



AGENDA

**CITY OF LENOIR
CITY COUNCIL MEETING
905 WEST AVENUE
TUESDAY, FEBRUARY 16, 2021
6:00 P.M.**



I. CALL TO ORDER

- A. Moment of Silence & Pledge of Allegiance
- B. Special Recognition: On behalf of City Council, Mayor Gibbons will present a resolution in honor and memory of Gary E. Everhardt for his four decades of service and many contributions to the City of Lenoir and Caldwell County.
- C. Special Recognition: On behalf of City Council, Mayor Gibbons will present a resolution to Master Patrol/Community Resource Officer Scott E. Kanupp in honor and recognition of his fifteen years of dedicated and outstanding service with the Lenoir Police Department, City of Lenoir and its citizens. Mayor Gibbons will also present Officer Kanupp with his service weapon and badge upon his retirement from the Police Department.
- D. Special Recognition: On behalf of City Council, Mayor Gibbons will present a resolution and a key to the City to Battalion Chief Todd A. Laws in honor and recognition of his 30 years of dedicated and outstanding service with the Lenoir Fire Department, the City of Lenoir and its citizens.

II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of the minutes of the City Council meeting of Tuesday, February 2, 2021 as submitted.
- B. Change Order #2; Lower Creek WWTP Biosolids Project: Approval of Change Order No. 2 in the amount of \$9,287.07 as recommended by McGill Associates for the Lower Creek Wastewater Treatment Plant Biosolids Improvements Project. **Note:** The additional cost is well within the 10% construction contingency approved for the project and the changes do not result in an increase to the overall funds approved for the project.
- C. Resolution; Gary E. Everhardt: Approval of a resolution in honor and memory of Gary E. Everhardt for his four decades of service and many contributions to the City of Lenoir and Caldwell County.
- D. Resolution; Scott E. Kanupp: Approval of a resolution in honor and recognition of Master Patrol/Community Resource Officer Scott Kanupp's fifteen years of dedicated and outstanding service to the Lenoir Police Department, City of Lenoir and its citizens.
- E. Resolution; Surplus Property: Approval of a resolution commending Master Patrol/Community Resource Officer Scott Kanupp for his service to the Lenoir

Police Department and declaring his badge and service weapon, Sig Sauer Model P220R, Serial Number #37C007649 as surplus property.

- F. Resolution; Todd A. Laws: Staff recommends approval of a resolution in honor and recognition of Battalion Chief Todd Laws' thirty years of dedicated and outstanding service with the Lenoir Fire Department, the City of Lenoir and its citizens.

IV. REQUESTS AND PETITIONS OF CITIZENS

V. REPORTS OF BOARDS AND COMMISSIONS

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

A. Items of Information

1. The Planning Board will conduct a virtual meeting on Monday, February 22 at 5:30 p.m.
2. City Council's Annual Budget Retreat will be held virtually on Tuesday, February 23 from 8:30 a.m. - 11:30 a.m. during the Committee of the Whole meeting. City Council will continue their virtual Budget Retreat on Thursday, February 25 from 2:00 p.m. – 5:00 p.m.
3. The Foothills Regional Airport Authority will conduct a virtual meeting on Wednesday, February 24 at noon.

B. Items for Council Action

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

- A. Board Appointments: Mayor Gibbons will recommend the following list of individuals for consideration of re-appointment to the City's Authorities/Boards/Commissions.
Note: These individuals were announced at the February 2 City Council Meeting.

Lenoir Tourism Development Authority (LTDA)

Matthew Underwood 4-year term

Parks and Recreation Advisory Board

James Robertson 2-year term

Michael Dineen 2-year term

Lenoir Business Advisory Board (LBAB)

Kimmie Rogers 3-year term

***Upcoming Announcements for March**

Board of Adjustments 3-year terms

James Bradshaw

Mac Martin

Tim Scobie

IX. REPORT AND RECOMMENDATIONS OF COUNCIL MEMBERS

X. ADJOURNMENT

***RESOLUTION HONORING GARY E. EVERHARDT FOR HIS
CONTRIBUTIONS TO THE CITY OF LENOIR AND
CALDWELL COUNTY***

WHEREAS, Gary Eugene Everhardt was born on July 8, 1934, in Lenoir, North Carolina, and was the only Caldwell County native to ever serve as the Director of the National Parks Service from January 1975 to May 1977; and

WHEREAS, in October 1977, Gary Everhardt started working as the Superintendent of the Blue Ridge Parkway and oversaw the completion of the parkway, which runs through the northern tip of Caldwell County, including completion of the Linn Cove Viaduct around Grandfather Mountain; and

WHEREAS, The Blue Ridge Parkway brings millions of visitors into North Carolina and Virginia every year to travel all or part the 469 miles of parkway and enjoy our beautiful Appalachian Mountains; and

WHEREAS, Gary Everhardt sought to improve interpretative programming, develop trails and attract visitors to the parkway, and also supervised and supported the construction of the Asheville Folk Art Center, the parkway headquarters, and the Blue Ridge Music Center; and

WHEREAS, The Blue Ridge Parkway Headquarters in North Carolina is named after Gary Everhardt; and

WHEREAS, During his career with the National Parks Service and after, Gary Everhardt was a strong advocate for the Overmountain Victory National Historic Trail, which runs through Lenoir and Caldwell County, and he was a charter member of the Overmountain Victory Trail Association, which seeks to preserve, protect, and interpret the route the Overmountain Men took to the Battle of Kings Mountain; and

WHEREAS, The State of North Carolina recognized Gary Everhardt's 42-year career and service by awarding him the Order of the Long Leaf Pine, the State's highest honor; and

WHEREAS, For his service as the Superintendent of the Blue Ridge Parkway, Gary E. Everhardt was awarded the Department of the Interior's highest honor on April 24, 1985, the Distinguished Service Award, and in 1990, he was awarded the Cornelius Amory Pugsley National Medal Award for his dedication to park conservation.

WHEREAS, Gary Everhardt passed away at 86 years old Sunday, Dec. 27, 2020, in Charlotte, NC, just days after his beloved wife Nancy died on Dec. 23.

NOW THEREFORE BE IT RESOLVED, I, Mayor Joseph L. Gibbons, on behalf of the City of Lenoir City Council, hereby extend sincere appreciation and deep gratitude to Lenoir native Gary Eugene Everhardt, and further recognize and honor his four decades of service and many contributions to our City, our County, our State, and our Nation.

This the 16th day of March 2021.

SEAL

Joseph L. Gibbons, Mayor
City of Lenoir, North Carolina



City of Lenoir Police

1035 West Avenue NW
 Lenoir, North Carolina 28645
 (828) 757-2100



Council Action Form

I. Agenda Item:

To recognize and present a proclamation for Scott Kanupp at the next council meeting, Feb. 16, 2021.
 We are also requesting the surplus of his service weapon.

II. Background Information:

Officer Scott Kanupp will be retiring with 15.25 creditable years under the Local Government Retirement System on March 1, 2021. He plans to stay on as a Reserve until such time that he makes the decision to give up his certification with our agency.

III. Staff Recommendation:

I respectfully recommend that the service weapon mentioned above be surplus by the City of Lenoir and transferred into the care of Scott Kanupp. I would also request that we recognize him for his dedication to our department, city, and community at large by presenting Scott with the attached proclamation.

Chief Brent Phelps
 2/3/2021

IV. Reviewed by:

City Attorney: _____

Date: _____

City Manager: _____

Date: _____

Police Chief: Brent Phelps

Date: Feb. 3, 2021



RESOLUTION

In Recognition of Dedicated Service



WHEREAS, on the 24th day of July, in the year 2006, Scott Edward Kanupp was appointed as a Patrol Officer for the Lenoir Police Department by Chief Joey Reynolds;

THAT, as of the date of this Resolution, he has admirably and with great distinction, served the citizens of Lenoir during the tenures of three Police Chiefs, and has formed close relations with the citizens of Lenoir through his genuine concern and professional dedication to duty. He has contributed to the success of his community not only professionally, but with the support of his family – wife Melissa; a nurse in the medical field, and two sons; Bradley and Josh, both currently working in the law enforcement field;

THAT, prior to being hired by the City of Lenoir, Scott served his country as a Medical Specialist with the United States Army, with service dates of December 1979 to December 1985; and was hired by the North Catawba Fire & Rescue in October 1999 as a Firefighter and Emergency Medical Technician;

THAT, while a member of the Lenoir Police Department, he served in a number of capacities, to include Crime Prevention, Public Information Officer, Incident Command, Special Response Team, D.A.R.E. Instructor and Board Member, and School Resource Officer;

THAT, due to Scott's dedication and diligence in performing in such an exemplary manner, he was promoted to Master Patrol Officer and Community Resource Officer in August 2010; and played an active and vital role with the community, as well as daycare, elementary, middle, and high school age children;

THAT, on August 2017, he was awarded the Advanced Law Enforcement Certificate. He received an Associates Degree in Emergency Management in 2006, and has made a number of other significant contributions throughout his career;

THAT, society and law enforcement as a whole has gone through many changes and challenges over the last 15 years, and Scott has stayed abreast through those changing trends to remain an effective mentor and leader within the Lenoir Police Department, as well as in the community at large;

THAT, Scott Kanupp has humbly served the citizens of the City of Lenoir and Caldwell County and will be retiring on March 1, 2021 with over 15 years of creditable service in the North Carolina Local Government Retirement System;

THEREFORE, BE IT RESOLVED, by authority of the Mayor and City Manager, and on behalf of the City Council, that Officer Scott Kanupp has been an exemplary employee, and is himself the epitome of the professional Law Enforcement Officer. His contributions to the safety and well-being of the citizens of Lenoir and officers of the Lenoir Police Department will be held in high esteem and remembrance by this governing body, as well as persons impacted by his accomplishments;

THIS, the _____ day of _____, 2021.

Joseph L. Gibbons, Mayor

Scott E. Hildebran, City Manager



RESOLUTION

CITY OF LENOIR

HONORING

TODD ALAN LAWS

WHEREAS, *Todd Alan Laws* began his career as a Firefighter with the Lenoir Fire Department on March 1, 1991, and was promoted to 2nd Lieutenant on February 7, 2002, Lieutenant on July 7, 2004, Captain on February 11, 2008, and Battalion Chief on May 6, 2018; and

WHEREAS, *Todd Laws* has announced his retirement effective March 1, 2021 ending 30 years of exemplary service to the citizens of Lenoir and Caldwell County; and

WHEREAS, during his tenure of dedicated service, ***Todd Laws*** has served with great competence and always contributed positively to the professional development of those around him; and

WHEREAS, during all of his endeavors both in and outside the Fire Department ***Todd Laws*** has brought honor and respect to himself and the City of Lenoir by his actions and his fair treatment of all persons;

NOW THEREFORE BE IT RESOLVED, that I, Joseph L. Gibbons, Mayor, and on behalf of the Lenoir City Council and all the citizens do hereby wish the very best for ***Todd*** in his retirement and commend him for the example he has set as a dedicated public servant; and

BE IT FURTHER RESOLVED that we extend our sincere appreciation and deep gratitude for his faithful and outstanding service which has contributed to the betterment of our City.

Witness my hand and seal this the 16nd day of February, 2021.

SEAL

Joseph L. Gibbons
Mayor

**LENOIR CITY COUNCIL
TUESDAY, FEBRUARY 2, 2021
6:00 P.M.**

PRESENT: Mayor Joe Gibbons presiding. Councilmembers present were Jonathan Beal, Ike Perkins, Todd Perdue, and David Stevens. City Manager Scott Hildebran and Communications Director Joshua Harris were also in attendance at the meeting.

VIA TELECONFERENCE:

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

Department Directors participating via teleconference were Finance Director Donna Bean, Fire Chief Hair, Police Captain Andy Wilson, Recreation Administrative Assistant Maria Swanson, Planning Director Jenny Wheelock, Economic Development Director Kaylynn Horn, Public Utilities Director Radford Thomas, and Public Works Director Jared Wright.

Also participating via teleconference was Garrett Stell, *News Topic*.

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.

GENERAL COMMENTS:

- B. Mayor Gibbons stated February is Black History Month and the City will be conducting some virtual events to celebrate this historic occasion.

Mayor Gibbons also encouraged all eligible individuals to get their COVID-19 vaccine and commented the number of cases have been declining recently. In addition, Mayor Gibbons reported Samaritans Purse field hospital that was set up in early January beside of Caldwell UNC Health Care will be dismantled on Wednesday, February 3. He expressed appreciation to Samaritans Purse, the field workers and all of the healthcare workers that were involved in this critical project. Mayor Gibbons also shared that Governor Roy Cooper is reviewing options to reopen the North Carolina school systems.

On behalf of City Council, Councilmember Todd Perdue commended Economic Development Director Kaylynn Horn and team members for all of their hard work regarding the City's Branding Campaign, "Create with Us" which has resulted in a lot of new merchandise being available that will display the new logo. This project will be implemented in the near future.

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, January 19, 2021 as submitted.
2. Minutes: Approval of the minutes of the Committee of the Whole meeting of Tuesday, January 26, 2021 as submitted.

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

IV. REQUESTS AND PETITIONS OF CITIZENS

V. REPORTS OF BOARDS AND COMMISSIONS

VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER

A. Items of Information

CITY/COUNTY SERVICES

COMMITTEE: 1. The City/County Services will conduct a virtual meeting on Monday, February 8 at noon.

EDC: 2. The Caldwell County Economic Development Commission will conduct a virtual meeting on Tuesday, February 9 at 8:00 a.m.

ABC BOARD: 3. The ABC Board will conduct a virtual meeting on Thursday, February 11 at 2:00 p.m.

LENOIR BUSINESS ADVISORY

BOARD: 4. The Lenoir Business Advisory Board will conduct a virtual meeting on Thursday, February 11 at 6:00 p.m.

PARKS AND RECREATION ADVISORY

BOARD: 5. The Parks and Recreation Advisory Board will meet in person on Monday, February 15 at 6:00 p.m. at the Mulberry Recreation Center.

ANNUAL BUDGET

RETREAT: 6. City Council will conduct a virtual Budget Retreat on Tuesday, February 23 from 8:30 a.m. – 11:30 a.m. during the regular Committee of the Whole meeting and on Thursday, February 25 from 2:00 p.m. – 5:00 p.m.

B. ITEMS FOR COUNCIL ACTION

SALES TAX RE-INVESTMENT AGREEMENT:

1. If Council wishes to enter into a new Sales Tax Reinvestment Agreement between Caldwell County and the Town of Gamewell, Town of Sawmills, Town of Cahah's Mountain, Town of Hudson, Town of Granite Falls and the City of Lenoir, please authorize adoption of the attached Agreement. The proposed agreement will run for a term of four (4) years – July 1, 2021 to June 30, 2025.

A copy of the agreement is hereby incorporated into these minutes by reference. (Refer to pages 56-60).

City Manager Hildebran explained this agreement governs the distribution of sales tax for a term of four (4) years and pointed out the per capita method of distribution is used. Mr. Hildebran also stated the remaining municipalities would be presenting the agreement for adoption to their Boards over the next few weeks as the executed agreement should be in place by March 1, 2021. In addition, Mr. Hildebran reported the sales tax reinvestment funding is used for economic development.

Upon a motion by Councilmember Perkins, Council voted 7 to 0 to adopt the new Sales Tax Reinvestment Agreement as described above and as recommended by City Manager Hildebran.

VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY

VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

BOARD APPOINTMENT:

- A. Mayor Gibbons recommends that Tim Poarch be appointed to serve a two-year term on the Parks and Recreation Advisory Board. This new appointment was announced at the January 19 City Council meeting.

Upon a motion by Councilmember Perdue, Council voted 7 to 0 to appoint Tim Poarch to serve a two-year term on the Parks and Recreation Advisory Board as recommended by Mayor Gibbons.

BOARD ANNOUNCEMENTS:

- B. Mayor Gibbons announced the following upcoming appointments to the City's Authorities/Boards/Commissions. These appointments will be voted on at the February 16 City Council meeting.

Lenoir Tourism Development Authority

Matt Underwood

Parks and Recreation Advisory Board

**James Robertson
Michael Dineen**

Lenoir Business Advisory Board

Kimmie Rogers

Mayor Gibbons also mentioned upcoming appointments for March:

Board of Adjustments

**James Bradshaw
Mac Martin
Tim Scobie**

IX. REPORT AND RECOMMENDATIONS OF COUNCIL MEMBERS

X. ADJOURNMENT

A. There being no further business, the meeting was adjourned at 6:22 p.m.

Shirley M. Cannon, City Clerk

Joseph L. Gibbons, Mayor

NORTH CAROLINA

CALDWELL COUNTY

SALES TAX REINVESTMENT AGREEMENT

This Sales Tax Reinvestment Agreement ("this Agreement") is entered into by and among CALDWELL COUNTY("the County"), a political subdivision of the State of North Carolina, and TOWN OF GAMEWELL ("Gamewell"), TOWN OF SAWMILLS ("Sawmills"), TOWN OF CAJAH'S MOUNTAIN ("Cajah's Mountain"), TOWN OF HUDSON ("Hudson"), TOWN OF GRANITE FALLS ("Granite Falls") and CITY OF LENOIR ("Lenoir"), all being North Carolina municipal corporations (collectively "the Municipalities").

WITNESSETH:

WHEREAS, the Towns of Gamewell, Sawmills, Cajah's Mountain, Hudson, and Granite Falls and the City of Lenoir are all municipal corporations located in Caldwell County; and

WHEREAS, the Municipalities and the County desire to collectively fund economic development activities and other public purposes within Caldwell County; and

WHEREAS, the parties have agreed that these activities and purposes will be funded by the Municipalities in consideration of the County's continued election of the per capita method of distribution of local government sales and use tax among the County and the Municipalities pursuant to G.S. §105-472(b)(1), under which election the County receives less sales and use tax revenues, and the Municipalities receive more sales and use tax revenues, than they would receive if the County elected the ad valorem method of distribution; and

WHEREAS, pursuant to the authority of G.S. Chapter 160A, Article 20, Part 1, the County and the Municipalities have each resolved to enter into this interlocal agreement to provide funding for the activities and purposes set forth herein:

NOW, THEREFORE, for and in consideration of the mutual covenants contained herein, the parties agree and contract as follows:

1. This Agreement is entered into for the purpose of collectively funding economic development activities and other public purposes in Caldwell County. It is the intention of the parties to this Agreement that those activities which are anticipated to have the greatest county-wide impact will receive priority in funding. Decisions on which economic development activities and other public purposes to fund, and the amount of funding, will be made by the Caldwell County Board of Commissioners. Provided, however, that no more than \$350,000.00 per fiscal year will be spent from the Fund for public purposes other than economic development, for four (4) consecutive years beginning with the fiscal year that begins July 1, 2021.

2. Administrative implementation of the Fund and of the activities and purposes funded thereby shall be the responsibility of the Caldwell County Manager and his staff.

3. Pursuant to the terms of previous similar agreements, the County has established a special appropriation fund ("the Fund") under the authority and control of the Caldwell County Finance Department, which has been and shall continue to be reserved for the activities and purposes herein provided. Each Municipality's contribution to the Fund shall be paid into the Fund during July of each year, beginning July, 2021. All interest earned on the monies in the Fund shall be credited to Fund and spent for the intended activities and purposes. The County shall include the Fund in its annual audit, and within two (2) weeks after its receipt of the annual audit report, it shall provide to each of the Municipalities a written report showing Fund

receipts, interest, expenditures and balance. During the term of this Agreement, the county shall continue to elect each year the per capita method of sales and use tax distribution.

4. The term of this Agreement is for a period for four (4) years, beginning July 1, 2021 and ending June 30, 2025.

5. During the four (4) year term of this Agreement, the Municipalities' respective annual contributions to the Fund shall be the following:

Gamewell	-	\$189,000.00
Sawmills	-	194,000.00
Granite Falls	-	27,500.00
Hudson	-	27,500.00
Cajah's Mountain	-	155,000.00
Lenoir	-	<u>7,000.00</u>
TOTAL		\$600,000.00

6. Monies paid into the Fund prior to July 1, 2017 that have not been expended will be used only for economic development purposes.

7. Should the sales tax revenues fall to a level below the level experienced at the time of this Agreement, each Municipality shall retain the right to request that its contribution be lowered. The request must be submitted to the County Board of Commissioners no later than January 31st. If approved, the lowered contribution would take effect in the following fiscal year, for the payment due to the County in July. Upon obtaining a request to lower the contribution amount the County shall analyze the actual sales tax receipts of each Municipality and determine if a reduction in the contribution is warranted. The ultimate authority on whether or not to reduce the contribution from each Municipality shall rest with the County Board of Commissioners.

8. This Agreement may be modified only with the unanimous consent of all of the parties hereto.

9. This Agreement supersedes all previous agreements between these parties dealing with this same subject matter.

10. Each of the signatories below hereby represents that this Agreement has been approved in an open meeting by the governing body represented by the signatory, and that the signatory has been duly authorized to execute this Agreement as the binding act of the governing body.

CALDWELL COUNTY

ATTEST:

Clerk to the Board of Commissioners

By: _____
Chairman, Board of Commissioners

TOWN OF GAMEWELL

ATTEST:

Clerk to the Town Council

By: _____
Mayor

TOWN OF SAWMILLS

ATTEST:

Clerk to the Town Council

By: _____
Mayor

TOWN OF CAJAH'S MOUNTAIN

ATTEST:

By: _____

Clerk to the Town Council

Mayor

ATTEST:

Clerk to the Town Council

TOWN OF HUDSON

By: _____
Mayor

ATTEST:

Clerk to the Town Council

TOWN OF GRANITE FALLS

By: _____
Mayor

ATTEST:

Clerk to the City Council

CITY OF LENOIR

By: _____
Mayor

CITY OF LENOIR
COUNCIL ACTION FORM

I. Agenda Item: Lower Creek WWTP Biosolids Improvements – Change Order No.2

Background Information: The City of Lenoir has planned the construction of improvements to the Lower Creek WWTP Biosolids facility which is currently underway. The project generally consists of the installation of a new sludge drying system, improvements to the solids storage building and the installation of a new belt press.

Several changes have been necessary for the proper execution of the construction. Additional roofing improvements, a wash water booster pump was installed, an additional control station was needed for the sludge hopper lid and conveyor knife gate bypass and an additional platform was needed for the polymer tote staging area.

These changes have resulted in a net increase in the construction cost of \$9,287.07 as reflected in the attached Change Order No. 2. The new contract amount will increase to \$4,291,895.03 from \$4, 282,607.96. Please note the additional cost is well within the 10% construction contingency approved for the project. Therefore, the changes do not result in an increase to the overall funds approved for the project.

II. Staff Recommendation: Staff recommends City Council approval of Change Order No.2 as recommended by McGill Associates for the Lower Creek WWTP Biosolids Improvements in the amount of \$9,287.07.

III. Reviewed by:

City Attorney: _____

Finance Director: _____

Public Works/Public Utilities Director: _____



January 22, 2021

Mr. Radford L. Thomas
Director of Public Utilities
City of Lenoir
Post Office Box 958
Lenoir, North Carolina 28645

RE: Change Order No. 2
Biosolids Facility Improvements
Project No. E-SRP-W-17-0044
City of Lenoir, North Carolina

Dear Mr. Thomas:

Please find enclosed for your review and execution four (4) original Change Order No. 2 documents for the above referenced project currently under construction for the City of Lenoir. The change order includes additional work items for the ongoing project that have been discussed previously with City staff. Also, the change order items have been deemed eligible for funding by NC Division of Water Infrastructure (NCDWI). Enclosed is the email correspondence from NCDWI confirming their preliminary determination of eligibility.

Please note that the enclosed change order package includes a *Change Order Summary* outlining the number of additional calendar days and dollar amounts within the change order. Please execute each change order as indicated and return three (3) originals to our office, while keeping one (1) for your records.

As always, we appreciate the opportunity to work with the City of Lenoir. Should you have any questions please do not hesitate to contact me at (828)-328-2024.

Sincerely,
MCGILL ASSOCIATES, P.A.

A handwritten signature in black ink, appearing to read 'M. Patton', is written over a horizontal line.

MICHAEL PATTON
Construction Services Manager

:mp

Enclosures

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Date of Issuance: December 23, 2020

Effective Date: December 23, 2020

Owner: City of Lenoir

Owner's Contract No.:

Contractor: Brushy Mountain Builders

Contractor's Project No.:

Engineer: McGill Associates, P.A.

Engineer's Project No.: 17.01107

Project: Biosolids Facility Improvements

Contract Name: Biosolids
Facility Improvements

The Contract is modified as follows upon execution of this Change Order:

Description: Adjust the Contract Price for additional, unforeseen project work items as outlined in the attached Change Order Summary

Attachments: Change Order Summary, with back-up documentation

CHANGE IN CONTRACT PRICE

Original Contract Price:

\$ 4,259,000.00

[Increase] [Decrease] from previously approved Change Orders No. N/A to No. 1:

\$ 23,607.96

Contract Price prior to this Change Order:

\$ 4,282,607.96

[Increase] [Decrease] of this Change Order:

\$ 9,287.07

Contract Price incorporating this Change Order:

\$ 4,291,895.03

CHANGE IN CONTRACT TIMES

[note changes in Milestones if applicable]

Original Contract Times:

Substantial Completion: 330

Ready for Final Payment: 360

days or dates

[Increase] [Decrease] from previously approved Change Orders No. N/A to No. 1:

Substantial Completion: 355

Ready for Final Payment: 385

days

Contract Times prior to this Change Order:

Substantial Completion: 355

Ready for Final Payment: 385

days or dates

[Increase] [Decrease] of this Change Order:

Substantial Completion: 18 days

Ready for Final Payment: 18 days

days or dates

Contract Times with all approved Change Orders:

Substantial Completion: 373 days

Ready for Final Payment: 403 days

RECOMMENDED:

By:

Engineer (if required)

Title:

Date:

ACCEPTED:

By:

Owner (Authorized Signature)

Title:

Date:

ACCEPTED:

By:

Contractor (Authorized Signature)

Title:

Date:

Approved by Funding Agency (if applicable):

Date: _____

CHANGE ORDER SUMMARY



CHANGE ORDER SUMMARY
City of Lenoir, North Carolina
Lower Creek WWTP Biosolids Facility Improvements

CHANGE ORDER NO. 1**CONTRACT AMOUNT REVISIONS**

CO Proposal	Date Submitted	Bid Schedule Description	Unit	Qty	Unit Price	Total Price	Days Requested
1	4/10/2020	Gryphon Panel Changes	LS	1	\$ 1,404.22	\$ 1,404.22	0
1	8/18/2020	Roof Curb Changes	LS	1	\$ 2,876.11	\$ 2,876.11	7
1	4/1/2020	Guardrail Changes	LS	1	\$ 673.22	\$ 673.22	0
1	8/18/2020	Truck Loading Structure Changes	LS	1	\$ 2,976.34	\$ 2,976.34	4
1	8/18/2020	Solids Building Interior Changes	LS	1	\$ 6,572.17	\$ 6,572.17	7
1	8/18/2020	Truck Loading Grading Changes	LS	1	\$ 9,105.90	\$ 9,105.90	7
Total						\$ 23,607.96	25

PROPOSED CHANGE ORDER NO. 2**CONTRACT AMOUNT REVISIONS**

CO Proposal	Date Submitted	Bid Schedule Description	Unit	Qty	Unit Price	Total Price	Days Requested
2	11/16/2020	Truck Loading Roofing - Gutters, Downspouts, and Snowguards	LS	1	\$ 1,704.36	\$ 1,704.36	1
2	11/30/2020	BFP - Wash water Booster Pump Installation	LS	1	\$ 1,541.17	\$ 1,541.17	1
2	12/1/2020	Control Stations for Sludge Hopper Lid and Conveyor Knife Gate Bypass	LS	1	\$ 2,992.50	\$ 2,992.50	15
2	11/30/2020	Polymer Tote Platform	LS	1	\$ 3,049.04	\$ 3,049.04	1
						\$ 9,287.07	18

CONTRACT TIME REVISIONS

Change Order No. 1			25
Change Order No. 2			18
Cumulative Contract Time Adjustment (Substantial)			43
Cumulative Contract Time Adjustment (Final)			43

January 13 2021

February 12 2021

ADJUSTED CONTRACT AMOUNT

Original Contract Amount	\$ 4,259,000.00
Change Order No.1 - Addition to Contract Amount	\$ 23,607.96
Change Order No.2 - Addition to Contract Amount	\$ 9,287.07
Contract Amount Incorporating Change Orders	\$ 4,291,895.03

Change Order No. 2 Justifications		
11/16/2020	Truck Loading Station	The gas meter had to be relocated from under the truck loading station roof to just outside of the proposed roof line. This has necessitated the addition of gutters, downspouts, and snow guards on the proposed truck loading station roof. These work items will prevent heavy rains, and potentially snow falling from this high roof line onto the proposed gas meter.
11/30/2020	BFP Washwater Pump	A washwater booster pump was provided by the belt filter press manufacturer. The electrical and controls were also included on the drawings to accommodate the pump. However, the pump location and associated piping was not included within the drawings. The contractor could not account for this work due to a lack of information within the original bid documents.
12/1/2020	Controls for Sludge Hopper Lid and Knife Gate Bypass	There were electrical lines shown to the knife gate bypass and the sludge hopper lid. However, the control wiring was not shown. Also, the control stations themselves were slightly unclear as to installation responsibilities. The contractor could not account for this work due to a lack of information within the original bid documents.
11/30/2020	Polymer Tote Platform	During the shop drawing review it was discovered that the polymer tote would need to be elevated above the polymer pump skid. Engineering staff examined other locations for the pump skid. However, the final conclusion was the the polymer tote would need to be elevated on a fabricated metal platform.

**CITY OF LENOIR
COUNCIL ACTION FORM**

- I. Agenda Item: Adoption of Resolution Recognizing Master Patrol/Community Resource Officer Scott Kanupp on His Retirement from the Lenoir Police Department and Declaring His Badge and Service Weapon as Surplus Property**

II. Background Information:

As is our custom when a police officer retires from the Lenoir Police Department, the City Council declares that officer's badge and firearm as surplus property. Instead of disposing these items in our normal procedure, the City Council provides the badge and service weapon to the retiring officer.

Enclosed you will find a resolution commending Master Patrol/Community Resource Officer Scott Kanupp for his service to the Lenoir Police Department and declaring his badge and service weapon as surplus property.

III. Staff Recommendation:

Recommend approval of a resolution commending Master Patrol/Community Resource Officer Scott Kanupp for his service to the Lenoir Police department and declaring his badge and service weapon as surplus property.

IV. Reviewed By:

City Attorney:

Police Chief:

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

RESOLUTION

WHEREAS, the City of Lenoir, North Carolina, City Council desires to dispose of certain surplus property of the City of Lenoir to be awarded to Master Patrol/Community Resource Officer Scott Kanupp upon his retirement, and

NOW, THEREFORE BE IT RESOLVED,

- 1) the Mayor and City Council of the City of Lenoir acknowledge Master Patrol/Community Resource Officer Scott Kanupp's loyal and dedicated service to the Lenoir Police Department and the citizens of Lenoir, and
- 2) the Mayor and City Council declare the following police weapon of Master Patrol/Community Resource Officer Scott Kanupp, upon retirement, as surplus and no longer have any additional use to the City of Lenoir {Sig Sauer Model P220R .45 caliber (Serial # 37C007649)}; and
- 3) the Mayor and City Council authorize the City Manager to proceed with the procedures as outlined in N.C.G.S. §20-187.2 regarding the service side arms of retiring members of City law enforcement agencies.

NOW, THEREFORE BE IT FURTHER RESOLVED that, I, Joseph L. Gibbons, Mayor of the City of Lenoir, and on behalf of the Lenoir City Council and all the citizens, do hereby wish the very best for Master Patrol/Community Resource Officer Scott Kanupp in his retirement and commend him for the outstanding example he has set as a dedicated public servant.

Adopted this the 16th day of February 2021.

SEAL

Joseph L. Gibbons, Mayor

ATTEST:

Shirley M. Cannon, City Clerk



Board Re-Appointments**Lenoir Tourism Development Authority (LTDA)**

Matthew Underwood 4-year term

Parks and Recreation Advisory Board

James Robertson 2-year term

Michael Dineen 2-year term

Lenoir Business Advisory Board (LBAB)

Kimmie Rogers 3-year term

Upcoming Announcement for March**Board of Adjustments 3-year terms**

James Bradshaw

Mac Martin

Tim Scobie