

**LENOIR CITY COUNCIL
TUESDAY, AUGUST 18, 2020
6:00 P.M.**

PRESENT: Mayor Joe Gibbons presiding. Councilmembers present were Jonathan Beal, Todd Perdue, Ike Perkins, David Stevens, Ben Willis and City Manager Scott Hildebran.

Staff present was Communications Director Joshua Harris.

VIA TELECONFERENCE:

Participating via teleconference were Mayor Pro-Tem Crissy Thomas, Councilmember Ralph Prestwood, City Attorney T.J. Rohr and City Clerk Shirley Cannon.

Department Directors participating via teleconference were Finance Director Donna Bean, Fire Chief Ken Hair, Recreation Director Kenny Story, Planning Director Jenny Wheelock, Main Street Coordinator Kyle Case, Public Utilities Director Radford Thomas and Public Works Director Jared Wright.

ABSENT: Kaylynn Horn, Economic Development Director.

I. CALL TO ORDER

- A. The meeting was opened by a moment of silence followed by the Pledge of Allegiance as led by Mayor Gibbons.
- B. Mayor Gibbons requested that everyone keep praying for our leaders across the state, nation, and community as they strive to handle the coronavirus issues and keep everyone safe. Mayor Gibbons also reminded everyone to continue following the protocols established for the COVID-19 virus which include wearing a mask, social distancing and washing your hands.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

**AMENDMENT; SECTION 12-1;
DESIGNATION OF NUISANCES:**

- A. A public hearing was held on Tuesday, August 18 to consider amending the City's Code of Ordinances, Section 12-1; Designation of Nuisances by ordinance as related to raccoons and other "disease vector" species as submitted by City Staff. The proposed changes expand on the existing nuisance declarations and clarify the intent of the ordinance to apply to all nuisance species, including rabies-vector species. Upon approval, the Code of Ordinances will be amended to reflect this change.

Note: Council may defer taking action until the August 25 Committee of the Whole meeting per remote meeting statutes.

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

Planning Director Jenny Wheelock explained the intent of the proposed amendment is not only to clarify the City's previous ordinance, but to provide officers with additional authority when working with code enforcement issues.

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

Upon a motion by Councilmember Perdue, Council voted 7 to 0 to defer taking action until the August 25, 2020 Committee of the Whole meeting in order to comply with remote meeting guidelines.

III. CONSENT AGENDA ITEMS

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

1. Minutes: Approval of the minutes of the City Council meeting of Tuesday, August 4, 2020 as submitted.

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

IV. REQUESTS AND PETITIONS OF CITIZENS

REMARKS; DOWNTOWN CONFEDERATE

MONUMENT: 1. Ms. Amanda Bregel, 2403 Central Drive, Lenoir, NC, addressed City Council and spoke in favor of moving the Confederate monument located in downtown Lenoir to another location. Ms. Bregel shared she is President of the Local Chapter of the NAACP and represents the group along with other residents in Lenoir and Caldwell County who support this request.

Ms. Bregel stated the Downtown Association's motto "Together We Create" promotes the City in a positive way, while the monument doesn't represent anything positive. Ms. Bregel said the monument reminds people of the time of slavery in America and noted she was fighting for all the residents of Lenoir in order to help them feel more safe and secure.

Ms. Bregel respectfully suggested that City Council make their intentions known regarding moving the monument and asked that they focus on the positive.

2. Mr. Roger Patterson, 331 Eastview Place, Lenoir, NC, addressed City Council in support of moving the Confederate monument to a museum or another location. Mr. Patterson said a public monument is not a piece of history and moving the

monument does not mean we are erasing history. He also stated a monument should not project racism. Mr. Patterson explained that the Confederate States of America stood for two basic principles, as laid out in its own constitution of 1861. First, it stood for a dis-union of the United States. Second, it stood for an official establishment of slavery based on race. Mr. Patterson remarked the South fought the war to preserve slave labor and referred to the Cornerstone Speech delivered by Confederate Vice-President Alexander H. Stevens in March 1861 who defended slavery as a fundamental and just result of the black race.

Mr. Patterson asked City Council to remove the Confederate monument from public property. He also said individuals reserve the right to fly the Confederate flag, but it shouldn't be flown on public property.

3. Bishop Michael Sloan, 826 Queen Street, addressed City Council and stated he is inquiring about the status of moving the monument due the number of telephone calls and comments he has received from local citizens. Mr. Sloan expressed appreciation to City Council for their leadership and their good relationship with the community and respectfully asked Council to consider removing the monument in the legal way.

Mayor Gibbons thanked everyone for their remarks and informed the audience that the City is doing due diligence and researching the legality of what may or may not be done regarding the monument. Mayor Gibbons further stated the City Attorney is handling the matter and trying to find out who actually can make a decision about this issue.

V. REPORTS OF BOARDS AND COMMISSIONS

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

A. Items of Information

CANCELLED; PLANNING

BOARD: 1. The Planning Board cancelled their meeting of Monday, August 24 due to no agenda items.

COMMITTEE OF THE

WHOLE: 2. The Committee of the Whole will meet on Tuesday, August 25 at 8:30 a.m. on third floor of City Hall.

FOOTHILLS REGIONAL AIRPORT

AUTHORITY: 3. The Foothills Regional Airport Authority will conduct a virtual meeting on Wednesday, August 26 at noon.

HOLIDAY

CLOSING: 4. City offices will be closed on Monday, September 7 in observance of Labor Day.

B. ITEMS FOR COUNCIL ACTION

AUTHORIZING RESOLUTION; PROJECT ECHO:

1. If Council wishes to proceed with the grant submittal, City Council should adopt the enclosed Authorizing Resolution for a NC Department of Commerce Building Reuse Grant Submission for "Project Echo."

City Manager Hildebran shared the grant amount is \$500,000 and the company plans a \$1,500,000 investment along with the creation of ninety (90) full-time new positions. The average salary will be \$43,000 which is above Caldwell County's average wage. The proposed project entails a well-established manufacturing company (new to Caldwell County but not new to the industry) looking to locate a manufacturing operation in Lenoir.

City Manager Hildebran also reported the Caldwell County Board of Commissioners approved local financial incentives representing the required five percent local government grant match at their Board of Commissioners meeting held on Monday, August 17. In addition, Mr. Hildebran further clarified the incentives would be funded by the Sales Tax Reinvestment Fund.

A copy of the authorizing resolution is hereby incorporated into these minutes by reference. (Refer to page 164).

Upon a motion by Councilmember Stevens, Council voted 7 to 0 to approve the authorizing resolution for Project Echo as presented by City Manager Hildebran.

AUTHORIZING RESOLUTION; STATE LOAN/GRANT ASSISTANCE; FINLEY AREA WATER SYSTEM IMPROVEMENT PROJECT:

2. Staff recommends approval of an authorizing resolution for the purpose of authorizing the City Manager to file an application with the state of North Carolina for a state loan and/or grant aid in the construction of the Finley Area Water System Improvement Project.

A copy of the authorizing resolution is hereby incorporated into these minutes by reference. (Refer to page 165-166).

City Manager Hildebran stated the estimated project cost is \$4,900,000 and clarified for Council the purpose of the project is to address the water pressure issues along Finley Avenue. He reported an engineering study was conducted and mentioned this project has been on the City's Capital Improvements Project (CIP) list for several years.

Upon a motion by Councilmember Willis, Council voted 7 to 0 to approve the authorizing resolution to authorize the City Manager to file an application with the state of North Carolina for a state loan and/or grant aid in the construction of the Finley Area Water System Improvement Project as presented and as recommended by City Staff.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY**VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR****BOARD APPOINTMENTS;
RE-APPOINTMENTS:**

- A. On behalf of City Council, Mayor Gibbons presented the following list of individuals for consideration of approval to the City's Authorities/Boards/Positions:

<u>Board Re-Appointments</u>		<u>Term</u>
Lenoir Business Advisory Board	Patrick Longano	4-year
Planning Board	Lucy McCarl	4-year
Board of Adjustments	Lucy McCarl	3-year
	Richard Hedrick*Retiring off of Board	
Lenoir Housing Authority	Charlie Rivens	3-year
	Ron Smith*Retiring off of Board	

Mayor Gibbons stated that Richard Hedrick and Ron Smith would be recognized for their tenure at a later date. In addition, Mayor Gibbons stated he has contacted all of the above individuals and everyone is willing to serve another term. Mayor Gibbons commended all board members that are currently serving for the great job they are doing for the City of Lenoir.

New Board Appointments

Planning Board	Kent Greer	4-year
Lenoir Business Advisory Board	Darren McKinney	2-year
	Gonzalo Vasquez	2-year
Lenoir Housing Authority	John Francis	3-year

These appointments/re-appointments were announced at the August 4 City Council meeting. Also, Mayor Gibbons reported that applications to serve on a Board or Commission are available for download on the City's website at www.cityoflenoir.com or individuals may contact the City Clerk's office.

Upon a motion by Councilmember Perdue, Council voted 7 to 0 to approve the above list of Board appointments/re-appointments as presented and as recommended by Mayor Gibbons.

IX. REPORT AND RECOMMENDATIONS OF COUNCIL MEMBERS**X. ADJOURNMENT**

- A. There being no further business, the meeting was adjourned at 6:42 p.m.

Shirley M. Cannon, City Clerk

Joseph L. Gibbons, Mayor



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
R. S. PRESTWOOD
D. F. STEVENS
C. D. THOMAS
B. K. WILLIS

**Project Echo
Authorizing Resolution**

Whereas, Deborah Murray, Executive Director of the Caldwell County Economic Development Commission, has been working with a company to locate a manufacturing operation in Lenoir and;

Whereas, the Building Reuse Grant requires a local government to serve as the formal applicant for these incentive grant dollars on behalf of the company, and

Whereas, this project will result in the creation of additional jobs and private investment at the Lenoir facility and;

Whereas, The City of Lenoir wishes to assist in this expansion by serving as the local government applicant for a Rural Building Reuse Grant for the project

Now Therefore Be It Resolved, By The City of Lenoir: that the City Council of Lenoir supports the Project Echo in the City; and

BE IT FURTHER RESOLVED that The City of Lenoir shall serve as the project applicant for the Building Reuse Grant; and

BE IT FURTHER RESOLVED that The City of Lenoir will meet the local government 5% match requirement through the Caldwell County Local Jobs Incentive for the project; and

BE IT FURTHER RESOLVED that Scott E. Hildebran, City Manager, and successors so titled, is hereby authorized to execute and file applications on behalf of the City of Lenoir with the North Carolina Department of Commerce for grant assistance in the development of the project described above; and

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

Adopted this the 18 day of August 2020, in Lenoir North Carolina.

SEAL:

ATTEST:


Shirley M. Cannon, City Clerk


Joseph L. Gibbons, Mayor





CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

MAYOR
JOSEPH L. GIBBONS

CITY COUNCIL
J. T. BEAL
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RESOLUTION BY GOVERNING BODY OF APPLICANT

- WHEREAS, The Federal Clean Water Act Amendments of 1987 and the North Carolina the Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of drinking water distribution system projects, and
- WHEREAS, The **City of Lenoir** has need for and intends to construct a drinking water distribution system project described as the Finley Area Water System Improvements project, and
- WHEREAS, The **City of Lenoir** intends to request state loan and/or grant assistance for the project,

NOW THEREFORE BE IT RESOLVED, BY THE CITY OF LENOIR CITY COUNCIL:

That **City of Lenoir**, the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State loan and/or grant award.

That the **Applicant** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the **Applicant** agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the **City of Lenoir** to make scheduled repayment of the loan, to withhold from the **City of Lenoir** any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That the **Applicant** will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Scott Hildebran, City Manager, the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a loan and/or grant to aid in the construction of the project described above.

That the **Authorized Official**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

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

Adopted this the 18th day of August, 2020 at Lenoir, North Carolina.

SEAL


Joseph L. Gibbons, Mayor



Minutes-City of Lenoir Council Meeting
Tuesday, August 18, 2020

CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified and acting City Clerk of the City of Lenoir does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the City Council of the City of Lenoir duly held on the 18th day of August, 2020; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this 19th day of August, 2020.



Signature

Shirley Cannon, City Clerk

Printed Name and Title

CITY OF LENOIR, NC
CHARTERED
JANUARY 28, 1851

SEAL