



AGENDA

CITY OF LENOIR
CITY COUNCIL MEETING
905 WEST AVENUE
TUESDAY, SEPTEMBER 17, 2019
6:00 P.M.
REVISED AGENDA



I. CALL TO ORDER

- A. Moment of Silence & Pledge of Allegiance

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

- A. Street Closing; Steele Street: A public hearing will be held to consider the permanent closure of Steele Street between College Avenue and Harper Avenue as recommended by City Staff and to consider approval of a Street Closing Ordinance which releases and quit claims the City's interest in the street and directs the Mayor and City Clerk to execute quit claim deeds, reserving utility easements with the adjacent property owners. This street closure also 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. **Note:** In accordance with N.C.G.S. §160A-299, the Resolution of Intent to close Steele Street was advertised for four (4) consecutive weeks in the *News-Topic*.
- B. Rezoning; College/Steele Re-Zoning: A public hearing will be held to consider rezoning three lots recently designated as Local Landmarks (Blue Bell, Inc.) located at 1241 College Avenue, NCPIN#2749559283, (Steele Cotton Mill) located at 1201 Steele Street, NCPIN#2749650842, and the (Carolina and Northwestern Railway Freight Station) located at 1407 College Avenue, NCPIN#2749545715 from I-2 (Heavy Industrial) to R-C (Residential-Commercial) in order to facilitate mixed-use development. Staff recommends approval based on the following consistency statement:

The proposed zoning map amendment is consistent with the Comprehensive Plan because it facilitates adaptive re-use projects for historic industrial properties and promotes mixed-use and higher density residential housing adjacent to the Downtown core. The future land use map identified this area as "existing non-residential" and does not designate a different future land use; however, the land use policies call for the adoption of mixed-use zoning standards for older industrial corridors, as well as the rehabilitation of the Freight Depot and the creation of a western "Gateway" to the downtown core. This re-zoning is reasonable and in the public interest because it allows for new residential and mixed-use development in areas already served by public infrastructure, leveraging the City's ongoing investment in the Downtown District, the Unity Park Community Gardens and the Rail Trail.

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of the minutes of the City Council meeting of Tuesday, September 3, 2019, as submitted.
- B. **Proclamation; Constitution Week: Approval of a proclamation proclaiming the week of September 17 through September 23, 2019 as “Constitution Week” throughout the City of Lenoir and Caldwell County. **Note:** Tuesday, September 17 marks the two hundred thirty-second anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention.**

IV. REQUESTS AND PETITIONS OF CITIZENS

V. REPORTS OF BOARDS AND COMMISSIONS

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

B. Items of Information

1. The Sanitation Division’s annual Trash Bash Week began on Monday, September 16 and continues through Friday, September 20. Additional information is available online at www.cityoflenoir.com.
2. NCDOT’s Fall Litter Sweep Campaign began on Saturday, September 14 through Saturday, September 28. Additional information is available online at www.ncdot.gov.
3. The Planning Board will meet on Monday, September 23 at 5:30 p.m. at the City/County Chambers.
4. The Committee of the Whole will meet on Tuesday, September 24 at 8:30 a.m. at City Hall, Third Floor, former Council Chambers.
5. The Foothills Regional Airport Authority will meet on Wednesday, September 25 at noon at the airport.
6. National Night Out will be held on Tuesday, October 1 from 6:00 p.m. – 9:00 p.m. in downtown Lenoir. This event is sponsored by the Lenoir Police Department.
7. The Lenoir Tourism Development Authority will meet on Thursday, October 3 at 4:00 p.m. at City Hall, Third Floor, former Council Chambers.
8. The ABC Board will meet on Thursday, October 10 at 2:00 p.m. at Lenoir Store No. 1.
9. The Lenoir Business Advisory Board will meet on Thursday, October 10 at 6:00 p.m. at City Hall, Third Floor, former Council Chambers.
10. The Smoking in the Foothills Barbeque Festival will be held on Friday, October 18 from 5:00 p.m. – 10:30 p.m. and on Saturday, October 19 from 10:00 a.m. – 10:30 p.m. in downtown Lenoir.

C. Items for Council Action

1. **Authorizing Resolution; NC Department of Commerce: If Council wishes to proceed with the grant submittal; City Council should adopt the enclosed Authorizing Resolution for a NC Department of Commerce OneNC Grant Submission for “Project Vanderbilt”. **Note:** Ms. Deborah Murray, Executive Director of the Caldwell County Economic Development Commission will present information regarding this request to City Council.**

2. Bid Award; Optimist Park Paving Project: Bids were received on Tuesday, September 10 for the Optimist Park Paving Project. Staff recommends Council award the low bid of \$25,000.00 to J. T. Russell & Sons for the paving of the new parking lot at Optimist Park. **Note:** This project is part of the Parks and Recreation Trust Fund Grant for the Mulberry/Optimist Park Improvements Project.
3. Contiguous Annexation Petition; 1336 Connelly Springs Road SW: Staff recommends that Council call for a public hearing to be held on Tuesday, October 15 to consider a Contiguous Annexation Petition for property located at 1336 Connelly Springs Road SW, NCPIN#2748823036. **Note:** The front portion of this parcel (approximately 1 acre) is already in the City limits while the back part of the parcel (approximately 4.1 acres) is not in the City limits but is in the ETJ. This property neighbors the Lenoir ABC Store #2 on Connelly Springs Road.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

IX. REPORT AND RECOMMENDATIONS OF COUNCIL MEMBERS

X. ADJOURNMENT

CITY OF LENOIR**COUNCIL ACTION FORM: September 17, 2019****I. Agenda Item:**

Resolution of Intent to Close Steele Street between College Avenue and Harper Avenue.

II. Background Information:

Steele Street was originally a 30-ft wide private alleyway to serve the two adjacent properties, with 15 ft. being reserved from each property. At some point in the past, the City of Lenoir took over maintenance responsibilities and has considered Steele Street a publicly opened street.

The two adjacent 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. Ultimately, the City's plans to convert Harper Avenue to carry two-way traffic would have required the closing of the connection from Steele St. to Harper Ave, in order to accommodate a safe trail crossing location and re-alignment of West Avenue into Harper Avenue. (See map, attached – only two properties are impacted by this closure, and the current property lines on the tax maps already go to the centerline of this street.)

In accordance with NCGS 160A-299, the attached resolution of intent, which calls for a Public Hearing to be held on September 17, 2019, will be advertised for 4 consecutive weeks in the Lenoir News-Topic. A copy of the resolution will be sent to each adjacent property owner, and notice of the public hearing will also be posted on the subject properties.

This 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.

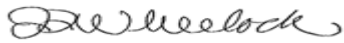
III. Staff Recommendation:

Adoption of the attached Street Closure Order, which releases and quit claims the City's interest in the street, and directs the Clerk and the Mayor to execute quit claim deeds, reserving utility easements, with the adjacent property owners.

IV. Reviewed by:

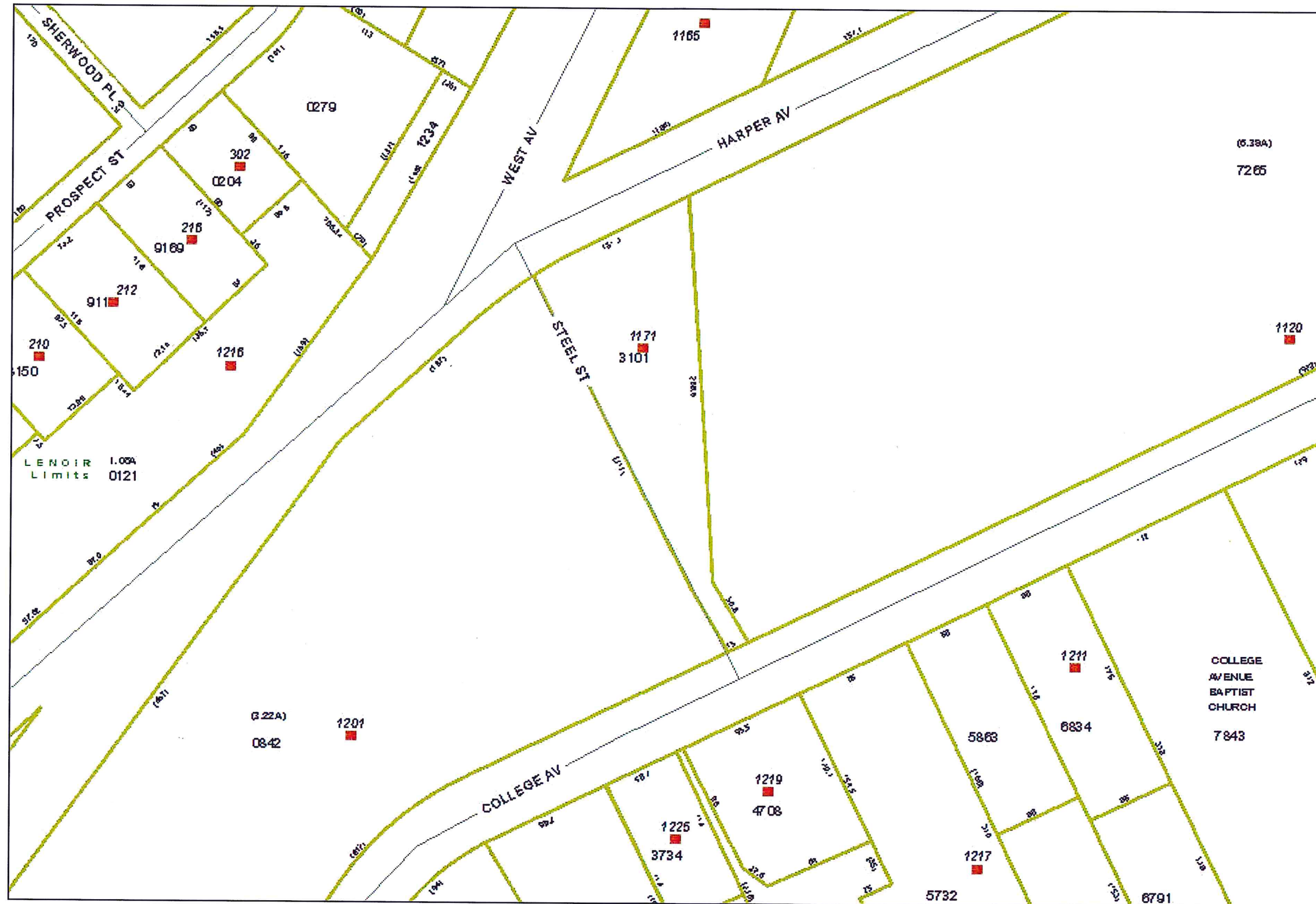
City Attorney: _____

Finance Director: _____

Planning Director:  _____

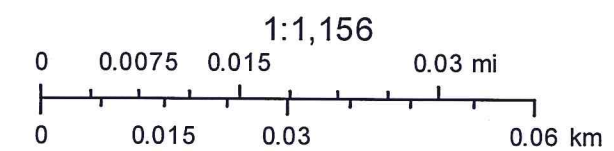


Caldwell County



September 9, 2019

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



CITY OF LENOIR
STREET CLOSING ORDER

A Resolution Ordering the Closing of Steele Street between College Avenue and Harper Avenue.

WHEREAS, on the 6th day of August, 2019, the City Council of the City of Lenoir directed the City Clerk to publish the Resolution of Intent of the City Council to consider the closing of Steele Street between College Avenue and Harper Avenue, in the News-Topic newspaper once each week for four successive weeks, such resolution advising the public that a meeting would be conducted in the City of Lenoir Council Chambers, 905 West Avenue, on Tuesday, September 17, 2019; and

WHEREAS, the Lenoir City Council on the 6th day of August, 2019 ordered the City Clerk to notify all persons owning property abutting on that portion of property located on Steele Street between College Avenue and Harper Avenue, as shown on the county tax records, by registered or certified mail, enclosing with such notification a copy of the Resolution of Intent, and

WHEREAS, the City Clerk has advised the City Council that a letter was sent to each of the abutting property owners advising them of the day, time and place of the meeting, enclosing a copy of the Resolution of Intent, and advising the abutting property owners that the question as to closing Steele Street between College Avenue and Harper Avenue would be acted upon, said letters having been sent by registered or certified mail; and

WHEREAS, the City Clerk has advised the City Council that adequate notices were posted on the applicable streets as required by G. S. 160-A299; and

WHEREAS, after full and complete consideration of the matter and after having granted full and complete opportunity for all interested persons to appear and register any objections that they might have with respect of the closing of said street in the public hearing held on Tuesday, September 17; and

WHEREAS, it now appears to the satisfaction of the City Council that the closing of Steele Street is not contrary to the public interest, and that no individual owning property, either abutting the street or in the vicinity of the street or in the subdivision at which the street is located, will as a result of the closing, be thereby deprived of a reasonable means of ingress and egress to his property.

NOW, THEREFORE, Steele Street between College Avenue and Harper Avenue is specifically being hereby ordered closed, and all right, title, and interest that may be vested in the public to said area for street purposes is hereby released and quitclaimed to the adjacent property owners in accordance with the provisions of G.S.160A-299.

There is reserved, however, a private alleyway for the joint use of the Grantor, his heirs, executors, successors and assigns and the Grantee, his heirs, executors, successors and assigns which alleyway is 30 feet wide, 15 feet of the same being on the foregoing described property the center line of which is described as follows:

Beginning on an iron pin which iron pin is the Northeastern corner of the foregoing described lot and is located also South 63° 00' West 15.06 feet from Grantor's Northeastern corner with Lenoir High School and runs North 32° 02' West 49.83 feet, thence North 28° 12' 53" West 131.98 feet and North 28° 31' 41" West 134.26 feet to an iron pin in the edge of the sidewalk of West Harper Avenue; the said alleyway is a private alleyway for the use of the Grantees and the Grantor, their heirs, executors, successors, administrators and assigns, but is not a public way.

There is also reserved a public utility easement to the City of Lenoir, which is the same as the land described above.

The Mayor and the City Clerk are hereby authorized to execute quitclaim deeds or other necessary documents in order to evidence vesting of all rights, title and interest in Steele Street of the herein closed street (with provision for reservation of easements of the City of Lenoir for utility purposes) in accordance with the provision of G. S. 160A-299 (c).

The City Clerk is hereby ordered and directed to file in the Office of the Register of Deeds for Caldwell County a certified copy of this resolution and order.

This is the 17th day of September, 2019.

SEAL

Joseph L. Gibbons, Mayor

ATTEST:

Shirley M. Cannon, City Clerk

CITY OF LENOIR**COUNCIL ACTION FORM: September 17, 2019****I. Agenda Item:**

Re-zoning three lots recently designated as Local Landmarks (Blue Bell, Steele Cotton, and the Freight Station) in the Fairfield South area from I-2 to R-C, in order to facilitate mixed-use development.

II. Background Information:

This is a city-initiated rezoning from I-2 (Heavy Industrial) to R-C (Residential Commercial). These properties, located adjacent to Downtown Lenoir's Central Business District, have recently been designated as Local Landmarks by the Lenoir HPC. A rezoning to R-C is would help to fulfill the goals of the Fairfield South Vision Plan, which prioritizes mixed-use development, high density housing, and productive reuse of historic buildings.

This rezoning case is the initial request to put the R-C district on the zoning map. The R-C zoning district was established as a new mixed-use district in March 2019 to accommodate higher density multi-family housing and appropriate commercial uses.

See attached staff report for the analysis and consistency statement supporting this request.

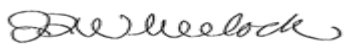
III. Staff and Planning Board Recommendation:

Approval of the re-zoning based on the consistency statement provided.

IV. Reviewed by:

City Attorney: _____

Finance Director: _____

Planning Director:  _____



Staff Report

Re-Zoning

CASE NUMBER R# 3-19

LOCATION MAP/AERIAL PHOTOGRAPH



Subject Properties

1. Steele Cotton Mill (1201 Steele St; NCPIN 2749650842)
2. Blue Bell Mill (1241 College Av; NCPIN 2749559283)
3. CNR Freight Station (1407 College Av; NCPIN 2749545715)

SUMMARY

Owner

Multiple

Applicant

City of Lenoir

Location

Steele Street and College Avenue, in the Fairfield South neighborhood

NC PIN

Multiple

Project Planner

Hannah Williams, CZO

Updated September 12, 2019

Description of Request:

City staff is recommending a re-zoning of the subject properties located in the Fairfield South neighborhood, from I-2 (Heavy Industrial) to R-C (Residential-Commercial). These properties, located adjacent to Downtown Lenoir's Central Business District, have recently been designated as Local Landmarks by the Lenoir HPC. A rezoning to R-C is would help to fulfill the goals of the Fairfield South Vision Plan, which prioritizes mixed-use development, high density housing, and productive reuse of historic buildings.

Staff Recommendation:

Approval of the request, based on the con-

sistency statement on page 5.

Planning Board Recommendation:

Approval of rezoning to R-C.

Public Comment:

Planning Board Meetings: August 26, 2019

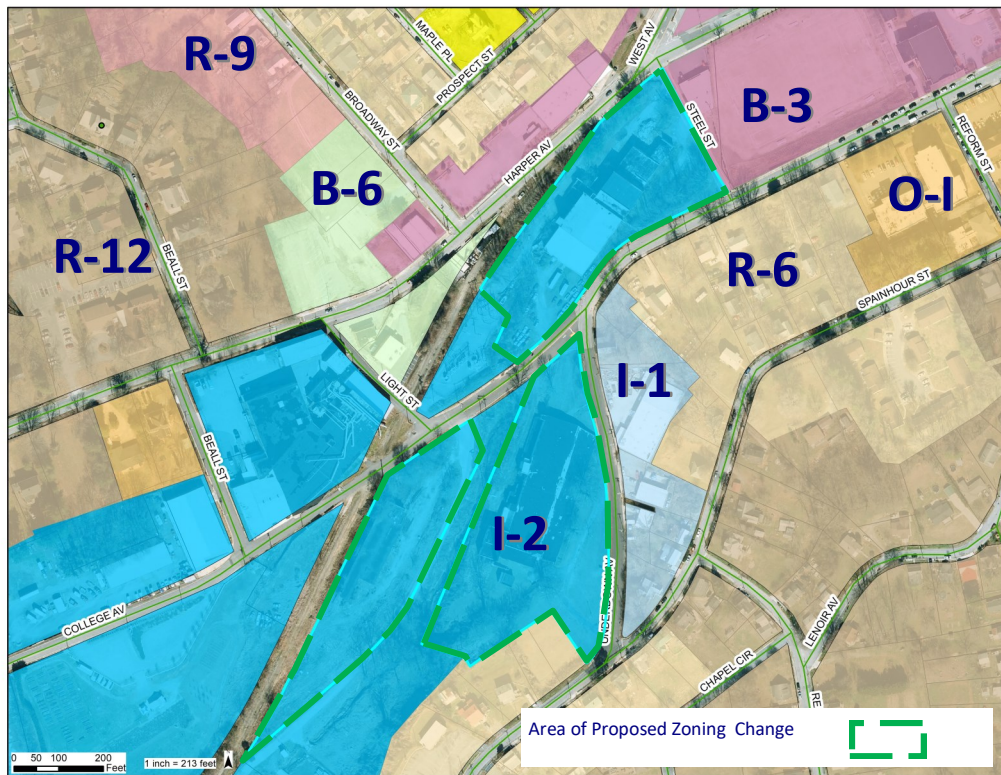
Notices were mailed to property owners within 100 ft. of the subject property on August 16, 2019.

City Council (Public Hearing): September 17, 2019.

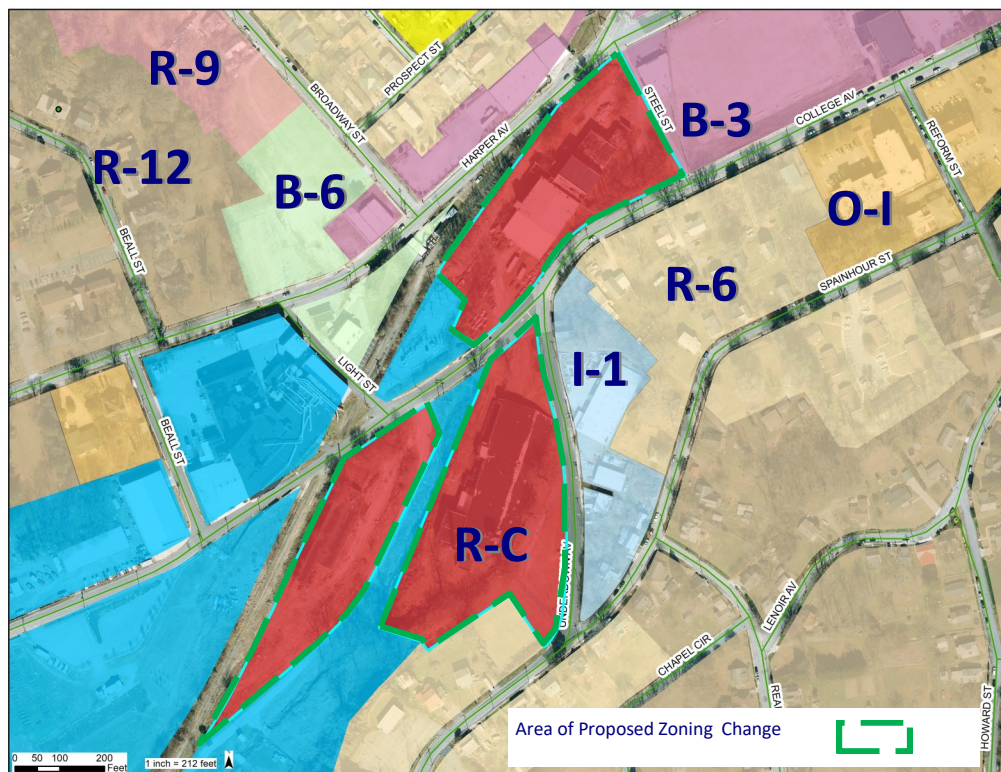
Notices were mailed to property owners within 100 ft. of the subject property on September 6, 2019.

EXISTING AND PROPOSED ZONING MAPS

Existing Zoning of Subject Properties



Proposed Zoning for Subject Properties



BACKGROUND

Zoning Map Amendments

The City of Lenoir Ordinance establishes an official zoning map/atlas for the City of Lenoir. The zoning map may be amended from time to time by the City Council when public necessity, convenience, general welfare, or good zoning practice justifies the amendment. The zoning map cannot be changed until the Planning Board reviews the request and makes a report to City Council on the proposed change and the City Council holds a public hearing to consider the request.

Subject Properties

The three subject properties are located in the Fairfield South industrial neighborhood, immediately west of downtown Lenoir. These properties were designated as Local Landmarks by the Lenoir City Council in the spring of 2019. They are described individually below:

1. Lenoir Cotton Mill—Blue Bell, Inc.: Built in 1902, this mill is a brick masonry industrial building significant for its role in the local industrial economy of Lenoir in the first half of the 20th century. Blue Bell is located at 1241 College Avenue. It has recently been used as a flea market until its sale earlier this year.
2. Carolina and Northwestern Railway Freight Station: This modernist, rectangle-shaped freight depot was built in 1950 adjacent to the railroad tracks that run through downtown Lenoir. The Freight Station contributed to the import and exports of Lenoir's industrial production in the second half of the 20th century. It has been used for storage and semi-vacant since 1994. The adjacent rail line was discontinued in 2007, and has been "rail-banked" for the development of the OVT greenway trail.
3. JM Bernhardt Planing Mill and Box Factory—Steele Cotton Mill: Steele Cotton Mill is also noted for its brick walls and industrial significance of the early 20th century. The building was originally built in 1896, with several additions throughout the 20th century. Steele Cotton is located at 1201 Steele Street. It was last used as a cotton mill in 1965, and was more recently used as Bost Lumber Company. Part of the building has been leased for vehicular storage.

Surrounding Properties

These properties are located in a transitional area between downtown Lenoir and residential neighborhoods. The furniture factory Fairfield Chair is located to the west and north of the subject properties. Directly west are the Unity Park and Community Gardens. The Lerinco neighborhood is along the southern exposure of the subject properties. Many of the homes in Lerinco were built as company housing by the mills on the subject properties.

STAFF ANALYSIS

Fairfield South Vision

The subject properties are located within the area known as Fairfield South. The vision for this area is to cultivate an industrial mixed-use neighborhood, where higher density housing types and residential amenities can co-exist with historic and new industrial uses. Deemed "Funky Town" after the eclectic and "funky" mix of uses envisioned, the decision was made to address re-zonings as particular projects arose rather than attempt to accommodate all uses under one zoning category or overlay. Some properties need to maintain their heavy-industrial zoning, due to ongoing industrial uses of the property. Some properties may need "Conditional Zoning" to accommodate specific development proposals. For the subject properties, the Residential-Commercial zoning accommodates a range of rehabilitation projects in the three historic landmark properties, consistent with the community vision for the area. The R-C zoning



Above: Fairfield South Community Meeting invitation from May 2016

STAFF ANALYSIS, CONTINUED

Comparison of Zoning Districts

	R-C	I-2
Development Standards	Min Lot Size: None	Min Lot Size: 20,000 SF
See Sec. 800 Table A of Lenoir Zoning Ordinance for full standards	Setbacks: 10' Front 0' Side 25' Rear	Setbacks: 25' Front 0' Side/Rear
Summary of Permitted Uses	Accessory Apartment/Cottage Attached Dwellings Bungalow Court Dwelling (Single-Family Detached and Two-Family) Multi-Family (Low, Med, High Density) Family Care Facility Zero Lot Line Day Care Eating and Drinking (With or Without Drive-Through) Boutique/Artisan Manufacturing Retail (Neighborhood Business, Light) Business and Personal Service	Accessory Apartment/Cottage Rehabilitation Centers/Day Care Eating and Drinking (With or Without Drive-Through) Kennels/Veterinarian Manufacturing (Artisan, Light, Heavy) Services (Auto, Business, Personal,) Greenhouses/Nurseries Hospitals/Clinics Retail (Indoor, Light, Intensive)

will allow for industrial-style loft apartments and/or condominiums, commercial spaces, office use, and artist studio space and “boutique” industrial uses. While a specific development proposal has not been brought forward, staff has reviewed conceptual development plans for the three subject properties, that would advance the vision for “funky town,” promote historic preservation, support the City’s investments in both the community gardens and the conversion of the rail line into a greenway trail, and create more opportunities for much-needed downtown-adjacent housing. In order to accommodate future historic preservation rehabilitation projects, staff is recommending that the City re-zone the three properties, based on the community input and overall vision for the area.



Above: Mock-up image of what redevelopment could look like near the Freight Station on College Ave

Residential-Commercial Zoning District

The R-C zoning district was established as a new mixed-use district in March 2019 to accommodate higher density multi-family housing and appropriate commercial uses. This rezoning case is the initial request to put the R-C district on the zoning map. The intent of the R-C District is to provide land areas suitable for moderate to high intensity development of residential developments, with limited supporting commercial uses to accommodate planned, mixed-use developments and small community-serving commercial uses within predominately multi-family developments.

STAFF ANALYSIS, CONTINUED

The recent Local Landmark designation and the Fairfield South Vision from 2016 make this area a prime location for a mixed-use zone. The permitted uses of this zone allow for the broadest range of housing and allows housing at higher densities than other residential zones. Allowing more land to be developed with dense housing will fulfill a need for more housing and housing types in this community.

STAFF RECOMMENDATION AND CONSISTENCY STATEMENT

Staff recommends that the Planning Board recommend approval of the request, based on the following consistency statement, and call for a Public Hearing for City Council to consider the request on September 17, 2019:

The proposed zoning map amendment is consistent with the Comprehensive Plan because it facilitates adaptive re-use projects for historic industrial properties and promotes mixed-use and higher density residential housing adjacent to the Downtown core. The future land use map identifies this area as “existing non-residential” and does not designate a different future land use; however, the land use policies call for the adoption of mixed-use zoning standards for older industrial corridors, as well as the rehabilitation of the Freight Depot and the creation of a western “Gateway “ to the downtown core. This re-zoning is reasonable and in the public interest because it allows for new residential and mixed-use development in areas already served by public infrastructure, leveraging the City’s ongoing investment in the Downtown district, the Unity Park Community Gardens, and the rail trail.

PLANNING BOARD RECOMMENDATION

Approval of the rezoning from I-2 to R-C, based on the consistency statement above.



**LENOIR CITY COUNCIL
TUESDAY, SEPTEMBER 3, 2019
6:00 P.M.**

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

I. CALL TO ORDER

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

OATH OF

OFFICE: B. The Honorable District Court Judge Robert Brady, Retired, administered the Oath of Office to Ralph S. Prestwood, Councilmember.

Judge Brady shared about Mr. Prestwood's volunteer work in the community and stated he will be a valuable member of City Council.

A copy of the Oath of Office is hereby incorporated into these minutes by reference. (Refer to page 459).

Councilmember Prestwood remarked that one of the reasons he wants to serve on Council is to help continue the good work happening in the City.

On behalf of City Council, Mayor Gibbons congratulated Mr. Prestwood and stated everyone is looking forward to working with him.

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, August 20, 2019, as submitted.
 2. Minutes: Approval of the minutes of the Committee of the Whole Meeting of Tuesday, August 27, 2019, as submitted.
 3. Resolution; 2020 Census Partnership: Approval of a resolution in support of the 2020 Census Partnership with the Caldwell County Complete Count Committee to bring together a cross section of community members who will utilize their local knowledge and expertise to reach out to all persons of our community. (A copy of the resolution is hereby incorporated into these minutes by reference. Refer to page 460).

Mr. Mark Lastoria, U.S. Census Partnership Specialist, presented information via a power point regarding the Census count which will begin April 1, 2020. Individuals interested in working during the census may apply online at www.usajobs.gov or Census.gov/fieldjobs or call the toll free job line at 1-888-JOB-2020.

Mr. Lastoria stated a Census has been conducted every ten years since 1790 and the Bureau's goal is to count everyone once, only once and in the right place. He explained that a Census is constitutionally mandated for re-apportionment of Congress and that billions of dollars are distributed to state and local governments using Census numbers. Mr. Lastoria also shared that in the 2010 Census, the City of Lenoir had a response of 79% and their current goal is to reach 82% of the population. He stated that North Carolina may obtain an additional seat or possibly two seats in the U.S. House of Representatives which will give us more political power.

Next, Mr. Lastoria stated the data is used for forecasting future transportation needs, determining areas eligible for housing assistance and rehabilitation loans, assisting tribal, federal, state and local governments in planning, and implementing programs and services in education, healthcare, transportation, social services, and emergence response. The data is further used for designing facilities for people with disabilities, the elderly and children.

Mr. Lastoria emphasized that under Title 13, U.S. Code, all Census Bureau employees swear a lifetime oath to protect respondent data. He noted it is a felony for any Census employee to disclose confidential Census information during or after employment and pointed out the penalty for wrongful disclosure is up to 5-years imprisonment and/or a fine of \$250,000. In addition, Mr. Lastoria shared that data is stored in secure IT systems and information is encrypted, plus access is limited and Staff actively monitors systems to make sure the information remains secure.

Mr. Lastoria also emphasized the Census Bureau Staff will wear ID badges and have satchels and they will never ask for full Social Security numbers, money, donations, PIN codes, passwords or similar access information for credit cards, banks or other financial accounts.

In conclusion, Mr. Lastoria explained that people would have the option to take the Census survey via their smart phone or internet, but he pointed out individuals would have the option to request a form as well. It was noted this will be the first national census taken using smart phones.

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

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

Manager Hildebran.

IV. REQUESTS AND PETITIONS OF CITIZENS

V. REPORTS OF BOARDS AND COMMISSIONS

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

A. Items of Information

SCULPTURE

FESTIVAL: 1. The annual Sculpture Festival will be held on Saturday, September 7 beginning at 9:00 a.m. at the T. H. Broyhill Walking Park.

CRUISE-IN: 2. A Cruise-In will be held on Saturday, September 7 beginning at 4:00 p.m. in downtown Lenoir.

CITY/COUNTY SERVICES

COMMITTEE:

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

CALDWELL COUNTY ECONOMIC DEVELOPMENT

COMM.: 4. The Caldwell County Economic Development Commission will meet on Tuesday, September 10 at 8:00 a.m. at the J. E. Broyhill Civic Center.

ABC BOARD: 5. The ABC Board will meet on Thursday, September 12 at 2:00 p.m. at Lenoir Store No. 1.

LENOIR TOURISM DEVELOPMENT

AUTH.: 6. The Lenoir Tourism Development Authority (LTDA) will not meet in September. The next meeting will be held in October with the date to be announced.

LENOIR BUSINESS ADVISORY

BOARD: 7. The Lenoir Business Advisory Board (LBAB) will meet on Thursday, September 12 at 6:00 p.m. at City Hall, Third Floor, former Council Chambers.

ANNUAL TRASH BASH

WEEK: 8 The Sanitation Division's Annual Trash Bash Week is scheduled for Monday, September 16 through Friday, September 20. City of Lenoir employees will also host a Litter Sweep Pickup Day on Wednesday, September 18 at 10:30 a.m. Additional information is available online at www.cityoflenoir.com.

NCDOT'S FALL LITTER

SWEEP: 9. The North Carolina Department of Transportation's Fall Litter Sweep Campaign begins on Saturday, September 14 through Saturday, September 28. Additional information is available online at www.ncdot.gov.

PARKS & RECREATION ADVISORY

BOARD: 10. The Parks and Recreation Advisory Board will meet on Monday, September 16 at 6:00 p.m. at the Optimist Park Clubhouse.

NATIONAL NIGHT

OUT: 11. The Police Department will host their annual National Night Out on Tuesday, October 1 from 6:00 p.m. – 9:00 p.m. in downtown Lenoir.

SMOKING IN THE FOOTHILLS**BARBEQUE FESTIVAL:**

12. The Smoking in the Foothills Barbeque Festival will be held on Friday, October 18 from 5:00 p.m. – 10:30 p.m. and on Saturday, October 19 from 10:00 a.m. – 10:30 p.m. in downtown Lenoir.

B. ITEMS FOR COUNCIL ACTION**VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY****VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR****IX. REPORT AND RECOMMENDATIONS OF COUNCIL MEMBERS****X. ADJOURNMENT**

A. There being no further business, the meeting was adjourned 6:45 p.m.

Shirley M. Cannon, City Clerk

Joseph L. Gibbons, Mayor

CITY OF LENOIR, NORTH CAROLINA

OATH OF COUNCIL MEMBER

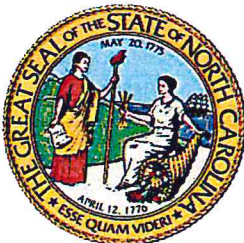
❧ RALPH S. PRESTWOOD ❧

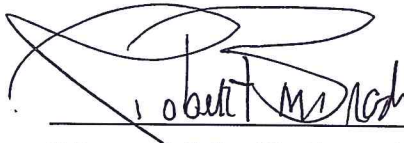
I, **RALPH S. PRESTWOOD**, solemnly swear that I will support the Constitution and laws of the United States; that I will be faithful and bear true allegiance to the State of North Carolina and to the constitutional powers and authorities which are or may be established for the government thereof; and, that I will endeavor to support, maintain, and defend the Constitution of said state, not inconsistent with the Constitution of the United States.

I, **RALPH S. PRESTWOOD**, further swear that I will execute the duties of the office of **COUNCIL MEMBER** for the City of Lenoir, North Carolina, to the best of my ability and judgment, so help me, God.


RALPH S. PRESTWOOD

Sworn to and subscribed before me this 3rd day of September, 2019.




Honorable Robert M. Brady
Chief District Court Judge, Retired



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

2020 Census Partnership

WHEREAS the U.S. Census Bureau is required by the U.S. Constitution to conduct a complete count of the population and provides a historic opportunity to help shape the foundation of our society and play an active role in American democracy;

WHEREAS the City of Lenoir, North Carolina is committed to ensuring every resident is counted;

WHEREAS federal and state funding is allocated to communities, and decisions are made on matters of national and local importance based, in part, on census data and housing;

WHEREAS census data help determine how many seats each state will have in the U.S. House of Representatives and are necessary for an accurate and fair redistricting of state legislative seats, county and city councils and voting districts;

WHEREAS information from the 2020 Census and American Community Survey is vital for economic development and increased employment;

WHEREAS the information collected by the census is confidential and protected by law;

WHEREAS a united voice from business, government, community-based and faith-based organizations, educators, media and others will enable the 2020 Census message to reach more of our residents;

WHEREAS the Census count requires extensive work, and the Census Bureau requires partners at the state and local level to insure a complete and accurate count;

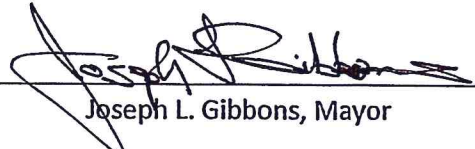
WHEREAS the City of Lenoir, North Carolina will work with the Caldwell County Complete Count Committee to bring together a cross section of community members who will utilize their local knowledge and expertise to reach out to all persons of our community;

Now, therefore, **BE IT RESOLVED** that the City of Lenoir, North Carolina is committed to partnering with the U.S. Census Bureau and the State of North Carolina and will:

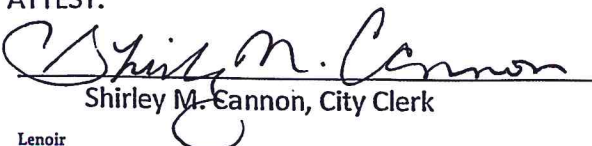
1. Support the goals for the 2020 Census and will disseminate 2020 Census information;
2. Encourage all City residents to participate in events and initiatives that will raise the overall awareness of the 2020 Census and increase participation;
3. Provide Complete Count Committee members and Census advocates to speak to County and Community Organizations;
4. Support census takers as they help our County complete an accurate count; and,
5. Strive to achieve a complete and accurate count of all persons within our borders.

Adopted by the City of Lenoir, North Carolina City Council this 3rd day of September 2019.

SEAL


Joseph L. Gibbons, Mayor

ATTEST:


Shirley M. Cannon, City Clerk





OFFICE OF THE MAYOR
Joseph L. Gibbons

City of Lenoir North Carolina

PROCLAMATION IN HONOR OF CONSTITUTION WEEK

WHEREAS, The Constitution of the United States of America, the guardian of our liberties, embodies the principles of limited government in a Republic dedicated to rule by law; and

WHEREAS, September 17, 2019 marks the two hundred thirty-second anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

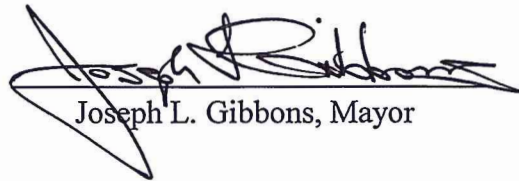
WHEREAS, It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations which will commemorate the occasion; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating the week of September 17 through September 23 as Constitution Week.

NOW, THEREFORE, I, Joseph L. Gibbons, Mayor of the City of Lenoir, North Carolina, and on behalf of the Lenoir City Council and all the citizens, do hereby proclaim the week of September 17 through September 23, 2019 as “**Constitution Week**” in the City of Lenoir and Caldwell County and urge all citizens to study the Constitution and reflect on the privilege of being an American with all of the rights and responsibilities this privilege affords.

This the 17th Day of September, 2019.

SEAL



Joseph L. Gibbons, Mayor

CITY OF LENOIR COUNCIL ACTION FORM

- I. Agenda Item:** Authorizing Resolution for NC Department of Commerce One North Carolina Fund Grant Submission for “Project Vanderbilt”
- II. Background Information:** The One North Carolina Fund (OneNC) is a discretionary cash-grant program that allows the Governor to respond quickly to competitive job-creation projects. The North Carolina Department of Commerce administers OneNC on behalf of the Governor. Awards are based on:
- The number of jobs created
 - The level of investment
 - The location of the project
 - The economic impact of the project
 - The importance of the project to the state and region.

Project Vanderbilt entails an established international pharmaceutical corporation acquiring a vacant former furniture manufacturing facility in Lenoir and transforming the building into a biotech manufacturing site. The company would invest approximately \$8 million in the building and equipment and within four years of operation expects to create up to 200 full-time jobs with an average pay of \$42,000 a year.

As you are aware, both Caldwell County and the City of Lenoir previously endorsed Project Vanderbilt with Caldwell County Board of Commissioners approving local financial incentives and City Council authorizing the filing of a NC Commerce Building Reuse Grant.

- III. Staff Recommendation:** If Council wishes to proceed with the grant submittal, City Council should adopt the enclosed Authorizing Resolution for NC Department of Commerce OneNC Grant Submission for “Project Vanderbilt”.

- IV. Reviewed by:**

City Attorney:
City Manager:



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

Resolution
Authority to apply to the North Carolina Department of Commerce
One North Carolina Grant Fund
Project Vanderbilt

Whereas, the City of Lenoir and Ms. Deborah Murray; Executive Director of the Caldwell County Economic Development Commission, are currently recruiting a new company to Lenoir and;

Whereas, this Economic Development Project is titled Project Vanderbilt in order to maintain confidentiality until approved for public release and announcement and;

Whereas, the State of North Carolina Department of Commerce has conducted a preliminary review of this project and determined the company eligible for potential state incentives and;

Whereas, the City of Lenoir has endorsed this Economic Development Project during an August 20, 2019 meeting and;

Whereas, the One NC Program requires a local government to serve as the formal applicant for State Incentive funding under this program and;

Now, therefore, be it resolved, by The Lenoir City Council:

That the City of Lenoir will serve as the official local government applicant for a Project Vanderbilt One NC Fund Grant;

That Scott E. Hildebran, City Manager and successor so titled, is hereby authorized to execute and file an application on behalf of the City of Lenoir with the North Carolina Department of Commerce for a One NC Fund Grant to assist in the recruitment and implementation of Project Vanderbilt and;

That the City of Lenoir has substantially complied with, or will substantially comply with, all Federal, State and local laws, rules, regulations and ordinances applicable to the project and the grants pertaining thereto.

SEAL

Adopted this the Seventeenth day of September, 2019.

Attest:

Shirley M. Cannon, City Clerk

Joseph L. Gibbons, Mayor

Date: _____

Date: _____

CITY OF LENOIR
COUNCIL ACTION FORM

I. Agenda Item:

**Mulberry Recreation Center/Optimist Park Addition Improvements:
Bid request: J.T. Russell & Sons, Inc. for paving new parking lot at
Optimist Park in the amount of \$25,000.00**

II. Background Information:

**This is part of the Parks and Recreation Trust Fund Grant for the
Mulberry Optimist Park Project.**

Bids: J.T. Russell & Sons, Inc. \$25,000.00

M & K Enterprises LLC \$28,993.18

Carolina Paving of Hickory, Inc. \$33,030.00

III. Staff Recommendation:

**Staff recommends to approval the bid to J.T. Russell & Sons in the
amount of \$25,000.00**

IV. Reviewed by:

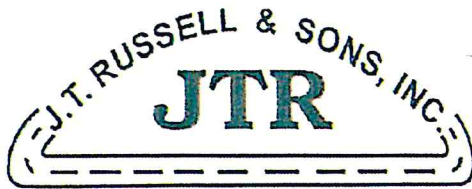
City Attorney:

Finance Director:

Public Works/Public Utilities Director:

Planning Director:

Recreation Director: Kenny Story



201 Herman Sipe Road Conover, NC 28613
 Phone: (828) 464-0328 • Fax: (828) 464-8203

www.jtrussellandsons.com

NC License # 2767

To:	City Of Lenoir	Contact:	
Address:	Lenoir, NC	Phone:	
		Fax:	
Project Name:	City Of Lenoir Resurfacing 2018	Bid Number:	
Project Location:		Bid Date:	

Item #	Item Description	
1	Lenoir Optimist Park Parking Lot @ 16,000 SF Per Tracy Huffman	
1A	Condition & Setup Existing Stone Base For Paving	
1B	Furnish & Install 2" S9.5C Asphalt Paving	\$25,000.00

Notes:

- The above prices do not include Performance and Payment Bond. Add 1% if bond is required.
- Traffic control is NOT included.
- Night work is NOT included.
- Removal & replacement of unsuitables, dewatering, drying and chemical treatment of soils is not included.
- Asphalt pricing based on the NCDOT index for September 2019. Adjustments for increasing index will be made per NCDOT Specifications.
- Pricing is firm for 30 days.
- Proposal includes One mobilization. Additional mobilizations will be charged at \$5,000.00 each.
- Stone base is to be installed by others and on grade prior to setting up for paving.

Payment Terms:

Payment due within 7 days after payment is made by Owner.

ACCEPTED: The above prices, specifications and conditions are satisfactory and are hereby accepted. Buyer: _____ Signature: _____ Date of Acceptance: _____	CONFIRMED: JT Russell - Conover Authorized Signature:  Estimator: David Stamey (828) 464-0328 dastamey@jtrussellandsons.com
--	---

M&K ENTERPRISES LLC**Quotation**

PO Box 1616
 Lenoir, NC 28645
 Phone (828) 572-7524
 FAX (828) 572-7525
 EMAIL- mkentllc@gmail.com

DATE September 10, 2019
Quotation # 1
Customer ID

Quotation valid until: October 10, 2019
Prepared by: Tim L

Prepared For:

City of Lenoir

Quote For:

Lenoir Optimist Park

Comments or special instructions:

SEE PAGE #2

Item	Description	Unit	QTY	Unit Price	AMOUNT
1	Fine grade and condition existing ABC stone				\$ -
2	Pave 1,778 sqyds with 2" of S9.5C asphalt				\$ -
					\$ -
					\$ -
	Total Sum		1.00	\$28,993.18	\$ 28,993.18
					\$ -
					\$ -
					\$ -
					\$ -
M&K Enterprises LLC. will furnish all necessary materials, equipment and labor to perform this work for the sum of (Not Including Index Adjustments for Asphalt):					\$ 28,993.18

If you have any questions concerning this quotation, contact M&K Enterprises, LLC., (828)764-3372.

Authorized
 Signature: _____

Title: _____

9/10/19

ACCEPTANCE OF PROPOSAL : If the above price(s), specifications and conditions of page 1 & 2 are satisfactory and acceptable, please sign below and return by fax or mail to address listed above.

Date of Acceptance: _____ Signature: _____

Signature: _____

THANK YOU FOR YOUR BUSINESS!

Asphalt Escalation Clause: All Asphalt Concrete prices were developed based on the current terminal liquid asphalt price. Due to the high volatility of oil prices, adjustments to the asphalt concrete pricing may be required. M&K Enterprises shall have the sole option of any asphalt adjustments that
 IntelliQuote v1.0



TELEPHONE: (828) 322-1706 • FAX: (828) 324-6160

3203 Highland Avenue NE
Hickory, NC 28601

PROPOSAL AND CONTRACT ("CONTRACT")

TO: City of Lenoir
Attn: Tracy Huffman

DATE: September 10, 2019

JOB: Condition & Pave - Parking Lot

LOCATION: Lenoir

E: thuffman@ci.lenoir.nc.us

We propose hereby to furnish materials, labor and equipment - complete in accordance with specifications stated below:

ITEM	DESCRIPTION	AMOUNT
1.	Condition 1,780 sy of existing stone.	
2.	Pave 1,780 sy with 2" of S 9.5 C asphalt.	

E-589CI needs to be completed and returned with the signed quote to avoid paying sales tax on labor.

FOR THE SUM OF: Thirty Three Thousand Thirty and no cents DOLLARS \$ 33,030.00

PROPOSAL VALID FOR 30 DAYS.

Jim Taylor
Jim Taylor

AUTHORIZED SIGNATURE

CONTRACT ACCEPTANCE

TO: Carolina Paving of Hickory, Inc.

Prices, Specifications, and Conditions of the Contract are hereby accepted. You are authorized to do work as specified herein.
Payment shall be made as outlined on the following page of the Contract.

NAME OF COMPANY, LLC. _____

SIGNED/TITLE _____

SIGNED/TITLE _____

DATE OF ACCEPTANCE _____

(NOTE: SEE CONDITIONS ON FOLLOWING PAGE)

CITY OF LENOIR
COUNCIL ACTION FORM

I. Agenda Item:

Call for Public Hearing: Annexation Petition A#1-19.

II. Background Information:

A petition has been filed for a contiguous annexation for the property at 1336 Connelly Springs Rd SW (NCPIN 2748823036), highlighted on the attached map. This parcel is currently split between Lenoir's City Limits and ETJ, and split between B-2 (General Business and R-R (Rural Residential). The recommended zoning district for this parcel is B-2 (General Business).

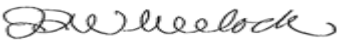
III. Staff Recommendation:

Call for a public hearing to consider the petition for annexation on October 15, 2019.

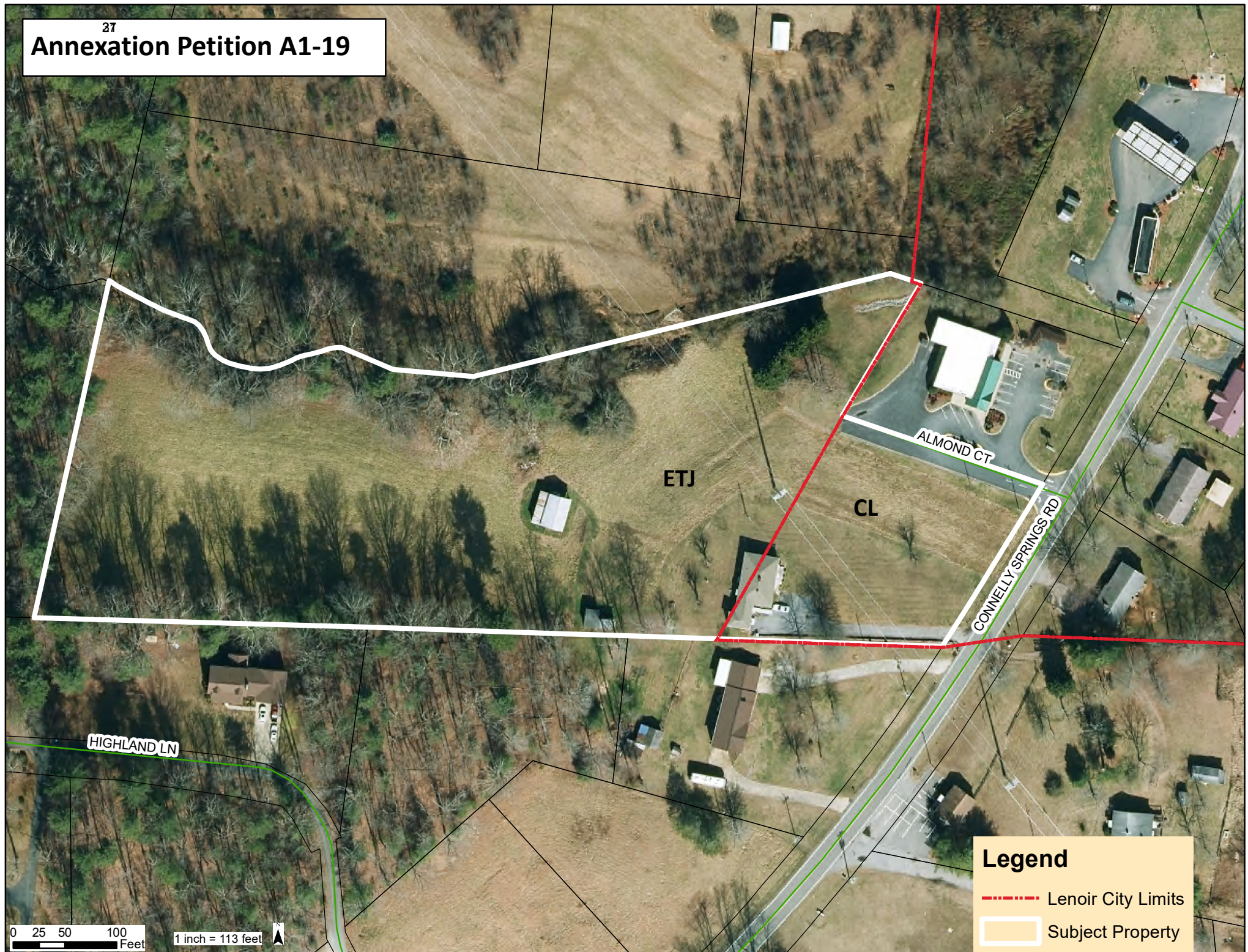
IV. Reviewed by:

City Attorney: _____

Finance Director: _____

Planning Director:  _____

Annexation Petition A1-19



Legend

- Lenoir City Limits
- Subject Property