

**LENOIR CITY COUNCIL
TUESDAY, JUNE 18, 2019
6:00 P.M.**

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

ABSENT: Councilmember Beal.

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.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

**NUISANCE DECLARATION ORDINANCE;
839 CREEKWAY DRIVE:**

- A. A public hearing was 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. Following approval, Staff will address the severely dilapidated building violations by demolishing the structure and removing all debris.

A copy of the Nuisance Declaration Ordinance is hereby incorporated into these minutes by reference. (Refer to page 403).

Mayor Gibbons opened the public hearing to receive public comments regarding the submitted ordinance.

Planning Director Jenny Wheelock reported Staff has been unsuccessful in obtaining owner compliance due to the owner having abandoned their interest in the property. She reported that Staff completed all of the legal steps prior to submitting the ordinance for Council's consideration of approval. Director Wheelock further shared the City would invoice the property owner for the cost of the demolition and cleanup and, should they fail to pay, a tax lien would be placed on the property. Director Wheelock further clarified the property is a blight situation the City is trying to clean up along with trying to keep the area safe.

Councilmember Perkins asked if there were future plans for the site or if Staff was only requesting to clean up the property.

Director Wheelock responded the City doesn't have ownership of the property and this meeting is the last opportunity the owner would have to address City Council before formal action is taken. However, she explained the City may have an opportunity to recoup its costs in the future should foreclosure proceedings be filed with the court.

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

Councilmember Perdue commended Director Wheelock and Planning Staff for all their hard work in addressing this issue and remarked he was glad the City is taking a more aggressive approach towards bringing commercial property into compliance. He remarked these types of properties are very visible in the community and moved to approve the ordinance.

Mayor Gibbons also mentioned the City has received a number of complaints about this particular site.

Upon the motion by Councilmember Perdue, Council voted 5 to 0 to adopt the Nuisance Declaration Ordinance for property located at 839 Creekway Drive as recommended by City Staff.

UPDATE; 530 STAGE

STREET: B. Mayor Gibbons asked Planning Director Jenny Wheelock to give an update regarding the status of the minimum housing structure located at 530 Stage Street.

Director Wheelock reported Staff mailed a number of certified notification letters over the past eight months which the owner signed for but did not follow up with the City. She also stated the City's posted notices were removed by a team of contractors that did a significant amount of cosmetic work to the structure without oversight from the City of Lenoir or Caldwell County Building Inspections. Tom Bumgarner, Caldwell County's Chief Building Inspector, issued a "stop work order" due to permits not being obtained for the electrical work and the installation of the HVAC system both of which require permits.

Director Wheelock stated she would postpone recording the minimum housing ordinance approved by Council on June 4 provided the property owner obtains permits and legalizes the renovation work that has already been completed. Director Wheelock reported the home has been brought up to the City's minimum housing standard.

HISTORIC LANDMARK ORDINANCE; 1241 COLLEGE AVENUE:

C. A public hearing was 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.

A copy of the historic landmark ordinance is hereby incorporated into these minutes by reference. (Refer to page 404-408).

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

As referenced in the ordinance, 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. Additional information shared in the ordinance states the mill played a critical role in the local industrial economy through the first half of the twentieth century and is architecturally significant.

Dottie Darsie, resident, spoke in favor of all three of the proposed historic landmark designations on the agenda by stating she feels these buildings are in good condition and the designations will have a positive impact on Lenoir. She compared Lenoir's projects to similar ones in the City of Baltimore and pointed out how young professionals prefer to live in these types of renovated facilities.

Karen Bolick, Greasy Creek Road, stated she teaches pottery at the former Lenoir High School facility which is already designated as an historic building. Ms. Bolick referred to the guidelines that have to be adhered to regarding making improvements to historic sites and suggested that Council make sure this action is the right thing to do at this time.

Irv Eurto, resident, inquired if the City was going to renovate these buildings as historic sites and possible rent them out to tenants. Also, Mr. Eurto asked if there was going to be any cost to the taxpayers for these projects.

Planning Director Jenny Wheelock clarified the former Lenoir High School property was different from these recommendations because it was declared as historic by the State Historic Preservation Office and these landmark designations are being requested locally by the Lenoir Planning Board acting in their capacity as the Lenoir Historic Preservation Commission

A local landmark designation allows for a fifty percent (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). COA's are quasi-judicial permits that are reviewed by the Planning Staff and approved by the Lenoir Planning Board acting in their capacity as the Lenoir Historic Preservation Committee (HPC). Local landmark status also allows the City to enforce against "of the property taxes for the City and County are deferred as long as the building remains classified as historic. In addition,

Director Wheelock stated approval of this designation adds accuracy as to what regulations are allowed. She further pointed out that Staff has done extensive work regarding these projects and noted all of this information is available online at www.cityoflenoir.com.

In addition, Director Wheelock stated these recommendations are not linked to any proposal by the City, but the current owners may have plans for some renovations to these properties.

Mayor Gibbons pointed out that all of the information shared about the guidelines for these type of projects apply to all three properties being presented for consideration by City Council.

On behalf of City Council, Mayor Pro-Tem Willis commended Director Wheelock and Planning Staff for submitting such a detailed and informative agenda packet and referred to the extensive amount of time Staff spent in preparing the background information included in each Staff Report about these landmark properties.

Mr. Yorke Lawson, applicant, 4300 Sharon Road, Charlotte, NC, informed Council the guidelines applying for the tax credit program are strict and consistent. He referred to his business partner, Tom Niemann, and remarked the City is lucky to have such great Staff and pointed out this is a three year project. Mr. Lawson said this is a great opportunity to create campus apartments along with some community shops or small businesses. He thanked City Council for their support and shared his goal has always been to develop an historic mill.

In addition, Director Wheelock clarified, if the property owner doesn't comply with the historic guidelines, the tax benefit ends. She further explained that it depends on the merit of the buildings and whether the owner has plans for renovations.

Director Wheelock suggested Council approve the request if they feel these buildings have merit and this is a worthy project.

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

Upon a motion by Councilmember Stevens, Council voted 5 to 0 to approve the Ordinance designating the "Lenoir Cotton Mill-Blue Bell, Inc. Plant" as a Lenoir Historic Landmark as recommended by the Lenoir Historic Preservation Commission and City Staff.

HISTORIC LANDMARK ORDINANCE; 1201 STEELE STREET:

- D. A public hearing was held to consider approval of an Ordinance designating the "J.M. Bernhardt Planing Mill and Box Factory-Steel 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.

A copy of the ordinance is hereby incorporated into these minutes by reference. (Refer to pages 409-413).

Mayor Gibbons opened the public hearing to receive public comments regarding the historic landmark designation.

As information, Director Wheelock reported the property is owned by the James C. Sullivan Revocable Trust who have consented to the Landmark designation. As stated in the ordinance, 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.

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

Upon a motion by Mayor Pro-Tem Willis, Council voted 5 to 0 to approve the Lenoir Historic Landmark designation for property located at 1201 Steele Street as requested by the Lenoir Historic Preservation Commission and City Staff.

**HISTORIC LANDMARK ORDINANCE;
1407 COLLEGE AVENUE:**

- A. A public hearing was held to consider approval of an Ordinance designating the "Carolina and Northwestern Railway Freight Station", NCPIN#274545715 and located at 1407 College Avenue, 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.

A copy of the ordinance is hereby incorporated into these minutes by reference. (Refer to pages 414-418).

Mayor Gibbons opened the public hearing to receive public comments regarding the historic landmark designation.

As information, Director Wheelock mentioned the freight station is owned by Lenoir Depot LLC who have consented to the landmark designation. It was noted the freight station is located between the two mills.

As stated in the ordinance, 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.

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

Upon a motion by Councilmember Thomas, Council voted 5 to 0 to approve the ordinance for the Lenoir Historic Landmark designation for property located at 1407 College Avenue as requested by the Lenoir Historic Preservation Commission and City Staff.

III. CONSENT AGENDA ITEMS

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

1. Minutes: Approval of the minutes of the City Council Meeting of Tuesday, June 4, 2019, as submitted.
2. Minutes: Approval of the minutes of the Committee of the Whole meeting of Tuesday, May 28, 2019, as submitted.
3. 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.
4. 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. (A copy of the Budget Amendment Ordinance is hereby incorporated into these minutes by reference. Refer to page 419).
5. 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. 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 Cooperation.

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.

A copy of the Amendment to the Fire Station III Capital Project Budget Ordinance is hereby incorporated into these minutes by reference. (Refer to page 420).

6. Capital Project Budget Ordinance; Bernhardt Water Treatment Plant Improvements: Approval of a Capital Project Budget Ordinance to close out the Bernhardt Water Treatment Plant Improvements Project. 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.

A copy of the Capital Project Budget Ordinance for the Bernhardt Water Treatment Plant Improvements Project is hereby incorporated into these minutes by reference. (Refer to page 421).

Councilmember Perdue asked how the City came in under budget for this project. Public Utilities Director Thomas explained that several of the items were transferred to the current improvements project including paving. He stated this project is funded by a State Revolving Loan (SRF) resulting in the City having to borrow less funds.

Upon a motion by Councilmember Perdue, Council voted 5 to 0 to approve the above listed items on the Consent Agenda as presented 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. The band FracXured will perform on the Square from 6:00 p.m. – 7:30 p.m. on Friday, June 21 with the Chad Triplett Band performing from 8:00 p.m. – 10:00 p.m.

FABULOUS FILM

NIGHT: 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.

PLANNING

BOARD: 3. The Planning Board will meet on Monday, June 24 at 5:30 p.m.

COMMITTEE OF THE

WHOLE: 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.

ABC BOARD:

5. The ABC Board will meet on Thursday, June 27 at 2:00 p.m. at Lenoir Store #1.

SUMMER MUSIC MADNESS

CONCERT: 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.

FIRECRACKER 10K

& 5K RACE: 7. The annual Firecracker 5K & 10K race will be held on Saturday, June 29 beginning at 8:00 a.m. at the Lenoir Soccer Complex.

DEDICATION CEREMONY; CHARTERS OF

FREEDOM: 8. 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.

HOLIDAY

CLOSING: 10. City offices will be closed on Thursday, July 4 in observance of Independence Day.

CRUISE-IN:

EVENT: 11. A Cruise-In Event will be held on Saturday, July 6 beginning at 4:00 p.m. in downtown Lenoir.

4TH ANNUAL COMMUNITY**MUSIC FESTIVAL:**

12. 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.

B. ITEMS FOR COUNCIL ACTION**ACCEPTANCE OF OFFER TO PURCHASE;****BEALL STREET:**

1. 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 was published in the *News-Topic* on Friday, June 7. City Staff recommended Council accept the Final Offer to Purchase because the City did not receive any upset bids.

A copy of the Resolution is incorporated into these minutes by reference. (Refer to page 422-424).

Mayor Gibbons stated that Councilmember Perkins serves as the Minister of Mount Pilgrim Baptist Church and asked Council to recuse him from any discussion regarding the church's offer of acceptance.

1st Motion

Upon a motion by Councilmember Stevens, Council voted 4 to 0 to recuse Councilmember Perkins from voting on this issue due to his conflict.

2nd Motion

Upon a motion by Councilmember Thomas, Council voted 4 to 0 approve the Offer to Purchase the City owned property located on Beall Street, NCPIN#2749584440, former Beall Street Community Gardens, as recommended by City Staff.

Note: Councilmember Perkins rejoined the meeting at this time.

ORDER OF ABATEMENT**1252 FAIRVIEW DRIVE:**

2. Staff recommended approval of an Order of Abatement for property located at 1252 Fairview Drive, Parcel ID#06-185-2-5 and NCCPIN#2748473098 and NCPIN#2748473098 directing Staff to proceed with the demolition and removal of the structure.

A copy of the Order of Abatement is hereby incorporated into these minutes by reference. (Refer to pages 425-426).

Planning Director Wheelock reported the structure was destroyed by fire and is beyond repair.

Upon a motion by Councilmember Perdue, Council voted 5 to 0 to approve the Order of abatement for the property located at 1252 Fairview Drive directing Staff to proceed with the demolition and removal of the structure as recommended by City Staff.

ORDER OF ABATEMENT;**213 SUNSET STREET:**

3. Staff recommended approval of an Order of Abatement for property located at 213 Sunset Street, Parcel ID#09-191-1-35 and NCPIN#284042290 directing Staff to proceed with the demolition of the structure.

A copy of the Order of Abatement is hereby incorporated into these minutes by reference. (Refer to pages 427-428).

Planning Director Wheelock stated the property owner is deceased and she has not been contacted by any of the heirs to the property.

Upon a motion by Mayor Pro-Tem Willis, Council voted 5 to 0 to approve the Order of abatement for the property located at 213 Sunset Street directing Staff to proceed with the demolition and removal of the structure as recommended by City Staff.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY**VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR**

BOARD APPOINTMENTS; LENOIR TOURISM DEVELOPMENT AUTHORITY:

- A. Mayor Gibbons recommended that Brenda Floyd, Director, J.E. Broyhill Civic Center Service & Catering and Summer Combs, General Manager, Hampton Inn, be appointed to serve a four year term on the Lenoir Tourism Development Authority (LTDA). Mayor Gibbons explained that members of the LTDA have to serve in positions that are related to the tourism industry.

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

Upon a motion by Councilmember Mayor Pro-Tem Willis, Council voted 5 to 0 to appoint Brenda Floyd and Summer Combs to serve a four-year term on the Lenoir Tourism Development Authority (LTDA) as recommended by Mayor Gibbons.

IX. REPORT AND RECOMMENDATIONS OF COUNCIL MEMBERS

UPDATE; NCLM BOARD OF DIRECTORS MEETING:

- A. Mayor Pro-Tem Willis presented an update on the recent North Carolina League of Municipalities (NCLM) Board of Directors meeting. Mr. Willis currently serves as the District 10 Director. He shared the state budget is going to be a very contentious and partisan battle and the NCLM is unsure of what action may be taken. In addition, the League is taking an active approach in having Broadband available in communities that do not have access to the internet. Municipalities will not be providers of the internet but will be encouraged to take a more active approach such as private partnerships.

Mr. Willis further shared there was much discussion about the privatization of alcohol which received a lot of opposition. Also, discussion was held regarding Police body cameras and who should be authorized to view them whenever an incident occurs. He related discussion centered on forming a committee for this purpose. Next, he referred to the additional cost for municipalities for employees in the Local Government Retirement System. It was noted the City budgeted extra funds in its FY2019-2020 Annual Budget. Lastly, Mr. Willis reported the state has released one billion dollars for NCDOT Projects around the state.

X. ADJOURNMENT

- A. There being no further business, the meeting was adjourned 6:50 p.m.

Shirley M. Cannon, City Clerk

Joseph L. Gibbons, Mayor

W
City of Lenoir

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.

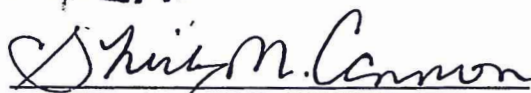
Section 3. The cost of abatement shall be paid by the property owner. Failure to pay the abatement shall result in a lien for the cost of abatement being placed on the real property described herein.

CITY OF LENOIR
CHARTERED
JANUARY 28, 1851

Adopted this the 18th day of June, 2019.


JOSEPH L. GIBBONS
MAYOR

ATTN: **SEAL**


SHIRLEY M. CANNON
CITY CLERK

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Fee \$26.00



10033990

Caldwell County North Carolina
Wayne L. Rash, Register of Deeds

Fee \$26.00



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Caldwell County North Carolina
Wayne L. Rash, Register of Deeds

✓ City of Lenoir

**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.

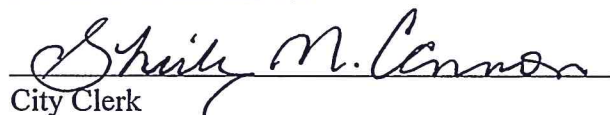
SECTION 11. This ordinance shall be effective on the date of adoption.

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.]**

SEAL

Fee \$26.00



Caldwell County North Carolina
Wayne L. Rash, Register of Deeds

✓✓ City of Lenoir

**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.

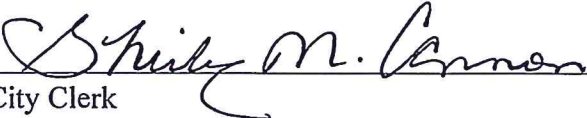
SECTION 11. This ordinance shall be effective on the date of adoption.

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.]



SEAL

Fee \$26.00



10033993

Caldwell County North Carolina
Wayne L. Rash, Register of Deeds

✓ City of lenoir

**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.

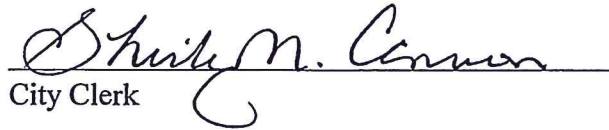
SECTION 11. This ordinance shall be effective on the date of adoption.

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

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CITY OF LENOIR, NC
CHARTERED
JANUARY 28, 1851

SEAL

**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	RHODISS 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	
		-	-

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	\$ 207,000.00
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	\$ 335,615.00
Total Revenue	\$ 1,635,615.00

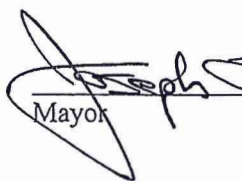
Section 5: The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy the requirements of the Project Ordinance.

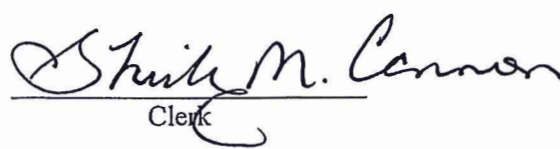
Section 6: The Finance Officer is directed to report, on a quarterly basis, on the financial status of each project element in Section 3.

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 18th 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 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.

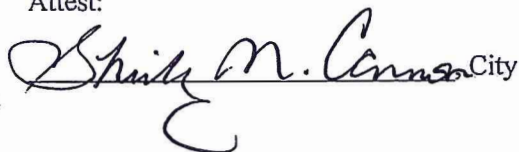
Adopted this 18th day of June, 2019



Mayor

Attest:

Clerk

City

**CITY OF LENOIR, NC
CHARTERED
JANUARY 28, 1851**

SEAL



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:

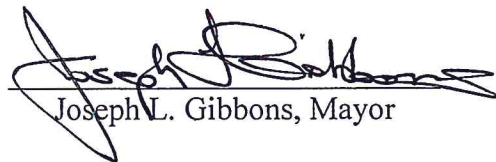
1. The City Council authorizes sale of the property described above through the upset bid procedure of North Carolina General Statute § 160A-269.
2. The City Clerk shall cause a notice of the proposed sale to be published. The notice shall describe the property and the amount of the offer, and shall 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.

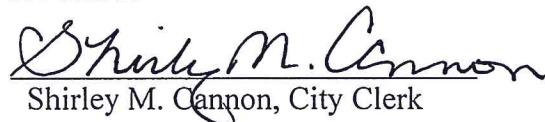
8. The City reserves the right to withdraw the property from sale at any time before the final high bid is accepted and the right to reject at any time all bids.
9. If no qualifying upset bid is received after the initial public notice, the offer set forth above is hereby accepted. The appropriate City 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

CITY OF LENOIR, NC
CHARTERED
JANUARY 28, 1851

SEAL

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.

Fee \$26.00



Caldwell County North Carolina
Wayne L. Rash, Register of Deeds

✓✓ City of Lenoir

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.

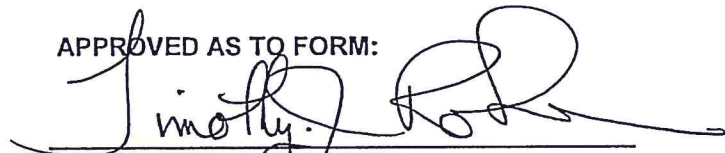
Adopted this the 18th day of June, 2019.


JOSEPH L. GIBBONS
MAYOR

ATTEST:


SHIRLEY M. CANNON
CITY CLERK

CITY OF LENOIR, NC
CHARTERED
JANUARY 28, 1851

APPROVED AS TO FORM:

TIMOTHY J. ROHR
CITY ATTORNEY

SEAL

Fee \$26.00



Caldwell County North Carolina
Wayne L. Rash, Register of Deeds

✓ City of Lenoir

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

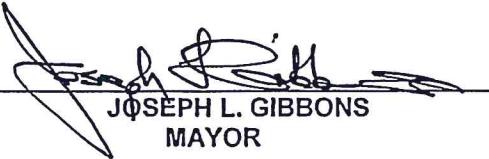
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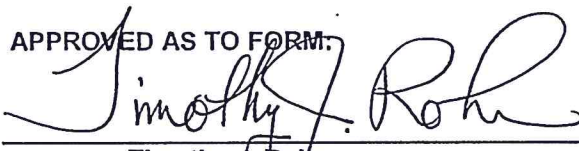
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JOSEPH L. GIBBONS
MAYOR

ATTEST:


SHIRLEY M. CANNON
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CITY OF LENOIR, NC
CHARTERED
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