhardt erected commercial buildings to serve the influx of residents and visitors. Farmers came to town to socialize, conduct business, purchase items they could not produce, and sell and ship crops and products including dried fruits, herbs, roots, cabbage, wool, and beeswax. In addition to functioning as an important agricultural market, Lenoir was promoted as a gateway to Blowing Rock and the Blue Ridge Mountains, and thus attracted a growing number of tourists.³

² Robert D. Walker, "Can't and Never Will: Remembering the Carolina & North-Western," in Cary Franklin Poole, *A History of Railroading in Western North Carolina* (Johnson City, Tennessee: The Overmountain Press, 1995), 58-67; Carolina and North-Western Railway Company, *Carolina and North-Western Ry.: Home Enterprise Developed by Home Talent and Home Money* (Yorkville, S.C: L. M. Grist's Sons, Printers, 1915), 5-7, 40-43, 57.

³ G. W. F. Harper owned a general mercantile established by his father James C. Harper to serve Lenoir residents around 1845. On January 1, 1884, Harper partnered with his future son-in-law and John's older brother to create Harper and Bernhardt. Harper and Bernhardt reorganized in April 1886, adding G. W. F. Harper's son and the Bernhardts' Davidson classmate George Finley Harper as partner s. "Good in a Change of Gauge," *Charlotte Observer* (hereafter abbreviated CO), February 11, 1902, p. 4; "John Matthias Bernhardt," alumnus file, Special Collections, E. H. Little Library, Davidson College, Charlotte, North Carolina; *Lenoir Topic* (hereafter abbreviated LT), May 1879; *Lenoir News* (hereafter abbreviated LN), May 1, 1879, August 28, 1879, February 19, 1880, September 19, 1888; "Marshall M. Courtney," *Lenoir News-Topic* (hereafter abbreviated LNT), September 12, 1941, p. 4; "Courtney's Now Celebrating 75th Anniversary," LNT, May 23, 1947, p. 1; Hall E. Cobb, Jr., *A Brief Historical Sketch of Caldwell County & Lenoir* (Lenoir: n. p., 1922), 187; E. Carl Anderson, ed., *The Heritage of Caldwell County, North Carolina* (Winston-Salem, N. C.: Hunter Publishing Company, 1983), 143-144.

The Bernhardtts and Harpers were also heavily involved with railroad development. G. W. F. Harper was a principle stockholder and became in 1893 the president of the Chester and Lenoir Narrow Gauge Railroad. He guided the concern through receivership to become the Carolina and Northwestern Railway in 1897. J. M. Bernhardt, while general production manager at Caldwell Land and Lumber Company (incorporated in 1892), encouraged the owners to build the Caldwell and Northern Railway. He also assisted with the route's survey. Beginning in 1893, freight cars transported lumber from the small community of Collettsville, located ten miles southwest of Lenoir, to the larger municipality's industries. A passenger line extended northwest of Lenoir in phases to Wilson Creek, Mortimer, and finally to Edgemont by 1906. The Carolina and Northwestern Railway assumed control of the Caldwell and Northern Railway in 1905 and merged the companies in 1910.⁴

Railroad proximity, sizable potential employee pools, and steam and electric power availability galvanized Lenoir's late-nineteenth and early-twentieth-century transformation into a manufacturing center. Numerous industrial concerns including J. M. Bernhardt's Lenoir Furniture Company, which became Harper Furniture Company in 1900, commenced production in the late nineteenth century. J. M. Bernhardt's Lenoir planing mill and box factory, which began operating in 1896, was the town's largest manufacturing concern by 1900. In 1902, Lenoir boasted at least ten industrial enterprises, ranging from flour to lumber mills, furniture producers, and building supply companies, most of which were located along railroad lines. Downtown businesses prospered as the population increased in conjunction with industrial expansion.⁵ Sizable early-twentieth-century endeavors included Lenoir's first cotton mill. Gastonia industrialist J. D. Moore, M. M. Courtney, and other investors identified an optimal site southwest of the town's center near the Carolina and Northwestern Railway line. Stockholders organized Lenoir Cotton Mill in March 1901 and the factory was substantially complete in January 1902.⁶

In order to better accommodate Lenoir's steadily increasing freight and passenger traffic, Carolina and Northwestern Railway representative J. W. Fletcher Jr, announced in February 1914 that Elliot Building Company of Hickory had been engaged to remodel and enlarge the frame depot at 112 Depot Street. The existing building would house the freight department, while a sizable addition would encompass white and African American waiting rooms, a central office, and shed to shelter the loading platform. The project was completed in July 1914.⁷

The improved depot epitomized the municipality's prosperity. Farmers, merchants, industrialists, and other entrepreneurs who utilized common-carrier shipping and receiving services to sustain their businesses benefited from the large freight room and loading platforms. Passengers enjoyed clean, comfortable, and heated lounges where refreshments, tobacco products, and reading materials were available for purchase. The white and African American waiting rooms each included restrooms. In addition to meeting transportation needs, Lenoir's depot functioned as a gathering place and information hub where the station agent received and distributed news via telegraph.

⁴ *LT*, June 14, 1893, p. 3; "Chester and Lenoir Railroad," *CO*, February 1, 1894, p. 2; *Statesville Record*, January 17, 1896, p. 2; "The Chester and Lenoir," *Hickory Press*, January 23, 1896, p. 2; Walker, "Can't and Never Will," 58-61.

⁵ "Lenoir is a Very Busy Town," *CO*, November 10, 1901, p. 3; D. P. Waters, "Caldwell County, N. C.," *LT*, June 16, 1909, p. 2; North Carolina Department of Labor and Printing, *Twenty-Fourth Annual Report of the Department of Labor and Printing* (Raleigh: Edwards and Broughton Printing Company, 1910), 60-61; "What is it Worth?," *Lenoir News* (hereafter abbreviated *LN*), November 21, 1916, p. 2; Anderson, *The Heritage of Caldwell County*, 140-141.

⁶ "A Cotton Mill Assured," *Weekly News* (hereafter abbreviated *WN*), March 15, 1901, p. 4; *WN*, March 22, 1901, p. 4; "Cotton Mill Meeting," *WN*, March 29, 1901, p. 4.

⁷ "New Depot," *Lenoir Topic*, February 14, 1913, p. 11 "Addition Made to Lenoir Depot," *Charlotte News*, June 14, 1913, p. 5.

Regular passenger and freight service continued through the 1920s. However, ridership declined during the 1930s in conjunction with North Carolina roadway improvements and increased automobile usage. Carolina and Northwestern Railway debated terminating Sunday passenger service between Chester and Edgemont in 1931, but did not make significant schedule changes until June 1937, when passenger service ceased between Lenoir and Edgemont. Freight trains operated on that portion of the line until September 23rd, after which the tracks were removed. Prominent Lenoir residents and railroad employees were among 133 passengers from throughout the region who celebrated the line's history during the final run.⁸

Floyd C. Hanks remained the Lenoir station agent during the 1930s, followed by Perkins, Georgia native Dewey Hobson Thorne, previously a mayor of Maiden and a train dispatcher in Hickory.⁹ Freight commerce escalated as the economy began to recover from the Great Depression in the late 1930s. The Lenoir Board of Trade touted the city's textile mills, furniture plants, and allied industries—makers of mirrors, veneers, and other products—all of which primarily shipped and received goods via the railroad. Lenoir had three hospitals, three residential suburbs, and a Donald Ross-designed golf course, and was said to be the state's fastest growing city since World War I. The population numbered twelve thousand, triple that of 1920, and downtown included five hardware and furniture stores and four drug stores.¹⁰ By the beginning of the 1940s, thirty-three Lenoir industrial plants provided work for five thousand people and local manufacturers sold products in Canada and Mexico as well as in every state. An article in the September 1941 centennial edition of the *News-Topic* claimed that Lenoir was the nation's second largest furniture manufacturing city. Caldwell County then contained twelve cotton mills and five hosiery mills, three of which were in Lenoir.¹¹ The city upgraded utilities and infrastructure to serve these and other industrial operations.

World War II brought new opportunities and challenges. Although industrial production and freight traffic increased, Lenoir's tourist trade diminished near the war's end when the Carolina and Northwestern Railway cut passenger service from two trains daily to a single train in response to a 1944 Office of Defense Transportation directive. The reduction made it difficult for travelers from Lenoir to make connections in Hickory and Gastonia. The chamber of commerce protested the decreased service, fearing that war-time cutbacks would eventually result in passenger service elimination. This indeed soon transpired, as the Carolina and Northwestern Railway discontinued passenger, mail, express, and baggage service on April 12, 1947. Dewey Thorne continued to manage the depot during the 1940s.¹²

⁸ "Railway Seeks to Abandon Its Line in W. N. C.," *Asheville Citizen-Times*, July 23, 1937, p. 10; "C&NW Makes Last Run on Line to Edgemont," *LNT*, September 24, 1937, pp. 1 and 6; Poole, *A History of Railroading in Western North Carolina*, 67.

⁹ Ernest H. Miller, *Miller's Lenoir, North Carolina, City Directories* (Asheville: Commercial Service Company, 1930-1941); "D. H. Thorne," *The Daily Independent* (Kannapolis), April 29, 1966, p. 5.

¹⁰ Lenoir Board of Trade and Lenoir News-Topic, *Lenoir, North Carolina* (n.p.: 1938), 3-5; *Miller's Lenoir City Directory 1937-1938*, 5-6.

¹¹ *Miller's Lenoir City Directory, 1943-1944*, 267; *LNT*, September 12, 1941, p. 1.

¹² "Is It the Beginning of the End?," *LNT*, December 22, 1944; "Entitled to Better Service," *LNT*, January 9, 1945; "C&NW Passenger, Express and Baggage Service Discontinued," *LNT*, April 15, 1947, pp. 1 and 5; Lenoir Chamber of Commerce, "A Protest Addressed to the Office of Defense Transportation in respect to the Past, Present, and Future Passenger Train Service of the Carolina and North Western Railway," 1945, 1-6, 14; *Miller's Lenoir City Directories, 1941-1950*; Matthew Bumgarner, *The Legacy of the Carolina and North Western Railway* (Hickory: Tarheel Press, 1997); Southern Railway System, "Carolina and Northwestern Opens New Lenoir, N. C. Freight Station," *Ties*, Vol. 4, No. 5 (May 1950), 14.

Transportation and Industry in Mid-twentieth-century Lenoir

Despite challenges from the trucking industry, Lenoir's manufacturing concerns remained dependent upon railroad connections for efficient and economical raw material delivery and finished goods shipping. Expanded freight transport facilities became imperative as the economy boomed and industrial production proliferated during the post-war years. At Blue Bell, Inc., for example, sales climbed from \$13,795,450 in 1943 to \$46,630,060 in 1950, when the company asserted that it remained the world's largest work clothes manufacturer.¹³ It is therefore not surprising that the Carolina and Northwestern Railway purchased three lots comprising about 2.5 acres in the heart of Lenoir's industrial corridor just west of the Blue Bell, Inc. plant (formerly Lenoir Cotton Mill) upon which to erect a new freight depot. Lenoir Furniture Corporation, housed in a sprawling complex to the southwest, sold the parcels in February 1949 with the understanding that the Carolina and Northwestern Railway would relocate and improve the access road on the property's west side and build a culvert to divert the creek on the east side.¹⁴ Myriad industrial concerns lined the corridor in close proximity to the freight station site. Hayes Cotton Mill was to the northwest. Fairfield Chair Company stood directly west of the station on the railroad corridor's opposite side. Kent-Coffey Manufacturing Company was to the southwest and Lenoir Chair Manufacturing Company's complex spanned the railroad further south.¹⁵

Southern Railway engineers rendered plans for the freight depot. Elliot Building Company of Hickory commenced construction in spring 1950, assisted by Lenoir contractors including Parlier and Tomlinson Plumbing and A. P. Causby Ready-Mix Cement companies. When completed in 1950, the Modernist Carolina and Northwestern Railway freight station exemplified Southern Railway's progressive image. The spacious, fire-resistant brick, concrete, and steel building, erected at a cost of \$125,000, provided desperately needed increased freight handling capacity. The station was part of a five-year \$1,192,500 capital improvement campaign that included track, bridge, and trestle upgrades and new construction. At the April 17, 1950 dedication, Southern Railway vice-president John B. Hyde, who delivered the keynote address to an approximately four-hundred-person audience, emphasized the depot's importance to Caldwell County's twenty-six furniture factories and fifty allied industries, which altogether had approximately ten thousand employees. Lenoir lawyer James T. Pritchett functioned as master of ceremonies, introducing speakers including industrialists James E. Broyhill (president-treasurer of Lenoir Furniture Corporation and Lenoir Chair Company), Harold F. Coffey (president of Kent-Coffey Manufacturing Company and Union Mirror Company), W. Clyde Sudreth (National Veneer Company president, Union Mirror Company secretary, and secretary-treasurer of Kent-Coffey Manufacturing Company and Blowing Rock Furniture Company), and Emory C. McCall (Lenoir Chair Company secretary and National Veneer Company treasurer). Broyhill praised Carolina and Northwestern Railway's use of private equity rather than government subsidies to execute the improvement program. Freight station employees in attendance included agent Dewey Thorne, chief rates clerk Ed. C. Schell, bill clerk Tom Beach Jr., cashier-operator N. B. Clark, secretary Billie Greer, warehouse clerk J. M. Huntley, car clerk W. P. Marrow, and station hands H. E. Bumgarner and Walter Echols, who was the only African American in the aforementioned group.¹⁶

¹³ Blue Bell, Inc., "Blue Bell Annual Report, 1952," pp. 1-2; "Other Corporate Reports," *New York Times*, February 7, 1950.

¹⁴ Caldwell County Deed Book 247, p. 395.

¹⁵ Norfolk Southern right-of-way map, 1974, Caldwell County Plat Book 16, p. 49.

¹⁶ Southern Railway System, "Carolina and Northwestern Opens New Lenoir, N. C. Freight Station," 13-15; "Dedication of Freight Depot Monday, 11 a. m.," *LNT*, April 15, 1950, p. 1; "400 Attend Lenoir Depot Dedication," *Asheville Citizen-Times*, April 17, 1950, p. 5; *Miller's Lenoir City Directory*, 1950.

Dewey Thorne remained the station agent and yard master until his sudden death on April 28, 1966 at the age of sixty-eight. Adjacent industrial complexes continued to expand and utilize the station. In 1974, Ethel Chair Factory and Lenoir Mirror Company occupied plants to the west across the railroad tracks. Kent-Coffey Manufacturing Company was southwest of Lexington Mirror Company. Bernhardt Manufacturing Company and Lenoir Chair Manufacturing Company complexes were further south adjacent to a spur line. Blue Bell, Inc., to the east, remained Caldwell County's only sizable apparel manufacturer as it utilized the Lenoir plant until 1983.¹⁷

The Carolina and Northwestern Railway operated as a Southern Railway subsidiary from 1942 until Southern Railway acquired Norfolk Southern Railroad on January 1, 1974, after which it was subsumed by the larger company. Norfolk Southern was incorporated in 1980 and merged with Norfolk and Western Railroad on June 1, 1982. The Carolina and Northwestern Railway line subsequently reverted to its original name as part of the Norfolk Southern Corporation.¹⁸

Although shipping by rail declined dramatically with the rise of truck transport, local industries utilized the depot to ship and receive freight until 1994, when Norfolk Southern conveyed the seventeen-mile-long Hickory-to-Lenoir line to the Caldwell County Economic Development Commission. The Caldwell County Railroad Company, a Southeast Shortlines, Inc. subsidiary, has since operated that section of the line.¹⁹ Rail service remains an expedient and affordable means of transporting goods. Various entities subsequently leased the freight station for storage. Norfolk Southern conveyed the property to Lenoir Depot LLC on September 10, 2018. The building will be rehabilitated in conjunction with the former Lenoir Cotton Mill complex to the east.

Freight Depot Architecture Context

As railroad companies developed lines during the mid-nineteenth century, rudimentary platforms, open-sided heavy-timber-frame sheds, and small frame buildings accommodated freight and passengers. By the late nineteenth century, prospering railroad concerns began replacing these temporary structures with specialized buildings. Companies employed architects and draftsmen to render station prototypes that could be easily replicated and modified with site-specific details. Utilization of these standardized plans expedited construction and reduced cost.

Civil engineer Walter G. Berg included numerous depot plans and elevations rendered for a wide variety of railroad companies in his 1893 publication *Buildings and Structures of American Railroads*. Efficient function was paramount, but aesthetics were also important. Municipality size dictated depot scale, style, and finish. Despite regional building material variation, the plans were remarkably consistent. Berg delineates four types of depots: flag, combination, local passenger, and terminal passenger. Flag depots were simple platforms or modest buildings in rural communities where travelers and shippers signaled trains to stop by waving a flag. In small towns, combination depots with minimal architectural embellishment accommodated both freight and passenger traffic. These buildings encompassed waiting rooms, offices, restrooms, freight and baggage storage rooms, and loading platforms. In some cases, combination depots included living quarters for station agents and other railroad employees.²⁰ Densely populated cities contained multiple depots erected by competing rail lines. Freight depots were simply executed, with function dictating form and finish. Regardless of

¹⁷ Sanborn Map Company, "Lenoir," Caldwell County, August 1950, Sheets 14 and 15.

¹⁸ Norfolk Southern Corporation, "A Line in Time," <http://www.nscorp.com/content/nscorp/en/the-norfolk-southern-story.html> (accessed September 2018).

¹⁹ "Caldwell County Railroad," <http://www.ncrailways.org> (accessed September 2018).

²⁰ Walter G. Berg, *Buildings and Structures of American Railroads* (New York: John Wiley and Sons, 1893), 246.

size, stations promoted a railroad company's corporate identity and served as community landmarks.

As the twentieth century progressed, freight depots executed in myriad architectural styles served North Carolina communities. The Seaboard Air Line Railway and Southern Railway companies erected hundreds of modest passenger and freight depots to serve small towns throughout the nation. Early twentieth-century stations—typically one-story, narrow, rectangular, hip- or gable-roofed, brick or frame buildings with deep bracketed eaves and large multipane double-hung windows—resembled late-nineteenth-century depots in form and plan. Most displayed minimal ornamentation, with functionality driving the design. Stylistic influences ranged from Queen Anne to Craftsman. Textured or variegated brick walls and corbelled masonry cornices, belt courses, and water tables heightened aesthetic appeal at nominal expense. Brick veneer afforded a much greater degree of fire resistance than weatherboard siding and lowered long-term maintenance costs. Projecting window bays added dimension and enhanced visibility.

Freight depots contained scales for weighing shipments and sliding loading dock doors on multiple elevations. Open interiors accommodated baggage and freight handling. As this use did not require finished walls or ceilings, structural systems are typically completely exposed in freight rooms, as seen Lenoir. Platforms adjacent to the depot allowed for freight transfer.

Mid-twentieth-century Freight Depots

Mid-twentieth-century freight depots often manifested the Modernist architectural tenets of simplicity, efficiency, affordability, and intrinsic material expression espoused by architects including Walter Gropius, Mies van der Rohe, and Albert Kahn. In such edifices, structure and materials serve as the primary design elements rather than applied ornamentation. The use of exposed brick, concrete, and steel structural elements as fundamental design components was not only aesthetically compelling, but supplied strength, durability, and fire-resistance in an economical manner.

Southern Railway's engineering department employed this approach while rendering utilitarian depot plans that could be used in numerous locations with little modification. The Carolina and Northwestern Railway freight station in Lenoir, Caldwell County's sole mid-twentieth-century Modernist depot, exemplifies the company's progressive yet pragmatic approach to station construction during that period.²¹ The streamlined linear design epitomizes efficiency, modernity, and economic progress, conveying speed and energy through its long rectangular form, horizontal massing, flat roof, and expressed structure. The color and texture contrast between the red-brick walls and pale cast-stone foundation, belt course, and parapet coping add interest and dimension. Linear cast-stone elements accentuate the building's horizontality.

The freight station retains its original plan: a north administrative wing containing an office, entrance vestibule, restrooms, and storage and mechanical rooms, and a large open south freight warehouse flanked by loading docks. Steel beams and trusses span the building's width, eliminating the need for interior posts and maximizing visibility and functional flexibility. Fenestration is dictated by spatial use rather than symmetry. Regularly spaced horizontal-pane aluminum-frame sash illuminate the administrative wing, while multi-wood-panel roll-up loading dock doors with glazed upper sections provide natural light in the warehouse. The long open concrete-and-steel shed and canopies facilitated

²¹ Caldwell County's other surviving depot, a one-story, weatherboarded, gable-roofed, circa 1900 building in Hudson, now serves as a local history museum.

freight transfer. The station orientation allowed direct truck access to the docks on the east elevation. The small vertical-board-sheathed warehouse office and freight scale are also important survivals.

Depot construction slowed nationally as passenger and freight traffic declined. The Old North State Chapter of the National Railroad Historical Society's 2002 inventory of North Carolina railroad buildings identifies only a few mid-twentieth-century depots, all of which are austere, functionalist buildings. Examples comparable to Lenoir's Carolina and Northwestern Railway freight station include the Modernist Virginia and Carolina Southern Railway freight station at 163 South Chestnut Street in Lumberton (Robeson County, Lumberton Commercial Historic District, National Register 1989), which was also erected in conjunction with the company's capital improvement campaign.²² The one-story, flat-roofed, red brick Lumberton depot is characterized by deep eaves and a cast-stone foundation. The warehouse is taller and more simply executed than the office, which features banded brick accents and oculus windows at its west end and large multipane double-hung wood-frame sash on the south elevation overlooking the railroad. A projecting window-filled bay afforded station agents an unimpeded view of the rail line.

The Southern Railway passenger and freight station in at 58 Depot Street in Marion (McDowell County) comprises an 1867 depot enlarged in 1890, 1935, and again in 1952 with a Modernist office addition at its east end.²³ Robust Craftsman brackets support the deep eaves of the red brick main block's side-gable roof. The flat-roofed 1952 addition is executed in five-to-one common-bond dark red brick with a cast-stone foundation, window surrounds, door sills, and coping. Four-horizontal-pane steel sash with two-pane central hoppers remain on the south elevation, where a projecting bay fronts the railroad. Flat-roofed metal-edged canopies span the north and south elevations, sheltering two entrances on each wall. The City of Marion has rehabilitated the depot to serve as an event venue and offices.

National Register of Historic Places Status

The Carolina and Northwestern Railway freight station was inventoried during Robinson and Associates, Lenoir Municipal Survey, completed in 2017 and was added to the North Carolina Study List in October 2018.

Local Historic Landmark Eligibility Evaluation

The Carolina and Northwestern Railway freight station is **eligible** for local historic landmark designation in the area of rail-related transportation due to its critical function as the city's sole freight transport facility during its mid-twentieth-century industrial boom. The edifice is one of only two extant Caldwell County railroad stations, and the only dedicated freight depot.²⁴ *In order to possess such significance, a property must retain integrity and must be associated with a specific event marking an important moment in American pre-history or history or a pattern of events or historic trend that made a significant contribution to the development of a community, a state, or the nation. Furthermore, a property must have existed at the time and be documented to be associated with the events. Finally, a property's specific association must be important as well.* Lenoir's manufacturing

²² Art Peterson, Tony Reevy, and William L. Dowdy, compilers, *A Directory of North Carolina's Railroad Structures, Second Edition* (Raleigh: Old North State Chapter of the National Railroad Historical Society, 2002), 174.

²³ Ibid., 118; City of Marion, "Facility Rentals," <http://marionnc.org/Marion/pages/FacilityRentals.html> (accessed December 2018).

²⁴ The other, a small, one-story, weatherboarded, gable-roofed, circa 1900 building in Hudson, is a typical rural turn-of-the-twentieth century passenger and freight depot.

concerns, dependent upon railroad connections for efficient and economical raw material delivery and finished goods shipping, erected plants in close proximity to the railroad tracks and freight depot. As industrial production burgeoned after World War II, the spacious, fire-resistant brick, concrete, and steel station, completed in 1950 at a cost of \$125,000, provided desperately needed increased freight handling capacity. The period of significance begins in 1950, the building's completion date, and ends in 1969. Although the depot continued to function until 1994, the period after 1969 is not of exceptional significance.

The building is **not eligible** for local historic landmark designation in association with a person. *In order to possess such significance, it would have to retain integrity and 1) be associated with the lives of persons significant in our past, i.e. individuals whose activities are demonstrably important within a local, state or national historic context; 2) be normally associated with a person's productive life, reflecting the time period when he/she achieved significance, and 3) should be compared to other associated properties to identify those that best represent the person's historic contributions. Furthermore, a property is not eligible if its only justification for significance is that it was owned or used by a person who is or was a member of an identifiable profession, class, or social or ethnic group.* Although prominent Lenoir businessmen advocated for the depot's construction, the building is not most closely associated with a single individual's achievements, which would be required for local historic landmark designation under this area of significance.

The Carolina and Northwestern Railway freight station is **eligible** for local historic landmark designation due to its architectural significance. *In order to qualify, it must retain integrity and either 1) embody distinctive characteristics of a type, period, or method of construction; 2) represent the work of a master; 3) possess high artistic value; or 4) represent a significant and distinguishable entity whose components lack individual distinction.* The freight station is Caldwell County's sole example of mid-twentieth-century Modernist railroad depot architecture. The one-story, flat-roofed design manifests the Carolina and Northwestern Railway's progressive attitude and exemplifies a functionalist approach in its long rectangular form, horizontal massing, expressed structure, and open interior. The strong, durable, economical, and fire-resistant structural system comprises common-bond red-brick walls; a cast-stone foundation, sills, lintels, belt course, and coping; concrete floor slabs and roof decking panels; and steel beams and trusses. Linear cast-stone elements, deep loading dock canopies, and a long loading platform covered by an open shed accentuate the building's horizontality. The efficient floor plan encompasses a north administrative wing, most of which was an open office, and a south warehouse retaining a small vertical-board-sheathed office and freight scale. Horizontal-pane aluminum-frame sash illuminate the administrative wing, while the wood-panel loading dock doors' glazed upper sections light the warehouse.

The Carolina and Northwestern Railway freight station is **not eligible** for local historic landmark designation for its potential to yield information. *In order to possess such significance, it must meet two requirements: 1) the property must have, or have had, information to contribute to our understanding of human history or pre-history, and 2) the information must be considered important.* The structure and site are unlikely to contribute significant information pertaining to building technology or urban archaeology or yield historical documentation not otherwise accessible from other extant resources and written records.

Designation Parameters

Lenoir Depot LLC is seeking local historic landmark designation for the entire exterior and partial interior in order to recognize the property's architectural and historical significance. Character-defining exterior and interior features are delineated below.

Exterior

- flat roof
- common-bond red-brick walls
- cast-stone foundation, sills, lintels, belt course, and coping
- concrete and steel loading platform with steel beams and bracketed posts supporting the deep concrete canopies and open shed
- roll-up wood-panel and glazed warehouse doors
- horizontal-pane aluminum-frame sash
- original "freight depot" sign comprised of individually mounted capital block letters on north elevation

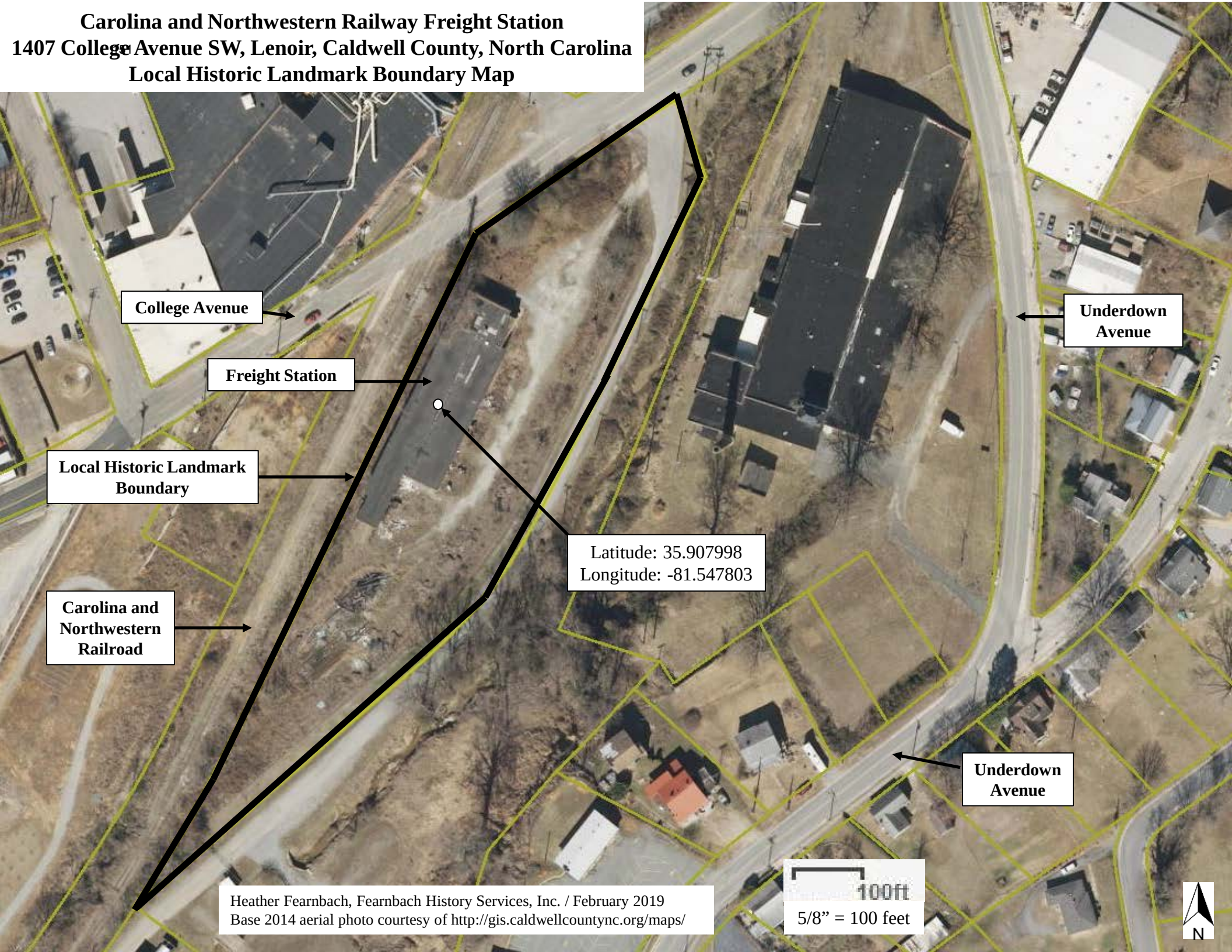
Interior

- concrete floors and roof decking
- steel beams and trusses
- administrative wing's east partition wall with a five-section textured-clear-glass window and a matching single-leaf door with a textured-glass upper section
- vertical-board-sheathed warehouse office
- original freight scale

Boundary Description and Justification

The proposed local historic landmark designation boundary consists of Caldwell County tax parcel number 2749545715 (3.014 acres), as indicated by the heavy dark lines on the following aerial view (page 19).

Carolina and Northwestern Railway Freight Station
1407 College Avenue SW, Lenoir, Caldwell County, North Carolina
Local Historic Landmark Boundary Map



College Avenue

Freight Station

Local Historic Landmark
Boundary

Carolina and
Northwestern
Railroad

Underdown
Avenue

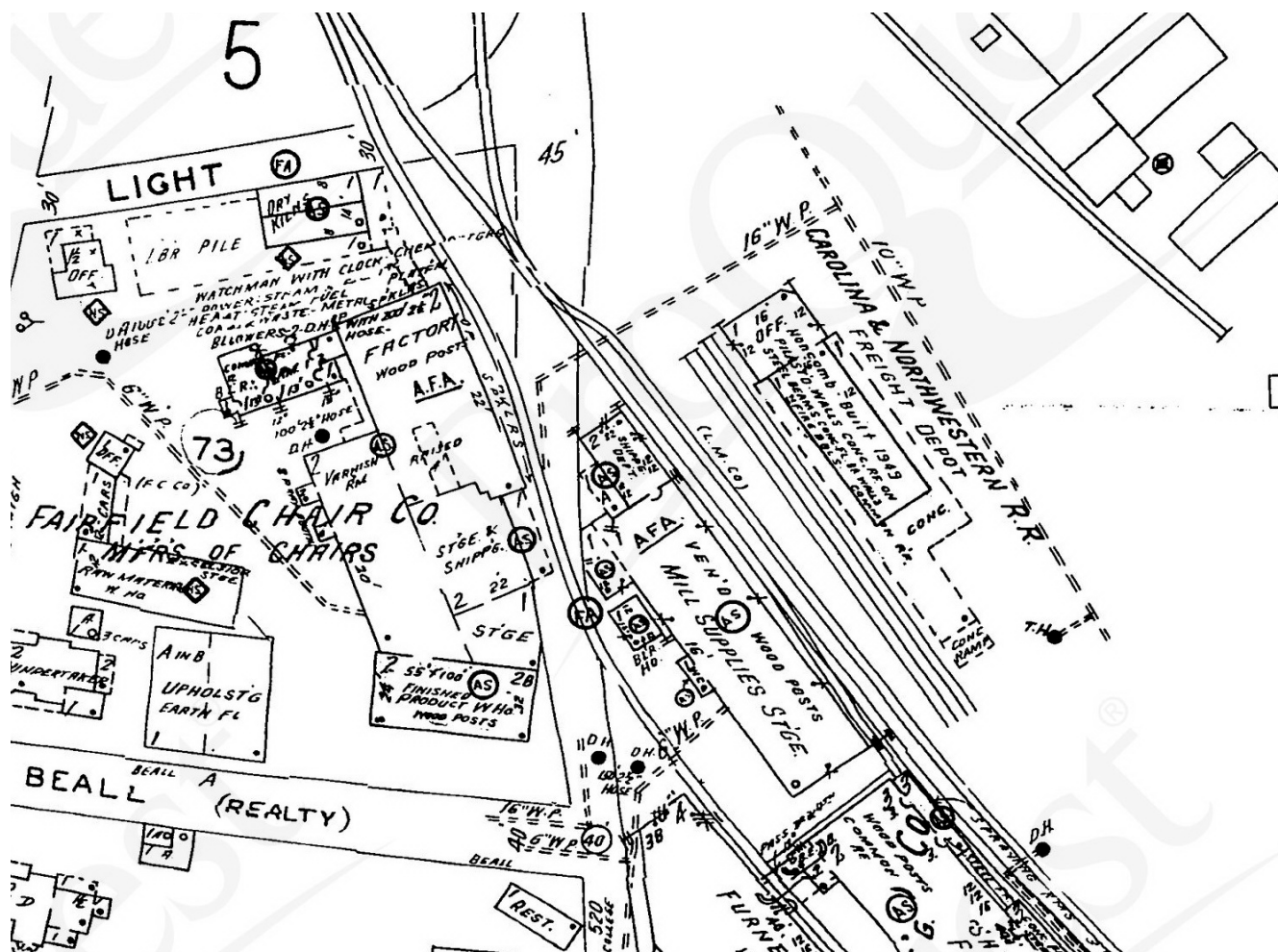
Latitude: 35.907998
Longitude: -81.547803

Underdown
Avenue

Heather Fearnbach, Fearnbach History Services, Inc. / February 2019
Base 2014 aerial photo courtesy of <http://gis.caldwellcountync.org/maps/>

100ft
5/8" = 100 feet



Sanborn Map

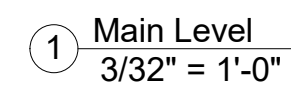
Sanborn Fire Insurance Company Map, Lenoir, North Carolina, Sheet 15 August 1950

Existing Conditions Floor Plans

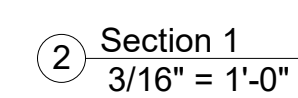
1 828.281.2344
2 828.768.4545

CAROLINA & NORTHWESTERN RAILWAY
FREIGHT STATION

THE UNIVERSITY OF ALABAMA, IN 2004



GROSS ENCLOSED BUILDING AREA = 6581 SF
OPEN PLATFORM AREA = 4799 SF
NET HEATED AREA = 6169 SF

[illegible]

Issue Date

EXISTING MAIN LEVEL
PLAN

A 1.1

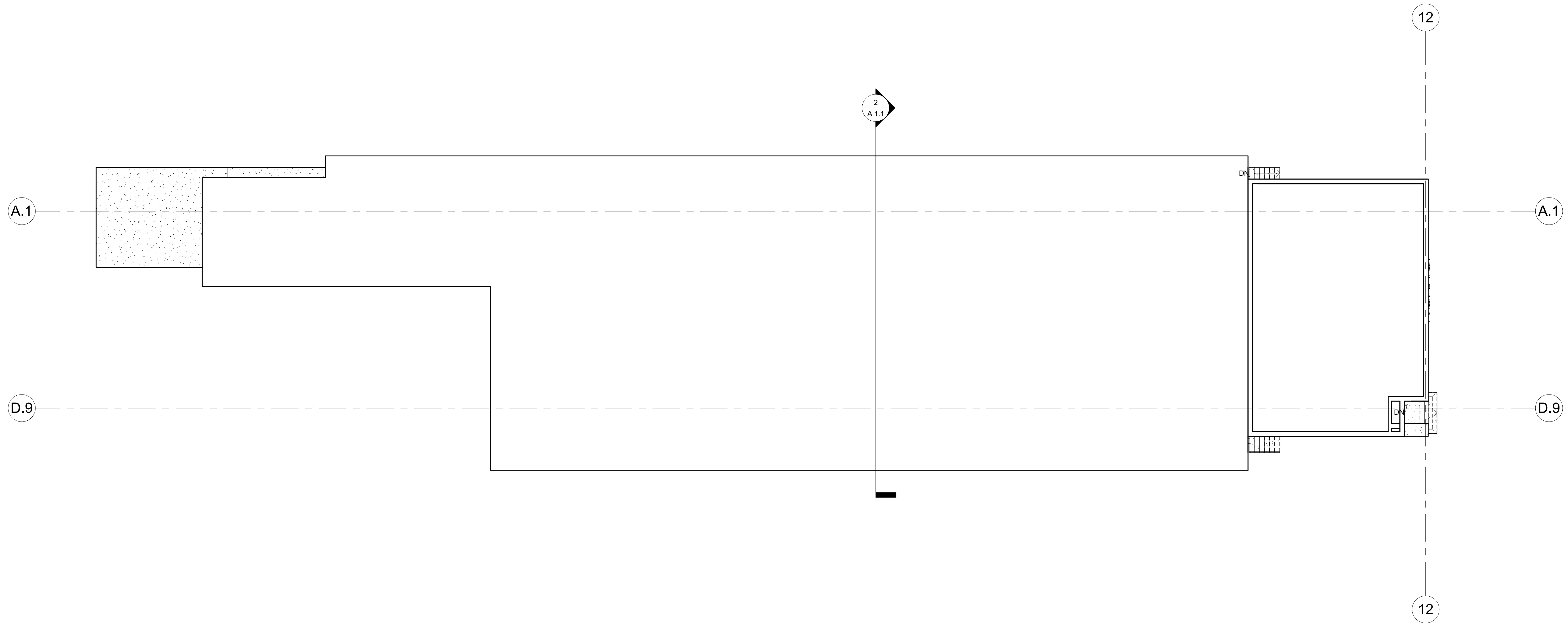


one north pack square
sheville, north carolina
28801

1 828.281.2344
2 828.768.4545

CAROLINA & NORTHWESTERN RAILWAY
FREIGHT STATION

1407 COLLEGE AVE SW, LENOIR, NC 28645



① Roof Plan
3/32" = 1'-0"

Release / Revision Dates

[illegible]

Permit Submittal Date

Issue Date

Sheet Title

ROOF PLAN

A 1.2

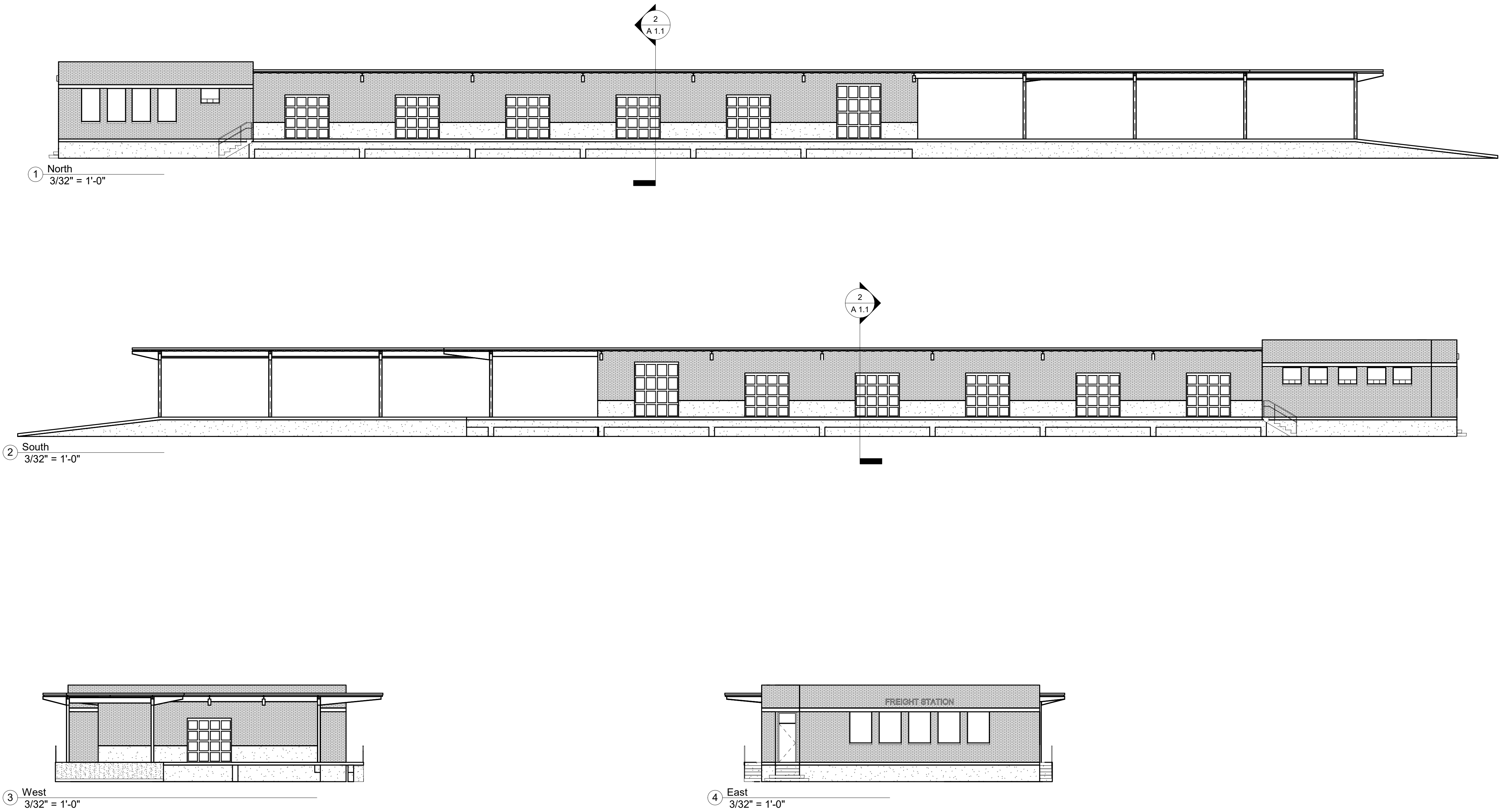


ne north pack square
sheville, north carolina
28801

1 828.281.2344
2 828.768.4545

CAROLINA & NORTHWESTERN RAILWAY
FREIGHT STATION

1407 COLLEGE AVE SW, LENOIR, NC 28643

[illegible]

Permit Submittal Date

Issue Date

Sheet Title

EXISTING ELEVATIONS

A 2.0

**LENOIR CITY COUNCIL
TUESDAY, JUNE 4, 2019
6:00 P.M.**

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

Note: Councilmember Rohr's seat is vacant on City Council due to his accepting the position of City Attorney.

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; CITY OF
VIRGINIA BEACH:**

- B. Mayor Gibbons asked everyone to keep the City of Virginia Beach, Virginia, in their thoughts and prayers regarding the victims of the recent shooting incident at their Municipal facility. The City of Lenoir flags are currently flying at half-staff in accordance with a proclamation from North Carolina Governor Roy Cooper.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

**FY2019-2020 ANNUAL
BUDGET:**

- A. A public hearing was held to receive public comments regarding the annual budget for the fiscal year beginning July 1, 2019 through June 30, 2020 for the City of Lenoir. Upon conclusion of the public hearing, Council may adopt the enclosed FY2019-2020 Budget Ordinance.

A copy of the Budget Ordinance is hereby incorporated into these minutes by reference. (Refer to pages 367-371).

City Manager Hildebran reported the recommended budget is comprised of General Fund, \$17,362,391, Special Downtown District, \$183,736, Tourism Development, \$75,000 and Water Fund, \$8,941,688, for a total budget amount of \$26,562,815. The budget also includes the current Rescue Readiness Tax of \$0.0085 per \$100 valuation and a \$1.00 Solid Waste Fee increase which will assist the City in purchasing a second brush truck. The current property tax rate of \$0.58 per \$100 valuation remains unchanged. The budget includes a 1.1% increase in water rates and a 2.5% wastewater increase effective July 1, 2019. The proposed rate increases would cost the average ratepayer an additional \$0.87 on a monthly bill. The budget also includes a 3% COLA for City employees effective January 1, 2020.

In addition, Mr. Hildebran reported the proposed budget addresses Council's

priorities without using any Fund Balance.

Mayor Gibbons opened the public hearing to receive public comments regarding the recommended budget.

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

Councilmember Perdue commended City Manager Hildebran and Staff for their good work in keeping the tax rate the same over the past seven years and maintaining a healthy Fund Balance for FY2019-2020. Councilmember Perdue moved to approve the proposed Annual Budget as presented.

Mayor Gibbons along with additional Councilmembers thanked Mr. Hildebran and the Department Directors for all their hard work in preparing the proposed budget along with all their cost savings measures that have been implemented.

Upon the motion by Councilmember Perdue, Council voted 6 to 0 to adopt the FY2019-2020 Annual Budget as presented and as recommended by City Manager Hildebran.

III. CONSENT AGENDA ITEMS

- A. Upon a recommendation by City Manager Hildebran, the following Consent Agenda items were submitted for approval:
 - 1. Minutes: Approval of the minutes of the City Council Meeting of Tuesday, May 21, 2019, as submitted.
 - 2. Minutes: Approval of the minutes of the City Council Budget Work Session of Thursday, May 23, 2019, as submitted.
 - 3. Capital Project Budget Ordinance; Unifour Consortium HOME Program: Approval of the 2019 Capital Project Budget Ordinance for the Unifour Consortium HOME Program in the amount of \$1,452,000 as submitted. (A copy of the Capital Project Budget Ordinance is hereby incorporated into these minutes by reference. Refer to pages 372-373).
 - 4. Capital Project Budget Ordinance; Community Development Block Grant (CDBG): Approval of the 2019 Capital Project Budget Ordinance for the Community Development Block Grant Program (CDBG) in the amount of \$135,877 as submitted. (A copy of the Capital Project Budget Ordinance is hereby incorporated into these minutes by reference. Refer to pages 374-375).
 - 5. Capital Project Budget Ordinance; Close Out of the 2017 Water System Asset Inventory Grant: Approval of a Capital Project Budget Ordinance to close out the 2017 Water System Asset Inventory Grant. **Note:** The project had a total project budget of \$80,000 and the project was complete as of May, 2019 with total expenditures of \$79,200 and in-kind contributions with a value of \$1,027 were utilized. (A copy of the Capital Project Budget Ordinance is hereby incorporated into these minutes by reference. Refer to pages 376).
 - 6. Capital Project Budget Ordinance; Close Out of the 2017 Wastewater System

Asset Inventory Grant: Approval of a Capital Project Budget Ordinance to close out the 2017 Wastewater System Asset Inventory Grant. **Note:** The project had a total project budget of \$140,000 and the project was complete as of May, 2019 with total expenditures of \$127,564 and in-kind contributions with a value of \$3,059 were utilized. (A copy of the Capital Project Budget Ordinance is hereby incorporated into these minutes by reference. Refer to page 377).

7. Budget Amendments: Staff recommends approval for amendments to be made to the annual budget ordinance for the fiscal year ending June 30, 2019 as follows:
 - 1) Adjustments to the General Fund with a zero net effect to fund balance.
 - 2) Adjustments to the Lenoir Tourism Development Fund with a zero net effect to fund balance.
 - 3) Adjustments to the Water/Enterprise Fund with a zero net effect to fund balance. (A copy of the budget amendment list is hereby incorporated into these minutes by reference. Refer to page 378).
8. Engineering Service Contract; McGill Associates: Staff recommends approval to enter into an Engineering Service Contract with McGill Associates for the Crossroads Sewer Replacement Project. **Note:** McGill Associates was selected after an RFQ process as the best qualified engineering firm for this project. (A copy of the Engineering Agreement is on file in the City Clerk's office).

Upon a motion by Councilmember Thomas, Council voted 6 to 0 to approve the above listed items on the Consent Agenda as presented and 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

SUMMER MUSIC

- EVENT:**
1. Chad Triplett and Two-Lane Blacktop Band will perform on the Square from 6:00 p.m. – 7:30 p.m. on Friday, June 7 with the Throwdown Jones Band performing from 8:00 p.m. – 10:00 p.m.

CITY/COUNTY SERVICES

- COMMITTEE:**
2. The City/County Services Committee will meet on Monday, June 10 at 11:45 a.m.

CALDWELL EDC:

3. The Caldwell County Economic Development Commission will meet on Tuesday, June 11 at 8:00 a.m. at the J. E. Broyhill Civic Center.

LENOIR BUSINESS ADVISORY

BOARD: 4. The Lenoir Business Advisory Board will meet on Thursday, June 13 at 6:00 p.m. at City Hall, Third Floor, former Council Chambers.

HOLIDAY

CLOSING: 5. City offices will be closed on Thursday, July 4 in observance of Independence Day.

DEDICATION CEREMONY; CHARTERS OF

FREEDOM: 6. A Dedication Ceremony for the new Charters of Freedom which include the United States Declaration of Independence, the Constitution, and the Bill of Rights and are currently being placed next to the historic Caldwell County Courthouse will be held on Wednesday, July 3 at 9:00 a.m. Foundation Forward, Inc. is a nonprofit educational project 501(c)(3) that builds Charters of Freedom Settings in local communities across the country.

B. ITEMS FOR COUNCIL ACTION

CALDWELL COUNTY WATER

SALES AGREEMENT:

1. Staff recommended approval of the proposed Water Sales Agreement between the City of Lenoir and Caldwell County to provide up to 1,500,000 gallons of drinking water per day at the applicable wholesale water rate. The agreement is effective for a five-year period.

A copy of the agreement is hereby incorporated into these minutes by reference. (Refer to pages 379-386).

City Manager Hildebran reminded Council the City previously modernized its water purchase agreements with other municipalities which have streamlined the City's process in addition to supporting water conservation. It was noted Caldwell County representatives approved the proposed agreement at the Board of Commissioners meeting on Monday, June 3, 2019.

Upon a motion by Mayor Pro-Tem Willis, Council voted 6 to 0 to approve the Caldwell County Water Sales Agreement effective for a five-year period as recommended by City Manager Hildebran.

MINIMUM HOUSING ORDINANCE;

839 CREEKWAY DRIVE:

2. Staff recommended that Council call for a public hearing to be held on Tuesday, June 18, 2019 in accordance with Section 12-12(15) of the Lenoir City Code to consider a Nuisance Declaration Ordinance for property located at 839 Creekway Drive, NCPIN#2840504834 at which time the person notified may appear and be heard, in order for Staff to proceed with the enforcement process.

Planning Director Wheelock explained that Council has to conduct a public hearing due to this being commercial property and clarified this structure was the former

Wrightway Drive Through.

Upon a motion by Mayor Pro-Tem Willis, Council voted 6 to 0 to schedule a public hearing on Tuesday, June 18, 2019 to consider a Nuisance Declaration Ordinance for property located at 839 Creekway Drive as recommended by City Staff.

**MINIMUM HOUSING ORDINANCE;
1519 BARCOSE STREET:**

2. Staff recommended that Council adopt an Order of Abatement for property located at 1519 Barcos Street, Parcel ID#06-64-3-13 and NCPIN#2758264880 directing Staff to proceed with the demolition of the property.

Planning Director Wheelock stated that, although the structure is unfit for human habitation, someone is currently living there illegally. Director Wheelock emphasized the owners were aware of the notice of violation, and following Council's approval, the property would be demolished and a lien would be placed on the property in order to recoup the City's cost.

Michelle Griffin, PO Box 126, Hudson, North Carolina, addressed City Council and stated she did sign for the notification letters from the City, but informed Council her brother lived at this address and he didn't have anywhere else to stay.

City Attorney Rohr stated it is illegal for anyone to be occupying the structure if the property has been declared unsafe by the City.

A copy of the Order of Abatement is hereby incorporated into these minutes by reference. (Refer to pages 387-388).

Councilmember Perdue expressed empathy for the family, but pointed out that Council is responsible for the City of Lenoir and moved to approve the Order of Abatement.

Upon the motion by Councilmember Perdue, Council voted 6 to 0 to approve the Order of Abatement for property located at 1519 Barcos Street as recommended by City Staff.

**MINIMUM HOUSING ORDINANCE;
530 STAGE STREET:**

3. Staff recommended that Council adopt an Order of Abatement for property located at 530 Stage Street, Parcel ID#06-17-1-7D and NCPIN#274-958-1583 directing Staff to proceed with the demolition of the property.

A copy of the Order of Abatement is hereby incorporated into these minutes by reference. (Refer to pages 389-390).

Director Wheelock stated the property is currently vacant and the owner signed for the notice of violations, but she noted they have not abated the property.

Director Wheelock thanked City Council for their support over the years shared a Vacant and Substandard Housing 5-Year Progress Report with City Council regarding the status of the City's abatement process from 2014 forward.

A copy of the report is hereby incorporated into these minutes by reference. (Refer to page 391).

Director Wheelock reported there were over 200 active cases in 2014 when minimum Housing/Code Enforcement was divided between the Lenoir Police Department and the Planning Department. Since that time, 197 cases have been closed out and there are currently 43 cases remaining on the City's Priority List for Minimum Housing. Director Wheelock stated some cases have been sent to strategic foreclosure with the purpose of diverting these properties back into the hands of private individuals.

In addition, she reported that 5 mobile home parks have been closed and 7 more are under code enforcement. One mobile home is still functioning as problematic, but should the renter contact the City, the City meets with the owner and they correct the problem before it moves forward in the code enforcement process.

Upon a motion by Mayor Pro-Tem Willis, Council voted 6 to 0 to approve the Order of Abatement for property located at 530 Stage Street as recommended by City Staff.

**ACCEPTANCE OF OFFER TO PURCHASE;
BEALL STREET:**

4. Staff recommended Acceptance of an Offer to Purchase Real Property in the amount of \$2,500.00 as submitted by Mt. Pilgrim Baptist Church to purchase the property owned by the City of Lenoir located on Beall Street, NCPIN#2749584440, former Beall Street Community Gardens. The legal advertisement for the Notice of Offer to Purchase Real Property will be published in the *News-Topic* starting a ten (10) day upset bid period as required by N.C.G.S. §160A-269 following Council's Acceptance of the Offer to Purchase.

A copy of the Offer to Purchase Real Property is incorporated into these minutes by reference. (Refer to page 392).

Councilmember Perkins asked Council to recuse him from the vote as he serves as the Minister of Mt. Pilgrim Baptist Church.

1st Motion

Upon a motion by Councilmember Stevens, Council voted 5 to 0 to recuse Councilmember Perkins from voting on this issue.

City Manager Hildebran explained the property is located next to Mt. Pilgrim Baptist Church and asked Council to authorize the City Clerk to publish the legal notice in the *News-Topic* to begin the ten day upset bid period. Mr. Hildebran further shared that the deposit has been paid for this request and the item will be placed on the June 18 City Council Agenda for consideration of approval if no upset bids are submitted.

2nd Motion

Upon a motion by Councilmember Perdue, Council voted 5 to 0 to authorize the City Clerk to advertise the legal notice in the *News-Topic* to begin the ten-day upset bid period pursuant to N.C.G.S. §160A-269 regarding the Acceptance of an Offer to Purchase Real Property as described above and in the amount of \$2,500.00 as submitted by Mt. Pilgrim Baptist Church.

**ADDITIONAL REMARKS; COUNCILMEMBER PERKINS; ORDER OF ABATEMENT;
530 STAGE STREET:**

5. Councilmember Perkins informed City Council that he just realized the property being presented for an Order of Abatement at 530 Stage Street is the same property he has seen under construction and being remodeled by individuals. Mr. Perkins reported a lot of work has already been done at this structure and inquired about the process for the approved Order of Abatement.

Planning Director Wheelock stated the property has previously changed owners and is currently abandoned. Director Wheelock stated Staff would verify their information is for the correct property and they would also postpone recording the Order of Abatement at the Register of Deeds office until the situation is clarified. Director Wheelock reported she would present an update to Council regarding the situation at the June 18 City Council Meeting. It was also noted by Council that the Order of Abatement stands as approved.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

ANNOUNCEMENTS; AUTHORITIES/BOARDS/COMMISSIONS:

- A. Mayor Gibbons announced for the general public of the following upcoming new appointments to the Lenoir Tourism Development Authority (LTDA):
Brenda Floyd, Director, J.E. Broyhill Civic Center Service & Catering
Summer Combs, General Manager, Hampton Inn.

Note: These appointments will be placed on the June 18 City Council Agenda for consideration of approval.

IX. REPORT AND RECOMMENDATIONS OF COUNCIL MEMBERS

X. ADJOURNMENT

- A. There being no further business, the meeting was adjourned 6:39 p.m.

Shirley M. Cannon, City Clerk

Joseph L. Gibbons, Mayor

**City of Lenoir
Budget Ordinance
Fiscal Year July 1, 2019 – June 30, 2020**

BE IT ORDAINED by the Lenoir City Council in regular session assembled on June 4th, 2019.

Section 1. That the following amounts are hereby appropriated for the operation of the government of the City of Lenoir and its activities for the fiscal year beginning July 1, 2019, and ending June 30, 2020.

<u>Fund</u>	<u>Estimated Revenues</u>	<u>Fund Balance Appropriated</u>	<u>Total Budget</u>	<u>Appropriated</u>
General	\$17,362,391		\$17,362,391	\$17,362,391
Water & Wastewater	<u>\$8,941,688</u>		<u>\$8,941,688</u>	<u>\$8,941,688</u>
Total	<u>\$26,304,079</u>		<u>\$26,304,079</u>	<u>\$26,304,079</u>

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

Legislative	\$361,628
Administrative	\$569,318
Finance	\$673,767
Planning/Stormwater	\$420,751
Police	\$5,596,837
Fire	\$4,023,077
Recreation	\$1,732,475
Public Works:	
Administrative	\$275,993
Cemetery & Grounds	\$354,526
Building Maintenance	\$318,415
Sanitation	\$829,215
Streets	\$1,990,912
Vehicle Services	<u>\$215,477</u>
Total	<u>\$17,362,391</u>

City of Lenoir
Budget Ordinance
Fiscal Year July 1, 2019 – June 30, 2020

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

<u>DEPARTMENT/DIVISIONS</u>	<u>APPROPRIATION</u>
Admin. & Engineering	\$356,794
Utilities Maintenance	\$331,229
Rhodhiss Water Treatment Plant	\$2,398,350
Water Distribution	\$2,130,166
Wastewater Collection	\$1,135,933
Wastewater Pretreatment	\$185,988
Wastewater Treatment Plants:	
Gunpowder Plant	\$1,093,052
Lower Creek Plant	<u>\$1,310,176</u>
Total	<u>\$8,941,688</u>

Section 4. There is hereby levied for the fiscal year ending June 30, 2020, the following rate of taxes on each one hundred dollars of assessed valuation of taxable property listed as of January 1, 2019, and of registered vehicles in accordance with G.S. 105-330.3(a)(1) for the purpose of raising the revenues from the current year's listed and registered property as set forth in the foregoing estimates of the General Fund revenues and in order to finance the foregoing General Fund appropriations.

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

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

Said General Fund tax rates are based on an estimated total appraisal value of real and personal property for the purpose of taxation of \$2,159,030,146 with an assessment ratio of one hundred percent (100%) of appraised value and estimated collection rate of 96.57%. Said collection rates are based on the actual 2017-2018 collection rates.

City of Lenoir
Budget Ordinance
Fiscal Year July 1, 2019 – June 30, 2020

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

Fund	Estimated Revenues	Fund Balance Appropriated	Total Budget	Appropriated
Special Downtown District	\$183,736		\$183,736	\$183,736
Tourism Development	<u>\$75,000</u>		<u>\$75,000</u>	<u>\$75,000</u>
TOTAL	<u>\$258,736</u>		<u>\$258,736</u>	<u>\$258,736</u>

Section 6. There is hereby levied for the fiscal year ending June 30, 2020, the following rate of taxes on each one hundred dollars of assessed valuation of taxable property listed as of January 1, 2019, and of registered vehicles in accordance with G.S. 105-330.3(a)(1) for the purpose of raising the revenues from the current year's listed and registered property set forth in the foregoing estimates of Special Downtown District Fund revenues and in order to finance the foregoing Special Downtown District Fund appropriations.

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

Said Special Downtown District tax is based on an estimated total appraised value of property for the purpose of taxation of \$ 13,217,768 with an assessment ratio of one hundred percent (100%) of appraised and registered real and personal property value. The estimated collection rate is 96.57%.

Section 7. It is estimated that \$75,000 in revenue will be available in the Tourism Development Fund for the fiscal year beginning July 1, 2019 and ending June 30, 2020.

City of Lenoir
Budget Ordinance
Fiscal Year July 1, 2019 – June 30, 2020

Section 8. Water & Sewer rates are established to be effective July 1, 2019 according to the following schedule:

	Water Inside Corporate Limits	
0-1,000 gallons		\$10.54
Over 1,000 gallons		\$3.33 per 1,000 gallons
	Sewer Inside Corporate Rates	
1-1,000 gallons		\$9.24
Over 1,000 gallons		\$3.91 per 1,000 gallons
	Water Outside Corporate Limits	
0-1,000 gallons		\$21.08
Over 1,000 gallons		\$6.67 per 1,000 gallons
	Sewer Outside Corporate Limits	
0-1,000 gallons		\$18.49
Over 1,000 gallons		\$7.83 per 1,000 gallons
	Resale Water	
\$2.22 per 1,000 gallons		
	Resale Sewer	
\$3.87 per 1,000 gallons		

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

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

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

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

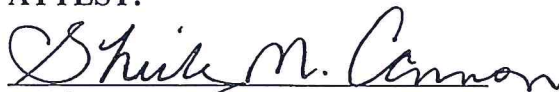
Fiscal Year July 1, 2019 – June 30, 2020

Adopted this 4th day of June, 2019.

SEAL


Joseph L. Gibbons, Mayor

ATTEST:


Shirley M. Cannon, City ClerkCITY OF LENOIR, NC
CHARTERED
JANUARY 28, 1851

SEAL

CITY OF LENOIR
2019 UNIFOUR CONSORTIUM HOME PROGRAM
CAPITAL PROJECT BUDGET ORDINANCE

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

Section 1. The project authorized is the HOME project described in the work statement contained in the Grant Agreement (#M19-DC370208) between this unit and the United States Department of Housing and Urban Development. This project is more familiarly known as the FY-2019 Unifour Consortium HOME Program (City of Lenoir, is the lead entity).

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

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

Revenue from HOME Grant	\$1,102,000
Anticipated Program Income	<u>350,000</u>
Total Revenues	\$1,452,000

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

Downpayment Assistance (HOME Funds)	\$312,500
Downpayment Assistance (From Program Income Funds)	50,000
HOME CHDO	165,300
Multi-Family Housing	514,000
New Construction (From Program Income Funds)	300,000
General Program Administration	<u>110,200</u>
Total Expenditures	\$1,452,000

Section 5. The Finance Officer is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to provide the accounting to the grantor

agency required by the grant agreement(s) and Federal and State regulations.

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

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

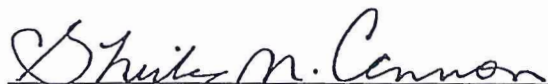
Section 8. The Budget Officer is directed to include a detailed analysis of past and future cost and revenues on this grant project in every budget submission made to this Board.

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

Adopted this the 4th day of June, 2019.



Mayor



Clerk

CITY OF LENOIR, NC
CHARTERED
JANUARY 28, 1851

SEAL

CITY OF LENOIR
2019 COMMUNITY DEVELOPMENT BLOCK GRANT
CAPITAL PROJECT BUDGET ORDINANCE

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

Section 1. The project authorized is the Community Development Project described in the work statement contained in the Grant Agreement (#B-19-MC-37-0022) between this unit and the United States Department of Housing and Urban Development. This project is more familiarly known as the FY-2019 CDBG Entitlement Program.

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

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

Revenues

Community Development Block Grant	\$135,877
Total Revenues	\$135,877

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

Expenditures

Public Facilities (Lenoir High School)	\$108,702
Program Administration	27,175
Total Expenditures	\$135,877

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

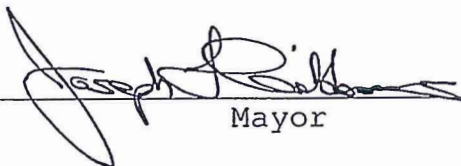
Section 6. Funds may be advanced from the General Funds for the purpose of making payments as due. Reimbursement requests should be made to the grantor agency in an orderly and timely manner.

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

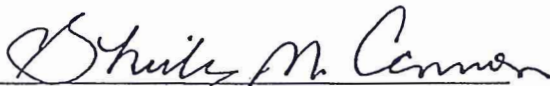
Section 8. The Budget Officer is directed to include a detailed analysis of past and future cost and revenues on this grant project in every budget submission made to this Board.

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

Adopted this the 4th day of June, 2019.



Mayor



Clerk

CITY OF LENOIR, NC
CHARTERED
JANUARY 28, 1851

SEAL

ORDINANCE #2019-2

CAPITAL PROJECT BUDGET ORDINANCE TO CLOSE CAPITAL PROJECT
FOR THE CITY OF LENOIR

WHEREAS, the City Council of the City of Lenoir has adopted a Budget Ordinance for fiscal year beginning July 1, 2018, and ending June 30, 2019, in accordance with the General Statutes of the State of North Carolina, and

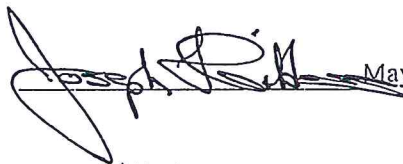
WHEREAS, the City Council desires to recognize the completion of the following Capital Project and

WHEREAS, The City adopted the Capital Project Budget Ordinance for the Water System Asset Inventory Grant on the 6th day of June, 2017 with a total project budget of \$80,000. This project was complete as of May of 2019 with total expenditures of \$79,200 and In-Kind contributions with a value of \$1,027 were utilized,

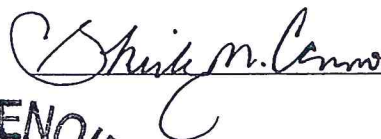
NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LENOIR, NORTH CAROLINA, THAT:

The Capital Project Budget Ordinance for the Water System Asset Inventory Grant be closed.

Adopted this 4th day of June, 2019

 Mayor

Attest:

 City Clerk

CITY OF LENOIR, NC
CHARTERED
JANUARY 28, 1851

SEAL

ORDINANCE #2019-3

CAPITAL PROJECT BUDGET ORDINANCE TO CLOSE CAPITAL PROJECT
FOR THE CITY OF LENOIR

WHEREAS, the City Council of the City of Lenoir has adopted a Budget Ordinance for fiscal year beginning July 1, 2018, and ending June 30, 2019, in accordance with the General Statutes of the State of North Carolina, and

WHEREAS, the City Council desires to recognize the completion of the following Capital Project and

WHEREAS, The City adopted the Capital Project Budget Ordinance for the Wastewater System Asset Inventory Grant on the 6th day of June, 2017 with a total project budget of \$140,000. This project was complete as of May of 2019 with total expenditures of \$127,564 and In-Kind contributions with a value of \$3,059 were utilized,

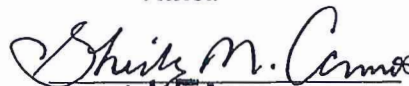
NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LENOIR, NORTH CAROLINA, THAT:

The Capital Project Budget Ordinance for the Wastewater System Asset Inventory Grant be closed.

Adopted this 4th day of June, 2019

 Mayor

Attest:

 City Clerk

CITY OF LENOIR, NC
CHARTERED
JANUARY 28, 1851

SEAL

2018-2019 Fiscal Year Budget Amendment Ordinance 2019-02 4-Jun-19			
Request for amendments to be made to the annual budget			
Item 1: Adjustments to the General Fund with a zero net effect to fund balance.			
Account Number	Department	Decrease	Increase
4110	LEGISLATIVE		12,500.00
4120	ADMINISTRATIVE	20,000.00	
4130	FINANCE	30,000.00	
4250	VEHICLE SERVICES		7,500.00
4260	BUILDING MAINT.	10,000.00	
4340	FIRE SUPPORT SERVICES		17,500.00
4510	STREET ADMIN	10,000.00	
4511	STREET MAINTENANCE		100,000.00
4512	STREET TRAFFIC CONTROL	50,000.00	
4710	SANITATION	40,000.00	
4740	CEMETERIES		20,000.00
4930	STORMWATER	15,000.00	
6121	AQUATIC		20,000.00
6123	MLK		7,500.00
6130	PARKS	10,000.00	
	Total Increases/Decreases	185,000.00	185,000.00
Net Effect to General Fund		-	-

Item 2: Adjustments to the Lenoir Tourism Development Fund with a zero net effect to fund balance.			
Account Number	Department	Decrease	Increase
LTDA - FUND 12			
4940	INCREASE REVENUE		20,000.00
4940	INCREASE CONTRACTED SERVICES		20,000.00
Net Effect to General Fund		-	-

Item 3: Adjustments to the Water/Enterprise Fund with a zero net effect to fund balance.			
Account Number	Department	Decrease	Increase
WATER FUND			
7131	WATER DIST.	65,000.00	
7133	WATER ADMIN		65,000.00
Net Effect to Water Fund		-	-

STATE OF NORTH CAROLINA
COUNTY OF CALDWELL

AGREEMENT TO PURCHASE WATER

THIS CONTRACT is made and entered into this 1st day of July, 2019 by and between the City of Lenoir, a North Carolina Municipal Corporation hereinafter referred to as "Lenoir" and the County of Caldwell, hereinafter referred to as "Caldwell County".

WITNESSETH

WHEREAS, Lenoir and Caldwell County, both having the power and authority to enter into this agreement, and the signatories hereto have been authorized to execute this document on behalf of the Lenoir City Council and the Caldwell County Commission; and

WHEREAS, Lenoir currently owns and operates a water treatment and distribution system, and is engaged in the enterprise of managing, operating, and maintaining said system and selling potable water to the public within its service area; and

WHEREAS, Caldwell County owns and operates a water distribution system, and is also engaged in the enterprise of managing, operating, and maintaining the system and selling potable water to the public within its service area; and

WHEREAS, Lenoir and Caldwell County mutually desire to enter into an agreement to sell and purchase water in accordance with the terms and provisions contained herein; and

WHEREAS, Lenoir has determined that it has the capability to sell water to Caldwell County throughout the term of this agreement without impairing services to the users connected to its water system; and

WHEREAS, Lenoir and Caldwell County each has or holds and will continue to have or hold throughout the term of this agreement, all appropriate permits necessary to effectuate their respective responsibilities under this agreement or will use their best efforts to obtain such permits;

NOW THEREFORE, in consideration of the mutual covenants, conditions and terms contained herein, the parties hereto, intending to be legally bound hereby, agree as follows:

1. This agreement shall commence on the 1st day of July, 2019, and unless earlier terminated in accordance with the terms herein, shall expire on the 30th day of June, 2024 (Hereinafter referred to as the "Water Service Period".)

2. Lenoir agrees to provide and sell to Caldwell County up to 1,500,000 GALLONS (ONE MILLION FIVE HUNDRED THOUSAND) of potable water maximum daily flow, measured through metered connections which are located, prescribed and maintained by Lenoir, at or above minimum State of North Carolina and Federal Standards for Public Water. Such maximum daily flow shall be based on a thirty (30) day average daily flow.

Both Lenoir and Caldwell County shall annually conduct a mutual review and joint analysis for planning purposes of past and projected future water usages and needs. The Parties shall share appropriate information and data with each other to facilitate such review and planning.

3. Caldwell County agrees to use best efforts not to exceed the above maximum daily flow provided for in Section 2 of this agreement, unless Lenoir expressly agrees that said maximum daily purchase(s) may exceed 1,500,000 gallons for a specified period of time.
4. The water purchased by Caldwell County from Lenoir shall be transmitted on a continuous basis unless there is an unforeseen break, outage or interruption of Lenoir's water supply or water distribution system. In which case, Lenoir shall notify Caldwell County of the circumstances and provide timely updates so as to keep Caldwell County informed of the status of repairs or remedy(ies) for any such interruption.
5. Caldwell County agrees to timely pay Lenoir for water purchased on a monthly basis, in accordance with invoices, which shall be based upon meter readings conducted by Lenoir at all metered connections between the Lenoir and Caldwell County water systems. Lenoir agrees to read said water meters monthly and deliver to Caldwell County a written report summarizing said meter readings within fifteen (15) working days of each monthly meter reading. Lenoir will submit to Caldwell County a written invoice based on such meter readings by the 20th day of the following month. Caldwell County agrees to pay Lenoir the amounts of each such monthly invoice within 30 calendar days of the date of each invoice.
6. The initial Base Water Rate charged to Caldwell County for water purchases shall be \$2.22 per one thousand gallons of water provided by Lenoir to Caldwell County. In the event the average daily flow during any monthly billing period exceeds the maximum daily flow of 1,500,000 gallons, the following surcharges (The "Surcharge Rate") will apply to the overage:

(1,500,001) to (1,550,000) gallons - \$2.44/1000 gallons
(1,550,001) to (1,600,000) gallons - \$2.68/1000 gallons
(1,600,001) gallons or more \$2.95/1000 gallons

Over the term of this agreement or any extension thereof, Lenoir may, at its sole discretion, increase the Base Water Rate and /or the Surcharge Rate as it deems necessary. Lenoir shall not increase said rates to Caldwell County more

than one time during any fiscal year of twelve (12) months ending on June 30 of each year. Lenoir agrees to notify Caldwell County in writing of planned increases with an explanation of the factors used to determine set increase in rates at least ninety (90) days prior to June 30 of any fiscal year, with rate increases that are to become effective on July 1 of that same year. Provided, however, that the percentage of any increase in the rate charged to Caldwell County shall not exceed the percentage of increase in the rate charged to any other City of Lenoir water customer.

7. Lenoir agrees to maintain /repair /replace existing Lenoir water meters at the connection point(s) between the Lenoir and the Caldwell County water system as may be necessary to accurately measure the flow of water through the meter(s) to Caldwell County under this agreement.

Lenoir shall calibrate such metering equipment whenever requested in writing by Caldwell County, but not more frequently than once every twelve (12) months. A meter registering not more than two percent (2%) above or below the test result shall be deemed to be accurate. The previous reading of the meter disclosed by test to be inaccurate shall be corrected for the three (3) months previous to such test in accordance with the percentage of inaccuracy found by such tests. If the meter fails to register for any period, the amount of water furnished during such period shall be deemed to be the amount of water delivered to the corresponding period immediately prior to the failure. A designated official of Caldwell County shall at all reasonable times have access to the meters for the purpose of verifying their readings.

8. Caldwell County shall provide a minimum of 180 days advance written notice to Lenoir prior to the expiration of this initial 5-year term, stating either 1) the desire to renew said agreement, or 2) the intent to terminate said agreement. Caldwell County may elect to extend the agreement for an additional 5-year period under the same terms and conditions.
9. In the event that Caldwell County elects not to extend this agreement, Lenoir shall continue to provide and sell water to Caldwell County, under the same terms of the agreement, until Caldwell County has had sufficient opportunity to secure an alternate source(s) of potable water; however, Lenoir shall not be bound to continue to provide and sell water to Caldwell County beyond a period of twenty-four (24) months past the date of its written notification to Caldwell County of its intention not to extend this agreement.
10. Caldwell County agrees that Caldwell County and its water customers shall, during the period of this agreement, abide by and adhere to all water use policies, restrictions, and ordinances adopted now or subsequently adopted by Lenoir, of which they are subsequently notified, which impose water use restrictions, water conservation requirements, moratoriums, and other such limitations on the use of water during times of emergency or drought conditions or during other situations which for public health or financial

reasons justify said policies, restrictions, and ordinances.

11. Lenoir shall promptly notify Caldwell County upon becoming aware of any activity, problem or circumstance within the Lenoir system that might present a danger to the health, safety and welfare of Caldwell County water users. Further, Lenoir shall take appropriate action to remedy such activity, problem or circumstance within the Lenoir system and to avoid or minimize disruptions in service.
12. In the event of damage or destruction of Lenoir's key water facilities or any emergency which, in the reasonable judgment of Lenoir, is likely to result in material loss or damage to the system or constitute a material threat to human health or safety, Lenoir may suspend operation of its water system, after thirty (30) days written notice to Caldwell County of such actions unless in the event of an emergency. Lenoir's response to emergencies and other such unusual circumstances shall be in accordance with applicable policies, regulations, laws and requirements and with such personnel and equipment as necessary to maintain or restore the operations of its water system in a timely manner with the least possible disruption or inconvenience to the users connected to both the Lenoir and Caldwell County water systems.
13. Upon notification by Caldwell County to Lenoir, Caldwell County may resell, give away, transfer or otherwise dispose of water purchased from Lenoir to third-party water systems. This notification should include information on the expected water usage and duration of transaction.
14. Caldwell County agrees to permit Lenoir to pass water through Caldwell County's water distribution system to destinations and/or to other third-party water systems beyond the Caldwell County system, provided that Lenoir:
 - a) Submits a written notice to Caldwell County outlining the agreed-upon purposes, quantities and conditions of said pass through of water.
 - b) That said request does not significantly diminish Caldwell County's capacity to provide services to its water customers.
 - c) Lenoir subsequently pays to Caldwell County a Pass Through charge of \$0.03 (3 cents) per 1000 gallons of pass through water. Caldwell County may request a modification of such charge with ninety (90) days advance written notice during the period of this agreement, at which time a new price will be negotiated between Lenoir and Caldwell County.
 - d) Lenoir agrees to install metering equipment to measure and determine the quantities or such Pass Through water passing through Caldwell County's water system and report monthly to Caldwell County such amounts and meter readings.

15. Lenoir and Caldwell County both represent that no litigation is pending or threatened against either party which would impair their ability to perform their respective duties and obligations under the terms, covenants and provisions of this agreement.

16. Resolution of Disputes

The Parties agree that should any disputes arise under this agreement, including but not limited to disputes pertaining to services, rates, or invoices, said disputes shall be resolved, if at all possible, through good faith negotiations between the parties. It is the intent of Lenoir and Caldwell County that pursuit of legal action shall be a remedy of last resort and that a negotiated resolution, including the use of outside experts or mediators, shall be the preferred means of resolving disputes hereunder.

17. Default and Termination

This agreement may be terminated prior to its stated expiration date by Lenoir or Caldwell County in accordance with the terms and conditions set forth below.

- A. Termination for cause by Lenoir. Upon the happening of any of the following events of default by Caldwell County, Lenoir shall have the right to terminate this agreement:

- a) The failure of Caldwell County to perform or observe and initiate a cure after thirty (30) days advance written notice any of its material covenants, agreements, obligations and/or duties created by this agreement.
- b) The failure of Caldwell County to make any payment required pursuant to the terms of this agreement within sixty (60) days of its receipt of notice from Lenoir that any such payment is overdue, except in the event of a good faith dispute over the amount of any invoice provided; however, that the County shall timely pay the undisputed portion if any of such disputed invoice.

- B. Termination for cause by Caldwell County. Upon the happening of any of the following events of default by Lenoir, Caldwell County shall have the right to terminate this agreement:

- a) The failure of Lenoir to perform or observe any of its material covenants, agreements, obligations and/or duties created by this agreement.
- b) The failure of Lenoir to provide Caldwell County with the amounts of water in accordance with the terms of this agreement or to provide adequate water quality for Caldwell County within standards established by the North Carolina Department of Environmental Quality or any other governmental agency with designated jurisdiction over said water quality parameters as provided in this agreement.

18. Upon the happening of any event which may constitute good cause for termination of this agreement as stated above, the aggrieved party shall provide written notice to the party committing the alleged violation setting forth in detail the alleged failure and/or deficiency. Thereafter, within thirty (30) days of receipt of notice of the alleged default, the parties to this agreement shall meet to discuss the circumstances and attempt to reach a resolution.
19. **NOTICES:** For the purposes of this agreement, all notices required shall be deemed to have been properly served and shall be only served when posted by Certified United States Mail, Postage Prepaid, Return Receipt Requested, Addressed to the Party to whom directed at the address herein set forth or at such other address as may from time to time be designated in writing by either party:

To Lenoir:

City of Lenoir
Scott E. Hildebran, City Manager
PO Box 958
Lenoir, North Carolina 28645

To Caldwell County:

County of Caldwell
Stan Kiser, County Manager
905 West Avenue NW
Lenoir, North Carolina 28645

20. This agreement embodies the entire agreement between the parties in connection with this transaction, and there are no oral or parole agreements, representations or inducements existing between the parties relating to this transaction, which are not expressly set forth herein. This agreement may not be modified except by a written agreement signed by all parties to this agreement. Neither party shall be entitled to sell, convey or otherwise alienate the rights and obligations created herein without the prior written permission of the other party to this agreement. This agreement is non-assignable.
21. Nothing contained herein shall be construed to place the parties in the relationship of partners or joint ventures, and neither party shall have the power to obligate or bind the other party in any manner whatsoever. No joint agency is established by this Agreement pursuant to Article 20, Part 1 of Chapter 160A of the North Carolina General Statutes, by other similar statutory authority authorizing interlocal cooperation between units of local government, or otherwise.
22. No written waiver by any party to this agreement at any time of any breach of any other provision of this agreement shall be deemed a waiver of a breach of any provision herein or consent to any subsequent breach of the same or any other provision.
23. The captions and article numbers appearing in this agreement are inserted only as a matter of convenience and do not define, limit, construe or describe

the scope of such paragraphs or articles of this agreement or in any way affect this agreement.

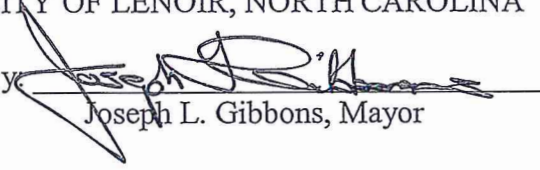
24. This agreement shall be governed by and interpreted in accordance with the laws of the State of North Carolina.
25. Words of any gender used in this agreement shall be held to include any other gender, and words in the singular number shall be held to include the plural, when the sense requires.
26. If any provision under this agreement or its application to any person or circumstance is held invalid by any court of competent jurisdiction, such invalidity does not affect any other provision of this agreement or its application that can be given effect without the invalid provision or application.
27. This agreement may be executed in any number of counterparts, each of which when so executed and delivered shall be deemed an original, and it shall not be necessary in making proof of this agreement to produce or account for more than one such fully executed counterpart.
28. Except as provided herein, the rights and remedies provided for in this agreement are cumulative and are not exclusive of any rights or remedies that any party may otherwise have at law or in equity.

IN WITNESS WHEREOF, the parties have executed this agreement on the day and year first above written.

CITY OF LENOIR, NC
CHARTERED
JANUARY 28, 1851

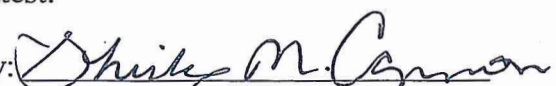
CITY OF LENOIR, NORTH CAROLINA

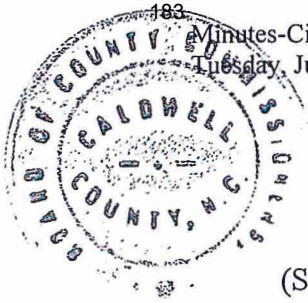
By:


Joseph L. Gibbons, Mayor

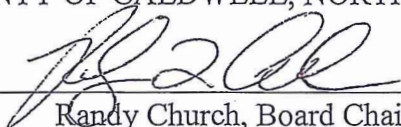
(SEAL)
Attest.

By:

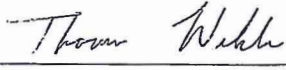

Shirley M. Cannon, City Clerk



COUNTY OF CALDWELL, NORTH CAROLINA

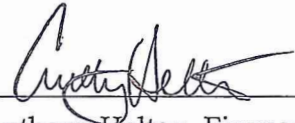
By: 
Randy Church, Board Chair

(SEAL)
Attest:

By: 
Thomas Welch, Clerk to the Board

This agreement has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

By: 
Donna Bean, Finance Officer
City of Lenoir

By: 
Anthony Helton, Finance Director
County of Caldwell

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

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

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

WHEREAS, the owner of this dwelling, **Stephen Eugene Story**, has been given a reasonable opportunity to bring the dwelling up to the standards of the Minimum Housing Standards accordance with G.S. 160A-443 (5) pursuant to an order issued by the Minimum Housing Inspector on April 23, 2019 and the owner has failed to comply with the order;

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

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

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

on the building located at the following address: **1519 Barcoose St.**
Lenoir, North Carolina.
Parcel-ID 06 64 3 13
NCPIN 2758264880

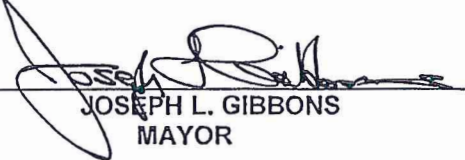
Section 2. The Minimum Housing Inspector is hereby authorized and directed to proceed to remove or demolish the described above dwelling in accordance with this Order, and in accordance with the City of Lenoir Minimum Housing Code, and NCGS Chapter 160A, Article 19, Part 6.

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

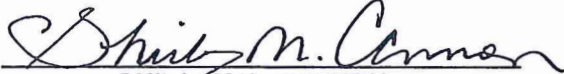
Section 4. It shall be unlawful for any person to remove or cause to be removed the placard from any building to which it is affixed. It shall be likewise unlawful for any person to occupy or to permit the occupancy of any building therein declared to be unfit for human habitation.

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

Adopted this the 4th day of June, 2019.


JOSEPH L. GIBBONS
MAYOR

ATTEST:


SHIRLEY M. CANNON
CITY CLERK

APPROVED AS TO FORM:


TIMOTHY J. ROHR
CITY ATTORNEY

CITY OF LENOIR, NC
CHARTERED
JANUARY 28, 1851

SEAL

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

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

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

WHEREAS, the owner of this dwelling, **DSV SPV 3 LLC**, has been given a reasonable opportunity to bring the dwelling up to the standards of the Minimum Housing Standards accordance with G.S. 160A-443 (5) pursuant to an order issued by the Minimum Housing Inspector on October 4th, 2018 and the owner has failed to comply with the order;

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

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

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

on the building located at the following address: **530 Stage St.**
Lenoir, North Carolina.
Parcel-ID 06 17 1 7D
NCPIN 2749581583

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

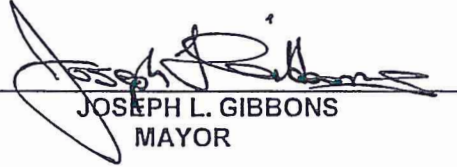
Section 3. The cost of demolition and improvement of the lot shall be a tax lien on the real property as provided by G.S. 160A-443 (6).

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

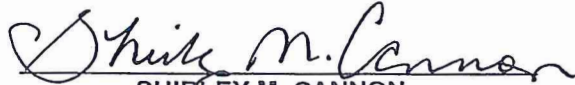
Minutes-City of Lenoir Council Meeting

Section 5. A copy of this ordinance shall be recorded in the Register of Deeds of 390
Tuesday, June 4, 2019 Caldwell County, North Carolina, and indexed in the name of the property owner or
owners in the grantor index.

Adopted this the 4th day of June, 2019.


JOSEPH L. GIBBONS
MAYOR

ATTEST:


SHIRLEY M. CANNON
CITY CLERK

CITY OF LENOIR, NC
CHARTERED
JANUARY 28, 1851

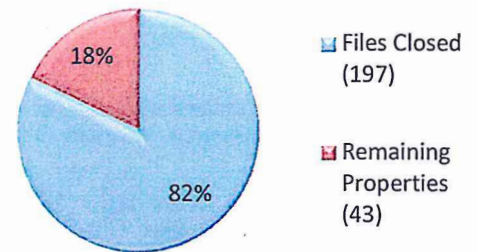
APPROVED AS TO FORM:


TIMOTHY J. ROHR
CITY ATTORNEY

SEAL

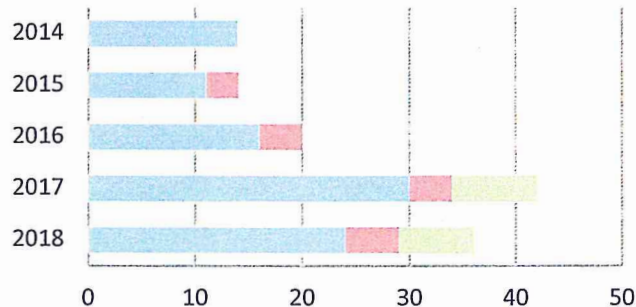
- In 2014, the City split code enforcement duties between the Planning and Police Departments (prior to 2014 nuisance/grass cases were also handled by the Planning Department).
- A "Minimum Housing Priority Formula" was created in order to address the backlog of 240+ open and/or reported minimum housing violations.
- In 2017, Council authorized staff to pursue "strategic" tax foreclosures on properties that were tax delinquent rather than using traditional code enforcement with city abatement.
- Currently, we have 18 active minimum housing cases.

Minimum Housing Priority Formula List 2014-Present



Minimum Housing Abatements* 2014 - 2018

(*repaired and/or demolished)



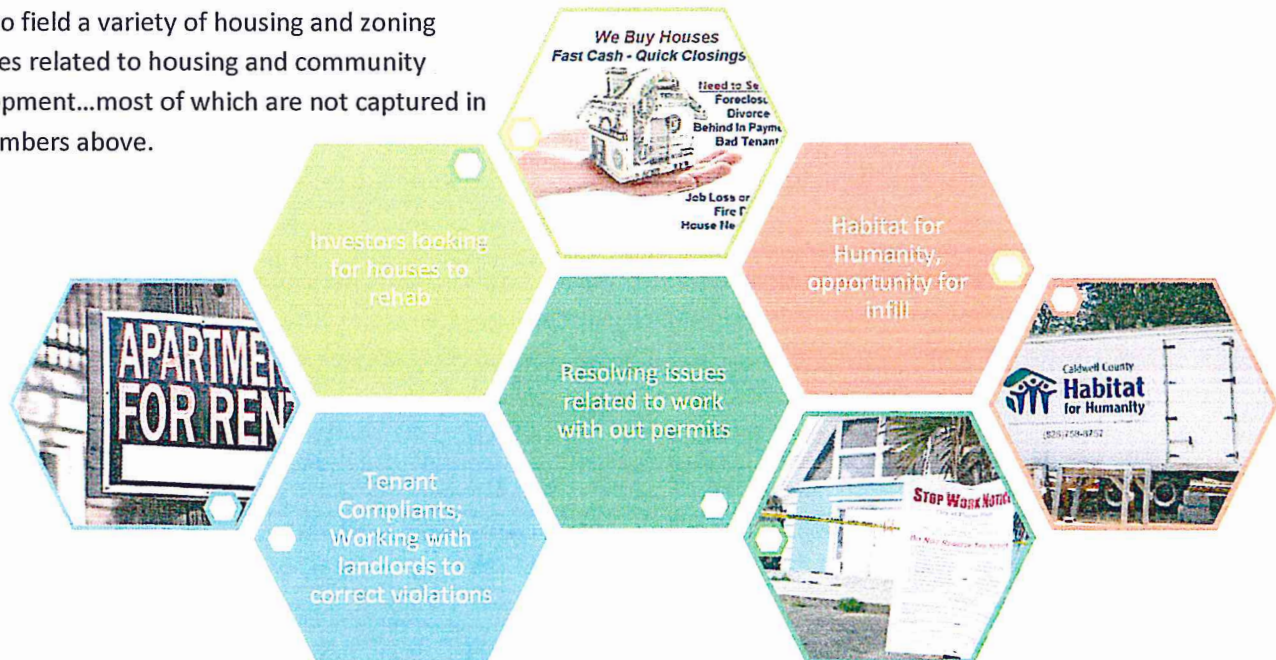
	2018	2017	2016	2015	2014
Owner Abated	24	30	16	11	14
City Abated	5	4	4	3	0
Tax Foreclosure	7	8	0	0	0

Mobile Home Park Annual Inspections

- Failed Inspection; Permanently Closed
- Failed Inspection; Brought Into Compliance
- Passed Inspection



We also field a variety of housing and zoning inquiries related to housing and community development...most of which are not captured in the numbers above.



Date: May 29, 2019

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

Mr. Hildebran:

Please accept this letter as my official bid offer of \$ 2,500⁰⁰ for property owned by the City of Lenoir and located at Beall St (Community Gardens), further identified by NC PIN 2749584440.

Furthermore, I understand that (check any/all that apply):

- ☐ 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,

 (please sign)

Full Name: Ike Perkins (Mt. Pilgrim Baptist Church)

Phone number: 828-729-5892

Email: ikeperk@charter.net

Mailing Address: 539 Willow Street NW

§ 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.)

**COMMITTEE OF THE WHOLE
CITY HALL, THIRD FLOOR
TUESDAY, MAY 28, 2019
8:30 A.M.**

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

City Manager Hildebran, City Clerk Cannon, Police Chief Phelps, Fire Chief Hair, Economic Development Director Horn, Finance Director Bean, Recreation Director Story, Planning Director Wheelock, Public Utilities Director Thomas, and Public Works Director Wright.

ABSENT: Councilmember Jonathan Beal and Public Information Joshua Harris.

Note: Councilmember Rohr's seat is vacant on City Council due to his accepting the position of City Attorney.

OTHERS: Virginia Annable, *News-Topic*, Austin Helms, Summer Intern.

I. CALL TO ORDER

A. Mayor Pro-Tem Willis welcomed everyone and called the meeting to order.

II. CITIZEN COMMENT PERIOD

III. COMMITTEE ITEMS

A. Public Utilities/Public Works

1. Public Utilities Director Radford Thomas updated City Council on the following items:
 - a) Water Treatment Plant Project #1 is now complete and has been closed out.
 - b) The mechanical pre-treatment for Project #2 was completed last week and he anticipates two new filters to be completed this week. Staff's goal is to be substantially complete by the end of the week for both projects. A tour will be scheduled in September for City Council members and Department Directors. Director Thomas stated the contractor for these projects has been great to work with and mentioned the timeline for both projects was fifteen (15) months.
 - c) The City has purchased a dryer from Gryphon for the Bio-Solids project and he reported a kickoff meeting is scheduled for Thursday, May 30 for the Meter Sys Project. The City will replace its larger meters first.
 - d) A Service Agreement with McGill Associates of Hickory, NC, for the Engineering Services for the Design and Construction of the Crossroads Sewer Line Improvement Project will be placed on the June 4 City Council Agenda for consideration of approval by Council. This project is slated to begin the first of August.

2. Public Works Director Jared Wright reported on the following items:
 - a) Director Wright thanked City Council and Staff for recognizing and honoring the Staff of Public Works during National Public Works Week in May.
 - b) The installation of crossover drain pipe for the Firing Range Road is almost complete and he mentioned the road is in good shape.
 - c) Stone has been placed on the northern section of the Overmountain Victory Trail and they plan on paving a new section of the Greenway at the Wilson Field Soccer Complex.
 - d) Director Wright and Planning Director Wheelock attended a Transportation Advisory Meeting (TAC) at the Western Piedmont Council of Governments (WPCOG) and learned the City of Lenoir's funding request for the Hospital Avenue Sidewalk Project regarding right-of-way easements will not be affected with the allocation of the NCDOT funding.
 - e) Freese Nichols is doing a great job compiling a database of Lenoir's stormwater systems.
 - f) Building Maintenance Staff is reviewing new lighting options for placement at the City's entrance way signs plus options for downtown lighting.
 - g) Staff continues to work on the Charters of Freedom that are being placed next to the Caldwell County Historic Courthouse with very low cost to the City.
 - h) Director Wright led a brief discussion regarding nuisance issues. He related that some property owners were leaving items out for Sanitation Staff to pick up that were not eligible items the City picked up. He shared these areas were unsightly and he has talked with Director Wheelock and Police Chief Phelps about ways to address this by City ordinance. It was also noted that grass has to be 12" high before the City can cite the property owner. City Manager Hildebran stated he would have City Attorney Rohr to review this issue to see what the City's requirements are regarding ways to address these issues.

IV. COMMUNITY DEVELOPMENT

- A. Lenoir Tourism Development Authority: The Lenoir Tourism Development Authority (LTDA) met on Thursday, April 25 with Chris Cavanaugh, Magellan Strategic Group, for a Strategic Planning Session. Kaylynn Horn, Economic Development Director, reported the Board also discussed destination marketing organization updates at its March 21 meeting. In addition, Director Horn shared the Board approved a request of \$12,422 to place billboards on US Hwy 321 highlighting the Main Street program.

Director Horn led a brief discussion regarding interest from people wishing to purchase a space downtown. She stated the recent code changes would make it easier for builders to make improvements to these buildings.

- B. Lenoir Business Advisory Board: The Lenoir Business Advisory Board met on Thursday, May 9. Minutes of the April 11 meeting were submitted as information. Kaylynn Horn, Economic Development Director, reported on recent events that included Touch a Truck, Bloom Blast and Cycle to Serve. She further reported that the new Salad Bar restaurant along with the Piesmith restaurant are open. Director Horn also mentioned the former Red Carpet Inn has been demolished and a new

carwash will be replacing it.

- C. Planning Board: The Planning Board met on Monday, May 20. Planning Director Jenny Wheelock reported on the following items.
1. A public hearing is scheduled for Tuesday, June 18 to consider designating the Lenoir Cotton Mill and Blue Bell, Inc. Plant as historic landmark sites.
 2. Staff will be submitting several orders of abatements for structures on Creekway Drive, Barcos Street and Fairview Drive for Council's consideration. Director Wheelock reported Staff has not been successful in receiving owner cooperation or can't locate the property owner.

Next, Director Wheelock recommended that Mayor Joe Gibbons be appointed to serve as the City's Alternate Member on the Western Piedmont Council of Government's (WPCOG) Metropolitan Organization (MPO) Committee and affirm that Mayor Pro-Tem Ben Willis is still the City of Lenoir's delegate on the MPO Committee.

Note: While the MPO is housed under the WPCOG, this Board is a separate Board from the WPCOG's Policy Board, which the Council recently "swapped" the appointed delegates in order to have Mayor Gibbons serve as the primary delegate and Mr. Willis to serve as the alternate. The MPO's TAC committee approves the spending plan for federal transportation dollars for the region and is made of up elected officials representing each of the local governments in the MPO.

Mayor Pro-Tem Willis emphasized that Lenoir needs a representative on the committee in order to vote on issues that are important to the City. He clarified this Board meets on the last Wednesday of each month at 2:00 p.m. at the WPCOG's facility. Councilmember Thomas volunteered to serve as the City's Delegate on this Board with Mayor Joe Gibbons to serve as the Alternate.

Motion

Upon a motion by Councilmember Perdue, Council voted 5 to 0 to appoint Councilmember Thomas as the City's Delegate and Mayor Gibbons as the City's Alternate to the WPCOG's Metropolitan Planning Organization Board.

- D. Parks & Recreation Advisory Board: The Parks & Recreation Advisory Board did not meet in May. Kenny Story, Recreation Director, presented the following report.
- 1) Reported the first End of School Blast held on Saturday, May 25 was a huge success with a good turnout.
 - 2) Reported the outdoor pool at the Aquatic & Fitness Center opened on Saturday, May 25, but stated the Health Department did not approve the outdoor slides to be opened yet due to an issue regarding the drains in the pool.
 - 3) The summer baseball and softball programs are going well.
 - 4) A ceremony will be held in mid-June for the re-opening of the J. E. Broyhill Park following completion of all of the improvement projects.
 5. Police Department Staff continues to monitor cameras that have been installed at the J. E. Broyhill Park for security measures.
 6. New equipment is scheduled to arrive this week for the Optimist Park

playground. Also, Director Story reported a new parking area is planned for the Park. The entrance way was moved due to the new section of the Greenway that will travel through the Park; however, everyone will still have access to the other entrance.

7. CCC&TI's Women's Softball Team will be playing at Optimist Park in the Fall and the dugouts will be extended plus the batting cage.
8. Isaiah Whitner, Boy Scout, has placed a second bicycle pump at the Lenoir Soccer Complex as part of his process in working to earn Eagle Scout.

- E. Financial Summary: Finance Director Bean reviewed the Financial Summary as of April 30, 2019. The over/under balance in the General Fund is \$1,772,798.93, Downtown District (\$88,677.61), and Water & Sewer Fund \$2,310,307.67. Director Bean stated the City is 89% above what was budgeted for the General Fund and that departmental expenditures were currently lower. She also stated revenue in the Water & Sewer fund has increased.

In addition, Director Bean reported that sales tax collections have increased and pointed out the year-to-date collected amounts are up approximately 5%. (A copy of the April financial summary is attached to these minutes as information.)

- F. P & L Workers Comp Comparison Chart: City Manager Hildebran informed Council the City's current insurance policy with the North Carolina League of Municipalities (NCLM) expires July 1, 2019. He stated the City initiated a competitive bid process in February 2019 with formal bids being received on May 13, 2019. The bid proposals were reviewed by McNeary Consulting Services. As an option, McNeary also requested quotes for Umbrella Liability with a \$5,000,000 limit. The NCLM quoted an annual premium of \$21,000. The Umbrella Liability would provide an additional \$5,000,000 limit over the Auto Liability, General Liability, Employment Practices, Public Officials and Police Professional Liability coverages. (A copy of their memorandum and recommendation along with a copy of the submitted premium comparisons chart is attached to these minutes as information).

McNeary Consulting Services recommended the City of Lenoir renew its coverages with the NCLM. It was noted the NCLM was the most competitively priced program plus offered additional enhancements that were not included in the other two proposals from Granite Insurance and Surry Insurance.

Mr. Hildebran reiterated that additional coverage for cyber liability and drone coverage will cost the City less than \$10,000.

Councilmember Perdue commented increasing the City's coverage for cyber liability would be a good step for the City.

Motion

Upon a motion by Perdue, Council voted 5 to 0 to approve the City of Lenoir remaining with the NCLM for its insurance coverage for FY2019-2020 as presented by City Manager Hildebran.

- G. Update; Public Communications: Joshua Harris, Public Information Officer, was not available at the meeting to present a report. A copy of his April Communications Report is attached to these minutes as information.

VI. PUBLIC SAFETY

- A. Police Department: Police Chief Brent Phelps informed Council the Department has replaced one air condition unit, purchased three vehicles and three additional trucks. The trucks may also be used by the D.A.R.E. Officer for patrol and may not have extra signage on them. He explained the trucks were Dodge crew cabs and would be a cost savings for the Department.

In addition, Chief Phelps stated the NCLM would be conducting a Law Enforcement Risk Assessment beginning Wednesday, May 29 plus the NCLM would be reviewing their policies for any possible modifications.

- B. Fire Department; Fire Chief Ken Hair stated the cabinets were being installed at Station No. 3 and the project was on schedule. A dedication ceremony will be tentatively held on July 1. He stated Staff would be working at the upcoming Project Graduation at Bo's Entertainment.

Chief Hair reported an incident occurred at Station No. 2 where a child damaged their HVAC system by bending the blades and it will be a cost of \$1,500 for repairs. He stated a fence would be installed around the unit in order to make the unit inaccessible.

Chief Hair shared that Staff responded to ten overdose calls over the weekend along with other emergency personnel. Police Chief Phelps shared that six of the calls were related to a particular product and that Officers used Narcan more than once on some victims, but noted that one victim passed. He reported that a bag of drugs was laced with fentanyl which created this major issue. Chief Phelps emphasized that Officers worked extremely hard every day to combat this problem and their goal is to place extreme pressure on the potential seller of the drug.

V. OTHER

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

VI. Adjourn:

There being no further business, the meeting was adjourned at 9:50 a.m.

Attachments

April Financial Summary
McNeary Consulting Services Memorandum
Premium Comparisons Chart
April Communications Report



**City of Lenoir
Financial Summary
As of April 30, 2019**



General Fund					
	2018-2019 Budget	4/30/2019	% of Budget	Change from Previous Year	4/30/2018
Total Revenue	\$ 17,618,891.00	\$ 15,647,236.78	89%	\$ (83,071.55)	\$ 15,730,308.33
Expenditures	\$ 17,618,891.00	\$ 13,874,437.85	79%	\$ 654,438.41	\$ 13,219,999.44
Over/Under	\$ -	\$ 1,772,798.93		\$ (737,509.96)	\$ 2,510,308.89

Downtown District					
	2018-2019 Budget	4/30/2019	% of Budget	Change from Previous Year	4/30/2018
Revenues	\$ 183,736.00	\$ 57,897.91	32%	\$ 56,188.01	\$ 1,709.90
Expenditures	\$ 183,736.00	\$ 146,575.52	80%	\$ (18,583.74)	\$ 165,159.26
Over/Under	\$ -	\$ (88,677.61)		\$ 74,771.75	\$ (163,449.36)

Water/Sewer Fund					
	2018-2019 Budget	4/30/2019	% of Budget	Change from Previous Year	4/30/2018
Revenues	\$ 8,890,000.00	\$ 7,746,078.96	87%	\$ 77,395.59	\$ 7,668,683.37
Expenditures	\$ 8,890,000.00	\$ 5,435,771.29	61%	\$ 398,254.88	\$ 5,037,516.41
Over/Under	\$ -	\$ 2,310,307.67		\$ (320,859.29)	\$ 2,631,166.96

Tax Collections					
		Collections As Of 4/30/2019***	Percentage of Change	Change from Previous Year	Collections As Of 4/30/2018
Ad Valorem Tax Collection - % of Budget		110%			104%
Sales Tax (January Deposits with adjustment for HB97)		\$ 2,973,721.40	5.76%	\$ 162,046.71	\$ 2,811,674.69
Sales Tax (January Deposits without adjustment for HB97)		\$ 2,794,515.83	5.78%	\$ 152,681.04	\$ 2,641,834.79
Sales Tax adjustment for HB97					
	2018-2019 Budget	Collections As Of 4/30/2019***	Percentage Collected YTD		Collections As Of 4/30/2018***
Sales Tax adjustment for HB97	\$ 218,000.00	\$ 179,205.57	82.20%		\$ 169,839.90

***9 months collections

 McNeary Consulting Services

Memorandum

TO: Scott Hildebran and Donna Bean

FROM: Barbara Valentine and Laurie Eubank

DATE: May 21, 2019

SUBJECT: Insurance Competitive Bid Recommendations

- Automobile Liability (including Physical Damage)
- Crime
- Cyber Liability
- Employment Practices Liability
- General Liability
- Law Enforcement Legal Liability
- Public Officials Liability
- Property Damage (including Equipment Breakdown)
- Inland Marine
- Workers' Compensation & Employers' Liability
- Umbrella/Excess Liability

The City of Lenoir initiated a competitive bid process commencing in February 2019, with formal bids ultimately received on May 13, 2019. Assigned markets and bid specifications were sent to NC League (incumbent), Granite Insurance Agency, Surry Insurance Agency, Younce Insurance Agency, First National Bank and Reliable Insurance Agency. Proposals were received from NC League, Surry Insurance Agency, as agent for Travelers Insurance Company/Bitco Insurance Company and Granite Insurance Agency, as agent for US Specialty Insurance Company/Lloyds/Key Risk Insurance Company. Attached is a premium comparison based on each proposal.

It is McNeary's recommendation to renew coverages with the NC League. In addition to the League being the most competitively priced program presented, there were many enhancements offered that were not included in the other two proposals which are outlined as follows:

- Employment Practices Liability Coverage has defense cost outside the limit of liability. The other options have defense costs inside the limit of liability, which would erode the limit.
- General Liability Coverage is not subject to a general aggregate. The other options have general aggregates for the twelve month policy term.
- Law Enforcement Coverage deductible is \$2,500 compared to \$15,000 offered by Travelers.

The competitive bid process also produced broader Crime coverage for the City of Lenoir, which included Employee Dishonesty Coverage with a \$500,000 limit and Forgery or Alteration Coverage with a \$500,000 limit. These coverages have not been included in past Crime Policies provided by the NC League. The limits for Inside the Premises and Outside the Premises was increased from \$10,000 each to \$250,000 each.

McNeary recommends the City of Lenoir consider higher limits for the following coverages:

- Cyber Liability – The NC League currently provides \$100,000 limit to the City of Lenoir, but McNeary recommends a \$1M limit. The League can offer a \$1M Cyber quote with the completion of a Cyber Application.
- Unmanned Aircraft Liability (Drone Coverage) – The NC League currently provides \$250,000 limit on the General Liability Coverage as well as the Law Enforcement Liability Coverage. McNeary recommends a \$1M limit on each coverage. It is our understanding that \$250,000 is the maximum limit offered by the League; therefore, the City of Lenoir will need to have another firm quote this option.

 McNeary Consulting Services

As an option, McNeary also requested quotes for Umbrella Liability with a \$5M limit since the NC League provided primary limits of \$5M for Auto Liability, General Liability, Employment Practices, Public Officials and Police Professional Liability coverages. The League did provide a \$5M Umbrella option for an annual premium of \$21,000. Based on the other Umbrella quotes provided, we feel the League's quote is competitively priced, but based on the City's prior loss history we are not recommending the purchase of the additional \$5M limit.

We appreciate the opportunity to assist you and the City of Lenoir with the competitive bid process. We feel the process proved that your current program is the best that the current market place can provide and generated enhancements for some of your coverages.

We will be pleased to answer questions about our findings and to implement our recommendations at your direction.

CITY OF LENOIR
PREMIUM COMPARISON

Line of Coverage	2018-2019 Expiring Program NC League	2019-2020 Proposed Program NC League	2019-2020 Proposed Program Surry Insurance	2019-2020 Proposed Program Granite Insurance
Automobile Liability & Physical Damage	\$76,445	\$80,960	\$76,326	\$71,728
Crime	\$70	\$2,651	\$2,888	\$8,140
Cyber Liability	Included	Included	\$7,414	\$6,788
Employment Practices Liability	\$22,724	\$20,966	\$12,543	\$33,164
General Liability	\$50,728	\$46,643	\$37,179	\$35,052
Law Enforcement Legal Liability	\$37,600	\$35,883	\$27,050	\$24,822
Public Officials Liability	\$8,656	\$8,318	\$4,559	\$7,024
Property Damage including Equipment Breakdown	\$69,737	\$59,426	\$97,355	\$119,522
Inland Marine	\$7,588	\$8,823	\$5,135	\$8,466
Workers' Compensation & Employers' Liability	\$254,746	\$269,408	\$254,112	\$291,193
Umbrella Liability	N/A	See Note Below	\$52,940	\$25,585
TOTAL	\$528,294	\$533,078	\$577,501	\$631,484

NOTES:

As an option, McNeary also requested quotes for Umbrella Liability with a \$5,000,000 limit. The NC League quoted an annual premium of \$21,000. The Umbrella Liability would provide an additional \$5,000,000 limit over the Auto Liability, General Liability, Employment Practices, Public Officials and Police Professional Liability coverages.

April 2019 Communications Report

By Joshua Harris, Public Information Officer

5/6/2019

LENOIR
North Carolina



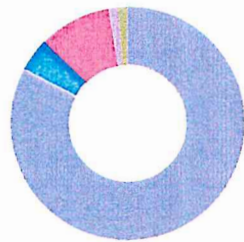
CONTENT CREATION

News Releases	Photos	Videos	Radio Spots	Social Posts	City Alerts	Q&A	eSign
9	185	2		219	6	16	1

PUBLIC ENGAGEMENT

New Followers

458



Facebook Twitter Instagram
eNews City Alerts

Social Reach

117,958

Facebook 103,452
Twitter 12,965

Video Views

12

Facebook
YouTube 12

Website Views

33,811

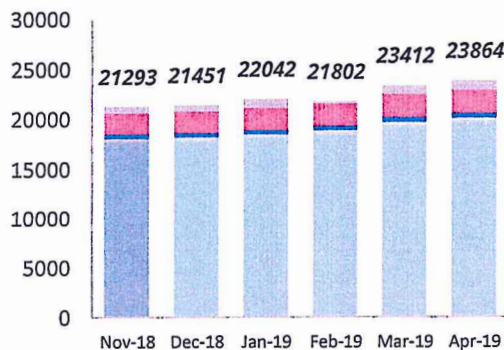
Top Pages

- 1 payonline
- 2 jobs
- 3 lafc
- 4 police
- 5 waterservice
- 6 parksrecreation
- 7 jobs/Secretary – Evening Shift

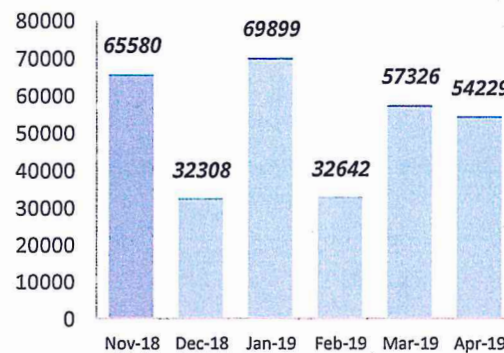


Mobile
Desktop
Tablet

Total Followers



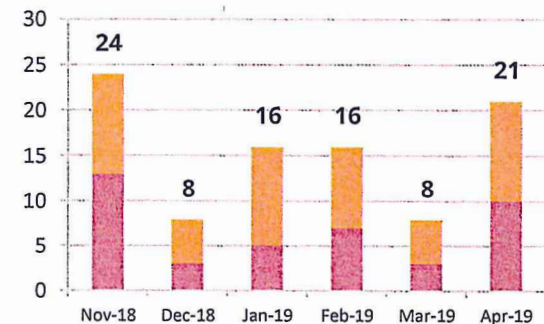
Social Engagement



Media Coverage

21

Papers 10 Web 11





Top Facebook

Reach: The number of people who saw the post on their feed

Engagements: Reactions, comments, shares, photo/video views, and clicks

Total Facebook Followers

20,011

Minutes-Committee of the Whole Meeting
Tuesday, May 28, 2019



Lenoir Police Department
Published by Police Dept on April 3

Like Page

Prayer for Those Addicted to Drugs

Vienna Cobb Anderson

Most loving God,
we ask your blessing upon all
who suffer from addiction.
Strengthen them to reach out for help.
Enable them to take the first step to recovery.
Bless them with the persistence to persevere
in the fight to be free.
Give courage and hope to their families,
drawing them close together
in the power of your love,
which alone can transform our living.
Amen.

32,457
People Reached

3,546
Engagements

Boost Post

304

21 Comments 558 Shares

	Paid	Organic
Reach		32,457
Engagements		3,546
Comments		21
Shares		558



City of Lenoir, NC Government
Published by Jessica Harris on April 4

Like Page

Work continues on the City of Lenoir Fire Department's new Station 3 located at 1015 Wilkesboro Boulevard.

Brushy Mountain Builders is currently upfitting both buildings on the site. Workers are reconfiguring the interior spaces for living quarters, installing sprinklers and plumbing, and finishing the exterior. The building facing Wilkesboro Boulevard will house the offices, training rooms, and bedrooms. The building in the rear will house the fire engine and other equipment. Fire Chief Ken Hair hopes to open the station in June and have a grand opening ceremony July 1.

"We're excited and looking forward to getting this station open," Hair said. "We've been trying to add another station for decades. Now we'll have firefighters in the east side of town who can respond much quicker to the area. Station 3 will definitely enhance our service to the public."

Once complete, Station 3 will be home to a battalion chief, four firefighters, and one fire engine.

Read more at <http://bit.ly/2P3EOyi>



9,110
People Reached

3,490
Engagements

Boost Post

162

11 Comments 67 Shares

	Paid	Organic
Reach		9,110
Engagements		3,490
Comments		11
Shares		57



Downtown Lenoir
Published by Downtown Lenoir on April 4 at 7:38 PM

Like Page

Opening soon in Downtown Lenoir - The Salad Bar! Check them out on Facebook for updates!



6,983
People Reached

1,417
Engagements

Boost Post

227

10 Comments 59 Shares

	Paid	Organic
Reach		6,983
Engagements		1,417
Comments		18
Shares		59



Top Tweets

Impressions: Times people saw this Tweet on Twitter

Engagements: Times people interacted with this Tweet



City of Lenoir, NC @CityofLenoir

The checkered flag waves again at the 2019 NC Gravity Games & Feet Off the Street Fun Fest Saturday, April 13 in Downtown Lenoir. Plus, this year Gravity Games is going to space! Read more at <http://bit.ly/2la7Vtk>.
@Google @noscfest @appstate
@ncspacegrant pic.twitter.com/3dEkl96V1w



Reach a bigger audience

Downtown Lenoir, NC @DowntownLenoir

Are you ready for the 2019 NC Gravity Games & Feet Off the Street Fun Fest? Come on out to Downtown Lenoir this Saturday for the premier event of the @noscfest!

Sponsored by @Google @appstate @moreheadplanet
@ncspacegrant @quencitywknd @CityofLenoir

<http://downtownlenoirnc.com/nc-gravity-games-bringing-stem-education-races-science-space-exploration-downtown-lenoir/> ...
pic.twitter.com/gsuIXjdjBT

Total Twitter Followers

496

Minutes-Committee of the Whole Meeting
Tuesday, May 28, 2019

Impressions	1,944
Total engagements	48
Media engagements	30
Likes	7
Detail expands	7
Link clicks	3
Retweets	1

Impressions	510
Media views	866
Total engagements	50
Media engagements	40
Likes	4
Link clicks	3
Retweets	2
Profile clicks	1



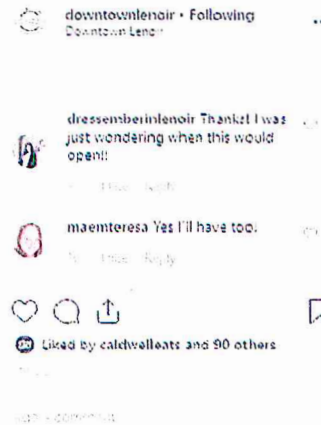
Top Instagram

Likes: The number of people who liked the post on their feed

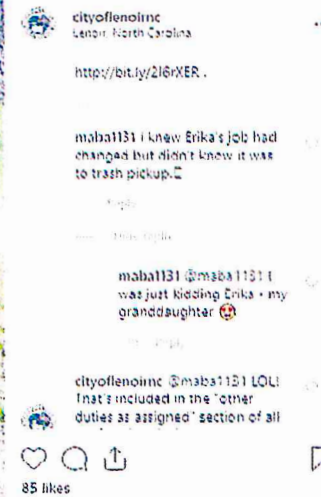
Total Instagram Followers

2,412

Minutes-Committee of the Whole Meeting
Tuesday, May 28, 2019



Likes	91
Comments	2
Views	na

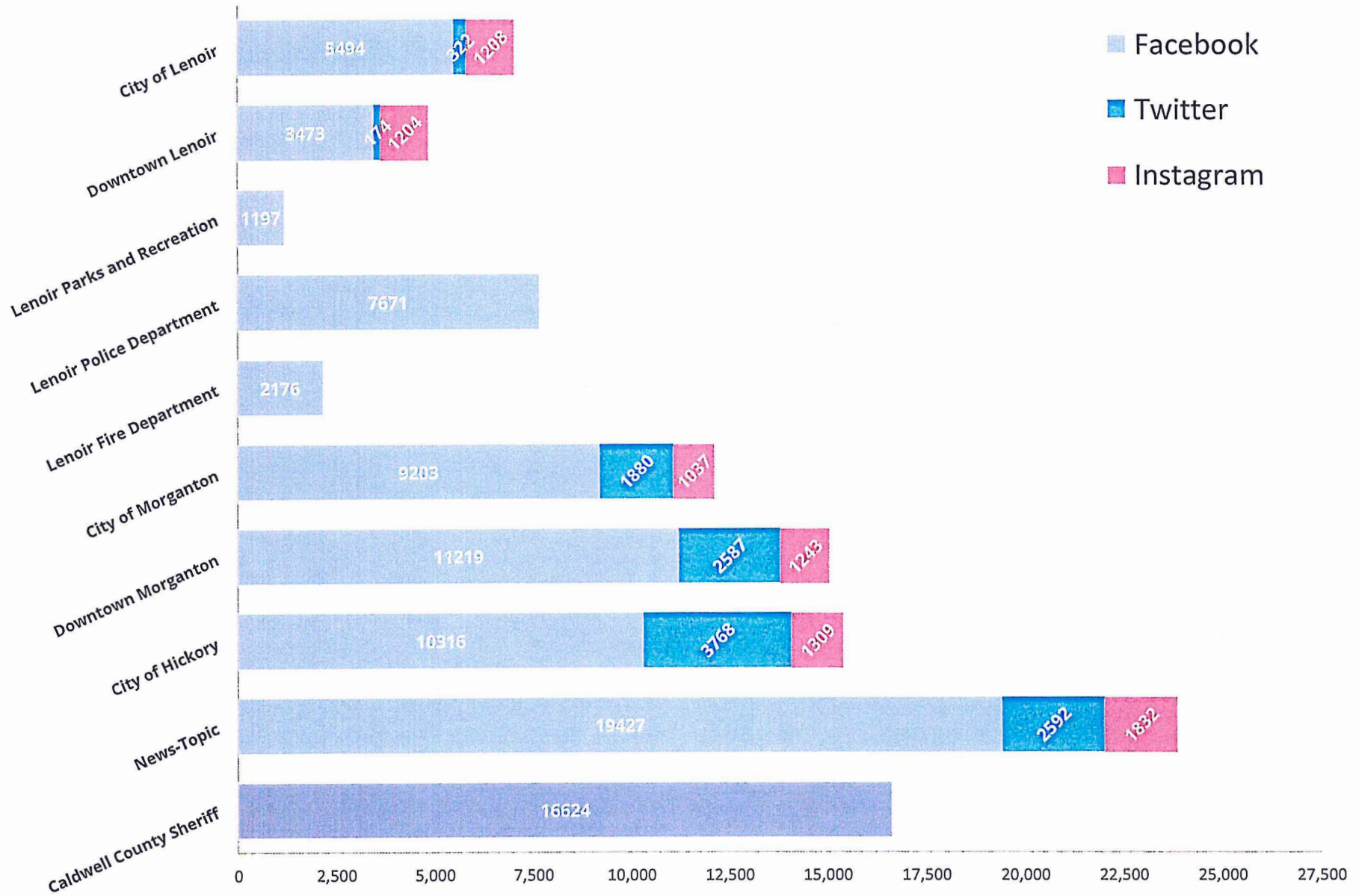


Likes	85
Comments	3
Views	na



Social Comparison

The chart below compares Lenoir's social accounts with surrounding organizations.





Questions from the public

16

Minutes-Committee of the Whole Meeting
Tuesday, May 28, 2019

I'm inquiring about the car show that will be held uptown.

How can the Girl Scout Camp in Lenoir get involved in community events?

Do we giveaway or sell mulch?

My trash didn't get picked up.

Bradford Mtn Road, lower house near the loop are putting a driveway in, not sure if they have a right of way, and they are opening a shop

Do you pick up yard debris?

The Marine Corps flag at the Veteran memorial is upside down.

Question about trash bash

What streets will be closed for the gravity games April 27?

Where can I get an application to transfer service to my name?

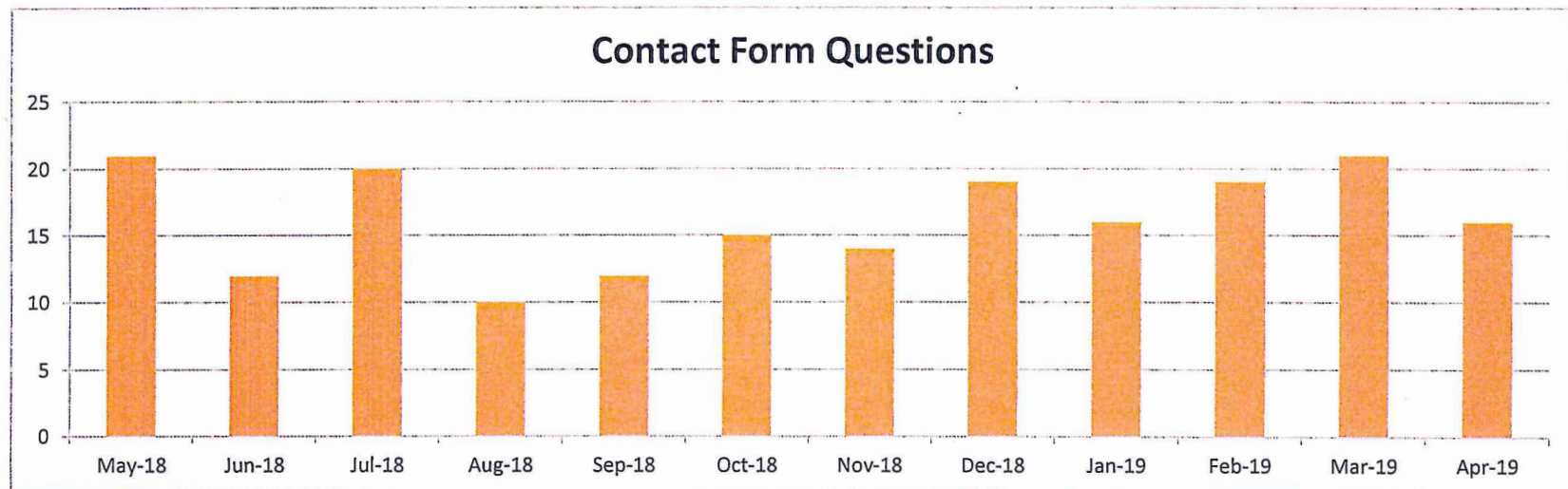
Does Lenoir no longer pick up yard waste on a regular schedule. My brush piles stay on the street for weeks before they are picked up. The service

I was wondering if you could help me know who to contact about the driveway into our business. Last year, Hwy 18, in front of our salons.

When we check our mail, it is a really hard drop off. Does the city maintain that or add gravel when needed?

Abandoned trailers on Maywood St SW

Sinkwhole at hemlock dr damaged my car. Insurance will not cover repairs, but the city didn't mark the danger. I have 2 kids and cannot afford to fi



CITY OF LENOIR
COUNCIL ACTION FORM

I. Agenda Item:

Budget Amendments - Request for amendments to be made to the annual budget ordinance for the fiscal year ending June 30, 2019

II. Background Information:

Request for amendments to be made to the annual budget ordinance for the fiscal year ending June 30, 2019 as follows:

- **Budget Amendment 2019-03:**
 - **Adjustments to the General Fund with a zero net effect to fund balance.**
 - **Adjustments to the Water/Enterprise Fund with a zero net effect to fund balance.**
 - **Adjustments to the Bernhardt Water Treatment Plant Project with a zero net effect to fund balance.**
 - **Funds Transfer for Fire Station III**

Staff Recommendation:

Approve as requested

III. Reviewed by:

City Attorney:

Finance Director:

Donna Bean

Public Works/Public Utilities Director:

Planning Director:

Recreation Director:

**2018-2019 Fiscal Year
Budget Amendment Ordinance 2019-03
18-Jun-19**

Request for amendments to be made to the annual budget

Item 1: Adjustments to the General Fund with a zero net effect to fund balance.

Account Number	Department	Decrease	Increase
4110	LEGISLATIVE		2,000.00
4120	ADMINISTRATIVE	5,000.00	
4250	VEHICLE SERVICES		20,000.00
4270	ENGINEERING	10,000.00	
4311	POLICE DET.	35,000.00	
4340	FIRE SUPPORT SERVICES		25,000.00
4341	FIRE SUPPRESSION	10,000.00	
4342	FIRE PREVENTION	2,500.00	
4510	STREET ADMIN		20,000.00
4512	STREET TRAFFIC CONTROL	7,000.00	
4740	CEMETERIES		7,500.00
4930	STORMWATER	10,000.00	
6120	REC ADMIN	5,000.00	
6121	AQUATIC		20,000.00
6130	PARKS	10,000.00	
	Total Increases/Decreases	94,500.00	94,500.00
Net Effect to General Fund		-	-

Item 2: Adjustments to the Water/Enterprise Fund with a zero net effect to fund balance.

Account Number	Department	Decrease	Increase
WATER FUND			
7130	RHODHISS PLANT		65,000.00
7131	WATER DIST.	65,000.00	
Net Effect to Water Fund		-	-

Item 3: Adjustments to the Water/Enterprise Fund with a zero net effect to fund balance.

Account Number	Department	Decrease	Increase
WATER FUND			
	BROYHILL WATER TREATMENT PROJECT		12,817.00
7131	WATER DIST.	12,817.00	
Net Effect to Water Fund		-	-

Item 4: Transfer funds for Fire Station III Capital Project.

Account Number	Department	Decrease	Increase
WATER FUND			
	Fire Station III Capital Project		275,615.00
	Appropriated Fund Balance	275,615.00	
		-	-

CITY OF LENOIR
COUNCIL ACTION FORM

I. Agenda Item:

Budget Amendments - Request for amendments to be made to the Fire Station III Capital Project.

II. Background Information:

Request for amendments to be made to the Fire Station III Capital Project Ordinance for the fiscal year ending June 30, 2019 as follows:

DESCRIPTION	Decrease	Increase
Loan Proceeds – Blue Ridge Electric Membership Corp.	60,000.00	
Local Funds (Transfer from General Fund)		60,000.00
Transfer for Fire Station Capital Project		60,000.00
Appropriated Fund Balance		60,000.00

This change is a result of lowering the original loan amount from \$1,360,000 to \$1,300,000 as recommended by the LGC and the City of Lenoir's auditor. This change is to account for the prepayment of the loan match from Blue Ridge Electric Membership Corporation. Staff also recommends that Council grant authority to the City Manager and the Mayor to take action(s) necessary to amend all related documents to include the Deed of Trust and all other recorded documents.

Staff Recommendation:

Approve as requested

III. Reviewed by:

City Attorney:

Finance Director: *Danna Bean*

Public Works/Public Utilities Director:

Planning Director:

Recreation Director:

Capital Project Ordinance for the City of Lenoir

FIRE STATION III CAPITAL PROJECT - REVISED

BE IT ORDAINED by the City Council Members of the City of Lenoir, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1: The project to authorize activities for Fire Station III Capital Project to include the expenditure of loan funds and local funds for the purchase of the facility, as well as the design, construction, and project administration for Fire Station III. The project is to be funded by Rural Development Revolving Loan Fund through Blue Ridge Electric Membership Corporation and local funds

Section 2: The officers of this unit are hereby directed to proceed with the capital project within the terms of the budget contained herein.

Section 3: The following amounts are appropriated for the project:

Purchase of Facility	\$ 1,028,615.00
Upfit/Renovations	\$ 400,000.00
Furnishings/Equipment	<u>\$ 207,000.00</u>
Total Expenditures	\$ 1,635,615.00

Section 4: The following revenues are anticipated to be available to complete this project:

Rural Development Revolving Loan Fund (0% interest)	\$ 1,300,000.00
Local funding	<u>\$ 335,615.00</u>
Total Revenue	\$ 1,635,615.00

Section 5: The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy the requirements of the Project Ordinance.

Section 6: The Finance Officer is directed to report, on a quarterly basis, on the financial status of each project element in Section 3.

Section 7: The Budget Officer is directed to include a detailed analysis of past and future costs and revenues on this capital project in every budget submission made to this Board.

Section 8: Copies of this capital project ordinance shall be furnished to the Budget Officer and the Finance Officer for direction in carrying out this project.

Adopted this _____ day of June, 2019.

Mayor

Clerk

CITY OF LENOIR
COUNCIL ACTION FORM

I. Agenda Item:

Background:

The City of Lenoir periodically establishes capital project ordinances for endeavors that involve construction/infrastructure activities or grant funding for a particular purpose covering more than one year. In most cases, the duration of a project will extend from one fiscal year into another. Consequently, the adoption of a capital project ordinance allows the governmental entity to appropriate funds for the life of the project without the governing board having to reallocate funding on a fiscal year basis.

The City adopted the Capital Project Budget Ordinance for Bernhardt Water Treatment Plant Improvements on the 3rd day of March, 2015 with a total project budget of \$6,657,300. This project was complete as of June, 2019 with total expenditures of \$5,718,458.59. The project finished under budget by \$938,841.41. The original local funding amount needs to be increased by \$12,817.00 due to non-reimbursable invoices.

Staff would like to close out the capital project noted above. A Capital Project Budget Ordinance To Close Capital Project has been prepared and is attached for your review and approval.

II. Staff Recommendation:

Approve as requested

III. Reviewed by:

City Attorney:

Finance Director: Donna Bean

Public Works/Public Utilities Director:

Planning Director:

Recreation Director:

ORDINANCE #2019-2**CAPITAL PROJECT BUDGET ORDINANCE TO CLOSE CAPITAL PROJECT
FOR THE CITY OF LENOIR**

WHEREAS, the City Council of the City of Lenoir has adopted a Budget Ordinance for fiscal year beginning July 1, 2018, and ending June 30, 2019, in accordance with the General Statutes of the State of North Carolina, and

WHEREAS, the City Council desires to recognize the completion of the following Capital Project and

WHEREAS, The City adopted the Capital Project Budget Ordinance for the Bernhardt Water Treatment Plant Improvements on the 3rd day of March, 2015 with a total project budget of \$6,657,300. This project was complete as of June, 2019 with total expenditures of \$5,718,458.59. The project finished under budget by \$938,841.41. The original local funding amount needs to be increased by \$12,817.00 due to non-reimbursable invoices.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LENOIR, NORTH CAROLINA, THAT:

The Capital Project Budget Ordinance for the Bernhardt Water Treatment Plant Improvements be closed.

Adopted this 18th day of June, 2019

_____, Mayor

Attest:

Clerk _____, City

CITY OF LENOIR CAPITAL PROJECT BUDGET ORDINANCE

BERNHARDT WATER TREATMENT PLANT IMPROVEMENTS

Account Title	Revenue
Drinking Water State Revolving Fund	\$ 6,540,000.00
Local Funds	\$ 117,300.00
Total	\$ 6,657,300.00

Account Title	Expenditures
Construction	\$ 4,415,000.00
Planning and Design	\$ 423,000.00
Construction Phase Engineering	\$ 323,000.00
Contingency	\$ 441,500.00
Closing Costs	\$ 117,300.00
Other	\$ 937,500.00
Total	\$ 6,657,300.00

Adopted this 3rd day of March, 2015

**CITY OF LENOIR
COUNCIL ACTION FORM**

- I. **Agenda Item:** Proposed acceptance of an offer of \$2,500 to purchase the property owned by the City of Lenoir located on Beall Street (NC PIN 2749584440, former Beall Street Community Gardens).
- II. **Background Information:** The property located at NC PIN 2749584440 is owned by the City of Lenoir and was most recently used as a Community Garden. However, the City recently consolidated the community garden plots from the Beall Street gardens into the Unity Park gardens and the property is currently undeveloped.

Mt. Pilgrim Baptist Church, the adjoining property owner to the east, has made an offer to purchase the property for \$2,500. A deposit of 5% of the offer has been made with the City Clerk as required by law.

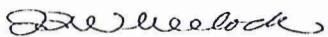
A map with parcel information is enclosed as well as the offer, bid deposit and public notice.

Note: The legal advertisement for the Notice of Offer to Purchase Real Property was published in the *News-Topic* on Friday, June 7 starting a ten (10) day upset bid period as required by NCGS 160A-269. The City did not receive any upset bids.

Staff Recommendation: Approve the Final Offer to Purchase Real Property by resolution in the amount of \$2,500 following the submission of all upset bids, and as submitted by Mt. Pilgrim Baptist Church for the property located on Beall Street (NC PIN 2749584440, former Beall Street Community Gardens).

III. **Reviewed by:**

City Attorney:

Planning Director: 



CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA
RESOLUTION

MAYOR
JOSEPH L. GIBBONS

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

WHEREAS, the City of Lenoir owns certain property, located on Beall Street, Lenoir, NC, NCPIN#274-95-8440, Parcel ID#06-17-2-12 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 \$2,500.00, submitted by Mount Pilgrim Baptist Church, Lenoir, NC; and

WHEREAS, Mount Pilgrim Baptist Church 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 Mount Pilgrim Baptist Church, Lenoir, North Carolina.

This the 18th day of June, 2019.

SEAL

Joseph L. Gibbons, Mayor

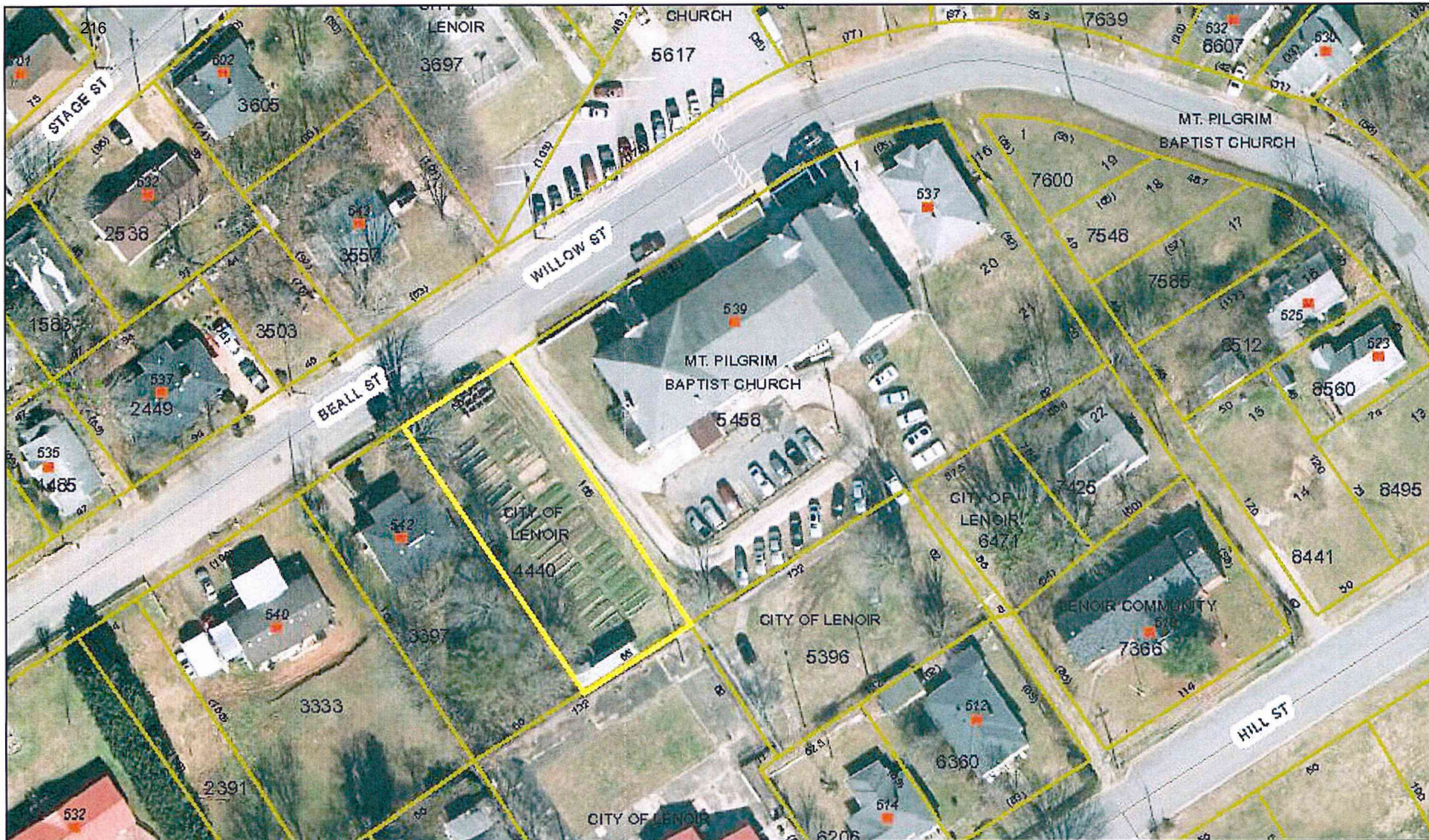
ATTEST:

Shirley M. Cannon, City Clerk

Lying and being in that part of the City of Lenoir known as West End, and also known as the Louise Hood lot. BEGINNING on a stake, corner of the school property in the South margin of the street, and runs with line of said school property South 35° East 165 feet to a stake; thence South 55° West 66 feet to a stake; thence North 35° West 165 feet to a stake in said line of street; thence with the line of the street, North 55° East 66 feet to the BEGINNING, CONTAINING 10,890 SQUARE FEET, more or less.

Being the second tract of that certain Report of Commissioners recorded in Book 162, at page 476, Caldwell County Registry.

Being the same property as conveyed by Kenneth Cameron Wakefield and Beatrice K. Patton, to Leslie D. Hines, Jr. by deed dated December 12, 1980, and recorded in Caldwell County Registry in Book 758, at Page 15.

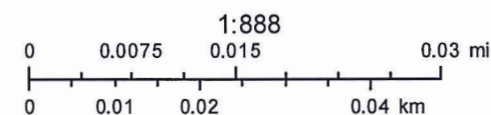


This map is NOT of land survey quality and is NOT suitable for such use.

Owner CITY OF LENOIR
 PO BOX 958
 LENOIR, NC 28645
 Acct Number 50916
 Parcel ID 06 17 2 12
 NCPIN 2749584440

Deferred Val \$0
 Assessed Val \$5,300
 Calc Acreage 0.253573
 Land Units 66 (FF)
 Legal Desc 0775/0529 0081 5.50
 Plat Ref /
 Property Addr BEALL ST

Caldwell County



May 29, 2019

Date: May 29, 2019

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

Mr. Hildebran:

Please accept this letter as my official bid offer of \$2,500⁰⁰ for property owned by the City of Lenoir and located at Beall St (Community Gardens), further identified by NC PIN 2749584440.

Furthermore, I understand that (check any/all that apply):

- ☐ 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,

 (please sign)

Full Name: Ike Perkins (Mt. Pilgrim Baptist Church)

Phone number: 828-729-5892

Email: ikeperk@charter.net

Mailing Address: 539 Willow Street NW

§ 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: 1094162
Date: 05/31/2019
Time: 08:34:15 AM

Received From:
MOUNT PILGRIM BAPTIST C

Amount: 125.00
Paid: 125.00
Change: 0.00

For:
MISC REVENUE GENERAL 125.00
LAD BID
31933: 125.00

Received By: ER

**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 on Beall Street, Lenoir, N.C., and being approximately 0.253573 acre and being Caldwell County Tax Parcel ID #06-17-2-12 and NCPIN#2749584440. The offered purchase price is \$2,500.00 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. §260A-169. The City Council may at any time reject any and all bids.

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

Please publish on Friday, June 7.

CITY OF LENOIR
COUNCIL ACTION FORM

- I. Agenda Item:** City staff request that City Council adopt an Order of Abatement directing staff to abate the minimum housing violations by demolishing the structure on the property of 1252 Fairview Dr.
- II. Background Information:** The subject structure is unfit for human habitation and attempts to achieve owner abatement have been unsuccessful. See attached time line for detailed information.
- III. Staff Recommendation:** Recommend adoption of the attached ordinance, directing staff to proceed with the demolition and removal of the structure.

IV. Reviewed by:

City Attorney: _____

Finance Director: _____

Planning Director: *D. Wheelock*

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

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

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

WHEREAS, the owner of this dwelling, **Michael Lee Richmond**, has been given a reasonable opportunity to bring the dwelling up to the standards of the Minimum Housing Standards accordance with G.S. 160A-443 (5) pursuant to an order issued by the Minimum Housing Inspector on March 7th, 2019 and the owner has failed to comply with the order;

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

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

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

on the building located at the following address: **1252 Fairview Dr.**
Lenoir, North Carolina.
Parcel-ID 06185 2 5
NCPIN 2748473098

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

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

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

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

Adopted this the 18th day of June, 2019.

**JOSEPH L. GIBBONS
MAYOR**

ATTEST:

**SHIRLEY M. CANNON
CITY CLERK**

APPROVED AS TO FORM:

**TIMOTHY J. ROHR
CITY ATTORNEY**

Owner: Michael Lee Richmond
 Property: 1252 Fairview Dr
 NC Pin No. 2748473098
Minimum Housing Violation Timeline

<u>Date</u>	<u>Description</u>
January 1, 2018	On this date there was a fire that occurred at this property. Due to the amount of damage caused by the fire the dwelling was structurally compromised and was classified as dilapidated. The dwelling has remained vacant since the fire occurred. Numerous complaints were called in regarding the condition of the property. The initial inspection revealed that the fire burned thru the side and roof of the dwelling. The dwelling was not secure and was full of burnt trash and debris.
January 2018 thru March 2019	After the fire occurred a period of time was given to allow the police, fire, and insurance investigation to conclude. The owners began cleaning out their personal belongings. The property was monitored with hopes the owners would abate the violations and finish demolishing the structure. Owners abandoned the property after a period of time.
March 2019	The property owners began dumping debris and trash on the property. The grass was overgrown, and a junk vehicle was left on the property. After receiving complaints from neighbors, a nuisance violation case was started. The owners failed to abate the violations and the City abated the violation.
February 12, 2019	Initial minimum housing violation/hearing notice was mailed to the property owner on this date. Two copies of the letter were mailed one first class and one registered mail. Initial minimum housing letter requested that the property owner contact the housing inspector to set up time for an onsite hearing to discuss the housing violations and abatement procedures. Owner failed to contact the housing inspector after receiving the letters and both letters were returned. Certified Mail No. 7016 2710 0001 1759 2317
March 7, 2019	Final minimum housing determination letters were mailed to the property owner on this date. Two copies of this letter were mailed one first class and one registered mail. Due to the severe dilapidated condition of the structure caused by the fire and the health/safety hazard the final order was to demolish the dwelling and remove it from the property by April 8, 2019. Owner failed to contact the inspector or abate the violations. The registered mail letter was returned, but the first class letter was not. Certified Mail No. 7016 2710 0001 1759 2348
June 10, 2019	Notification was mailed to the owner informing him that the housing inspector will be submitting an ordinance to City Council for the demolition of the dwelling located at 1252 Fairview Dr. The City Council will consider this ordinance for adoption at the June 18, 2019 City Council Meeting, held in the County Chambers at 905 West Ave in Lenoir. Upon adoption of the ordinance the dwelling will be demolished and all fees accumulated from the demolition will be placed as a lien on the property. Certified Mail No. 7016 2710 0001 1759 0573
June 18, 2019	At this time, it is requested that an ordinance be passed for the demolition of the dwelling at 1252 Fairview Dr. Demolition will take place in July 2019 and all fees accumulated will be placed as a lien on the property.

Minimum Housing Violation Affidavit
(1252 Fairview Dr)

I, Zach Clark affirm that as the housing inspector for the City of Lenoir I have made every possible attempt to contact the property owners of 1252 Fairview Dr. I have exhausted all resources in the effort to find the owners and/or heirs of the property mentioned above. The dwelling is unfit for human habitation and is a health/safety hazard for nearby neighbors. At this time the best course of action to eliminate the minimum housing violations is to demolish the structure and remove all debris from the property.

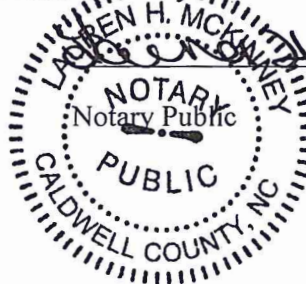
I swear that everything documented in this packet to be true and correct to the best of my information, knowledge, and belief.

6-13-19
Date

Zach Clark
Zach Clark

STATE OF NORTH CAROLINA
COUNTY OF CALDWELL

I, the undersigned Notary Public, do hereby affirm that Zach Clark personally appeared before me on the 13th day of June, 2019 and signed the above Affidavit as his free and voluntary act and deed.



EXP. 8-16-2021



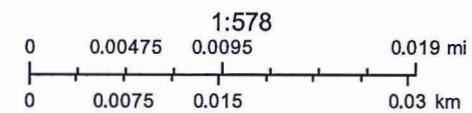
This map is NOT of land survey quality and is NOT suitable for such use.

Owner RICHMOND MICHAEL LEE
139 GINA LN APT 1A
TAYLORSVILLE, NC 28681

Acct Number 161148
Parcel ID 06185 2 5
NCPIN 2748473098

Deferred Val \$
Assessed Val \$16,900
Calc Acreage 0.47853024
Land Units 104 (FF)
Legal Desc BK 1916 PG 688 YR 2017 ST 80.00
Plat Ref /
Property Addr 1252 FAIRVIEW DR

Caldwell County



June 13, 2019

CITY MANAGER
SCOTT E. HILDEBRAN



CITY OF LENOIR
NORTH CAROLINA

MAYOR
Joseph L. Gibbons

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

February 12, 2019

Michael Lee Richmond
1252 Fairview Dr.
Lenoir, NC 28645

Certified Mail: 7016 2710 0001 1759 2317

MINIMUM HOUSING VIOLATION AND HEARING NOTICE

To: **Michael Lee Richmond**, owner(s) of property located at **1252 Fairview Dr. (NC PIN:2748473098)** in the City of Lenoir, North Carolina.

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

Condition of structure is determined as: **Deteriorated** ☐
Dilapidated ☒

After receiving a complaint concerning minimum housing violations at the address listed above an inspection of the property to assess the violations is now required. As the legal owner, you have ten **(10) days** to call the City of Lenoir Housing Inspector to establish a hearing date and location that must be held within the specified timeframe.

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

G.S. 160A-428

That the building or structure is in a condition that appears to meet one or more of the following conditions:

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



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

Stage of the investigation

Initial Investigation ●

Final Determination ○

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

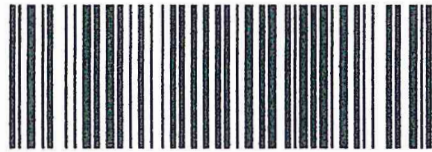
Sincerely,



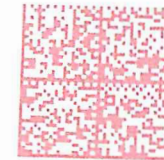
Zach Clark
Zoning and Housing Inspector
City of Lenoir Planning Department
Office: 828.757.2212
Cell: 828.394.9552

CERTIFIED MAIL®

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



7016 2710 0001 1759 2317



U.S. POSTAGE PITNEY BOWES



ZIP 28601 \$ 006.80⁰
02 1W
0001391273

Michael Lee Richmond
1252 Fairview Dr.
Lenoir, NC 28645

NAME _____
1ST NOTICE *2-15-19*
2ND NOTICE _____
RETURN *222*

NIXIE 274 DE 1 0003/07/19

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

UNC
28645-0958

BC: 28645095800 *2860-00770-07-26

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

FIRST CLASS



U.S. POSTAGE PITNEY BOWES



ZIP 28601 \$ 000.45⁹
02 1W
0001391273 FEB 12 2019

Michael Lee Richmond
1252 Fairview Dr.
Lenoir, NC 28645

02-13-2019

NIXIE 274 FEB 10 2019 0003/02/19

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSEE

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

SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:

Michael Lee Richmond
1252 Fairview Dr.
Lenoir, NC 28645



9590 9402 2638 6336 0814 60

2. Article Number (Transfer from service label)

7016 2710 0001 1759 2317

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

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

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

3. Service Type

- | | |
|--|---|
| ☐ Adult Signature | ☐ Priority Mail Express® |
| ☐ Adult Signature Restricted Delivery | ☐ Registered Mail™ |
| ☐ Certified Mail® | ☐ Registered Mail Restricted Delivery |
| ☐ Certified Mail Restricted Delivery | ☐ Return Receipt for Merchandise |
| ☐ Collect on Delivery | ☐ Signature Confirmation™ |
| ☐ Collect on Delivery Restricted Delivery | ☐ Signature Confirmation Restricted Delivery |
| ☐ Insured Mail | |
| ☐ Mail Restricted Delivery (0) | |

Domestic Return Receipt

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- | | |
|--|----|
| ☐ Return Receipt (hardcopy) | \$ |
| ☐ Return Receipt (electronic) | \$ |
| ☐ Certified Mail Restricted Delivery | \$ |
| ☐ Adult Signature Required | \$ |
| ☐ Adult Signature Restricted Delivery | \$ |

Postage

\$

Total Postage

\$

Sent To

Street and

City, State

Michael Lee Richmond
1252 Fairview Dr.
Lenoir, NC 28645

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

7016 2710 0001 1759 2317

2/11/19
Postmark Here

CITY MANAGER
SCOTT E. HILDEBRAN



CITY OF LENOIR
NORTH CAROLINA

MAYOR
Joseph L. Gibbons

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

March 7, 2019

Michael Lee Richmond
139 Gina Ln Apt 1A
Taylorsville, NC 28681

Certified Mail: 7016 2710 0001 1759 2348

MINIMUM HOUSING VIOLATION AND ORDER TO ABATE

To: **Michael Lee Richmond**, owner(s) of property located at **1252 Fairview Dr** (PIN: 2748473098) in the City of Lenoir, North Carolina.

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

Condition of structure is determined as: **Deteriorated** ☐
Dilapidated ☒

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

G.S. 160A-428

That the building or structure is in a condition that appears to meet one or more of the following conditions:

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



This is the final determination for the property listed above. This property is in violation of the City of Lenoir Minimum Housing Standards. Due to the amount of structural damage this dwelling is classified as dilapidated. In order to abate the minimum housing violations and the health/safety hazards, the dwelling must be demolished and removed from the property. Abatement of these violations must occur in a specified amount of time, not to exceed 30 days. The unit shall remain secured and vacant until violations are abated.

Failure to abate the violations by, **(Monday April 8, 2019)** will result in actions including, but not limited to, civil penalties, postings, and city abatement. If you have any questions concerning the violations or the abatement process please contact me.

Section 1-15 Civil and Criminal Penalties

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

(e) Civil Penalties Schedule

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

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

* If violations continue to exist past the tenth penalty, subsequent penalties shall be \$500.00 each.

- (f) Unless otherwise specifically provided in this Code and authorized by state law, no single offense (as described in subsection (d), above) may be punished by a fine or civil penalty in excess of \$500.00.

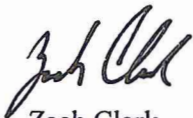
Stage of the investigation

Initial Investigation ☐

Final Determination ☒

Abatement of these violations must occur within a specified period of time, not to exceed 30 days. Failure to comply will result in actions including, but not limited to, civil penalties, posting, and city abatement.

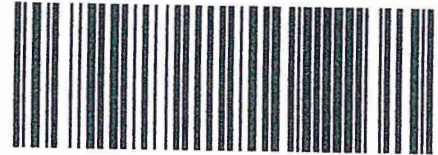
Sincerely,



Zach Clark
Zoning and Housing Inspector
City of Lenoir Planning Department
Office: 828.757.2212
Cell: 828.394.9552

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

CERTIFIED MAIL®



7016 2710 0001 1759 2348

Michael Lee R
139 Gina Ln A
Taylorsville, N

7016 2710 0001 1759 2348

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For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

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Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$
☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$

Postage

\$

Total Postage

\$

Sent To

Street and Ap.

City, State, Zi

Michael Lee Richmond
139 Gina Ln Apt 1A
Taylorsville, NC 28681

PS Form 3800, April 2015 PSN 7530-02-000-9001

3-7-19
Postmark
Here

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

SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:

Michael Lee Richmond
139 Gina Ln Apt 1A
Taylorsville, NC 28681



9590 9402 2638 6336 0813 78

2. Article Number (Transfer from service label)

7016 2710 0001 1759 2348

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

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

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

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery

- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☒ Return Receipt for Merchandise
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

Mail
Mail Restricted Delivery
(over \$500)

Domestic Return Receipt

CITY MANAGER
SCOTT E. HILDEBRAN



CITY OF LENOIR
NORTH CAROLINA

MAYOR
Joseph L. Gibbons

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

June 10, 2019

Michael Lee Richmond
139 Gina Ln Apt 1A
Taylorsville, NC 28681

Certified Mail: 7016 2710 0001 1759 0573

RE: Minimum Housing Determination
1252 Fairview Dr
NCPIN: 2748473098

Michael Lee Richmond,

This notice has been sent due to the fact you have failed to comply with an order given to abate the minimum housing violations at 1252 Fairview Dr. All violations were to be abated by demolition within 30 days as instructed in the Minimum Housing Order to Abate Notice sent on March 7, 2019. All violations were to be abated by Monday April 8, 2019.

At this time the housing inspector will be submitting an ordinance to City Council, as described below for the demolition of the dwelling located at 1252 Fairview Dr. The City Council will consider this ordinance for adoption at the June 18, 2019 City Council Meeting, held in the County Chambers at 905 West Ave in Lenoir at 6pm. All fees accumulated from the demolition will be placed as a lien against the property.

Section 10-33 Failure to Comply With Order

In rem remedy. After failure of an owner of a deteriorated dwelling or dwelling unit, or of a dilapidated dwelling, to comply with an order of the inspector within the time specified therein, if injunctive relief has not been sought or has not been granted as provided in subsection (a), the inspector shall submit to the city council an ordinance ordering the inspector to cause such dwelling or dwelling unit to be repaired, altered, improved, or vacated and closed and removed or demolished, as provided in the original order of the inspector, and pending such removal or demolition, to placard such dwelling as provided by G.S. 160A-443 and section 10-34.

Sincerely,

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

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

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Extra Services & Fees (check box, add fee as appropriate)

- ☐ Return Receipt (hardcopy) \$ _____
- ☐ Return Receipt (electronic) \$ _____
- ☐ Certified Mail Restricted Delivery \$ _____
- ☐ Adult Signature Required \$ _____
- ☐ Adult Signature Restricted Delivery \$ _____

Postage

\$

Total Postage and F

\$

Sent To

Street and Apt. No., c

City, State, ZIP+4®

Michael Lee Richmond
 139 Gina Ln Apt 1A
 Taylorsville, NC 28681

PS Form 3800, April 2013 PSN 7530-02-000-9000-7 See Reverse for Instructions

6-10-19
 Postmark
 Here

Notice of Order to Demolish

The public will hereby take notice that the Lenoir Planning Department will be submitting an ordinance to the City Council for the demolition of 1252 Fairview Dr on Tuesday June 18, 2019 at the City/County Chambers 905 West Ave, Lenoir. All attempts to make contact with property owners and/or heirs have failed. It is requested that any and all heirs of Michael Lee Richmond, and any other persons having or claiming an interest in the property 1252 Fairview Dr, Lenoir NC 28645 NC Pin 2748473098 be present for the City Council meeting at the date listed above.

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

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

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

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

Zach Clark

**Zoning and Housing
Inspector**

**City of Lenoir Planning
Department**

Office: 828.757.2212

June 7, 14, 2019



















CITY OF LENOIR
COUNCIL ACTION FORM

- I. Agenda Item:** City staff request that City Council adopt an Order of Abatement directing staff to abate the minimum housing violations by demolishing the structure on the property of 213 Sunset St.
- II. Background Information:** The subject structure is unfit for human habitation and attempts to achieve owner abatement have been unsuccessful. See attached time line for detailed information.
- III. Staff Recommendation:** Recommend adoption of the attached ordinance, directing staff to proceed with the demolition and removal of the structure.

IV. Reviewed by:

City Attorney: _____

Finance Director: _____

Planning Director: DeWeebok _____

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

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

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

WHEREAS, the owner of this dwelling, **Rachel M Minton**, has been given a reasonable opportunity to bring the dwelling up to the standards of the Minimum Housing Standards accordance with G.S. 160A-443 (5) pursuant to an order issued by the Minimum Housing Inspector on June 27th, 2019 and the owner has failed to comply with the order;

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

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

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

on the building located at the following address: **213 Sunset St.**
Lenoir, North Carolina.
Parcel-ID 09191 1 35
NCPIN 2840942290

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

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

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

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

Adopted this the 18th day of June, 2019.

**JOSEPH L. GIBBONS
MAYOR**

ATTEST:

**SHIRLEY M. CANNON
CITY CLERK**

APPROVED AS TO FORM:

**TIMOTHY J. ROHR
CITY ATTORNEY**

Owner: Rachel M Minton
 Property: 213 Sunset St
 NC Pin No. 2840942290
Minimum Housing Violation Timeline

<u>Date</u>	<u>Description</u>
December 18, 2017	On this date there was a fire that occurred at this property. Due to the amount of damage caused by the fire the dwelling was structurally compromised and was classified as dilapidated. The dwelling has remained vacant since the fire occurred. Numerous complaints were called in regarding the condition of the property. The initial inspection revealed that the fire burned thru the left side, roof, and rear of the dwelling. The dwelling was not secure and was full of burnt trash and debris.
December 18, 2017- May 11, 2018	After the fire occurred a period of time was given to allow the police, fire, and insurance investigation to conclude. During this period of time the dwelling was closely monitored to make sure no one was living in the dilapidated structure.
May 11, 2018	Initial minimum housing violation/hearing notice was mailed to the property owner on this date. Two copies of the letter were mailed one first class and one registered mail. Initial minimum housing letter requested that the property owner contact the housing inspector to set up time for an onsite hearing to discuss the housing violations and abatement procedures. Owner failed to contact the housing inspector after receiving the letters and both letters were returned. Certified Mail No. 7016 2710 0001 1759 1679
June 27, 2018	Final minimum housing determination letters were mailed to the property owner on this date. Two copies of this letter were mailed one first class and one registered mail. Due to the severe dilapidated condition of the structure caused by the fire and the health/safety hazard the final order was to demolish the dwelling and remove it from the property by August 30, 2018. Owner failed to contact the inspector or abate the violation and both letters were returned. Certified Mail No. 7016 2710 0001 1759 1754
June 10, 2019	Notification was mailed to the owner informing him that the housing inspector will be submitting an ordinance to City Council for the demolition of the dwelling located at 213 Sunset St. The City Council will consider this ordinance for adoption at the June 18, 2019 City Council Meeting, held in the County Chambers at 905 West Ave in Lenoir. Upon adoption of the ordinance the dwelling will be demolished and all fees accumulated from the demolition will be placed as a lien on the property. Certified Mail No. 7016 2710 0001 1759 2560
June 18, 2019	At this time, it is requested that an ordinance be passed for the demolition of the dwelling at 213 Sunset St. Demolition will take place in July 2019 and all fees accumulated will be placed as a lien on the property.

Minimum Housing Violation Affidavit
(213 Sunset St)

I, Zach Clark affirm that as the housing inspector for the City of Lenoir I have made every possible attempt to contact the property owners of 213 Sunset St. I have exhausted all resources in the effort to find the owners and/or heirs of the property mentioned above. The dwelling is unfit for human habitation and is a health/safety hazard for nearby neighbors. At this time the best course of action to eliminate the minimum housing violations is to demolish the structure and remove all debris from the property.

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

6-13-19
Date

Zach Clark
Zach Clark

STATE OF NORTH CAROLINA
COUNTY OF CALDWELL

I, the undersigned Notary Public, do hereby affirm that Zach Clark personally appeared before me on the 13th day of June, 2019 and signed the above Affidavit as his free and voluntary act and deed.





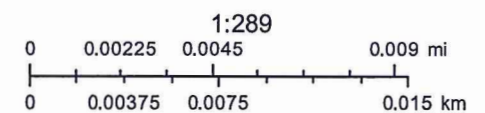
This map is NOT of land survey quality and is NOT suitable for such use.

Owner MINTON RACHEL M
213 SUNSET ST NW
LENOIR, NC 28645

Acct Number 106180
Parcel ID 09191 1 35
NCPIN 2840942290

Deferred Val \$
Assessed Val \$7,300
Calc Acreage 0.32351744
Land Units 79 (FF)
Legal Desc BK 1241 PG 590 YR 1998 ST 70.00
Plat Ref /
Property Addr 213 SUNSET ST

Caldwell County



June 12, 2019



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

May 11, 2018

Rachel M Minton
213 Sunset St NW
Lenoir, NC 28645

Certified Mail: 7016 2710 0001 1759 1679

**MINIMUM HOUSING VIOLATION AND
HEARING NOTICE**

TO: **Rachel M Minton**, owner (s) of property located at **213 Sunset St** (PIN: 2840942290) in the City of Lenoir, North Carolina.

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

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

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

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

G.S. 160A-428

That the building or structure is in a condition that appears to meet one or more of the following conditions:

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

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

Stage of the investigation

Initial Investigation XXX

Final Determination

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

Sincerely,

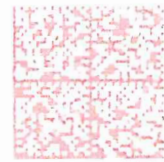


Zach Clark
Zoning and Housing Inspector
City of Lenoir Planning Department
(828) 757-2212



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GREENSBORO
NC 274
12 MAY '18
PG 34



NAME _____

NIXIE 274 DE 1 0005 / 2

RETURN TO ORDER

VACANT

UNABLE TO FORWARD

VAC

SC: 25645093033 * 6306-61849-

2028545909583

PRESORTED
FIRST CLASS



U.S. POSTAGE

 ZIP 28601
 02 1W
 000139151

UK

05-11-2018

NIXIE 274 FE 1081 0005/1

RETURN TO JENNIFER

NOT DELIVERABLE AS ADDRESSED

UNABLE TO FORWARD

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A1: 9326990137-55-13

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2854549978

SECRET SA CONFIDENT 200645

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

SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:

Rachel M Minton
213 Sunset St NW
Lenoir, NC 28645



9590 9402 1452 5329 3836 85

2. Article Number (Transfer from service label)

7016 2710 0001 1759 1679

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

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

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery

- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery

☒ Return Receipt for Merchandise

- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

Mail
Mail Restricted Delivery
(over \$500)

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

Domestic Return Receipt

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- ☐ Return Receipt (hardcopy) \$
- ☐ Return Receipt (electronic) \$
- ☐ Certified Mail Restricted Delivery \$
- ☐ Adult Signature Required \$
- ☐ Adult Signature Restricted Delivery \$

Postage

\$

Total Postage a

\$

Sent To

Street and Apt.

City, State, ZIP+

Rachel M Minton
213 Sunset St NW
Lenoir, NC 28645

PS Form 3800, April 2015 PSN 7530-02-000-9057

See Reverse for Instructions

5/11/18
Postmark
Here

7016 2710 0001 1759 1679

CITY MANAGER
SCOTT E. HILDEBRAN



CITY OF LENOIR
NORTH CAROLINA

MAYOR
Joseph L. Gibbons

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

June 27, 2018

Rachel Minton
213 Sunset St
Lenoir, NC 28645

Certified Mail: 7016 2710 0001 1759 1754

MINIMUM HOUSING VIOLATION AND ORDER TO ABATE

To: **Rachel Minton**, owner(s) of property located at **213 Sunset St** (PIN: 2840942290) in the City of Lenoir, North Carolina.

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

Condition of structure is determined as: **Deteriorated** ☐
Dilapidated ☒

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

G.S. 160A-428

That the building or structure is in a condition that appears to meet one or more of the following conditions:

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



This is the final determination for the property listed above. Owner failed to contact the housing inspector as instructed in the initial letter that was mailed on **May 11, 2018**. This property is in violation of the City of Lenoir Minimum Housing Standards. The structure is currently unsecure and is a safety hazard. Due to the amount of structural damage this dwelling is classified as dilapidated. In order to abate the minimum housing violations and the health/safety hazards, the dwelling must be demolished and removed from the property. Abatement of these violations must occur in a specified amount of time, not to exceed 60 days.

Failure to abate the violations by, (**August 30, 2018**) will result in actions including, but not limited to, civil penalties, postings, and city abatement. If you have any questions concerning the violations or the abatement process please contact me.

Section 1-15 Civil and Criminal Penalties

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

(e) Civil Penalties Schedule

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

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

* If violations continue to exist past the tenth penalty, subsequent penalties shall be \$500.00 each.

- (f) Unless otherwise specifically provided in this Code and authorized by state law, no single offense (as described in subsection (d), above) may be punished by a fine or civil penalty in excess of \$500.00.

Stage of the investigation

Initial Investigation ☐

Final Determination ☒

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

Sincerely,



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

CERTIFIED MAIL

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



7016 2710 0001 1759 1754

GREENSBORO

NC 274

28 JUN '18



U.S. POSTAGE >> PITNEY BOWES



ZIP 28601 \$ 006.67⁰
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Rachel Minton
213 Sunset St
Lenoir, NC 28645

NAME _____
1ST NOTICE _____
2ND NOTICE _____
3RD NOTICE _____

28645-0958113



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

PRESORTED
FIRST CLASS

U.S. POSTAGE >> PITNEY BOWES



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Rachel Minton
213 Sunset St
Lenoir, NC 28645

06-27-2018

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

SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:

Rachel Minton
213 Sunset St
Lenoir, NC 28645



9590 9402 1452 5329 3825 96

2. Article Number (Transfer from service label)

7016 2710 0001 1759 1754

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

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- ☐ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

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

3. Service Type

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

Mail Restricted Delivery
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Domestic Return Receipt

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- ☐ Return Receipt (hardcopy) \$
☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$

Postage

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Total Postage

\$

Sent To

Street and Apt.

City, State, ZIP

Rachel Minton
213 Sunset St
Lenoir, NC 28645

6-27-18

Postmark
Here

CITY MANAGER
SCOTT E. HILDEBRAN



CITY OF LENOIR
NORTH CAROLINA

MAYOR
Joseph L. Gibbons

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

June 10, 2019

Rachel M Minton
213 Sunset St
Lenoir, NC 28645

Certified Mail: 7016 2710 0001 1759 2560

RE: Minimum Housing Determination
213 Sunset St
NCPIN: 2840942290

Rachel M Minton,

This notice has been sent due to the fact you have failed to comply with an order given to abate the minimum housing violations at 213 Sunset St. All violations were to be abated by demolition within 60 days as instructed in the Minimum Housing Order to Abate Notice sent on June 27, 2018. All violations were to be abated by Tuesday August 30, 2018.

At this time the housing inspector will be submitting an ordinance to City Council, as described below for the demolition of the dwelling located at 213 Sunset St. The City Council will consider this ordinance for adoption at the June 18, 2019 City Council Meeting, held in the County Chambers at 905 West Ave in Lenoir at 6pm. All fees accumulated from the demolition will be placed as a lien against the property.

Section 10-33 Failure to Comply With Order

In rem remedy. After failure of an owner of a deteriorated dwelling or dwelling unit, or of a dilapidated dwelling, to comply with an order of the inspector within the time specified therein, if injunctive relief has not been sought or has not been granted as provided in subsection (a), the inspector shall submit to the city council an ordinance ordering the inspector to cause such dwelling or dwelling unit to be repaired, altered, improved, or vacated and closed and removed or demolished, as provided in the original order of the inspector, and pending such removal or demolition, to placard such dwelling as provided by G.S. 160A-443 and section 10-34.

Sincerely,

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

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- ☐ Return Receipt (hardcopy) \$ _____
☐ Return Receipt (electronic) \$ _____
☐ Certified Mail Restricted Delivery \$ _____
☐ Adult Signature Required \$ _____
☐ Adult Signature Restricted Delivery \$ _____

Postage

\$

Total Postage and

\$

Sent To

Street and Apt. No.

City, State, ZIP+4

Rachel M Minton
213 Sunset St
Lenoir, NC 28645

6-10-19
Postmark
Here

Notice of Order to Demolish
 The public will hereby take notice that the Lenoir Planning Department will be submitting an ordinance to the City Council for the demolition of 213 Sunset St on Tuesday June 18, 2019 at the City/County Chambers 905 West Ave, Lenoir. All attempts to make contact with property owners and/or heirs have failed. It is requested that any and all heirs of Rachel M Minton, and any other persons having or claiming an interest in the property 213 Sunset St, Lenoir NC 28645 NC Pin 2840942290 be present for the City Council meeting at the date listed above.

This Order set forth by the City of Lenoir Housing Inspector is issued and served pursuant to the Code of Ordinances of the City of Lenoir and the North Carolina General Statutes. It appears to the undersigned, who is the Housing Inspector under the Code of Ordinances, from his preliminary investigation of the premises, that the property identified above is in violation of one or more of the Minimum Housing Standards in Chapter 10, of the Code of Ordinances of the City of Lenoir.

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

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

Zach Clark

**Zoning and Housing
Inspector**

**City of Lenoir Planning
Department**

Office: 828.757.2212

June 7,14, 2019



[illegible]

10. Further to the above, the above project is subject to the following conditions:

11. The project is subject to the following conditions:

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18. The project is subject to the following conditions:

19. The project is subject to the following conditions:

20. The project is subject to the following conditions:

Form No. 100-100-100-100-100

INSTRUCTIONS TO THE USER

1. The user must read the instructions carefully before using the device. The instructions are located on the inside of the cover.

2. The user must read the instructions carefully before using the device. The instructions are located on the inside of the cover.

3. The user must read the instructions carefully before using the device. The instructions are located on the inside of the cover.

4. The user must read the instructions carefully before using the device. The instructions are located on the inside of the cover.

5. The user must read the instructions carefully before using the device. The instructions are located on the inside of the cover.

- A. The user must read the instructions carefully before using the device. The instructions are located on the inside of the cover.
- B. The user must read the instructions carefully before using the device. The instructions are located on the inside of the cover.
- C. The user must read the instructions carefully before using the device. The instructions are located on the inside of the cover.
- D. The user must read the instructions carefully before using the device. The instructions are located on the inside of the cover.



THE USER MUST READ THE INSTRUCTIONS CAREFULLY BEFORE USING THE DEVICE. THE INSTRUCTIONS ARE LOCATED ON THE INSIDE OF THE COVER.

6. The user must read the instructions carefully before using the device. The instructions are located on the inside of the cover.

7. The user must read the instructions carefully before using the device. The instructions are located on the inside of the cover.

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15. The user must read the instructions carefully before using the device. The instructions are located on the inside of the cover.











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New Board Appointments

Lenoir Tourism Development Authority**Term**

Summer Combs, General Manager, Hampton Inn

4-year

Brenda Floyd, J.E. Broyhill Civic Center Service & Catering

4-year