

**LENOIR CITY COUNCIL
TUESDAY, AUGUST 6, 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
EXTENDED:**

- B. On behalf of City Council, Mayor Gibbons asked everyone to keep the families of the recent shooting victims of El Paso, Texas, Dayton, Ohio and Gilroy, California in their thoughts and prayers during this difficult time.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

III. CONSENT AGENDA ITEMS

- A. Upon a recommendation by City Manager Hildebran, the following Consent Agenda items were submitted for approval:
1. Minutes: Approval of the minutes of the City Council Meeting of Tuesday, July 16, 2019, as submitted.
 2. Minutes: Approval of the closed session minutes of the City Council meeting of Tuesday, July 16, 2019, as submitted.
 3. FY2018 Tax Collector's Settlement Report and the FY2019 Tax Collection Charge as recommended by City Staff. (Copies of these reports are on file in the Finance Director's office).
 4. Acceptance of Offer to Purchase; Willow Street: Staff recommends Acceptance of an Offer to Purchase Real Property in the amount of \$1,000 as submitted by Brian Burke in order to purchase the vacant lot owned by the City of Lenoir adjacent to the subject property located at 306 Willow Street, 0.14 acre, NCPIN#2749754718 and Parcel ID#06-12-1-2. 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 is hereby incorporated into these minutes by reference. Refer to page 445).

Upon a motion by Councilmember Thomas, Council voted 6 to 0 to

approve the above listed items on the Consent Agenda as recommended by City Manager Hildebran.

IV. REQUESTS AND PETITIONS OF CITIZENS

V. REPORTS OF BOARDS AND COMMISSIONS

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

A. Items of Information

AUGUST

CALENDAR: 1. By consensus of the Council, the calendar for the month of August was approved listing various meetings and events.

ANNUAL HARAMBEE

FESTIVAL: 2. The 47th Annual Harambee Festival began on Saturday, August 3 and ends on Friday, August 9 at the Martin Luther King, Jr. Center. The events are free and open to the public.

LENOIR TOURISM DEVELOPMENT

AUTHORITY: 3. The Lenoir Tourism Development Authority will meet on Thursday, August 8 at 4:00 p.m. at City Hall, Third Floor, former Council Chambers.

CANCELLED; LENIOR BUSINESS ADVISORY

BOARD: 4. The Lenoir Business Advisory Board cancelled its meeting of Thursday, August 8. The next meeting will be held on Thursday, September 12 at 6:00 p.m. at City Hall, Third Floor, former Council Chambers.

SUMMER MUSIC

FESTIVAL: 5. A Summer Music Festival is scheduled for Friday, August 9 from 6:00 p.m. – 10:00 p.m. on the square.

EDC: 6. The Caldwell County Economic Development Commission (EDC) will meet on Tuesday, August 13 at 8:00 a.m.

END OF SUMMER

BASH: 7. An End of Summer Bash will be held on Friday, August 16 from 6:00 p.m. – 9:30 p.m. featuring Crawford & Power, Don't Worry, Be Hoppy.

FABULOUS FILM

NIGHT: 8. Fabulous Film Night is scheduled for Saturday, August 17 with the movie "How to Train Your Dragon: The Hidden World" being shown at 8:30 p.m. on the square.

PARKS & RECREATION ADVISORY

BOARD: 9. The Parks and Recreation Advisory Board will meet on Monday, August 19 at 6:00 p.m. at the Optimist Park Clubhouse.

B. ITEMS FOR COUNCIL ACTION

RESOLUTION OF INTENT; STREET CLOSING; STEELE STREET:

1. City Staff recommended that Council call for a public hearing to be held on Tuesday, September 17 at 6:00 pm. and adopt a Resolution of Intent to consider the permanent closure of Steele Street. In accordance with N.C.G.S. §160A-299, the Resolution of Intent will be advertised for four (4) consecutive weeks in the *News-Topic*.

A copy of the Resolution of Intent is hereby incorporated into these minutes by reference. (Refer to page 446).

Planning Director Jenny Wheelock informed Council the two adjacent property owners are in agreement with the street closure, which would resume the use of Steele Street as a private access driveway to serve the two properties. Director Wheelock also shared the City's plans to convert Harper Avenue to two-way traffic would have required the closing of this connection from Steele Street to Harper Avenue in order to accommodate a safe trail crossing location and re-alignment of West Avenue into Harper Avenue.

Director Wheelock further stated the street closure facilitates the long-term goals for City infrastructure as well as private redevelopment in the area immediately adjacent to the downtown and the planned Rail Trail/OVT greenway project.

Upon a motion by Councilmember Perdue, Council voted 6 to 0 to schedule a public hearing on Tuesday, September 17 and adopted a Resolution of Intent to consider the permanent closure of Steele Street as recommended by City Staff.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

BOARD RE-APPOINTMENTS; AUTHORITIES/BOARDS/COMMISSIONS:

- A. Mayor Gibbons recommended that Council re-appoint the following list of individuals to the City's Authorities/Boards/Commissions:

Planning Board	Jeff Church
ABC Board	Jerry Brooks
Parks & Recreation Advisory Board	Rick Pierce

Note: These re-appointments were announced at the August 6 City Council meeting for the general public.

Upon a motion by Councilmember Stevens, Council voted 6 to 0 to re-appoint the above list of individuals to the City's Authorities/Boards/Commissions as presented.

COMMENDED; CITY

STAFF: B. On behalf of City Council, Mayor Gibbons commended Kenny Story, Recreation Director and Lester Whittington, Martin Luther King, Jr. Center Manager, for all of their hard work regarding the successful 47th Annual Harambee Festival.

IX. REPORT AND RECOMMENDATIONS OF COUNCIL MEMBERS

X. ADJOURNMENT

A. There being no further business, the meeting was adjourned 6:14 p.m.

Shirley M. Cannon, City Clerk

Joseph L. Gibbons, Mayor

Date: 7/16/19

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 \$ 1,000.00 for property owned by the City of Lenoir and located at VACANT LOT BESIDE 306 further identified by NC PIN 2749754718
WILLOW ST

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,

X Brian Burke (please sign)

Full Name: BRIAN BURKE
Phone number: (904) 429-6270
Email: BURKE420175@YAHOO.COM
Mailing Address: 306 WILLOW ST SW LENOIR NC 28645

§ 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.)

RESOLUTION OF INTENT

A Resolution Declaring the Intention of the Lenoir City Council as Petitioned by the Adjacent Property Owners to Consider the Closing Steele Street between College Avenue and Harper Avenue.

WHEREAS, G.S. 160A-299 authorizes the Lenoir City Council to close public streets and alleys; and

WHEREAS, the Lenoir City Council considers it advisable to conduct a public hearing for the purpose of giving consideration to the closing of Steele Street between College Avenue and Harper Avenue; and

NOW, THEREFORE BE IT RESOLVED by the Lenoir City Council that:

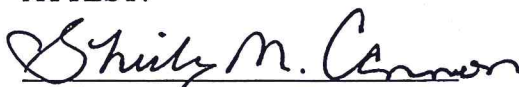
- (1) A meeting will be held at 6:00 p.m. on the 17th day of September, 2019, in the City/County Chambers, 905 West Avenue, to consider a resolution closing Steele Street.
- (2) The City Clerk is hereby directed to publish this Resolution of Intent once a week for four successive weeks in the News-Topic, or other newspaper of general circulation in the area.
- (3) The City Clerk is further directed to transmit by registered or certified mail to each owner of property abutting upon that portion of said street a copy of this Resolution of Intent.
- (4) The City Clerk is further directed to cause adequate notices of this Resolution of Intent and the scheduled public hearing to be posted as required by G.S. 160A-299.

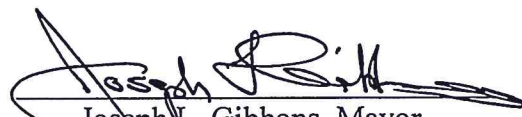
Any person with a disability needing special accommodations should contact the City Clerk's office 72 hours prior to the scheduled meeting time.

Adopted this the 6th day of August, 2019.

SEAL

ATTEST:


Shirley M. Cannon, City Clerk


Joseph L. Gibbons, Mayor